JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA REQUEST – Regular Session

TO: **Board of County Commissioners**

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

DATE: **December 9, 2024**

SUBJECT: **HEARING and POSSIBLE ACTION re: 2024 Annual Amendments to Comprehensive Plan and Unified Development Code**

STATEMENT OF ISSUE:

On November 18, 2024 the Board of County Commissioners held a workshop with Community Development to update the Board on the 2024 Amendment Cycle Docket and to address the Planning Commission's recommendation for the Board to hold a public hearing on the proposals. In that workshop, the Board approved a notice of public hearing for December 9, 2024. The hearing notice was published in the November 20 and 27 editions of *The Leader* newspaper. The Board may deliberate and take action on the 2024 Docket directly after the hearing.

BACKGROUND:

The following background information is repeated from the November 18, 2024 Agenda Request.

On May 13, 2024, the Board of County Commissioners (BoCC) set the Final Docket for the 2024 Comprehensive Plan (CP) and Unified Development Code (UDC) Annual Amendment Cycle pursuant to JCC 18.45.080. Subsequently, the Jefferson County Planning Commission completed its review of the amendment proposals, including a public hearing on September 18, 2024, and deliberating on the record in the same meeting.

Community Development's analysis of the 2024 proposals is presented in the *2024 Comprehensive Plan Amendment Docket, Combined Staff Report and SEPA Addendum, September 4, 2024*; and in the *2024 Comprehensive Plan Amendment Docket SUPPLEMENTAL Staff Report and SEPA Addendum, October 10, 2024.* Modifications to Proposed Amendments 2 and 4 created a need for focused evaluation of those changes and further documentation in the supplemental staff recommendations.

The Planning Commission deliberated on public comment and the record after the September 18, 2024 hearing, and recommended approval of the four amendment proposals. The Planning Commission met on October 16, 2024, and after review of the October 10, 2024 Supplemental Staff Report and SEPA Addendum, the Planning Commission reconfirmed their September 18, 2024 recommended approval of all 2024 amendment proposals.

The Planning Commission recommendations to the BoCC are found in the attached *Jefferson County Planning Commission's Report and Recommendation for the Final 2024 Comprehensive Plan Amendment Docket*, dated November 6, 2024. This Planning Commission recommendation letter provides additional

detail regarding the Planning Commission process that occurred. The planning Commission, as well as Community Development, recommends approval of all four proposals. The Planning Commission also recommends that the Board hold their own public hearing.

Proposed Amendments to as originally submitted:

1. 2024 Port Hadlock/Irondale UGA Comprehensive Plan (CP) & UDC Amendments, and Potential 2024 UGA Amendments Continuing through 2025 Periodic Update, Including Middle Housing Amendments	With implementation of the sanitary sewer in Port Hadlock UGA, updated UGA regulations are urgently needed for the development of affordable housing.
2. 2024 UGA CP & UDC Amendments to Modify the Port Townsend UGA Boundary by Removing Farmland following De-annexation and Adding the Caswell-Brown Village (Housing Facility) and Adjacent Public Properties (i.e., "UGA Swap")	Investigating the possibility of swapping rural land with Port Townsend UGA, and thereby enabling urban infrastructure to Caswell-Brown Village, is critically important to provide supportive housing.
3. Planning Commission UDC Rural Housing Amendments Carried Forward from 2023 Cycle	New development regulations enabling congregate housing and alternative development standards in single-family residential zones is urgently needed as one solution to limited affordable housing supply.
4. Review of Land Use and Zoning in the Jefferson County Airport Essential Public Facility (AEPF), Particularly Airport Overlay III, Jefferson County International Airport (JCIA): Port of Port Townsend	Timing is appropriate to accommodate existing business growth and new job creation potential. Allowing additional zoning on port-owned property, adjacent to JCIA, offers the community a path to maintaining good-paying job growth that is needed in Jefferson County.

Modifications made to the proposals during the public process:

Proposal 2, Port Townsend UGA Boundary Amendment

Original Proposed Amendment 2: UGA Comprehensive Plan & UDC Amendments to Amend the Port Townsend Urban Growth Area, Swapping Farm Land with Caswell-Brown Village and Adjacent Properties.

Modified Proposed Amendment 2: *Proposal to expand the Port Townsend Urban Growth Area (UGA) boundary to include publicly-owned parcels for public purpose use, including the Caswell-Brown Village for housing services."*

The process of land swaps between non-urban land in a UGA and urban land outside of a UGA results from a legislative amendment to the Growth Management Act (GMA), codified at RCW 36.70A.110. This process was being proposed as a way to expand the UGA boundary to include Caswell-Brown Village. This process did not come to fruition between a prospective landowner, County and City. Proposal 2 was modified by County and City to pursue the alternative of expanding the UGA boundary directly to include public purpose land and Caswell-Brown Village.

Proposal 4, Expansion of Airport Essential Public Facility (AEPF) by 12 Acres and Expansion of Airport Overlay III within the AEPF

The AEPF is currently ca. 316 acres. The Port of Port Townsend proposes to expand the AEPF by 12 acres by adding two 6-acre parcels (APN 001332013 and APN 001332017) to the southwest boundary (Figure 3), as well as expand the existing 24-acre Airport Overlay III within the resulting AEPF zone from 24 acres to ca. 73.5 acres total. There are two distinct portions to the expanded overlay: 1) a 6.5-acre area in the northeast corner of the AEPF, north of Airport Road, and 2) the main overlay area south of the FAA building restriction line (boundary of Airport Overlay I).

Modifications to original Proposal 4 includes refinement of the proposed expansion area of the Overlay III zone to include only properties that the Port of Port Townsend owns, and removing a parcel used as access from the proposed Overlay III expansion. The revised map is evaluated in the supplemental staff report.

ANALYSIS:

The Staff Report and Supplementary Staff Report analyze modifications and refinements to the original proposals and are part of the November 18, 2024 BoCC record. Final action on the docket must be taken by the second regular Board meeting in December. JCC 18.45.080(2)(b).

The City of Port Townsend sent a letter of support and supplemental findings for the County proposal to expand the Port Townsend Urban Growth Area (UGA) boundary to include publicly-owned parcels of public purpose uses, including the Caswell-Brown Village for housing services (Proposal 2). This letter was received after the November 18, 2024 workshop with Community Development and the Board and is attached.

Modifications to the Draft Implementing Ordinance Since the November 18, 2024 Workshop:

Modifications were made to the draft ordinance previously attached to the November 18, 2024 Board agenda packet. These modifications do not affect the proposals, but address the ordinance itself as follows:

1. A recital in the ordinance was deleted because it referred to the UGA land swap option of Proposal 2, which was not used. Section 4 was also updated to remove land swap language.

2. Missing dates within the recitals for process that had not yet occurred, such as the final ordinance adoption, were updated.

3. Section 11 was modified to provide an ordinance effective date for the UGA expansion at 60 days per RCW 36.70A.067, and leaving an immediate effective date for the remaining amendments.

FISCAL IMPACT:

No significant fiscal impact from the decision to hold a public hearing.

RECOMMENDATION:

Conduct the public hearing on the 2024 Comprehensive Plan & UDC Amendments, deliberate, and take final action on the amendment proposals.

