

**JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA REQUEST

TO: Board of County Commissioners

FROM: Josh D. Peters, AICP, Director, Community Development
Joel M. Peterson, Associate Planner, Community Development

DATE: December 18, 2023

SUBJECT: Adopting Ordinance for the Board of County Commissioners (BoCC) Final Action on the 2023 Comprehensive Plan/UDC Annual Amendment Cycle, Drafted by Department of Community Development (DCD) as Directed by the BoCC on November 13, 2023

STATEMENT OF ISSUE:

On November 13, 2023, the Board of County Commissioners (BoCC) voted unanimously to accept the Planning Agency recommendation—submitted jointly by the Planning Commission and the Department of Community Development (DCD)—for completion of the 2023 Comprehensive Plan Annual Amendment cycle. The recommendation comprises amendments to the Comprehensive Plan, as well as housekeeping amendments to Title 18 of the Jefferson County Code (JCC), a.k.a., the Unified Development Code (UDC). Adoption of these amendments by ordinance is the final step in the annual amendment process outlined in JCC 18.45.080(2)(d).

Adopted Amendments:

1. Site-Specific: 200-acre Mineral Resource Land Overlay—Miles Sand and Gravel
2. Site-Specific: Rezone 17 acres Rural Residential (RR) one dwelling unit per twenty acres (1:20) to RR 1:5—Gifford-Yep
3. Site-Specific: Rezone 14 acres RR 1:5 to Local Agriculture (AL 1:20)—Midori Farm
4. Suggested: DCD-proposed UDC Omnibus Housekeeping Amendments

The BoCC directed DCD to draft the attached ordinance for final action to adopt these amendments.

ANALYSIS:

After analysis of the proposed amendments at a regularly scheduled meeting on November 13, 2023, the BoCC voted unanimously to accept the recommendations of the Planning

Commission (and DCD) to adopt the four proposed amendments to the Comprehensive Plan and UDC listed above. A result of this decision is that a public hearing before the BoCC is unnecessary to complete the process.

In that same meeting, the BoCC directed DCD staff to draft an ordinance for the BoCC's final action. The ordinance outlines the 2023 amendment process, provides findings of fact, and is the final action making the amendments effective upon signing. The proposed ordinance received approval as-to-form from the Prosecuting Attorney's Office.

FISCAL IMPACT:

No fiscal impact is created by the decision on site-specific and UDC amendment proposals. Planning work activities for the 2023 amendment cycle are generally supported by the General Fund and site-specific amendment application fees.

RECOMMENDATION:

DCD recommends that the BoCC take final action by signing the adopting ordinance for the 2023 annual amendments.

REVIEWED BY:



Mark McCauley, County Administrator

Date 12/14/23

STATE OF WASHINGTON
County of Jefferson

An Ordinance Amending the Jefferson)
County Comprehensive Plan and Title 18 of)
the Jefferson County Code; Adding the) **ORDINANCE** _____
Mineral Resource Lands Overlay to the)
Comprehensive Plan Land Use Map as)
proposed in File No. MLA2021-0019 (Miles)
Sand and Gravel); Approving Rezones as)
proposed in File No. ZON2023-00004)
(Gifford-Yep) and ZON2023-00006 (Midori)
Farm/M&J Investments); Amending)
miscellaneous provisions in the)
Comprehensive Plan and Title 18 of the)
Jefferson County Code)

WHEREAS, the Growth Management Act (“GMA”) requires the county to conduct an annual process by which citizens and entities can propose amendments to the County’s Comprehensive Plan and the Unified Development Code (“UDC”), Title 18 of the Jefferson County Code (“JCC”); and

WHEREAS, the Comprehensive Plan was originally adopted by the Board of County Commissioners (“BoCC”) through Resolution No. 72-98 on August 28, 1998 and subsequently amended; the UDC, was originally adopted by the BoCC through Ordinance 11-1218-00 on January 16, 2001 and subsequently amended; and

WHEREAS, as required by RCW 36.70A.470(2), Chapter 18.45 JCC requires Jefferson County to allow interested persons to suggest amendments to the Comprehensive Plan or its development regulations during annual amendment cycles; and

WHEREAS, RCW 36.70A.130(2)(a) requires that amendments to the comprehensive plan be considered together and generally no more frequently than once every year; and

WHEREAS, as mandated by the GMA, the BoCC reviewed and voted to place proposed amendments to the County’s Comprehensive Plan on the 2023 Comprehensive Plan Amendment Docket (“the Docket”) for processing and later consideration on the merits, and;

WHEREAS, each of the docket proposals that are the subject of this ordinance were processed by the Department of Community Development (“DCD”) and the details of each are recounted below; and

WHEREAS, On March 1, 2021, Miles Sand and Gravel (“MS&G”) timely submitted application materials and a State Environmental Policy Act (“SEPA”) Checklist to the Department of Community Development (“DCD”) for review under case number MLA2021-00019 for the 2021 Docket; and

WHEREAS, MS&G seeks to have the comprehensive plan land use and zoning designation known as a Mineral Resource Land Overlay (“MRLO”) placed on 200 acres of land located in the Wahl Lake Extraction Area of the unincorporated county currently designated Commercial Forest Land-80 (“CF-80”) in the Comprehensive Plan. The application is a non-project action, as it seeks only to apply the MRLO designation on the Comprehensive Plan Land Use Map; and

WHEREAS, On April 21, 2021, the Planning Commission approved the MLA2021-00019 comprehensive plan amendment for placement on the 2021 final docket, and the Docket was subsequently approved by the BoCC; and

WHEREAS, On October 11, 2021, DCD held a workshop with the BoCC regarding the MLA2021-00019 comprehensive plan amendment proposal; and

WHEREAS, due to the Covid-19 pandemic, staff shortages, and workload constraints, the BoCC continued the 2021 amendment cycle review into the 2022 amendment cycle through enactment of Resolution #72-21, scheduling BoCC’s final action for July 5, 2022; and

WHEREAS, staff shortages and workload constraints continued in 2022, further extending the review of MLA2021-00019 (MS&G MRLO), beyond July 5, 2022; and

WHEREAS, on September 21, 2022, the Planning Commission again reviewed the MLA2021-00019 proposal and held a duly noticed public hearing on the merits of the proposal; and

WHEREAS, on October 5, 2022, the Planning Commission deliberated and unanimously recommended approval of the MLA2021-00019 proposal; and

WHEREAS, the MLA2021-00019 proposal was not considered by the BoCC in 2022 as required by Chapter 18.45 JCC due to staffing issues at DCD; and

WHEREAS, , the preliminary docket for the 2023 Comprehensive Plan and UDC amendment cycle was established for site-specific and suggested amendments by March 1, 2023, consisting of three site-specific amendment proposals: ZON2023-00004 (Gifford-Yep rezone), ZON2023-00005 (Bayside Housing rezone), ZON2023-00006 (Midori Farm/M&J Investments rezone); and two suggested text amendments (without

identifying case numbers): one from the Planning Commission to develop additional approaches for housing through various UDC amendments, and DCD-sponsored suggested text amendments to address various code housekeeping amendments to the Comprehensive Plan and the UDC; and

WHEREAS, the Planning Commission reviewed the 2023 preliminary docket proposals in their regular meetings on March 1, 2023; March 15, 2023; and April 5, 2023; and

WHEREAS, on April 19, 2023, the Planning Commission held a public hearing on the preliminary docket regarding which proposals should be on the 2023 amendment cycle final docket; and

WHEREAS, on April 19, 2023, the Planning Commission deliberated on the 2023 amendment proposals and unanimously recommended that the BoCC place all proposals on the Final Docket.

WHEREAS, although MLA2021-00019 proposal (MS&G), was ready for a final decision by the BoCC, the BoCC determined that the proposal would be added to the 2023 Docket so that the requirements of Chapter 18.45 JCC could be met; and

WHEREAS, on May 8, 2023, the BoCC adopted the Planning Commission's recommendation and set the final docket of amendment proposals to include MLA2021-00019 (MS&G), ZON2023-00004 (Gifford-Yep Rezone), ZON2023-00005 (Bayside Housing & Services rezone, ZON2023-00006 (Midori Farm/M&J Investments rezone), the Planning Commission's Housing suggested amendments (no case reference), and Community Development's UDC Housekeeping suggested amendment (no case reference); and

WHEREAS, in May 2023, Bayside Housing & Services' site-specific rezone proposal (ZON2023-00005) was withdrawn by the applicant; and

WHEREAS, the proposed new code section JCC 18.19.150 would permit submittal of development permit and land use applications under urban development standards with sewer connection in the Phase 1 Area of Port Hadlock Sewer Area prior to initial startup of the PHUGA sewer system, provided that no certificate of occupancy is issued prior to sewer connection. This amendment will help to jumpstart urban development in the Phase 1 Sewer Area and will help the sewer system to have sufficient hook-ups at start-up to properly operate the system; and

WHEREAS, DCD worked with the Planning Commission Housing and Stock Plan Subcommittees from May through September on the Planning Commission's suggested housing amendments addressing various housing issues. DCD and the Planning Commission determined that the amendments needs additional research and work, and that the proposals should be combined with other housing topics for consideration as part

of the Comprehensive Plan Periodic Review which must be adopted by June 30, 2025; and

WHEREAS, DCD published the *2023 Comprehensive Plan Amendment Docket, Staff Report and SEPA Addendum*, an integrated Growth Management Act and State Environmental Policy Act document on October 11, 2023. The report analyzes the proposals on the Final Docket and offers preliminary recommendations for each amendment proposed. All of these amendments have been subject to a SEPA analysis through the DCD Staff Report and SEPA Addendum; and

WHEREAS, on November 1, 2023, the Planning Commission held a duly noticed public hearing to receive testimony on the merits of the 2023 amendment proposals; and

WHEREAS, on November 1, 2023, the Planning Commission deliberated on the testimony and record for the amendment proposals and recommended approval of each site-specific amendment (MRL2021-00019, ZON2023-00004, and ZON-00006), and approval of the UDC housekeeping omnibus amendments. The Planning Commission housing amendment proposals were recommended for continued work in 2024; and

WHEREAS, on November 7, 2023, the Planning Commission's transmitted their *Report and Recommendation for Approval of the 2023 Comprehensive Plan Site-Specific Proposals, Unified Development Code (Title 18 JCC) Omnibus Amendments, and Staff Recommendations for Continued Work on Housing Amendments to the UDC*; and

WHEREAS, on November 13, 2023, the BoCC considered the Planning Commission's recommendation, and after applying the required growth factors and findings, the BoCC accepted the Planning Commission's recommendation to approve all of the forwarded 2023 amendment proposals; and

WHEREAS, MLA2021-00019, ZON2023-00004, ZON2023-00006, and UDC housekeeping proposals have gone through the public participation process required by the Growth Management Act and the JCC; and

WHEREAS, all amendments are consistent with the requirements of the GMA and the JCC; and

WHEREAS the 2023 amendments serve to benefit the public health, safety, and welfare of the residents of Jefferson County; and

WHEREAS, the 2023 docket amendments as reflected in Attachments A, B, and C, are consistent with the county-wide planning policies and consistent with the Growth Management Act.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners:

Section 1. The BoCC adopts the above recitals (“WHEREAS statements”) as findings of fact.