REVIEWED BY:

Mark McCauley, County Administrator — Date 12/4/24

City of Port Townsend

David Faber | Mayor | 360.379.2980 | dfaber@cityofpt.us

November 18, 2024

Board of County Commissioners
via email: JeffBoCC@co.jefferson.wa.us

RE: City of Port Townsend's Support of County proposal to expand the Port Townsend Urban Growth Area (UGA) boundary to include publicly-owned parcels of public purpose uses, including the Caswell-Brown Village for housing services.

Parcel Numbers: Assessor Parcel Numbers: 001162022, 001162001, 001162002, 001162003, 001162004, 001162015, 001161001, 001162017

Greetings Commissioners:

The Port Townsend City Council reviewed the County Supplemental staff report and SEPA addendum supporting a limited expansion of the Port Townsend UGA to include Caswell-Brown property and a limited number of adjacent public parcels for access to City of Port Townsend urban services. After review and discussion, the Council voted to support the proposal, aligning with the County's staff report and emphasizing the following:

County Staff Report: "Either the subject parcels themselves already contain urban-style development or they are located in close proximity to urban development, and by either measure, the subject area is appropriate for urban growth. The growth pattern on or near these lands makes the parcels incompatible with the primary use of land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources, rural uses, rural development, and natural resource lands designated pursuant to RCW 36.70A.170. The parcels are located in close proximity to urban services, including but not limited to the City of Port Townsend's regional stormwater system, sanitary sewer system, domestic water system, street cleaning services, fire and police protection services, public transit services, healthcare and medical services, and other public utilities associated with urban areas and normally not associated with rural areas."

City supplemental finding: The City of Port Townsend supports adoption of a City Capital Improvement Plan (CIP) and General Sewer Plan (GSP) that ensures capacity for the expanded UGA service area. A lift station to serve this area is funded in the 2022-2028 Capital Improvement Plan and a sewer connection to CBV is listed in the proposed 2024-2010 CIP. The City Council will hold a public hearing on November 18, 2024 on the proposed GSP and on December 2, 2024 on the CIP update with final action on both anticipated to occur on or before December 16, 2024. The City SEPA administrator signed a SEPA Determination of Non-Significance (DNS) on the CIP with comments or appeals due November 28, 2024. She also signed a SEPA DNS on the GSP October 8, 2024. No appeal or comments were received.

Additionally, the County applied for a Connecting Housing through Infrastructure Grant (CHIP) grant from the Department of Commerce to extend utilities and recapture of the City's System Development Charge fee deferrals that are made available for low-income housing development like Caswell Brown. This UGA extension allows both the City and County to partner in providing efficient services for all economic segments of our community.

County Staff Report: "The Caswell-Brown Village ("CBV") on Mill Road refers to the combined 50-bed emergency shelter with permanent supportive housing and a 40-lot park consisting primarily of recreational vehicles and tiny shelters to provide housing for persons experiencing housing insecurity. . . The CBV currently has 50 tiny shelters available to unhoused people, and OlyCAP is working to build a permanent support housing on site. It will be a continuum of care housing facility operated by OlyCAP on a long-term lease with the County."

City supplemental finding: The City supports urgent UGA expansion to be eligible for and secure Connecting Housing through Infrastructure Grant (CHIP) funding from the Department of Commerce, which requires that Caswell Brown be fully within a UGA boundary. Moreover, there is an overriding public interest and public benefit to include the proposed parcels within the UGA to protect public health and safety by avoiding installation of a large onsite septic system and enabling efficient service of sewer and water. The City has adopted an Emergency Shelter and Housing ordinance (Ordinance 3335) that classifies a site such as CBV as a "Continuum of Care Facility" due to the mixed types of emergency, tiny shelter, and safe parking available. This housing proposal both alleviates current stressors to provide emergency shelter at the County-run American Legion shelter and provides a path forward to meet a variety of shelter needs for the unhoused population.

The City used the parcel data in its Land Capacity Analysis to determine if any other suitable locations exist within the UGA for a facility matching CBV. Staff referenced the Dept of Commerce Book 2 Guidance for Updating Your Housing Element, and analyzed UGA capacity for emergency housing needs using Option B, the assumed density method. The City of PT UGA does not contain a property with government site control that can accommodate similar densities of that provided by a regionally comparable facility that is also zoned to allow emergency shelter facilities such as CBV. For purposes of regional analysis, the City used Serenity House in Port Angeles as a comparator, which offers beds at the density of 99 per acre (188 beds approved in the City of PA Conditional Use Permit staff report on 1.89 acres). Additionally, Serenity House offers multiple safe parking stalls and tent camping sites. It is the closest regional land use to Port Townsend' definition of a Continuum of Care Facility. Three privately-owned large properties that could accommodate a facility the size of Caswell Brown at Serenity House densities. However, each lacked sufficient utilities, street access, or adequate unit densities with critical areas deductions to be viable. The City owns a property as part of its Affordable Housing Inventory (the "Lewinsky" property), but it also lacks utilities and contains critical areas. The Lewinsky property is not zoned for Emergency Shelters or Continuum of Care facilities. The Housing Action Plan Tool (HAPT) projects a need of 280 units of emergency housing for the 20-year planning period in the City of Port Townsend UGA. The CBV must be successful to help meaningfully defray the need for 280 emergency housing beds in the Port Townsend UGA.

County Staff Report: "The zoning would change from Rural Residential (RR 1:20 and RR 1:5) to UGA Public. The area proposed to be included within the Port Townsend UGA is characterized by urban growth."

City supplemental finding: The City of Port Townsend concurs that this area is characterized by urban growth. As part of the 2025 Periodic Update of the City's Comprehensive Plan, the City will amend its map and plans to ensure consistency with the BoCC's decision on this UGA boundary adjustment matter. The preliminary docket will be decided in early 2025. If BoCC action is taken, Council will approve a docket item to make responsive changes.

In closing the City of Port Townsend greatly appreciates partnership with Jefferson County to help solve our affordable housing emergency and address our respective Growth Management Act Housing Comprehensive Plan goals. These efforts also reflect the cooperative effort to fulfill Growth Management Act requirements and be consistent with Countywide Planning Policies. We look forward to moving forward on this proposal in lockstep with our CIP and GSP and Periodic Update next year.

Sincerely,

David J. Faber
Mayor of Port Townsend

Cc: Josh Peters, Jefferson County Dept of Community Development Director; Ted Vanega, Department of Commerce; Emma Bolin, City of PT Planning and Community Development Director

STATE OF WASHINGTON
COUNTY OF JEFFERSON

An Ordinance Approving Amendments to the County's Comprehensive Plan; and Amendments to Title 18 JCC, Title 15 JCC and Title 13 JCC

ORDINANCE NO. _____

WHEREAS, the Board of Jefferson County Commissioners ("BoCC"), as required by the Growth Management Act ("GMA"), chapter 36.70A Revised Code of Washington ("RCW"), annually creates and implements a process by which citizens and entities can propose amendments to the Jefferson County's Comprehensive Plan (2018) ("Comprehensive Plan") and title 18 of the Jefferson County Code ("JCC") also known as the Unified Development Code ("UDC"), the Comprehensive Plan having been originally adopted via Resolution No. 72-98 on August 28, 1998 and as subsequently amended, and the UDC, adopted by Ordinance No. 11-1218-00, effective January 16, 2001, and as subsequently amended; and

WHEREAS, RCW 36.70A.130(2)(a) requires Jefferson County to allow interested persons to suggest amendments to the Comprehensive Plan or its development regulations (RCW 36.70A.470(2)) during annual amendment cycles; and

WHEREAS, RCW 36.70A.130(2)(a), codified in JCC 18.45.010(1), requires that revisions of the comprehensive plan are considered together, generally no more frequently than once every year; and

WHEREAS, the UDC contains a process for annual amendments in chapter 18.45 JCC; and

WHEREAS, as mandated by the GMA, the BoCC has reviewed and voted upon the proposed amendments to the County's Comprehensive Plan that composed the 2024 Comprehensive Plan Amendment Docket ("the Docket"); and

WHEREAS, by the annual submittal deadline of March 1, 2024, the preliminary docket for the 2024 Comprehensive Plan and UDC amendment cycle was established for site-specific and suggested amendments, consisting of five suggested amendment proposals: amendments in titles 18, 15, and 13 JCC to coordinate implementation of sewer with Irondale and Port Hadlock Urban Growth Area ("UGA") development; Port Townsend UGA boundary revision proposal; Planning Commission UDC amendment proposals for additional rural housing opportunities; DCD-sponsored suggested text amendments to address code housekeeping; and the Port of Port Townsend proposal to review Jefferson County Airport Essential Public Facility ("AEPF"), and expand Airport Overlay III; and

WHEREAS, the Planning Commission re-submitted housing proposals for a series of rural housing amendments, carried forward from 2023, and was timely re-submitted March 1, 2024; and

WHEREAS, the County timely submitted proposals for UDC amendments March 1, 2024 for amendments to the titles 18, 15, and 13 JCC necessary to implement regulations in concert with development of sewer code and housing projects dependent on sewer; and

WHEREAS, the County timely submitted on March 1, 2024, a UDC Housekeeping suggested amendment proposal to address minor UDC housekeeping amendments to be brought forward during the 2024 amendment cycle; and

WHEREAS, Jefferson County timely submitted a proposal to expand the Port Townsend UGA boundary to include publicly-owned parcels for public purpose use, including the Caswell-Brown Village (CBV) for housing services; and

WHEREAS, on April 9, 2024, the Jefferson County Department of Community Development ("Community Development") decided to add to the 2024 annual amendment cycle, a Port of Port Townsend proposal to review possible expansion of Airport Overlay III, responding to emergency timing so work can proceed with light industrial proponents on a new location for operations, as well as substantive design on the light industrial park on the existing JCIA III overlay (APN 001331005), with the application being received August 1, 2024; and

WHEREAS, the Jefferson County Planning Commission ("Planning Commission") reviewed the 2024 preliminary docket proposals in their regular meetings on March 20, 2024, and April 17, 2024; and

WHEREAS, on March 15, 2024, Community Development prepared a formal Preliminary Docket of proposed amendments per JCC 18.45.050; and

WHEREAS, on March 20, 2024, Community Development transmitted the Department of Community Development report on the 2024 amendment proposals received; and

WHEREAS, on April 17, 2024, Community Development presented the Preliminary Docket to the Planning Commission and briefed them on the annual Comprehensive Plan Amendment cycle and the docket process; and

WHEREAS, on April 25, 2024, Community Development distributed the "Department of Community Development's Review and Recommendation for the 2024 Comprehensive Plan Amendment Cycle Final Docket" to the BoCC, the Planning Commission, and the general public, including a recommendation that the DCD proposal for a UDC housekeeping amendment be removed from the work in 2024, in light of the added Port of Port Townsend proposal and 2025 Periodic Update work also underway, providing another opportunity to update UDC items; and

WHEREAS, on May 1, 2024, the Planning Commission held a public hearing on the preliminary docket regarding which proposals should be on the 2024 amendment cycle final docket; and

WHEREAS, on May 1, 2024, the Planning Commission deliberated on the 2024 amendment proposals and recommended that the BoCC place all proposals, not including a UDC housekeeping proposal, on the Final Docket by a vote 7-0-1; and

WHEREAS, on May 2, 2024, the Planning Commission transmitted "Jefferson County Planning Commission's Report and Recommendations for the 2024 Comprehensive Plan Amendment Final Docket" to the BoCC; and

WHEREAS, on May 13, 2024, the BoCC adopted the recommendation brought forward by Community Development and Planning Commission, without amendment and thereby setting the final docket as the same without public hearing pursuant to JCC 18.45.060(4)(a); and

WHEREAS, due to scheduling issues with the regularly-scheduled Planning Commission meetings in August, the County cancelled the August 7 and August 21 regular meetings and held a Special Meeting on August 14, 2024 to review Community Development's draft analysis of the 2024 amendment docket; and

WHEREAS, on September 4, 2024, Community Development published a combined Notice of Intent to Amend the CP and UDC, a 60-Day Notice to the Washington Department of Commerce, notice of comment period and September 18, 2024 hearing date with the Planning commission, and publication notice of the *2024 Comprehensive Plan Amendment Docket, Combined Staff Report and SEPA Addendum*, an integrated Growth Management Act and State Environmental Policy Act (SEPA) document; and

WHEREAS, the integrated staff report analyzes the proposals on the Final Docket, offers preliminary recommendations for each amendment proposed, and provides a SEPA analysis; and

WHEREAS, at the September 4, 2024 regular Planning Commission meeting, a review of the Staff analysis and report was made by the Planning Commission and public; and

WHEREAS, on September 18, 2024, the Planning Commission held a duly noticed public hearing to receive testimony on the merits of the 2024 amendment proposals; and

WHEREAS, on September 18, 2024, the Planning Commission deliberated on the testimony and record for the amendment proposals and recommended approval of each suggested amendment; and

WHEREAS, on October 10, 2024, Community Development submitted the 2024 Supplemental Staff Report ("October 10 Supplemental Staff Report") and SEPA Addendum, and a Notice of Intent to Adopt Amendment to the Washington Department of Commerce; and

WHEREAS, the supplemental staff report provides additional analysis to the Port Townsend UGA boundary expansion and the AEPF/Airport Overlay III proposals; and

WHEREAS, at the October 16, 2024 regular Planning Commission meeting and upon consideration of the October 10 Supplemental Staff Report, the Planning Commission confirmed consistency between the proposal as described in the October 10 Supplemental Staff Report and the Planning Commission's recommendation on the Docket from the September 18, 2024 Planning Commission meeting; and

WHEREAS, on November 6, 2024, the Planning Commission transmitted their *Report and Recommendation for the Final 2024 Comprehensive Plan Amendment Docket* to Community Development; and

WHEREAS, on November 18, 2024, the BoCC held a workshop with Community Development to discuss the amendment docket and consider the Planning Commission's recommendation, and

WHEREAS, on November 18, 2024, the BoCC chose to hold their own hearing on the amendments, as recommended by the Planning Commission; and

WHEREAS, the BoCC held their own hearing on December 9, 2024 and after applying the required growth factors and findings, the BoCC accepted the Planning Commission's recommendation to approve all of the forwarded 2024 amendment proposals; and

WHEREAS, the 2024 amendment proposals have gone through the complete public participation process required by the Growth Management Act ("GMA") and JCC 18.45.090; and

WHEREAS, all amendments are found to be compliant with GMA and JCC; and

WHEREAS, for all amendment proposals considered in the 2024 Final Docket, the BoCC finds the 2024 amendments serve to benefit the health, welfare, safety, and lifestyle of the residents of Jefferson County; and