Section 2. The Board makes the following findings as required by JCC 18.45.080(2)(c):

Growth Management Indicators(JCC 18.45.050(4)(b)(i) through (4)(b)(vii)):

(i) Whether growth and development as envisioned in the Comprehensive Plan is occurring faster or slower than anticipated, or is failing to materialize;

The BoCC finds that the growth rate is consistent with the Comprehensive Plan. The unadjusted population growth rate over the last year was 1.1%, somewhat slower than the previous year, when the state’s population grew by 1.3%. Jefferson County ranks 33rd out of 39 Washington counties for population increase. The 2023 population estimates for Jefferson County is 33,425, a net increase of 448 people since 2020. The 2023 population estimate of the City of Port Townsend is 10,330. Migration is the driving factor in Jefferson County population.

(ii) Whether the capacity of the county to provide adequate services has diminished or increased;

The BoCC finds the number of service providers in the County has not decreased and the County continues to be equipped to provide the same levels of service available at the time of Comprehensive Plan adoption. The County has adopted GMA-compliant plans to provide the Irondale/Hadlock Urban Growth Area (UGA) with urban services, specifically sanitary sewer service and stormwater management. The Port Hadlock Urban Growth Area Sewer System will enable planned densities within the UGA to come to fruition.

(iii) Whether sufficient urban land is designated and zoned to meet projected demand and need;

The BoCC finds that there is sufficient urban land designated to meet projected demand. For the unincorporated Irondale/Port Hadlock UGA, an analysis of vacant lands within the proposed UGA and a build-out analysis was updated in 2018. (Comprehensive Plan, Appendix E) This analysis evaluated developable lands and the ability to accommodate the allocated population. The UGA has sufficient capacity to accommodate the projected 2038 population of 5,394 people with an estimated growth rate of 1.48%. The City of Port Townsend UGA also appears to be adequately sized to accommodate anticipated future urban growth.

(iv) Whether any of the assumptions upon which the plan is based are no longer found to be valid;

The BoCC finds that since the periodic review and adoption of the Comprehensive Plan in 2018, the majority of assumptions made as part of the Plan continue to be valid. Amendments to GMA and other laws made by the State Legislature and precedent-setting decisions made by the Growth Management Hearings Boards will be under consideration during the 2025 Periodic Update.

(v) Whether changes in county-wide attitudes necessitate amendments to the goals of the plan and the basic values embodied within the Comprehensive Plan Vision Statement;

The BoCC finds that the Comprehensive Plan reflects, to the extent possible, countywide attitudes about the future growth and management of the county. The Comprehensive Plan was last updated in 2018. Updating the Comprehensive Plan in 2025 will likely include an opportunity to reassess countywide attitudes. Between Comprehensive Plan updates, countywide attitudes can best be inferred through local election results, perspectives expressed by public representatives such as the Planning Commission, and comments received during public comment periods.

(vi) Whether changes in circumstances dictate a need for amendments;

The BoCC finds that changing circumstances include the Covid-19 Pandemic, issues surrounding affordable housing, and climate change. In the past two years, Jefferson County adopted development regulations outlining a process for establishing legal lots of record, as well as regulations for siting and management of temporary housing facilities. Additional analysis and recommendations for amendments to meet emerging circumstances will be considered in the Comprehensive Plan periodic update.

(vii) Whether inconsistencies exist between the Comprehensive Plan and the GMA or the Comprehensive Plan and the County-wide Planning Policy for Jefferson County.

The BoCC finds that the Comprehensive Plan is consistent with both the Growth Management Act and the Countywide Planning Policy with regard to rural land use districts and resource overlays. The UDC is found to be consistent with the Comprehensive Plan. Amendments to the UDC in this evaluation assist with maintaining that consistency, including removal of the Forest Transition Overlay in Ch. 18.15 JCC and the Density Exemption in Ch. 18.30 JCC.

Section 3. The Board makes the following findings as required by JCC 18.45.080(1)(b)(i-iii):

(i) Whether circumstances related to the proposed amendments and/or the area in which they are located have substantially changed since the adoption of the Jefferson County Comprehensive Plan.

Generally, the circumstances and planning assumptions have not changed since the 2018 Comprehensive Plan Periodic Review. In the time period since 2018, housing affordability has become a major issue in the community. Circumstances have not substantially changed with respect to any of the proposed amendments in this ordinance.

(ii) Whether the assumptions upon which the Jefferson County Comprehensive Plan is based are no longer valid, or whether new information is available which was not considered during the adoption process or any annual amendments of the Jefferson County Comprehensive Plan.

There is no indication that assumptions upon which the Comprehensive Plan is based are no longer valid. The Comprehensive Plan documents goals and policies that support the amendment proposals.

(iii) Whether the proposed amendment reflects current widely held values of the residents of Jefferson County.

The BoCC finds the Comprehensive Plan is intended to reflect, to the extent possible, countywide attitudes about the future growth and management of the county. The 2018 Comprehensive Plan update provides a relatively recent opportunity to reassess countywide attitudes. The amendments are consistent with the Comprehensive Plan. Regarding the Mineral Resources Lands Overlay amendment, the BoCC finds the need for sand and gravel is recognized by the Jefferson County Comprehensive Plan, and also by the Growth Management Act.

Section 4. The Board makes the following findings as required by JCC
18.45.080(1)(c):

(i) The proposed site-specific amendment meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services.

The BoCC finds that each site-specific amendment meets concurrency requirements and will not increase transportation or other public facility services to a level that adversely affects adopted levels of service.

(ii) The proposed site-specific amendment is consistent with the goals, policies and implementation strategies of the various elements of the Jefferson County Comprehensive Plan.

The BoCC finds that the site-specific proposals are consistent with the Comprehensive Plan. In the case of the site-specific rezones, all zoning changes are consistent with the Comprehensive Plan designations.

(iii) The proposed site-specific amendment will not result in probable significant adverse impacts to the county's transportation network, capital facilities, utilities, parks, and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities;

The BoCC finds that the site-specific proposals do not create any unmitigated impacts to the environment, transportation network, capital facilities, utilities, or parks.

(iv) In the case of a site-specific amendment to the land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including, but not limited to, the following:

(A) Access;

(B) Provision of utilities; and

(C) Compatibility with existing and planned surrounding land uses;

The BoCC finds that each site-specific amendment is physically suited to the anticipated uses and development. Specifically, for MLA21-00019 (MS&G), the BoCC finds the access for existing mineral resource extraction facilities on Wahl Lake Rd. adequately serves the proposal; the necessary utilities will be evaluated further at the project-specific level under a conditional use permit; the existing zoning is CF-80 (commercial forestry); the proposed Mineral Resources Land Overlay designation will be on CF-80 zoned land, and the underlying land use will remain forestry as mineral extraction activities occur. After reclamation and replanting, the property will revert back to forestry. All property abutting the proposed MRL overlay is also forestry use.

(v) The proposed site-specific amendment will not create a pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the county as a whole;

The BoCC finds that the site-specific amendment that increases residential density is well situated within the surrounding development pattern and with the provision of services to the parcel, without creating pressure for other upzones.

(vi) The proposed site-specific amendment does not materially affect the land use and population growth projections that are the bases of the Comprehensive Plan;

The BoCC finds the site-specific amendments do not significantly affect land use and population growth projections.

(vii) If within an unincorporated urban growth area (UGA), the proposed site-specific amendment does not materially affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA;

The BoCC finds that none of the proposals are within a UGA.

(viii) The proposed amendment is consistent with the Growth Management Act (Chapter 36.70A RCW), the County-Wide Planning Policy for Jefferson County, any other applicable inter-jurisdictional policies or agreements, and any other local, state or federal laws.

The BoCC finds all of the proposals are consistent with the Growth Management Act, Countywide Planning Policies, and all applicable policies and laws.

Section 5. Under MLA2021-00019 (Miles Sand & Gravel), the Comprehensive Plan Exhibit 1-8 Land Use/Zoning Map is hereby amended and shall show a Mineral Resource Land Overlay (“MRLO”) on those portions of APN 701011001, 701021002, 701111001, and 701121001 depicted on the 200-acre MRLO map in “Attachment B” to this ordinance.

Section 6. Under ZON2023-00004 (Gifford-Yep), the Comprehensive Plan Exhibit 1-8 Land Use/Zoning Map is hereby amended to reflect that the parcel of real property with APN 901101005, located at 10165 Rhody Drive, Chimacum, shall be given the zoning classification of RR-5, as depicted in Attachment B-2 to this ordinance.

Section 7. Under ZON2023-00006 (Midori Farm and M&J Investments), the Comprehensive Plan Exhibit 1-8 Land Use/Zoning Map is hereby amended to reflect that the parcels of real property with AFN 702133028 and AFN 702133029, located at 294152 Hwy. 101, Quilcene, shall be given the zoning classification of AL-20, as depicted in Attachment B-3 to this ordinance.

Section 8. Title 18, JCC, is hereby amended to reflect the 12 UDC amendment proposals as listed in “Attachment A – Title 18 JCC, 2023 UDC Omnibus Housekeeping Amendments” to this ordinance, including Attachments A-1 and A-2.

Section 9. To assure consistency with the Comprehensive Plan regarding the UDC amendment of the State Route 20 Highway Visual Corridor, Exhibit 1-8 Land Use/Zoning Map, is hereby amended to show the Highway Visual Corridor overlay as depicted on the map in “Attachment B-4” to this ordinance.

Section 10. To assure consistency with the Comprehensive Plan regarding the UDC amendment of the State Route 20 Highway Visual Corridor, the Comprehensive Plan is hereby amended to reflect the changes to text and tables of Chapter 1—Land Use, describing the purpose of the State Route 20 Highway Visual Corridor, as shown in “Attachment C” to this ordinance.

Section 11. Maps in Attachment B (B-1, B-2, B-3) to this ordinance showing the adopted zoning changes are hereby incorporated.

Section 12. If any section, subsection, sentence, clause, phrase or section of this Ordinance or its application to any person or circumstance is held invalid, the remainder of this Ordinance or its application to other persons or circumstances shall be fully valid and shall not be affected.

Section 13. All requirements of the State Environmental Policy Act ("SEPA") have been met for each of the amendments adopted in the ordinance.

Section 14. This Ordinance becomes effective upon adoption by the Board of County Commissioners.

APPROVED AND ADOPTED this _____ day of _____, 2023, at _____.