WHEREAS, the BoCC finds that the 2024 Docket amendments as summarized in **Attachment 1** referenced hereto and thereby incorporated in this ordinance, and reflected in **Appendices A, B, C,** and **D,** are consistent with the Countywide Planning Policies and consistent with the Growth Management Act; and

WHEREAS, JCC 18.45.080(2)(c) requires that BoCC analyze the 2024 amendments and make the following findings on the full and complete record:

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;

WHEREAS, the BoCC finds that the growth rate is consistent with the Comprehensive Plan. The unadjusted population growth rate over the last year was approximately 0.80%, somewhat slower than the previous year, when the state's population grew by 1.1%. The 2024 population estimate for Jefferson County is 33,700, a net increase of 723 people since 2020. Migration is the driving factor in Jefferson County population; and

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

WHEREAS, 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 and Port Hadlock Urban Growth Area ("PHUGA") with urban services, specifically sanitary sewer service and stormwater management. Construction of the Port Hadlock Wastewater Facility has begun, with service connections anticipated in Summer of 2025, and will enable planned densities within the UGA to come to fruition; and

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

WHEREAS, the BoCC finds that there is sufficient urban land designated to meet projected demand. For the unincorporated Irondale and Port Hadlock UGA, an analysis of vacant lands within the proposed UGA and a build-out analysis were 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%. With a theoretical carrying capacity of over 30,000 people, the Port Townsend UGA also appears to be adequately sized to accommodate anticipated future urban growth. However, following analysis, the City of Port Townsend has informed Jefferson County via an email message dated August 22, 2024 that there are no suitable sites within the existing Port Townsend UGA to accommodate continuum-of-care special purpose housing. The City of Port Townsend provided a letter with supplemental findings dated November 18, 2024, supporting the limited expansion of the Port Townsend UGA. The City of Port Townsend will finalize an assessment of available land in the Port Townsend UGA during the 2025 Periodic Update; and

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

WHEREAS, 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; and

(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;

WHEREAS, 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 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; and

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

WHEREAS, the BoCC finds that changing circumstances since adoption of the 2018 Comprehensive Plan include the Covid Pandemic, growing issues surrounding affordable housing, and climate change. 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; and

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

WHEREAS, 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 2018 Comprehensive Plan; and

Required Findings, 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.

WHEREAS, the BoCC finds that generally, the circumstances and planning assumptions have not changed since the 2018 Comprehensive Plan Periodic Review. New circumstances became present when emergency ordinances were initiated in response to the Covid pandemic, creating urgency for regulations to allow temporary housing facilities. County work now turns toward workforce housing and to address housing affordability; and

(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.

WHEREAS, the BoCC finds that there is no indication that assumptions upon which the Comp Plan is based are no longer valid. The Comprehensive Plan documents goals and policies that support the amendment proposals; and

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

WHEREAS, 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 housing, the BoCC finds there are a large number of organizations and a significant amount of

County resources dedicated to addressing housing. The proposed amendments reflect a widely held value of the County' s residents; and

WHEREAS, adopting Ordinance is required to formalize the BoCC's legislative action, and;

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, STATE OF WASHINGTON, AS FOLLOWS:

Section 1. Findings of Fact. the BoCC adopts the recitals above ("WHEREAS clauses"), the Planning Commission findings, and Community Development findings as their own findings of fact for this ordinance.

Section 2. Purpose. The purpose of this ordinance is to complete the 2024 Comprehensive Plan Cycle pursuant to chapter 18.45 JCC.

Section 3. UDC Proposals Adopted. UDC proposals are adopted as the shown in **Appendix A, Exhibits 1-6**.

Section 4. Port Townsend UGA Boundary Amendment. Port Townsend UGA expansion proposal to include public purpose land and Caswell-Brown Village is adopted as shown in **Appendix B**.

Section 5. UDC Amendments Regarding Rural Housing Proposals. UDC amendments regarding rural housing proposals are adopted as shown in **Appendix C, Exhibits 1-4**.

Section 6. Comprehensive Plan Amendment. Comprehensive Plan is amended to reflect text changes to Airport Overlay III as shown in **Appendix D, Exhibit 1.**

Section 7. Airport Overlay III amendments to the Chapter 18.15 JCC. Airport Overlay III amendments to the chapter 18.15 JCC is adopted as shown in **Appendix D, Exhibit 1.**

Section 8. Map in Appendix D, Exhibit 1Adopted and Incorporated by Reference. The Map included in **Appendix D, Exhibit 1** is incorporated hereto by reference with this ordinance showing Land Use Map expansion of the adopted Airport Overlay III extent is hereby adopted.

Section 9. Severability. If any section of the ordinance is deemed either non-compliant or invalid pursuant to the Growth Management Act, such a finding of non-compliance or invalidity shall not nullify or invalidate any other section of this ordinance.

Section 10. SEPA Compliance. A table showing SEPA compliance steps is below.

Year	State Environmental Policy Act Document Description
1997-1998	**Draft and Final Environmental Impact Statements (DEIS/FEIS)** and addenda prepared in anticipation of adoption of the Comprehensive Plan in

	1998. The DEIS and FEIS are dated February 24, 1997 and May 27, 1998, respectively, and examined the potential cumulative environmental impacts of adopting alternative versions of the Comprehensive Plan.
6/30/1999 *8/18/1999*	Draft Supplemental EIS (DSEIS)--Comprehensive Plan 1999 Amendments (Task III of Tri-Area/Glen Cove Special Study) Final Supplemental Environmental Impact Statement. Jefferson County Comprehensive Plan 1999 Amendments. Tri-Area/Glen Cove Special Study Task IV.
6/11/2001	Glen Cove/Tri-Area Special Study **Supplemental EIS** Final Decision Document, June 11, 2001.
2002	Integrated Growth Management Act/State Environmental Policy Act Document Environmental Review of a Non-Project Action: Draft Supplemental EIS August 21, 2002, to Supplement the Comprehensive Plan Draft and Final EIS (1997) and Comprehensive Plan 1999 Amendments Draft and Final SEIS. November 25, 2002 Integrated FSEIS 2002 Amendment Docket. This FSEIS was appealed before the Western Washington Growth Management Hearings Board (WWGMHB) of which the WWGMHB issued a Final Decision and Order (FDO) and remanded it back to the Department for additional environmental review. The county hired Wheeler Consulting, to prepare additional environmental review based on the FDO. A **DSEIS to the 2002 CPA SEIS was issued on March 3, 2004**. A **FSEIS to the 2002 CPA SEIS was issued on May 12, 2004** as part of the review and in consideration of MLA02-00235.
2003	Staff Recommendation and Environmental Analysis with Regard to the Adoption of Four Proposed Site-Specific Amendments to the 1998 Jefferson County Comprehensive Plan. SEPA **Addendum** August 6, 2003. Sept. 17, 2003 SEPA **Addendum** for Suggested Amendments.
2004	2004 Staff Report and SEPA **Addendum** to 1998 EIS for UGA Amendments to the Comprehensive Plan issued May 19, 2004.
2004	2004 Comprehensive Plan Amendment Docket Department of Community Development Integrated Staff Report and SEPA **Addendum** issued September 22, 2004.
2005	Integrated GMA/SEPA **Addendum** Staff Report, August 3, 2005. Incorporated by reference: 1998 DEIS/FEIS and 2004 Addendum.
2006	Integrated GMA/SEPA **Addendum** Staff Rpt., July 19, 2006.