JEFFERSON COUNTY
BOARD OF COMMISSIONERS

SEAL:

Greg Brotherton, Chair

Kate Dean, Member

ATTEST:

Heidi Eisenhour, Member

APPROVED AS TO FORM:

Carolyn Gallaway,
Clerk of the Board

Date

Barbara D. Ehrlichman 12/13/2023
Barbara Dykes Ehrlichman Date
Civil Deputy Prosecuting Attorney

Attachment A-1 Summary of Title 18 JCC 2023 Amendments

UDC Amendment Proposals for 2023 Annual Amendment Cycle			
Item	Docket Tracking #	Code Section	Description
1	191	18.12.070(2)	Correct incomplete word. "An owner of contiguous, substandard lots as of the effective date of the ordinance codified in this chapter shall aggregate (combine) lots to meet the requirements of this chapter".
2	34 & 48	18.15 TOC; 18.15.155(7) 18.15.574-576 18.30.130(4)(d) Comprehensive Plan	Maps the Highway 20 Visual Corridor through creation of the Highway Visual Corridor (HVC) overlay. Graphically represents the State Route 20 vegetated buffer policy adopted by the Board of County Commissioners June 21, 1988, and currently in UDC only as Note 1, Table 6-1, "To implement the intent of LNG 19.0 of the Comprehensive Plan [1998] to protect the forest corridor and tree canopy in the Glen Cove area, the setback from the right-of-way of SR 20 shall be 50 feet on each side of the highway (comprised of a 30-foot buffer and a 20-foot setback from the buffer), for new development, from the intersection of Old Fort Townsend Road and SR 20 to the incorporated boundary of the city of Port Townsend." This note is easily missed and there is no geographic representation in the code or Comprehensive Plan. The 1988 "Highway 20 Corridor Policies" document addresses a number of policies including commercial and industrial development, utility corridors, and access policy. The document was the source of Land Use Goal LNG 19.0 in the 1998 Comprehensive Plan "Endorse the extension of the forest corridor concept from Port Townsend's City limits south along SR 20 to the southerly extent of the Glen Cove/Tri-Area Study area to preserve and protect the forest corridor, and to provide a visual buffer between the roadway and new commercial and manufacturing development." There are a number of related planning policies in the 1988 document that have since been updated or addressed by nature of UDC updates in the past 35 years. The

Attachment A – Title 18 JCC, 2023 UDC Omnibus Housekeeping Amendments

			overlay requires not only the buffer and setback, but also to consider access alternatives during site planning. The current (2018) Comprehensive Plan includes the Highway 20 View Corridor policy "Along SR 20 and other suitable roadways, preserve and protect the forest corridor, and to provide a visual buffer between the roadway and new commercial and manufacturing development", Exhibit 1-12 Summary of Overlay Land Use & Zoning Designations, p. 1-23 and also in the Land Use Action Plan to "Address Highway 20 View Corridor Overlay on Zoning Maps and UDC as appropriate." Exhibit 1-24 Land Use Action Plan, p. 1-146. The amendment proposal updates text of Note 1 in Table 6-1, JCC 18.30.050, updates the UDC with a named overlay in Ch. 18.15 and also the Comprehensive Plan land use map with the buffer overlay.
3	45 & 192	18.15.571	Repeal Overlay District Article VI-N, JCC 18.15.571: Forest Transition Overlay--This provision has not been applied in the county since its inception. 2018 Public support for removing overlay and action item added to Comprehensive Plan to rescind overlay. Currently would allow conversion of a portion of zoned forest to RR5. Deferred from 2018 UDC docket. 2018 Comprehensive Plan Exhibit 2-7, p. 2-30, Natural Resources Action Plan "Update UDC to remove the FTO, which was originally established to minimize conflicts between forestry and adjacent rural residential uses, but is not widely applicable in the County, has never been implemented, has not responded to any conflicts, nor shown to be protective of natural resources."
4	197	18.19.150	Sewer implementation code amendment allowing land use development permits to be submitted before sewer connection availability.
5	189	18.20.380	Provide a temporary use permit for living in an RV while constructing a home. Provides permit pathway and conditions for appropriate temporary use.
6	176	18.30.050(4)	Repeal density exemption, allowing subdivision of substandard-acreage for subdivision under Ch. 18.35, pre-1998 Comprehensive Plan rural

Attachment A – Title 18 JCC, 2023 UDC Omnibus Housekeeping Amendments

			residential zoned parcels which have two houses & two septic systems. It is no longer relevant with LLOR process (Ch. 18.12). "4) Density Exemptions. In land use districts with minimum density requirements, additional substandard or nonconforming lots can be segregated on a legal lot of record containing more than one primary dwelling unit and septic system consistent with the requirements for a short subdivision under Article III of Chapter 18.35 JCC; provided, that all conditions set forth in this subsection are satisfied...The property may be divided into a number of lots equal to the number of legally permitted and installed septic systems. "
7	92	18.30.050 Table 6-1	JCC 18.30.050 Table 6-1 at Minimum Lot Area. Strike Note 10: ""N/A"—Not Applicable" and add new Footnote 10 text: " <u>If a development proposal depends on two or more lots or parcels to be considered as one site for purposes of complying with the provisions of this title or of any other provision of Jefferson County Code, the department may require the applicant to record a covenant to the benefit of the county that requires the retention of the lots under common ownership and control for the duration that the use is maintained on the site.</u> " Edit footnotes 3, 4, and 11 as shown and to replace bullet points with alpha characters.
8	195	18.35.030(5) 18.35.100(1)	(5) Pursuant to Chapters 79.125 and 58.17 RCW, tidelands <u>boundaries that are coincident with state-owned aquatic lands</u> may not be altered in any fashion under this section. Tideland acreage may not be included or given other consideration in any land division, plat alteration, or boundary line adjustment. The authority to alter platted tidelands lies with the department of natural resources. 18.35.100(1) edits to use "DCD", also same in 18.40.110(3)(b), 18.40.810(10)(a).
9	196	18.35.100(6)	Remove old reference to CAO that was missed in 2018. "Where applicable, any special reports or studies required under Chapter 18.4522 JCC <u>(Critical Areas Ordinance)</u> ; prepared in accordance with the requirements of Article VI K of Chapter 18.15 JCC; ".

Attachment A – Title 18 JCC, 2023 UDC Omnibus Housekeeping Amendments

10	198	18.40.110	Section JCC 18.40.110, last amended by Ordinance No. 14-1210-18, is amended to read...strikes out-of-date appeal information.
11	166	18.40.180	"A notice of application shall not be required for Type I project permits that are categorically exempt under SEPA, unless a public comment period or an open record pre-decision hearing is required. A notice of application shall be required for all Type II <u>and Type III</u> projects, regardless of whether such projects are exempt from SEPA.
12	177	JCC 18.40.810	Standard of Review not "de novo".

Attachment A-2 Title 18 JCC Line-In/Line-Out 2023 Amendments

Chapter 18.12

LEGAL LOT OF RECORD DETERMINATION AND LOT CONSOLIDATION

18.12.070 Development of substandard lots of record.

(2) A landowner must aggregate adjacent lots to the extent possible to bring the substandard lot to conforming status. An owner of contiguous, substandard lots as of the effective date of the ordinance codified in this chapter shall aggregate (combine) lots to meet the requirements of this chapter; and aggregation of substandard lots shall meet the underlying density if possible and be recorded as a boundary line adjustment pursuant to JCC 18.35.060 through 18.35.080. If the resulting aggregation of lots does not meet the zoning minimum lot size or underlying density, the lot must meet an exception in subsection (3) of this section, or the owner must apply for and receive a residential development exception pursuant to JCC 18.12.080 to be considered eligible for development.

Attachment A – Title 18 JCC, 2023 UDC Omnibus Housekeeping Amendments

Chapter 18.15

LAND USE DISTRICTS

[At the Table of Contents, listing the Sections, deletes TOC Article VI-N heading and the TOC section entry]

Article VI-N. Repealed

“18.15.571 *Repealed.*”

[Now, at Article VI-N, at JCC 18.15.571]

Article VI-N. *Repealed*

Article VI. Overlay Districts

Article VI-A. Purpose

18.15.155 Established.

Overlay districts provide regulations in addition to those of other sections in this code for certain land areas and for uses which warrant specific recognition and management. See the official maps for the location of the overlay districts. Except as otherwise provided in this Article VI, the provisions of an overlay district shall prevail over any conflicting provisions of this code for the duration of the overlay district, subject to RCW Title 36. All other provisions of this code shall remain in full force and effect within the overlay district. The following types of overlay districts are provided by this code:

- (1) Mineral resource lands (MRL);
- (2) *Repealed by Ord. 3-08*;
- (3) Airport essential public facility district (A);
- (4) Remote rural (RR) overlay for West End Planning Area (WEPA) and Brinnon Planning Area (BRPA);
- (5) Planned rural residential development (PRRD);
- (6) Small-scale recreation and tourist (SRT); and
- (7) Highway Visual Corridor (HVC).

[Ord. 3-08 § 2; Ord. 8-06 § 1]

Article VI-Q State Route 20 Highway Visual Corridor (HVC) Overlay District

18.15.574 Purpose.

The State Route 20 corridor is the major transportation link between Port Townsend, the county seat, and the unincorporated portions of the county. As the gateway to Port Townsend, State Route 20 is well traveled by local

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residents, commercial haulers, and visitors alike. The State Route 20 corridor is part of the national scenic highway system. It is locally referred to as “Rhododendron Drive” due to the abundance of the state flower found in the corridor.

Pressure for strip development facing this corridor may occur as some business activities find this area a desirable place to locate. This pattern of development is contrary to the stated goals and policies of the Jefferson County Comprehensive Plan. Individual site plans or coordinated sub-area planning shall provide for the continued development of the State Route 20 corridor for residential, commercial, and industrial uses while maintaining the visual aesthetics of the corridor.

Efforts have been made to accommodate commercial and industrial activities within the corridor. The Glen Cove Industrial area with its frontage road (Otto Street), dedicated buffer, controlled access, and water utility provisions is the primary example. Sub-area planning or individual site plans shall provide for the continued development of the State Route 20 corridor for residential, commercial, and industrial uses while maintaining the visual aesthetics of the corridor. The goal of these planning elements is to maintain the visual and functional integrity of the State Route 20 corridor by incorporating elements such as visual buffers, signage, limited access, frontage roads, service roads, utility corridors and utility access, to allow business expansion while protecting the utility, safety, and aesthetics of the highway corridor. Uses that do not depend on unobstructed visual access or direct frontage access to State Route 20 are most suited in this corridor.

18.15.575 Corridor Designation

The State Route 20 Highway Visual Corridor (HVC) is designated as follows:

That area described as Tax 1, 2, 3, 4, 5, 6, 21, and 22, and the Santa Barbara Addition and Blocks 1, 2, 4, 5, and 8 of Denny’s Second Addition (excluding the portion east of the City of Port Townsend waterline easement and the Port Townsend Paper Mill utility corridor), all within Section 16, Township 30 North, Range 1 West, WM and that area lying within the Southwest Quarter of Section 16 south of the railroad right-of-way; the Northwest Quarter of Section 21; and those portions of the plats of the Eisenbeis Bayview Addition of the Phillips Bayview Additions to the City of Port Townsend located in the Southeast Quarter of Section 17, all within Township 30 North, Range 1 West, WM (depicted on the “Highway 20 Corridor Map”).

18.15.576 General Provisions

(1) Buffer Required for the State Route 20 Highway Visual Corridor (HVC)

(a) Buffer Dimensions. A thirty-foot-wide buffer is incorporated in the corridor, located adjoining the State Route 20 right-of-way toward the interior of the corridor area.

(b) Buffer Characteristics. New development and redevelopment within the State Route 20 Highway Visual Corridor (HVC) shall meet requirements of JCC 18.30.130(4)(d) Landscaping/Screening for Road Frontages. “Screen A” landscaping shall function as a visual barrier, with vegetative plantings, enhancements, and/or maintenance in order to screen development from the view of the traveling public. Visual screening may be accomplished through the enhancement and maintenance of the existing natural appearance of the highway corridor. Existing trees and vegetative plantings which meet or exceed these standards shall be considered to fulfill the buffer requirements.

(c) Buffer Maintenance. The buffer is to be maintained and, if necessary, supplemented with native plant material consisting of a mix of primarily evergreen trees and shrubs generally interspersed to form a continuous year-round screen that grows to at least eight feet in height within two growing seasons. No vegetation shall be removed from the buffer area until specific development plans and planting schedules are approved.

(c) Landscaping Plan. Compliance with this section shall be demonstrated with a Landscaping Plan meeting the requirements of JCC 18.30.130(7).

(d) Vegetation within the highway right-of-way shall not be used to determine buffer density.

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(2) Setback. The minimum setback in the State Route 20 Highway Visual Corridor (HVC) for a commercial or industrial structure, including any accessory building or structure, shall be fifty (50) feet from the State Route 20 right-of-way.

(3) Corridor Site Plan

Development of parcels in the State Route 20 Highway Visual Corridor (HVC) shall depict on the site plan the location of the corridor buffer, elements of the landscaping plan, and provide a narrative that demonstrates consideration of the following elements, as applicable:

- (a) applicability of shared signage;
- (b) applicability of shared driveways, coordination of service road access, use of frontage roads, and limiting direct access to State Route 20; and
- (c) consideration of utility corridors and utility access.

Chapter 18.19

**TRANSITIONAL RURAL DEVELOPMENT STANDARDS OF THE IRONDALE/PORT HADLOCK
URBAN GROWTH AREA**

A new JCC Section 18.19.150 is added as follows:

18.19.150 Submittal of development and land use applications for approval of urban development with sewer connection under Chapter 18.18 JCC in the Phase 1 Area prior to initial startup of the PHUGA sewer system.

(1) Prior to availability of the Port Hadlock Urban Growth Area Sewer System (“PHUGA Sewer System”), the director may, in their sole discretion, accept any application for processing under Title [15](#) JCC or Title [18](#) JCC in which the applicant desires connection to or anticipates a requirement to connect to the PHUGA sewer system, under the following circumstances:

- (a) The director of public works confirms that the applicant’s proposal will be eligible for connection, or will be required to connect, to the PHUGA sewer system when the sewer becomes operational;
- (b) The applicant’s project is consistent with the urban growth area planning designation for the Port Hadlock UGA contained in the comprehensive plan and implementing development regulations in Chapter [18.18](#) JCC, which will be in effect when the sewer system is operational and available to the property; and
- (c) The applicant agrees to assume the risk of starting project permitting prior to the date at which the PHUGA sewer system is fully operational and available to applicant’s property, and agrees to a tolling of the time periods otherwise required by Title [18](#) JCC that may be exceeded as a result of the following possible delays:
 - (i) the time necessary to complete installation of the sewer system connection to the applicant’s property; and
 - (ii) the time necessary for the sewer system to be declared operational.

(2) Authorization to submit a development application shall be conditioned on the following requirements:

- (a) The applicant signs an acknowledgement that:
 - (i) installation of the sewer system in the Port Hadlock UGA is a major public works project for which schedule delays are foreseeable, despite best efforts;
 - (ii) commencement of construction will not be granted for any project reviewed pursuant to this section until the director of the department of public works provides an authorization stating that the county has executed a contract for construction of the pressure sewer to the applicant’s property and providing a projected timeline for completion of the sewer connection; and

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(iii) a certificate of occupancy will not be issued for any project reviewed pursuant to this section until the sewer connection to the applicant's property is completed and the PHUGA sewer system is declared operational by the department of public works;

(b) The applicant signs a document containing the following provisions:

(i) An agreement of assumption of risk and waiver of any damages resulting from a delay in commencement of construction or receipt of a certificate of occupancy as required by JCC 18.19.150(2)(a); and

(ii) An agreement any time period set in Title [18](#) JCC, including but not limited the 120-day time period and [18.40.300](#), will be tolled during the following possible delays:

A. The time necessary to complete installation of the sewer system connection to the applicant's property; and

B. The time necessary for the sewer system to be declared operational.

(3) No application submitted pursuant to this section will vest pursuant to JCC [18.40.320](#), if vesting is authorized by state law to that type of application, until the development regulations contained in chapter [18.18](#) JCC are in effect on the land and a fully complete application is on file with DCD.

Chapter 18.20

PERFORMANCE AND USE-SPECIFIC STANDARDS

18.20.380 Temporary outdoor uses.

(2) The following temporary outdoor uses, unless otherwise regulated by the provisions of Chapter 8.20 JCC, Assemblies, are allowed subject to a Type I approval process for a temporary outdoor use permit:

- (a) Outdoor art craft shows and exhibits not exceeding three days and not located on public park and/or school property;
- (b) Circuses, carnivals and similar transient amusement enterprises, limited to not more than 30 days of site occupation and operation in any one calendar year;
- (c) Rummage and other outdoor sales sponsored by schools, places of worship or other nonprofit organizations occurring more than 30 days in any one calendar year;
- (d) Charitable or community events, not exceeding seven days in duration and not more than four times in any one calendar year;
- (e) Overflow off-site parking, not exceeding seven days in duration and not more than four times in any one calendar year;
- (f) Auctions, not exceeding three days and not located on public park and/or school property;
- (g) Temporary asphalt or concrete batch plants for public road construction or repaving; provided, that all equipment, including the plant shall be removed within 30 days of project completion and the site shall be restored to its original condition;
- (h) Temporary food and beverage stands may be permitted for a period of six months and may be extended for an additional six months. Once an extension has been granted the site may not be used for a temporary food and beverage stand for two years after the expiration of the permit extension; and
- (i) Temporary use of a recreational vehicle (RV) as a dwelling by an owner or lessee of a site during construction of a residential structure; provided, the construction is under an approved building permit, the recreational vehicle (RV) is connected to permanent utilities (septic and water), the site has obtained an address for emergency medical services, and placement of the recreational vehicle (RV) complies with all Title 18 JCC standards for setbacks and Critical Areas.
- (j) Similar uses as determined by the administrator.

Chapter 18.30

DEVELOPMENT STANDARDS

18.30.050 Density, dimension, and open space standards.

(1) Purpose. This section establishes: (a) density requirements; (b) bulk, area, and dimensional standards; and (c) specific rules for all uses. These standards and rules are intended to provide flexibility in project design and to maintain privacy between adjacent uses.

(2) Development Standards. This section and Table 6-1 contain general density, intensity, and dimensional standards for the various land use districts. Limitations specific to a particular district are also specified.

(3) Measurement Methods. The following methods will be used to determine compliance with this chapter:

(a) The “maximum density” for a parcel is calculated by dividing the parcel area by the total number of residential dwelling units allowed according to the density designation. Only whole density units may be used.

(b) “Parcel area” or “lot area” is the total horizontal land area contained within the boundaries of a parcel.

(c) If a development proposal depends on two or more lots, parcels or combinations thereof to be considered as a site for purposes of complying with the provisions of this title or any other provisions of the Jefferson County Code, DCD may require the applicant to record a covenant to the benefit of the county that requires retention of the lots under common ownership and control for the duration that the use is maintained on the site.

(d) Setbacks from roads shall be measured from the edge of the road right-of-way. Side and rear setbacks are measured from the edge of the property in the same manner as road setbacks.

(e) “Impervious surface” is measured by calculating the horizontal land area of all surface areas that create a barrier to or retard the entry of water into the soil in comparison with natural conditions prior to development. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces. See also JCC 18.30.070 for storm drainage standards.

(f) The height of buildings and structures shall be calculated by the vertical distance from grade plane to the average height of the highest roof surface. Story height is calculated by the vertical distance from the top to top of two successive tiers of beams or finished floor surfaces; and, for the topmost story, from the top of the floor finish to the top of the ceiling joist or, where there is not a ceiling, to the top of the roof rafters (cf. International Building Code).

Table 6-1. Density, Dimension and Open Space Standards

	Resource Lands				Rural Residential			Rural Commercial				Rural Industrial						Public	UGA	
	Agricultural Resource Lands	Commercial Forest	Rural Forest	Inholding Forest	1 DU/5 Acres	1 DU/10 Acres	1 DU/20 Acres	Rural Village Center	Convenience Crossroad	Neighborhood/Visitor Crossroad	General Crossroad	Resource-Based Industrial	Light Industrial/Commercial (Glen Cove)	Light Industrial (Glen Cove)	Light Industrial/Manufacturing (Quilcene and Eastview)	Heavy Industrial	Parks, Preserves and Recreation	Final Urban Growth Area (Reserved)	Major Industrial Development	
Development Standard ⁹	AP-20 and AL-20	CF	RF	IF	RR 1:5	RR 1:10	RR 1:20	RVC	CC	NC	GC	RBI	LI/C	LI	LI/M	HI	PPR	UGA	MID	
Maximum Density (DU/Acre)	1/20	1/80	1/40	1/20	1/5	1/10	1/20	None	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A		N/A	
Minimum Lot Area ¹⁰	None specified. Lot sizes shall be sufficient to meet the public health and environmental protection standards contained in Jefferson County regulations. Ability to subdivide is regulated by the mapped development density.																		Per Chapter 18.15 JCC, Article VIII	
Minimum Front or Road ¹¹ Setbacks ^{5,6} (feet)																				
Minor Collector and Local Access	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20		50	
Driveway	0	0	0	0	0	0	0													
Private Road and Ingress/Egress Easement	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20			
Major Collector	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30		50	
Minor Arterial	35	35	35	35	35	35	35	30	35	35	35	35	35	35	35	35	35		50	
Principal Arterial	50	50	50	50	50 ¹	50	50	35	35	35	35	35	35 ¹	35 ¹	35	35	50		50	

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	Resource Lands				Rural Residential			Rural Commercial				Rural Industrial					Public	UGA	
	Agricultural Resource Lands	Commercial Forest	Rural Forest	Inholding Forest	1 DU/5 Acres	1 DU/10 Acres	1 DU/20 Acres	Rural Village Center	Convenience Crossroad	Neighborhood/Visitor Crossroad	General Crossroad	Resource-Based Industrial	Light Industrial/Commercial (Glen Cove)	Light Industrial (Glen Cove)	Light Industrial/Manufacturing (Quilcene and Eastview)	Heavy Industrial	Parks, Preserves and Recreation	Final Urban Growth Area (Reserved)	Major Industrial Development
Development Standard ⁹	AP-20 and AL-20	CF	RF	IF	RR 1:5	RR 1:10	RR 1:20	RVC	CC	NC	GC	RBI	LI/C	LI	LI/M	HI	PPR	UGA	MID
Special Setback from Resource Lands	A special setback is required from the adjacent resource land or use as specified in Chapter 18.15 JCC.																		
Minimum Rear and Side Setbacks ^{5,6} (feet)	5	5 ²	5 ²	5 ²	5 ^{3,12}	5 ^{3,12}	5 ^{3,12}	5 ^{3,4}	5 ^{3,4}	5 ^{3,4}	5 ^{3,4}	10 ^{3,4}	10 ^{3,4}	10 ^{3,4}	10 ^{3,4}	20 ^{3,4}	20		100
Maximum Building Dimensions																			
Building Height ^{7,8} (feet)	35	35	35	35	35	35	35	35	35	35	35	IBC Std.	35 ¹⁶	35 ¹⁶	IBC Std.	IBC Std.	35		IBC Std.
Area of Impervious Surface Coverage ¹⁵ (%)	10	10	10	10	25	25	25	60	60	60	60	Per JCC 18.30.070	55	55	Per JCC 18.30.070	Per JCC 18.30.070	10		Per JCC 18.30.070
Area of Building Coverage ¹³	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	60	N/A	N/A	60	60	N/A		N/A
Maximum Building Size ¹⁴ (sq. ft.)	Subject to Department of Health on-site septic and water constraints, lot size and all other applicable requirements							20,000	5,000	7,500	10,000	None Specified	20,000 (LI) ¹⁶ 15,000 (C) ¹⁷	10,000 ¹⁸	None Specified	None Specified	None Specified		None Specified