2007	SEPA **Addendum,** adopting by reference 2004 Staff Report and SEPA Addendum for UGA Amendments to the Comprehensive Plan issued May 19, 2004 and 2004 Comprehensive Plan Amendment Docket Department of Community Development Integrated Staff Report and SEPA Addendum issued September 22, 2004.
2008	Integrated GMA/SEPA **Addendum** Staff Report, September 3, 2008. Adopted by reference: 1998 DEIS/FEIS, and environmental documents from 2004, 2005, 2006, and 2007 environmental review.
2009	Port Hadlock UGA Sewer Facility Plan (2008) ("Sewer Plan") incorporated into the County's Comprehensive Plan Capital Facilities Element ("CFE") to comply with the Growth Board's decision finding noncompliance with the County's Urban Growth Area ("UGA") and GMA capital facilities planning. Ordinance No. 03-0323-09 (Re: MLA09-00024, UGA Final Compliance Action).
2009	Integrated GMA/SEPA **Addendum** Staff Report, September 2, 2009. Adopted by legal notice: 1998 DEIS/FEIS, September 22nd Staff Report 2004, 2005, 2006, 2007, 2008, "and all supplementary information…supporting record, analyses, materials."
2010	Integrated GMA/SEPA **Addendum** Staff Report, September 2010.
2013	Integrated GMA/SEPA **Addendum,** Staff Report September 4, 2013. Adopted by reference all previous SEPA documents.
2015	Staff Report & SEPA Environmental Review, Proposal to Amend Unified Development Code, JCC 18.30.150 Sign Code, October 29, 2015. Integrated Growth Management Act/State Environmental Policy Act Analysis, Environmental Review of a Non-Project Action.
2018	Jefferson County Comprehensive Plan Update 2018 SEPA **Addendum** to 1998 Draft and Final Jefferson County Comprehensive Plan Environmental Impact Statements and subsequent Supplemental EISs and Addenda. April 4, 2018.
2021	SEPA Addendum on February 28, 2021. The SEPA Addendum and supporting SEPA Environmental Checklists provide additional information relating to the Jefferson County Final Environmental Impact Statement ("Final EIS"), May 27, 1998 and associated SEPA documents. These SEPA documents were adopted and the additional information was determined not to involve significant new impacts. A Determination of Significance and Notice of Adoption was published on February 28, 2021.
2021	Port Hadlock UGA Sewer Facility Plan Update and Appendices (Feb. 2021). The revisions to the Sewer Plan mostly related to funding, engineering specifications (low pressure system with grinders), and minor modifications to

	the core service area. The revisions allowed the County to implement sewering the core service area within six years. A Comprehensive Plan Amendment (MLA20-00102) was adopted for the updated Sewer Plan in Ordinance No. 01-0426-21, when the 2020 Comprehensive Plan Docket was approved. Ordinance No. 01-0426-21 included a SEPA review through a staff issued Addendum to the 1998 Draft and Final Jefferson County Comprehensive Plan Environmental Impact Statements ("EIS") and subsequent Supplement EISs, and a SEPA Checklist and Addendum that addressed the 2020 Docket items, including the proposed revisions to the Comprehensive Plan.
2022	Staff Report & SEPA Environmental Review to establish regulations for the siting, establishment, and operation of temporary housing facilities for unhoused people needing emergency housing services. Proposal to Amend Unified Development Code chapter 18.20 JCC Performance & Use-Specific Standards, chapter 18.10 JCC Definitions. Integrated Growth Management Act/State Environmental Policy Act **Addendum.** April 20, 2022.
2022	Staff Report & Environmental Review, Proposal to Amend Unified Development Code (UDC) Jefferson County Code (JCC) 18.12: 'Legal Lot of Record Determination and Lot Consolidation' and Amendments to chapters 18.10 and 18.35 JCC. Integrated Growth Management Act (GMA)/State Environmental Policy Act (SEPA) **Addendum.** August 24, 2022.
2023	2023 Comprehensive Plan Amendment Docket, Staff Report and SEPA Addendum. Integrated Growth Management Act/State Environmental Policy Act Document, Environmental Review of a Non-Project Action: Addendum to Existing Environmental Documents. October 11, 2023.

An agency may use previously prepared environmental documents to evaluate proposed actions, alternatives, or environmental impacts. The proposals may be the same as or different than those analyzed in the existing documents (WAC 197-11-600(2)). This ordinance is within the scope of the previously prepared environmental documents.

Section 11. Effective Date: Except as provided in (a) of this section, this ordinance shall take effect immediately upon adoption.

(a) Port Townsend UGA boundary amendment as adopted in Appendix B shall take effect 60 days after the date of publication notice of adoption.

(SIGNATURES FOLLOW ON NEXT PAGE)

APPROVED and ADOPTED this ____ day of _____ 2024.

SEAL:

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS

_____
Kate Dean, Chair

_____
Greg Brotherton, Member

_____
Heidi Eisenhour, Member

ATTEST:

_____
Carolyn Gallaway, CMC Date

APPROVED AS TO FORM:

_____
Philip C. Hunsucker, Date
Chief Civil Deputy Prosecuting Attorney

ATTACHMENT 1--Summary of Title 18 JCC 2024 Amendments

	UDC Amendment Proposals for 2024 Annual Amendment Cycle	
Item	**Code Section**	**Description**
Appendix A—Exhibit 1	Ch. 18.19 JCC	Adds specificity on application of urban standards and transitional standards by referring to official maps and reference to sewer code in Title 13 JCC; outlines conditions and process for development of on-site septic system; and when sewer connection is required.
Appendix A—Exhibit 2	Ch. 18.35 JCC	New unit lot subdivision code.
Appendix A—Exhibit 3	Ch. 18.10 JCC	Definitions for "emergency housing", "emergency shelter", "permanent supportive housing", "townhouse", "transitional housing", "unit lot subdivision", and "zero lot line".
Appendix A—Exhibit 4	Ch. 18.18 JCC	Updates CP references, adds multifamily housing uses, setback amendment, sewer phasing language, Administrator discretion with parking standards.
Appendix A—Exhibit 5	Title 13 JCC	Amendments for consistency with chapter 18.18 JCC, when connection is required.
Appendix A—Exhibit 6	JC 15.05.047	Adds new section for automatic fire-extinguishing systems, when required.
Appendix C—Exhibit 1	JCC 18.10.060	Updates definition of "Family"
Appendix C—Exhibit 2	Chapter 18.10 JCC.	New definition "Congregate Living Facilities (nontransient)"
Appendix C—Exhibit 3	JCC 18.15.040	Adds congregate living facilities to use table 3-1.
Appendix C—Exhibit 4	JCC 18.15.485	Clarifies calculation of dwelling unit density to add accessory dwelling unit yield.
Appendix D—Exhibit 1	CP and Ch. 18.15 JCC	Adds new and updated language for expanded Airport Overlay III.

Appendices: UDC Amendments

Chapter 18.19
TRANSITIONAL RURAL DEVELOPMENT STANDARDS OF THE IRONDALE AND PORT HADLOCK URBAN GROWTH AREA[1]

Sections:

18.19.100 Purpose.
18.19.110 Applicability.
18.19.120 Interim on-site septic systems.
18.19.130 Rural development standards.
18.19.140 Mini-storage facilities prohibited.
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.

18.19.100 Purpose.

The purpose of this chapter is to provide clarity to which zoning designation and development standards are applied during the transitional period of providing sewer facilities to the Irondale and Port Hadlock Urban Growth Area (PHUGA). Sewer service availability is the determinative factor of whether urban development standards or transitional rural development standards will apply. [Ord. 9-09 § 2 (Exh. B)]

18.19.110 Applicability.

(1) Effective as of March 23, 2009, the effective date of Ordinance No. 03-0323-09, Jefferson County shall apply transitional rural zoning in the Irondale and Port Hadlock Urban Growth Area for parcels that do not yet have sewer available. The transitional rural zoning is depicted on the map Irondale and Port Hadlock UGA Transitional Rural Zoning, found in the UGA Element, Exhibit 1-21, Jefferson County Comprehensive Plan (2018).

(2) Jefferson County maintains a Geographic Information Systems (GIS) database, which is updated periodically. Official Maps are updated by the department of community development and filed with the Jefferson County Auditor's Office, as required by JCC 18.05.100. No later than 30 days after the department of community development files any update of the Official Maps with the Jefferson County Auditor's Office, the director shall cause the Official Maps to be updated in the GIS database.

(3) The allowable uses are specified in chapter 18.15 JCC and JCC 18.15.40, Table 3-1 or in JCC 18.18.040, Table 3A-1.

18.19.120 Interim on-site septic systems.

(1) If the proposed use or major modification is located within the Irondale and Port Hadlock Urban Growth Area where sewers are not available as described in title 13 JCC, then transitional rural development standards in this chapter apply. For

any new development or redevelopment where sewers are not available as described in title 13 JCC, the property owner shall install an on-site septic system consistent with the requirements of chapter 8.15 JCC. For system within critical aquifer recharge areas, as identified in Article III of chapter 18.22 JCC, the property owner shall satisfy all of the requirements of JCC 18.30.180, on-site sewage disposal best management practices in critical aquifer recharge areas.

(2) Conditions to Interim On-Site Septic Systems and Connection to Future Sewer Service. If an on-site sewage system is proposed for placement in the Irondale and Port Hadlock Urban Growth Area for interim use prior to sewer availability, the property owner shall sign an agreement with the operator of the Port Hadlock UGA sewer utility (see JCC 13.01.070) agreeing that the property shall be connected to the PHUGA sewer system within one year of sewer availability as described in JCC 18.18.060(4)(a) and JCC 13.04.010. Concurrently with the connection of the property to the PHUGA sewer system, but no later than 90 days after connection of the property to the PHUGA sewer system, the on-site sewage system shall be decommissioned in accordance with WAC 246-272A-0300. The agreement shall be recorded with the Jefferson County Auditor' Office.

(3) No Protest Agreement. In addition, as a condition of development approval and for all property owned by the same owner in a local improvement district (LID), the owner shall sign an agreement not to protest a future LID or other pro rata sharing of costs to construct and extend public sewer to the property within the next 20 years, as part of the urban level of service phasing plan in the capital facilities plan for the PHUGA.

(4) Interpretations. Within this section, "new development" and "major modification" means any development that requires wastewater/sanitary sewer provisions which cannot be met with an existing system.

18.19.130 Rural development standards.

For rural development allowed in this chapter, development shall be consistent with the following Uniform Development Code chapters:

18.05 Introductory Provisions

18.10 Definitions

18.15 Land Use Districts (except as specified in JCC 18.19.140)

18.20 Performance and Use-Specific Standards

18.22 Critical Areas

18.25 Shoreline Master Program

18.30 Development Standards

18.35 Land Divisions

18.40 Permit Application and Review Procedures/SEPA Implementation

18.45 Comprehensive Plan and GMA
Implementing Regulations
Amendment Process

[Ord. 9-20 § 2 (Appx. B); Ord. 9-09 § 2 (Exh. B)]

18.19.140 Mini-storage facilities prohibited.

(1) Mini-storage facilities shall not be allowed in rural commercial areas within UGA planning area, except as allowed below. Mini-storage facilities are not allowed in order to prevent land uses in those rural commercial areas which are, by their nature, inconsistent with the goals of the future UGA that are to promote employment, affordable housing, retail choices, better water management, public health, and environmental protection that are made possible by developing urban sewer service. For the purposes of this chapter, Table 3-1, JCC 18.15.040, allowable and prohibited uses for mini-storage facilities shall be as follows, to show that whereas they may be allowed in other similarly-designated rural commercial areas in the county, mini-storage facilities are not allowed in the rural commercial areas found within the planning area for the Irondale and Hadlock UGA:

	Resource Lands		Rural Residential			Rural Commercial				Rural Industrial					Public	UGA
	Agricultural – Prime and Local	Forest – Commercial, Rural and Inholding	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	Irondale and Port Hadlock Urban Growth Area
Specific Land Use	**AG**	**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**
Mini-storage facilities	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	See Chapter 18.18 JCC

(2) Exception. Expansion of existing mini-storage facilities may be allowed if:

(a) They are consistent with the requirements of this title including Table 3-1 found at JCC 18.15.040.

(b) Mini-storage infill may only be allowed on parcels that contain the existing mini-storage.

(c) Boundary line adjustments are not allowed to increase the size of the existing parcel to accommodate expansions of mini-storage proposals.

(d) This exception applies only to lands containing existing mini-storage as they exist on the effective date of this control. [Ord. 9-09 § 2 (Exh. B)]

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 this title 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 this title 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

(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 subsection (2)(a) of this section; and

(ii) An agreement any time period set in this title, including but not limited to the 120-day time period and JCC 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. [Ord. 11-23 § 8 (Att. A)]

[1] Note: When sewer service is available, refer to chapter 18.18 JCC. Effective as of the date of adoption of Ordinance No. 03-0323-09, March 23, 2009, Jefferson County will apply urban standards to parcels where sewer is available. The applicable map for Irondale and Port Hadlock UGA Zoning is found in the UGA Element, Exhibit 1-22 , Jefferson County Comprehensive Plan (2018) and the applicable density standards and development requirements when sewer is available are found in chapter 18.18 JCC.

Chapter 18.35
LAND DIVISIONS

Sections:

Article I. General Provisions

18.35.010 General authority.
18.35.020 Purpose.
18.35.030 Applicability.
18.35.040 Exemptions.
18.35.050 Violations – Penalties.

Article II. Boundary Line Adjustments

18.35.060 Purpose, scope and limitations.
18.35.070 Application submittal and contents.
18.35.080 Review process and criteria.

Article III. Short Subdivisions

18.35.090 Scope.
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18.35.110 Preliminary short plat preparation.
18.35.120 Preliminary short plat contents.
18.35.130 Short plat approval criteria.
18.35.140 Short plat review process.
18.35.150 Modifications to an approved preliminary short plat.
18.35.160 Surety.
18.35.170 Director of the department of public works certificate of improvements.
18.35.180 Final short plat requirements.
18.35.190 Accompanying documents – Final short plat.
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18.35.210 Time limitation on final short plat submittal.
18.35.220 Effect of an approved final short plat – Valid land use.
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18.35.240 Transfer of ownership following short plat approval.
18.35.250 Building and occupancy permits – Issuance after final short plat approval.
18.35.260 Accumulative short plats.