NOTES:

1. See JCC 18.15.574 Article VI-Q State Route 20 Highway Visual Corridor (HVC) Overlay District for State Route 20 which implements the intent of 2018 Comprehensive Plan policy LU-P-15.4, and as codified in JCC by Ordinance XX-XXXX-XX. To protect the forest corridor and tree canopy in the Glen Cove area, the setback from the right-of-way of SR 20 shall be 50 feet on each side of the highway (comprised of a 30-foot buffer and a 20-foot setback from the buffer), for new development, from the intersection of Old Fort Townsend Road and SR 20 to the incorporated boundary of the city of Port Townsend.

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2. Except if subject to the special setbacks required from adjacent resource lands as specified in Chapter 18.15 JCC.
3. Special Rear and Side Setbacks. Special Rear or Side Setbacks are required:
 - a. Wherever a residential use is proposed to abut a commercial use or zone, and vice versa. The setback shall be 35 feet.
 - b. Wherever a residential use is proposed to abut a light industrial use or zone, and vice versa. The setback shall be 25 feet, unless otherwise specified in this code.
 - c. Wherever a residential use is proposed to abut a heavy industrial use or zone, and vice versa. The setback shall be 100 feet, unless otherwise specified in this code.
4. Wherever a commercial use is proposed to abut an industrial use or zone, and vice versa. The setback shall be 20 feet, unless otherwise specified in this code.
5. Fences are exempt from setback requirements, except in the jurisdiction of the Shoreline Master Program (SMP) or when impairing safe sight lines at intersections, as determined by the county engineer.
6. Setbacks do not apply to mailboxes; wells; pump houses; bus shelters; septic systems and drainfields (except in the SMP); landscaping (including berms); utility apparatus such as poles, wires, pedestals, manholes, and vaults. No other structures or accessory uses shall be located in the front setback area unless approved by the administrator. The administrator may reduce the minimum road setbacks if the strict application of such setback would render a legal lot of record unbuildable under the provisions of this code.
7. Chimneys, smokestacks, fire or parapet walls, ADA-required elevator shafts, flagpoles, utility lines and poles, skylights, communication sending and receiving devices, HVAC and similar equipment, public water towers or tanks, and spires associated with places of worship are exempt from height requirements.
8. Propane fuel storage tanks and containers shall maintain setbacks and separations pursuant to the currently adopted International Fire Code.
9. Approved subarea plans may establish different bulk and dimensional requirements for those areas.
10. If a development proposal depends on two or more lots or parcels to be considered as one site for purposes of complying with the provisions of this title or of any other provision of the Jefferson County Code, DCD may require an applicant to record a covenant to the benefit of the county that requires the retention of the lots under common ownership and control for the duration that the use is maintained on the site.
11. Road Classifications. To clarify the setbacks for development activities consistent with the requirements of this chapter, the following road designations shall apply:
 - a. Principal arterials: US 101, SR 104, SR 20.
 - b. Minor arterials: SR 19 (Beaver Valley Road, Rhody Drive, and Airport Cutoff).
 - c. Major collectors: SR 116 (Ness' Corner Road, Oak Bay Road to Flagler Road and Flagler Road), Center Road, Chimacum Road, Irondale Road, Quinalt-South Shore Road, Upper Hoh Road.
 - d. Minor collectors: Anderson Lake Road, Bee Mill Road, Cape George Road, Clearwater Road, Cooke Avenue Extension, Coyle Road, Dabob Road, Dabob P.O. Road, Dosewallips Road, Duckabush Road, E. Quilcene Road, Four Corners Road, Eaglemount Road, Hastings Avenue West, Hazel Point Road, Larson Lake Road, Oak Bay Road, Paradise Bay Road, Penny Creek Road, Point Whitney Road, S. Discovery Road, Thorndyke Road, South Point Road.
12. The special side and rear setbacks provided in Table 6-1 shall also apply to outbuildings for residential or agricultural uses such as detached garages, storage sheds or tool sheds, except for existing lots of record less than five acres wherein the minimum rear and side yard setbacks for outbuildings shall be five feet.
13. Maximum area of building coverage is measured by the percentage of total lot area occupied by the footprints of all structures.
14. Maximum building size is measured as the area occupied by the footprint of each individual structure. A parcel may contain more than one structure of the maximum building size.
15. Pre-existing legal lots of record less than one acre in size in rural residential districts are subject to the stormwater requirements in Chapter 18.30 JCC and must meet the "Area of Impervious Surface Coverage" to the maximum extent practicable as determined by the administrator.
16. In the Glen Cove light industrial/commercial (LI/C) district, the 20,000-square-foot building size and the 35-foot building height for all "Yes" uses may be exceeded up to a maximum building size of 40,000 square feet (total interior floor space not to exceed 80,000 square feet) and a maximum building height of 50 feet pursuant to the Type III review process contained in Chapter 18.40 JCC and consistent with the conditional use criteria contained in Chapter 18.40 JCC.

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17. In the Glen Cove light industrial/commercial (LI/C) district, the 1,500-square-foot building size for all “Associated Commercial” uses may be exceeded up to a maximum building size of 3,000 square feet pursuant to the Type III review process contained in Chapter 18.40 JCC and consistent with the conditional use criteria contained in Chapter 18.40 JCC.

18. In the Glen Cove light industrial (LI) district, the 10,000-square-foot building size and the 35-foot building height for all “Yes” uses may be exceeded up to a maximum building size of 20,000 square feet and a maximum building height of 50 feet pursuant to the Type III review process contained in Chapter 18.40 JCC and consistent with the conditional use criteria contained in Chapter 18.40 JCC.

19. Impervious surface requirements do not apply to public purpose facilities.

[Ord. 14-18 § 4 (Exh. B); Ord. 10-12 § 1; Ord. 8-06 § 1]

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- (a) Ten feet of Screen-B landscaping shall be provided for an industrial development.
- (b) Ten feet of Screen-B landscaping shall be provided for all above-ground utility facilities or development, excluding distribution and transmission corridors, located outside a public right-of way.
- (c) Ten feet of Screen-C landscaping shall be provided for all commercial or multiple-family residential development.
- (d) Within the Highway Visual Corridor Overlay, Article VI-Q, a 30-foot vegetated buffer providing Screen-A landscaping is to be located adjoining State Route 20, along with a 20-foot setback from the buffer, totaling a 50-foot visual corridor meeting the purpose and requirements of JCC 18.15.574.
- (5) Landscaping of Interior Lot Lines. The average width or depth of perimeter landscaping along interior lot lines shall be provided as follows:
 - (a) Fifteen feet of Screen-A landscaping shall be included in all commercial, industrial, or small-scale recreational and tourist development along any portion adjacent to a residential use or district, except as may be varied by the administrator under subsection (2)(b) of this section.
 - (b) Ten feet of Screen-B landscaping shall be included in all multiple-family development along any portion adjacent to a single-family residential use and in an industrial development along any portion adjacent to a nonindustrial development, except as provided in subsection (5)(a) of this section.
- (6) Screening¹ for Parking Lots. Screening shall be provided for commercial, industrial, small-scale recreational and tourist uses, and multifamily residential use surface parking lots, with five or more parking stalls, as follows:
 - (a) Parking lot screening shall be provided on each side, front, and/or rear of a parking lot where such side, front, or rear abuts any residential use or district, except that no screening is required where the elevation of the parking area lot line is four feet higher than the finished elevation of the parking area surface.
 - (b) Parking lot screening shall be kept in good condition and shall meet the following conditions:
 - (i) Parking lot screening shall be continuous where required along a side, front or rear of a parking area and shall not be less than four feet in height above the grade of the parking lot surface, broken only for accessways and aisles; provided, that the screening shall not be permitted for a distance of 20 feet on each side of a parking area accessway to ensure proper sight distance. Where screening is prohibited by the above provisions, low lying shrubs or other similar plantings shall be placed; such plantings shall not be allowed to exceed three feet in height.
 - (ii) Parking lot screening shall not be installed in such a manner as to obstruct the free use of any fire hydrant.
 - (iii) The space between a parking lot screen and the right-of-way, except for any pedestrian access improvements, shall be landscaped with grass, shrubs, trees, or evergreen groundcover. On the sides and rear of parking areas not facing a street, such landscaping shall be required between the screening and the lot line.
- (7) Landscape Plan. When screening is required, a landscaping plan shall be submitted with the project application to indicate how the minimum screening requirements are met. The plan must meet the following requirements:
 - (a) The landscape plan shall be drawn on the same base map as the development plans or on a separate sheet properly labeled and shall identify the following:
 - (i) Total landscape area;
 - (ii) Landscape materials, plant names, and applicable size;
 - (iii) Property lines;

¹ JCC 18.10.190: “‘Screening’ means a method of visually shielding or obscuring a structure or use from view by fencing, walls, trees, or densely planted vegetation.” Note: There is no definition of “landscaping” in Title 18 JCC.

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(iv) Impervious surfaces;

(v) Existing or proposed structures, fences, and retaining walls; and

(vi) Natural features or vegetation left in natural state.

(b) The required landscaping shall be installed prior to project occupancy. However, a certificate of occupancy may be issued prior to installation of the required landscaping if a bond or other form of appropriate surety is posted in a manner acceptable to the administrator. The time limit for compliance may be extended to allow installation of such required landscaping during the next planting season.

(8) Maintenance.

(a) All landscaping and necessary support systems shall be maintained for the life of the project.

(b) All landscape materials shall be pruned and trimmed as necessary to maintain a healthy growing condition.

(c) Landscape areas shall be kept free of trash. [Ord. 8-06 § 1]

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Chapter 18.35 LAND DIVISIONS

18.35.030 Applicability.

(1) This chapter applies to the division of land into four parcels for short subdivisions and of five or more parcels for long subdivisions. This chapter further applies to boundary line adjustments and binding site plan review and regulation.

(2) Property boundary lines separating two or more lots of record may be adjusted only under the specific provisions set forth in this chapter.

(3) The process for re-subdivision, alteration and vacation of any existing subdivision is identical to the process for initial subdivision. All such subdivision applications shall conform with the applicable sections in this chapter governing the subdivision of property into lots, tracts or parcels. All proposed plat vacations shall comply with the requirements and criteria set forth in RCW 58.17.212, as now adopted or hereafter amended.