Article IV. Long Subdivisions

18.35.270 Scope.
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18.35.290 Preliminary plat – Preparation.
18.35.300 Preliminary plat – Contents.
18.35.310 Approval criteria.

18.35.320 Preliminary long plat review process.
18.35.330 Preliminary plat approval – Phased development.
18.35.340 Modifications to an approved preliminary plat.
18.35.350 Surety.
18.35.360 Director of public works certificate of improvements.
18.35.370 Preparation of a final long plat.
18.35.380 Accompanying documents – Final long plat.
18.35.390 Final long plat application.
18.35.400 Time limitation on final long plat submittal.
18.35.410 Effect of an approved final long plat – Valid land use.
18.35.420 Distribution of copies and filing of final long plat.
18.35.430 Transfer of ownership following final long plat approval.
18.35.440 Building and occupancy permits – Issuance after final long plat approval.

Article V. Binding Site Plans

18.35.450 Purpose.
18.35.460 Scope.
18.35.470 Condominiums.
18.35.480 Application submittal and contents.
18.35.490 Binding site plan approval criteria.
18.35.500 Binding site plan review process.
18.35.510 Binding site plan development standards.
18.35.520 Modifications and vacations.
18.35.530 Distribution of copies and filing.
18.35.540 Time limit.
18.35.550 Extinguishment of binding site plans with preliminary approval prior to UDC adoption.
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Article VI. Subdivision Development Standards

18.35.570 Requirements for improvements.
18.35.580 Transportation and drainage standards.
18.35.590 Responsibility for road improvements.
18.35.600 Health standards.
18.35.610 Fire and utility standards.
18.35.620 Plan review, inspection and fees.
18.35.630 Release of improvement guarantee.
18.35.640 Floods and flood control.
18.35.650 Additional requirements.
18.35.660 Phased subdivision.

Article VII. Plat Alteration

18.35.670 Purpose.
18.35.680 Application submittal and contents.
18.35.690 Review process and criteria.

Article IX. Unit Lot Subdivisions

Article I. General Provisions

18.35.010 General authority.
This chapter of the Jefferson County Unified Development Code is adopted under the authority of chapter 58.17 RCW. [Ord. 8-06 § 1]

18.35.020 Purpose.
The purpose of this chapter is to regulate the division of land lying within Jefferson County, and to promote the public health, safety, and general welfare in accordance with the standards established by the state of Washington and Jefferson County, and to:

(1) Prevent the overcrowding of land;

(2) Lessen congestion and promote safe and convenient travel by the public on sidewalks, pathways, streets and highways;

(3) Promote the efficient use of land;

(4) Facilitate adequate provision for water supply, sewage disposal, drainage, streets, schools, parks, recreational areas, fire protection and other capital requirements;

(5) Require uniform monumentation and conveyancing of lots, tracts and parcels by accurate legal description;

(6) Facilitate the expeditious processing of development applications through the adoption of clear, predictable and uniformly applied land division regulations; and

(7) Implement the goals, policies and substantive requirements of the Washington State Growth Management Act (chapter 36.70A RCW) and the Jefferson County Comprehensive Plan. [Ord. 8-06 § 1]

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 resubdivision, 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. 11-23 § 8 (Att. A); Ord. 8-06 § 1]

18.35.040 Exemptions.
This chapter does not apply to the following:

(1) Divisions of land into lots, tracts or parcels each one of which is one-sixteenth of a section of land or larger, or 40 acres or larger if the land is not capable of description as a fraction of a section of land; provided, that for purposes of computing the size of a lot that borders on a street or road, the lot size shall be expanded to include that area that would be bounded by the center line of the street or road and the side lot lines of the lot running perpendicular to such center line; and provided further, that within the commercial forest district (i.e., CF-80), each lot, tract or parcel shall be at least 80 acres in size;

(2) Cemeteries and burial plots while used for that purpose;

(3) Divisions of land made by testamentary provisions or the laws of descent; provided, that this exemption shall not be construed to permit inter vivos transfers, and provided further, that any structure or use on the property must comply with all other applicable county regulations; and

(4) Divisions of land relating to the acquisition of a fee simple interest in land by public agencies, including, but not limited to, divisions made for road or public right-of-way conveyance or widening purposes. This exemption shall not be construed to include acquisitions of easements. [Ord. 8-06 § 1]

(5) Boundary line agreement to resolve any dispute between two or more parcels of real property where the boundaries cannot be identified from the existing public record, monuments, and landmarks, provided such agreement shall be executed in conformance with RCW 58.04.007.

18.35.050 Violations – Penalties.
(1) Criminal Penalties and Liability. Any person, firm, corporation, or association or any agent of any person, firm, corporation or association who sells, offers for sale, leases, or transfers any lot, tract, or parcel of land prior to compliance with this chapter is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed $1,000 or by imprisonment in jail for a term not exceeding 90 days, or by both such fine and imprisonment. Each violation or each sale, offer for sale, lease, or transfer of each separate lot, tract, or parcel of land in violation of any provision of this chapter is deemed a separate and distinct offense. If performance of an offer of agreement to sell, lease or otherwise transfer a lot, tract or parcel of land following preliminary approval of a short plat or long plat, but prior to final plat approval, is expressly conditioned on the recording of the final plat containing the lot, tract or parcel under this chapter, the offer or agreement does not violate any provision of this chapter. All payments on account of an offer or agreement conditioned as provided in this chapter shall

be deposited in an escrow account and no disbursements to sellers are permitted until the final plat is recorded. This prohibition of property transfers prior to compliance with this chapter shall apply equally to transfers prior to completion of short subdivisions, long subdivisions and binding site plans.

(2) title 19 JCC Applicable. In addition to the penalties provided in this section, all violations of any provision of this chapter or any incorporated standards, or conditions of any permit issued hereunder, are subject to the provisions of title 19 JCC. The administrator is authorized to enforce the provisions of this chapter in accordance with title 19 JCC.

(3) Other Enforcement Action. In the event an applicant for a short subdivision, long subdivision, or binding site plan fails and refuses to install required improvements in the time required by any preliminary or final approval, the county may withhold further building or other development permits, make demand against any bonds, collect monies deposited in escrow to secure installation of improvements, initiate a local improvement district, or take such other action as may be necessary to cause the improvements to be made. [Ord. 9-20 § 2 (Appx. B); Ord. 8-06 § 1]

Article II. Boundary Line Adjustments

18.35.060 Purpose, scope and limitations.

(1) Purpose and Scope. The purpose of this article is to provide procedures and criteria for the review and approval of adjustments to boundary lines between platted or unplatted lots, tracts or parcels, or both in order to:

(a) Allow the enlargement or merging of lots, tracts or parcels to improve or qualify as a buildable lot or for any other lawful purpose;

(b) Rectify defects in legal descriptions;

(c) Achieve increased setbacks from property lines or critical areas;

(d) Correct situations wherein an established use is located across a lot line; or

(e) For other similar purposes.

This article is also intended to ensure compliance with the Survey Recording Act, chapter 58.09 RCW and chapter 332-130 WAC.