(4) Where this chapter imposes greater restrictions or higher standards upon the development of land than other provisions of this code, laws, ordinances or restrictive covenants, the provisions of this chapter shall prevail.

(5) Pursuant to Chapters 79.125 and 58.17 RCW, tidelands boundaries that are coincident with state-owned aquatic lands may not be altered in any fashion under this section. [Ord. 8-06 § 1]

Article III. Short Subdivisions

18.35.100 Application submittal and contents.

To be considered complete, applications for short subdivisions shall include the following information:

(1) Applications for short subdivisions shall be made on forms provided by DCD and shall be submitted to DCD, along with the appropriate fees established under the Jefferson County fee ordinance;

(2) A completed land use permit application form, including all materials required pursuant to Chapter 18.40 JCC;

(3) A sworn certification by the applicant verifying whether the applicant has any interest in any land adjacent to any portion of the subject property; such interest in land may be by reason of ownership, contract for purchase by an agreement or option by any person, family member, firm or corporation in any manner connected with the applicant or the development;

(4) The dimensions and area of each proposed lot, tract or parcel to accurately show that each lot, tract or parcel contains sufficient area to satisfy the minimum requirements of Chapter 18.15 JCC; provided, that the area of land contained in access easements, access panhandles or pipestem configurations shall not be included in the area computations;

(5) Five paper copies of a preliminary short plat meeting the standards of JCC 18.35.110 and 18.35.120;

(6) Where applicable, any special reports or studies required under Chapter 18.22 JCC (Critical Areas Ordinance);

(7) A preliminary drainage plan prepared in a manner consistent with the requirements of Chapter 18.30 JCC, including any soil test information that may be deemed necessary by the director of the department of public works;

(8) The estimated quantities of any fill to be expected from the site and imported to the site; and

(9) Documentation of water availability and adequacy for each parcel affected sufficient to meet the requirements of JCC 18.30.030. [Ord. 8-06 § 1]

Chapter 18.40

PERMIT APPLICATION AND REVIEW PROCEDURES/SEPA IMPLEMENTATION

18.40.110 Determination of complete application – Additional information and project revision.

(1) Determination of Completeness. Within 28 calendar days after receiving a project permit application the administrator shall mail a determination to the applicant that states either that:

(a) The application is complete; or

(b) The application is incomplete and information necessary to make the application complete.

(2) Identification of Other Agencies with Jurisdiction. To the extent known by the county, other agencies with jurisdiction over the project permit application shall be identified in the county's determination of completeness.

(3) Incomplete Application Procedure.

(a) If the applicant receives a determination that the application is incomplete or that additional information is required, the applicant shall have 90 calendar days to submit the necessary information to the administrator. Within 14 calendar days after the applicant has submitted the additional information, the administrator shall again make the determination described in subsection (2) of this section.

(b) If the applicant refuses to submit additional information, does not request additional time to submit the required information within the 90-calendar-day period, the application will be considered abandoned and therefore withdrawn and the applicant shall forfeit the application fee. DCD shall not be responsible for notifying the applicant of an impending expiration.

(4) County's Failure to Provide a Determination of Completeness. A project permit application shall be deemed complete under this section if the administrator does not provide a written determination to the applicant that the application is incomplete as provided in subsection (1) of this section. Notwithstanding a failure to provide a determination of completeness, the administrator may request additional information as provided in subsection (6) of this section.

(5) Date of Acceptance of Application. A project permit application is complete for purposes of this section when it meets the submission requirements in JCC 18.40.100, as well as any additional submission requirements contained in other applicable provisions of this code. This determination of completeness shall be made when the application is sufficient for continued processing even though additional information may be required or project modifications may be undertaken after submittal. When the project permit application is determined to be complete, the administrator shall accept it and note the date of acceptance in the project file. Upon providing a determination of completeness, the administrator shall assign the project to a project planner.

(6) Additional Information. The administrator's determination of completeness shall not preclude the administrator from requiring additional information, that the applicant correct plans or perform studies at any time if new information is required for project review, or if there are substantial changes in the proposed action.

(a) Any period during which the administrator has requested the applicant to correct plans, perform required studies, or provide additional information shall be excluded from the 120-day time period or other applicable time period set forth in JCC 18.40.300.

(b) The time period for requiring additional information shall be calculated from the date the administrator notifies the applicant of the need for additional information until the earlier of:

(i) The date the administrator determines whether the information satisfies the request for information; or

(ii) Fourteen calendar days after the date the information has been provided to the administrator.

Attachment A – Title 18 JCC, 2023 UDC Omnibus Housekeeping Amendments

(7) Effect of Project Permit Application Revisions – Substantial Revisions. If, in the judgment of the administrator, the content of an application is so substantially revised by an applicant, either voluntarily or to conform to applicable standards and requirements, that such revised proposal constitutes a substantially different proposal than that originally submitted, the administrator shall deem the revised proposal to be a new application.

(a) In reaching a decision whether a revision is substantial, the administrator shall consider the relative (to the application in its initial form) and absolute magnitude of the revision, the environmental sensitivity of the site, any changes in location of significant elements of the project and their relation to public facilities, surrounding lands and land uses and the stage of review of the proposal.

(b) Lesser revisions that would not constitute substantial revisions during early stages of review may be substantial during later stages due to the reduced time and opportunity remaining for interested parties to review and comment upon such changes.

(c) Written notice of such determination of substantial revision shall be provided to the applicant and all parties of record, including the reasons for the administrator's decision.

(d) A determination that any revision is substantial shall result in the time periods mandated by this chapter starting from the date at which the revised project application is determined to be complete. The revised project application shall be subject to all laws, regulations and standards in effect on the date of the determination of completeness of the substantial revision. [Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.40.180 Notice of application – SEPA exempt projects.

A notice of application shall not be required for project permits that are categorically exempt under SEPA, unless a public comment period or an open record hearing is required. A notice of application shall be required for all Type II and Type III projects, regardless of whether such projects are exempt from SEPA. [Ord. 12-19 § 4 (Appx. C); Ord. 8-06 § 1]

Article X. State Environmental Policy Act (SEPA) Implementation

18.40.810 Appeals.

(1) Appeal of a Threshold Determination for a Type I Permit Decision. Threshold determinations on Type I permit decisions may not be appealed administratively to the hearing examiner.

(2) Appeal of a Threshold Determination for Type II Permits – Open Record Hearing. The decision of the responsible official on Type II permits making a threshold determination of a DNS or MDNS, approving a proposal subject to conditions, or denying a proposal under SEPA's substantive authority may be appealed to the hearing examiner pursuant to JCC 18.40.280, Chapter 2.30 JCC, and the Hearing Examiner rules of Procedure for an open record appeal hearing. Any such appeal must be filed within the time limits of JCC 18.40.330(2)(b), and must be consolidated with any appeal on the underlying Type II permit decision.

(3) Appeal of a Threshold Determination for Type III Permits – Open Record Hearing. The decision of the responsible official on Type III permits making a threshold determination of a DNS, approving a proposal subject to conditions, or denying a project under SEPA's substantive authority may be appealed to the hearing examiner pursuant to JCC 18.40.280, Chapter 2.30 JCC, and the Hearing Examiner rules of Procedure. The open record public hearing on the SEPA appeal shall be before the hearing examiner, who shall consider the appeal together with the decision on the project application in a single, consolidated hearing as further set forth in Article IV of this chapter.

(4) Appeals of Threshold Determinations for Type V Actions. Threshold determinations of the responsible official on Type V decisions (other than a DS) may not be appealed to the hearing examiner.

(5) Limitations on Appeals for All Types of Permits. When a threshold determination results in a DS it shall not be appealable. In addition, issues relating to the adequacy of the EIS and other procedural issues may not be appealed under this article.

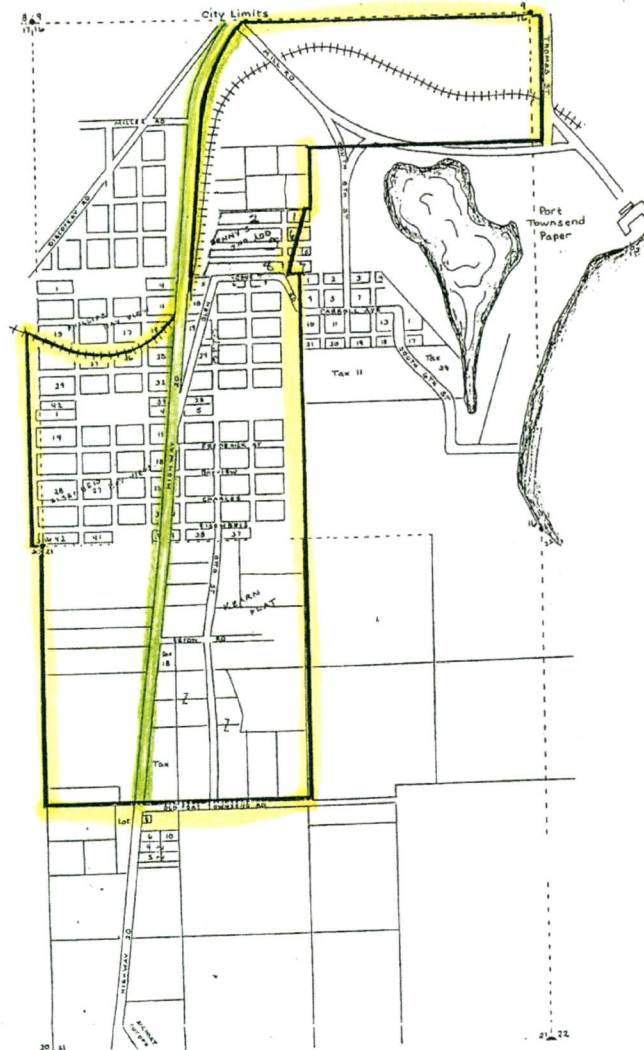
(6) Who May Appeal. An applicant or other party of record, as defined in Chapter 18.10 JCC, may file a SEPA appeal as provided in this article.

Attachment A – Title 18 JCC, 2023 UDC Omnibus Housekeeping Amendments

- (7) Time to Appeal Administrative Decisions. A written statement appealing the threshold determination must be filed within 14 calendar days after the notice of decision is issued.
- (8) Form of Appeal. A person or group appealing the decision of the responsible official shall submit a written appeal in the form and manner set forth in Chapter 2.30 JCC and the Hearing Examiner Rules of Procedure.
- (9) Scope of Review. The hearing examiner shall affirm, modify or reverse the responsible official's decision, and shall enter findings and/or conclusions into the record to support the decision. In making the decision, the hearing examiner shall give deference to and afford substantial weight to the decision of the responsible official.
- (10) Judicial Appeals. Pursuant to RCW 43.21C.075, if there is a time period for appealing the underlying permit decision, appeals under this article shall be commenced within such time period. The county shall give official notice stating the date and place for commencing an appeal.
- (a) Optional Limitation Period. If there is no time period for appealing the underlying government action, the county, applicant for or proponent of an action may use a notice of action pursuant to RCW 43.21C.075 and 43.21C.080. The notice shall describe the action and state time limitations for commencing a challenge to that action, in a form substantially similar to that provided in WAC 197-11-990. The notice shall be published by DCD, applicant or proponent pursuant to RCW 43.21C.080, and any action to set aside, enjoin, review or otherwise challenge any such governmental action shall be commenced within 21 days from the date of the last newspaper publication of the notice of action, as further set forth in RCW 43.21C.080.
- (b) Exemption. This article does not apply to decisions made pursuant to Chapter 90.58 RCW, the Shoreline Management Act. Appeals of SEPA mitigation measures pertaining to projects subject to Chapter 90.58 RCW shall be made to the shoreline hearings board along with the appeal of the county's shoreline decision, as further set forth in Chapter 90.58 RCW. In addition, as an alternative dispute resolution process, any SEPA appeal, whether involving a shoreline issue or not, may be made to the shoreline hearings board upon the consent of the parties to the action, as further set forth in RCW 43.21C.075(7).
- (11) Violations and Penalties. The administrator is authorized to enforce the provisions of this article whenever he or she determines that a condition exists in violation of this article or permit issued hereunder. All violations of any provisions of this article, incorporated standard or permit issued pursuant to this article are made subject to the provisions of JCC Title 19, which provides for voluntary correction, notice and orders to correct the violation, stop work, and assessment of civil penalties.
- (12) Public Nuisance. All violations of this article are determined to be detrimental to the public health, safety and welfare and are public nuisances, and may be corrected by any reasonable and lawful means, as further set forth in JCC Title 19.
- (13) Alternative Remedies. As an alternative to any other judicial or administrative remedy provided in this article or by law or ordinance, any person who willfully or knowingly violates or fails to comply with any stop work order issued pursuant to JCC Title 19 is guilty of a misdemeanor and upon conviction shall be punished as set forth in JCC 19.10.020(2). Each day such violation or failure to comply continues shall be considered an additional misdemeanor offense. [Ord. 9-20 § 2 (Appx. B); Ord. 12-19 § 4 (Appx. C); Ord. 8-06 § 1]

Attachment A – Title 18 JCC, 2023 UDC Omnibus Housekeeping Amendments

HIGHWAY 20 CORRIDOR MAP



PROVED BY
JEFFERSON C

Richard Shipman
Richard Shipman, Chair
Alice King
Alice King, Secretary

APPROVED BY THE
JEFFERSON COUNTY

B.G. Brown
B.G. Brown, Chairman
Dennison, Member
George C. Brown
George C. Brown, Member

Attachment A – Title 18 JCC, 2023 UDC Omnibus Housekeeping Amendments

18.30.130 Landscaping/screening.

(1) Application. Landscaping or screening shall be provided for all multifamily residential, commercial and industrial land uses, small-scale recreational and tourist uses, and as required in other sections of this code, except that landscaping will not be required of industrial uses within the resource-based industrial district when the development is sufficiently screened from public view.

(2) General Provisions.

(a) Existing trees, vegetative plantings, undisturbed open space, and/or topographic or natural features which meet or exceed these standards shall be considered to fulfill the landscaping or screening requirements of this section and any other applicable reference to these screening requirements in other sections of this code.

(b) The administrator may authorize variations to the landscaping/screening requirements of this section to:

(i) Provide consideration of topography, natural features, existing native vegetation and soils on the site and site location in relation to adjacent and surrounding uses;

(ii) Allow alternative plant mixes or berming that accomplish the purposes of the type of landscape screening required;

(iii) Conserve water through the concept of xeriscaping;

(iv) Provide flexibility in the size of initial plantings; and

(v) Ensure that any nonresidential use, structure or activity when proposed in a rural residential (RR) district shall be compatible with that of existing and anticipated future uses in the district.

(3) Landscape Screening. The three types of landscaping screens are described and applied as follows.

(a) “Screen-A” landscaping:

(i) Is a “full screen” that functions as a visual barrier. This landscaping is typically found between residential and nonresidential areas;

(ii) Shall at a minimum consist of:

(A) A mix of primarily evergreen trees and shrubs generally interspersed to form a continuous year-round screen that grows to at least eight feet in height within two growing seasons.

(b) “Screen-B” landscaping:

(i) Is a “filtered screen” that functions as a visual separator. This landscaping is typically found between commercial and industrial uses; between differing types of residential development; and to screen industrial uses from the road;

(ii) Shall at a minimum consist of: a

~~(A)~~ A mix of evergreen and deciduous trees and shrubs generally interspersed to create a filtered screen that grows to at least eight feet in height within two growing seasons.

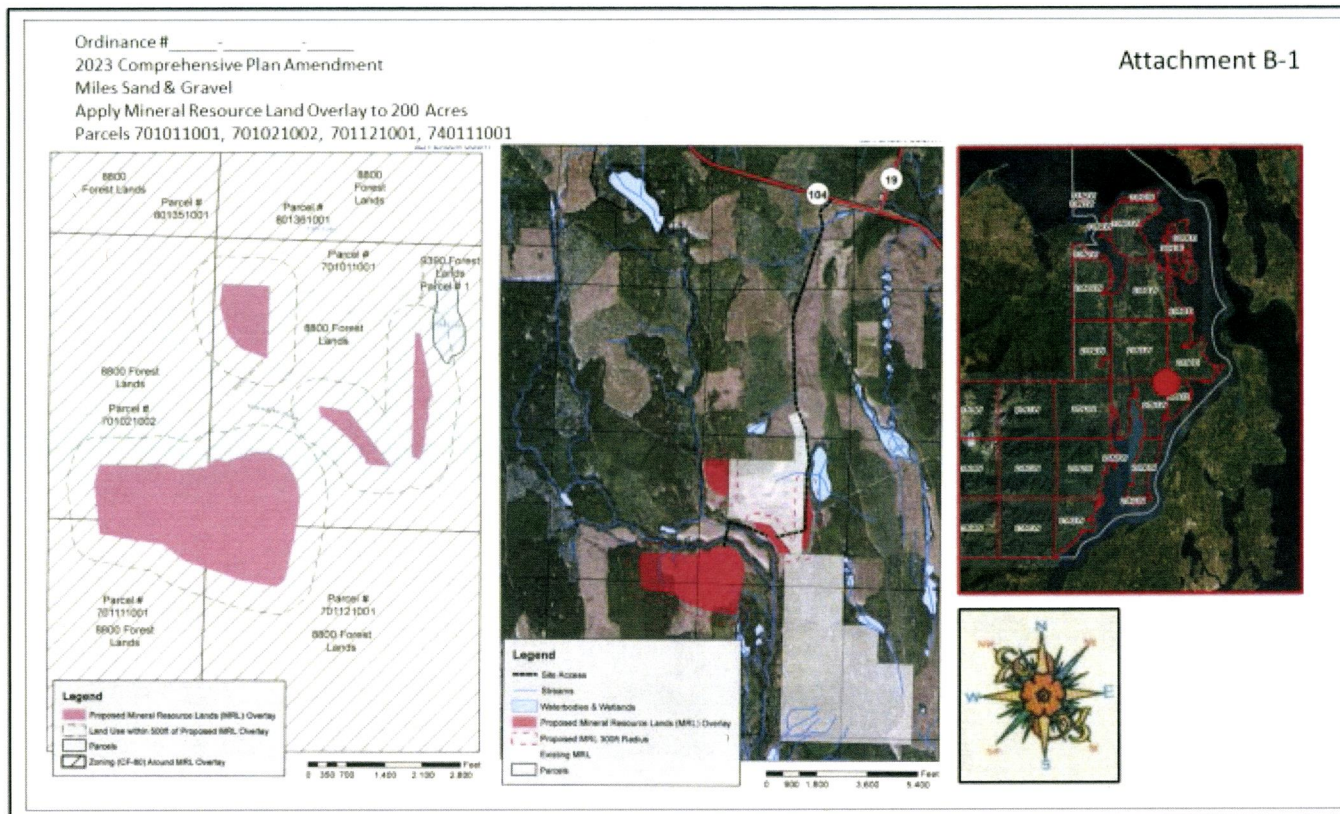
(c) “Screen-C” landscaping:

(i) Is a “see-through screen” that functions as a partial visual separator to soften the appearance of parking areas and building elevations. This landscaping is typically found along road frontage or between multiple-family developments;

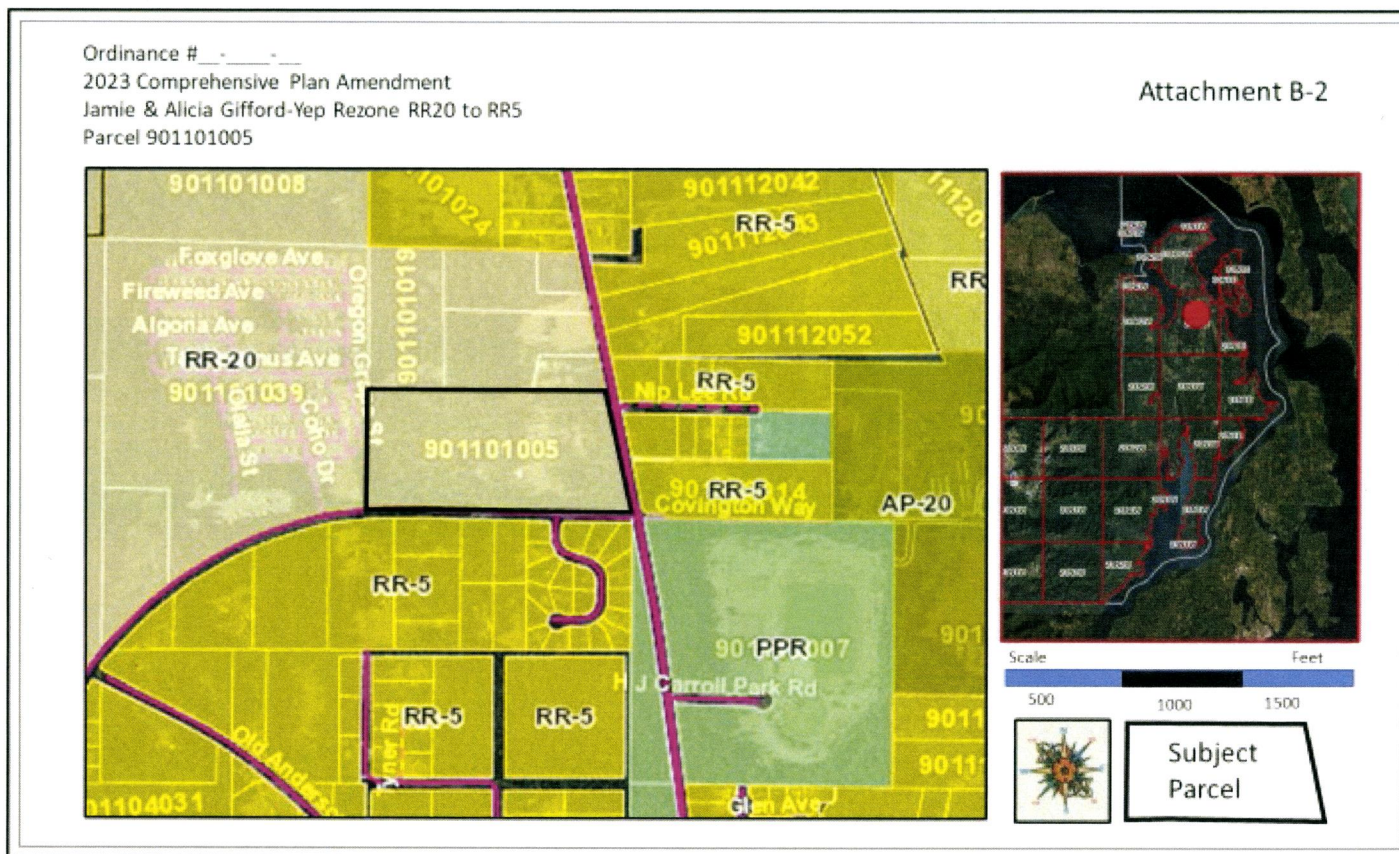
(ii) Shall at a minimum consist of a mix of evergreen and deciduous trees or shrubs generally interspersed to create a continuous canopy.

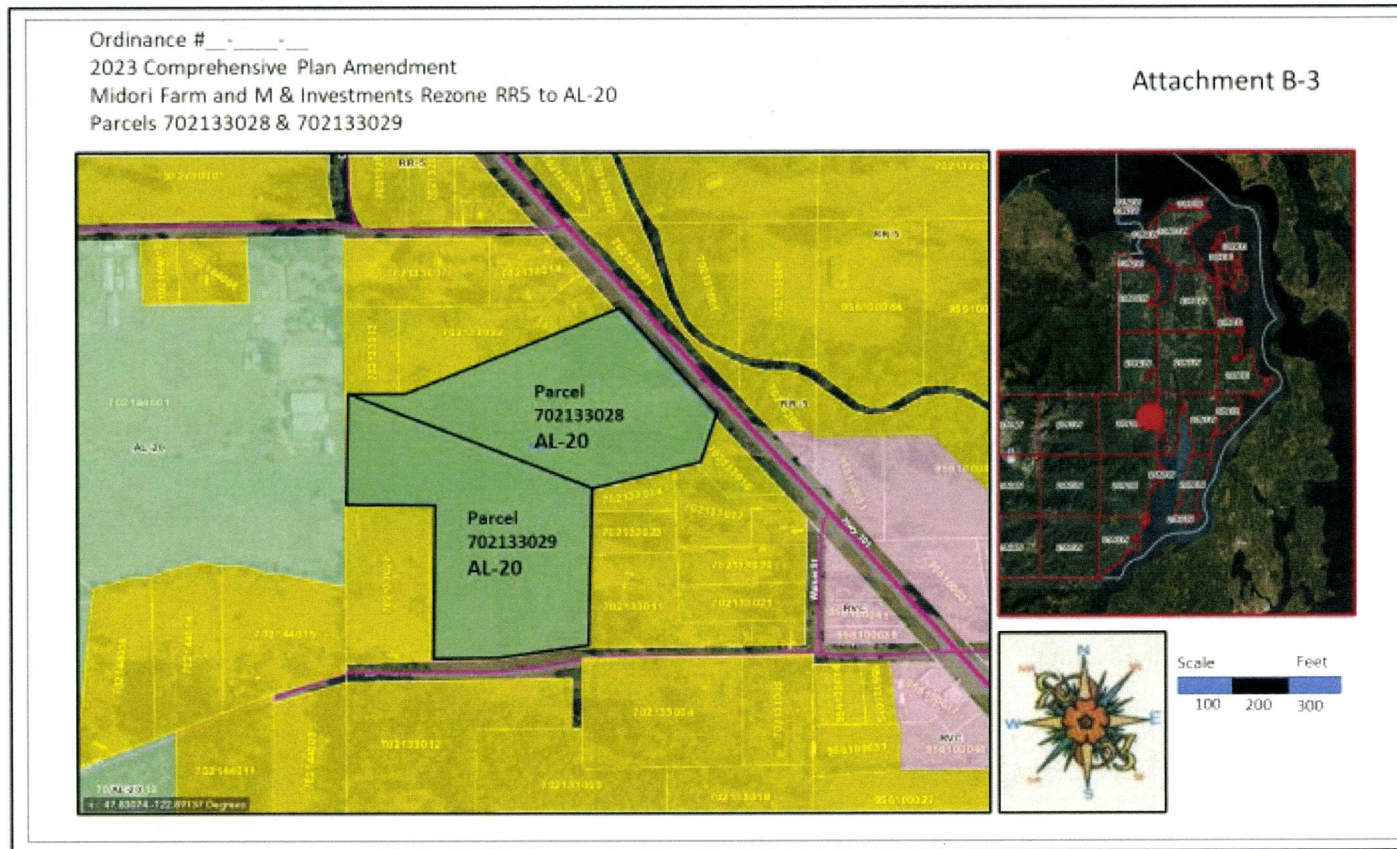
(4) Landscaping Road Frontages. The average width or depth of perimeter landscaping along road frontages and required locations on private property shall be as follows:

Attachment B-1 “MLA21-000019 Miles Sand & Gravel MRLO”

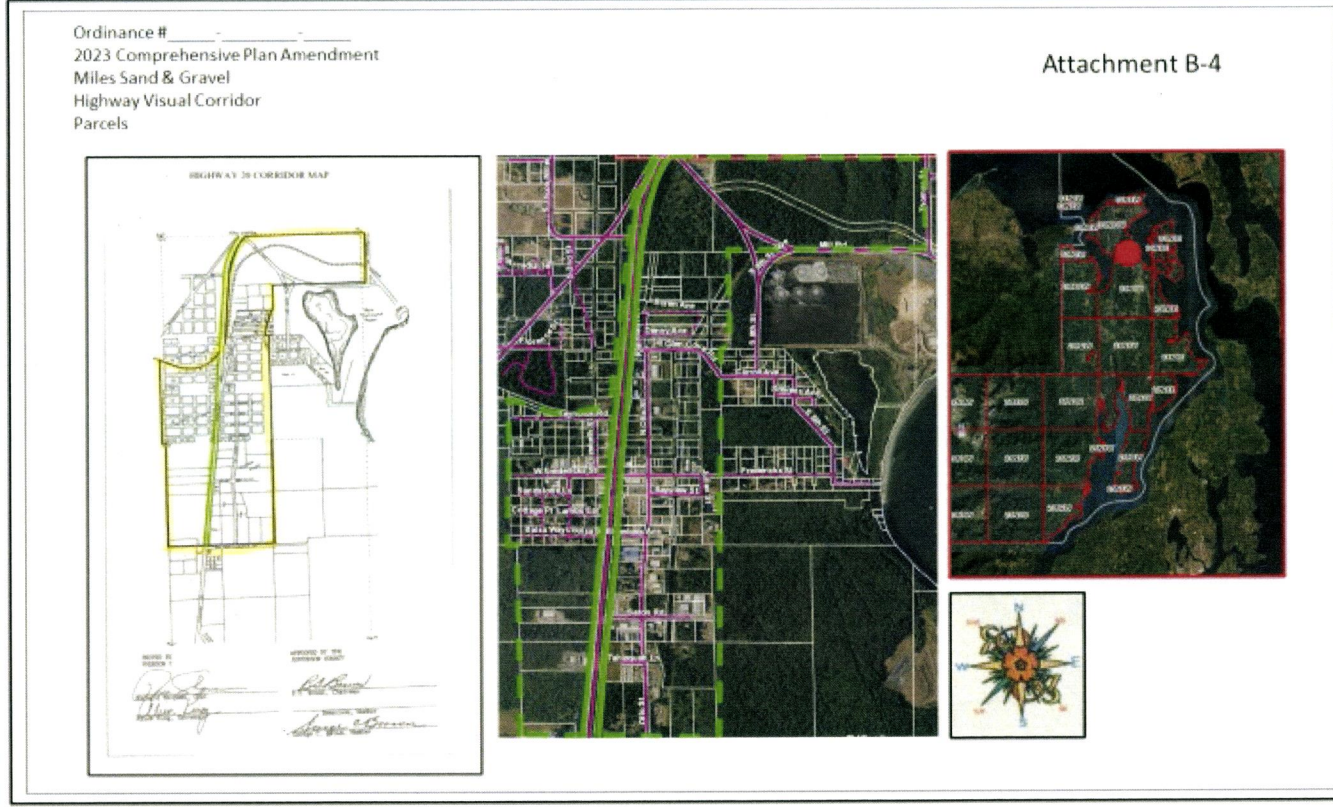


Attachment B-2 “ZON2023-00004 Gifford-Yep Rezone”





Attachment B-4 “2023 UDC Omnibus Housekeeping Amendments—State Route 20 Highway Visual Corridor”



Attachment C: 2023 Amendments to Jefferson County Comprehensive Plan

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Exhibit 1-8 Land Use /Zoning Map

This ordinance amends the County GIS map to reflect site-specific zoning changes represented by the maps in “Attachment B” to this ordinance.

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EXHIBIT 1-9 Land Use Designation/Zoning Districts & Acreage

General Category	Future Land Use Designation / Zoning District	Acres	Percent
RURAL			
Rural Residential	RR-5, RR-10, RR-20	86,341 <u>86,326</u>	20.1%
RESOURCE LANDS			
Agriculture Resource Lands	AP-20, AL-20	7,281 <u>7,295</u>	1.7%
Mineral Resource Lands	MRLO/CF-80	161 <u>1361</u>	0.04%

Page 1-21:

Overlay Districts

“Another Overlay District Establishes a view corridor along a portion of State Route Highway 20, and other major routes requires site development plans to consider landscaping, access, utilities, and signage in the designated corridor area.”

- ~~Highway 20 View Corridor: Maintain a forest buffer between the roadway and other development.~~
- State Route 20 Highway Visual Corridor (HVC) Overlay District: Maintain a screening buffer and development setback from State Route 20 from Fort Townsend Road to the boundary of the City of Port Townsend; and to consider shared access, utility corridors, and signage in site development plans to maintain the visual aesthetics of the highway corridor in this part of the national scenic highway system.

Attachment C—Comprehensive Plan Amendments

EXHIBIT 1-12 Summary of Overlay Land Use & Zoning Designations

Land Use/Zoning	Designation Intent	Principal Land Use
Highway 20 View Corridor <u>State Route 20 Highway Visual Corridor (HVC) Overlay District</u>	Along SR 20 and other suitable roadways, preserve and protect the forest corridor, and to provide a visual buffer between the roadway and new commercial and manufacturing development. <u>State Route 20 Highway Visual Corridor (HVC) Overlay District: Maintain a screening buffer and development setback from State Route 20 from Fort Townsend Road to the boundary of the City of Port Townsend; and to consider shared access, utility corridors, and signage in site development plans to maintain the visual aesthetics of the highway corridor in this part of the national scenic highway system.</u>	Forest corridor Visual corridor and special planning area

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Exhibit 1-24 Land Use Action Plan

Action	Description
Implement Overlays	Address Highway 20 View Corridor Overlay on Zoning Maps and UDC as appropriate. <u>This action was completed in the 2023 Annual Comprehensive Plan/UDC amendment cycle.</u>