(2) Prohibited Boundary Changes. This article shall not apply to boundary changes that would:

(a) Result in the creation of an additional lot, tract, parcel, site within a binding site plan or division as defined in chapter 18.10 JCC;

(b) Result in a lot, tract or parcel or site within a binding site plan that does not qualify as a buildable lot as defined in chapter 18.10 JCC;

(c) An adjustment that crosses zoning district boundaries. Adjustments may be allowed across different rural residential densities;

(d) Be inconsistent with any restrictions or conditions of approval for a recorded short plat or long plat; or circumvent the short subdivision or long subdivision procedures set forth in this chapter.

(3) Lot Consolidation. The consolidation of two or more lots, tracts or parcels for the purpose of creating a single lot, tract or parcel that meets the requirements for a buildable lot shall in all cases be considered a minor adjustment of boundary lines and shall not be subject to the short subdivision or long subdivision provisions of this chapter. Lot consolidations shall not require a survey or soil evaluation.

(4) Adjustments to Binding Site Plans. Recognized lots in an approved binding site plan shall be considered a single site and no lot lines on the site may be altered by a boundary line adjustment to separate lots to another property not included in the original site plan of the subject development.

(5) Rectifying legal defects, such as an established use located across a lot line, and the adjustment of boundary lines to match water bodies, roads, or fence lines, shall be considered minor adjustments and shall not require a soil evaluation.

(6) Time Limitations. If more than two lots, tracts or parcels have been subject to a boundary line adjustment process, those lots shall not be permitted to use the boundary line adjustment process again for five years with the exception of lot consolidations, testamentary divisions, civil cases, court orders, rectifying legal defects, or the adjustment of one line between two or more property owners for the purpose of settling a dispute. [Ord. 9-22 § 4 (Appx. C); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.35.070 Application submittal and contents.
To be considered complete, applications for boundary line adjustments shall include the following:

(1) Applications for boundary line adjustments shall be made on forms provided by the Jefferson County department of community development and shall be submitted to the department of community development, along with the appropriate fees established under the Jefferson County fee ordinance;

(a) A single application may be submitted for multiple BLAs for adjacent parcels, lots, tracts or sites within a binding site plan. However, standard application fee(s) shall apply to each BLA after the first two per additional parcel, lot, tract or site;

(b) In instances of lot consolidation, standard application fee(s) shall apply based on the number of resulting parcels or lots;

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

(3) A digital copy of a clean and legible drawing suitable for recording showing the following:

(a) The proposed lines for all affected lots, tracts or parcels, indicated by bold solid lines;

(b) The existing lot, tract or parcel lines proposed to be changed, indicated by light broken lines;

(c) The location and dimensions of all structures/improvements existing upon the affected lots, tracts or parcels and the distance between each such structure/improvement and the proposed boundary lines, with structures proposed to be removed from the site depicted with broken lines and structures to remain on the site depicted with solid lines;

(d) A north arrow indication and scale;

(e) All assessor's tax parcel numbers for the affected lots, tracts or parcels;

(f) The location of the property as to quarter/quarter section;

(g) The location and dimensions of any easements within or adjacent to any affected lots, tracts or parcels;

(h) The location, right-of-way widths, pavement widths and names of all existing or platted streets or roads, whether public or private, and other public ways within or adjacent to the affected lots, tracts or parcels;

(i) The area and dimensions of each lot prior to and following the proposed adjustment;

(j) The existing on-site sewage system components and reserve areas and the proposed location for on-site sewage systems and soil test pits for all affected lots that are not currently served by an on-site sewage system or other approved wastewater treatment system;

(k) The location of all existing and proposed water and storm drainage facilities; and

(l) The approximate location and extent of any critical areas identified in chapter 18.22 JCC. The following notice will be recorded on the drawing when the parcels that are part of the boundary line adjustment include, or are adjacent to, critical areas:

> Notice to Public: Current Jefferson County geographic information systems (GIS) maps identify the presence of a critical area such as stream, wetland, flood, landslide hazard, erosion, aquifer recharge area, fish and wildlife habitat, shoreline, etc., lying within and/or adjacent to the revised parcels encompassed by this Boundary Line Adjustment. Prior to any land disturbing activity or construction activity, applicant/owner shall contact the Jefferson County department of community development regarding compliance for such critical areas. Approval of this Boundary Line Adjustment does not guarantee a buildable site within said parcel(s). Such determination is dependent on approvals of water, septic, bulk and dimensional setbacks, and critical area requirements.

(4) The original legal description of the entire property together with new separate legal descriptions for each lot, tract or parcel, labeling them each as existing parcel A, existing parcel B, revised parcel A, revised parcel B, etc. The drawing shall be attached to or include on the face a formal legal declaration of the boundary line adjustment, signed and notarized

by all legal owners of the subject properties. In cases where the property has not been surveyed, the following disclaimer shall be recorded on the drawing:

> DISCLAIMER LANGUAGE FOR BLA STATEMENT OF INTENT: Your request for a Boundary Line Adjustment (BLA) has been approved. Since no survey was submitted as part of your BLA application, the County accepts no liability for what facts a survey might have revealed. A survey might have revealed that a structure or improvement believed to be on the applicant's property is, in fact, located wholly or partially upon someone else's property or upon property that is not the subject of this BLA. But in the absence of a survey, the applicant bears sole responsibility if such a problem arises.

(5) A copy of any covenants, conditions and restrictions (CC&Rs), deed restrictions, or planned rural residential development (PRRD) agreements pertaining to or affecting the property; and

(6) If applicable, the applicant shall provide written verification from the Jefferson County department of environmental health that the lots, tracts, parcels or sites, as each would exist after the boundary line adjustment, are adequate to accommodate an on-site sewage disposal system. The location of soil logs must be shown on the drawing to show land area sufficient to meet environmental health requirements for each resultant lot, tract, or parcel that does not contain a dwelling.

This requirement shall be waived for resultant parcels that have limited the use of the resultant parcel to agriculture, forestry, or open space through conservation easements, restrictive covenant, or similar legal arrangement. The open space tax program shall not be used to fulfill this requirement;

(7) The application shall be accompanied by a current (i.e., within 30 days) title company certification of the following:

(a) The legal description of the total parcels sought to be adjusted;

(b) Those individuals or corporations holding an ownership interest and any security interest (such as deeds of trust or mortgages) or any other encumbrances affecting the title of said parcels. Such individuals or corporations shall sign and approve the final survey prior to final approval;

(c) Any lands to be dedicated shall be confirmed as being owned in fee title by the owner(s) signing the dedication certificate;

(d) Any easements or restrictions affecting the properties to be adjusted with a description of purpose and referenced by the auditor's file number and/or recording number; and

(e) If lands are to be dedicated or conveyed to the county as part of the subdivision, an American Land Title Association (A.L.T.A.) policy may be required by the director of the department of public works. [Ord. 9-22 § 4 (Appx. C); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.35.080 Review process and criteria.

(1) Prior to approval, a proposed boundary line adjustment shall be reviewed by the Jefferson County assessor.

(2) Based on any comments solicited and received from the department of public works, the department of environmental health or other applicable departments and agencies, the administrator shall approve the proposed boundary line adjustment only upon finding that the adjustment would not:

(a) Create any additional lot, tract, parcel, or site within a binding site plan or division or relocate any lot, tract, parcel, or site within a binding site plan or division to another parent parcel;

(b) Result in the creation of a lot which is not a buildable lot, unless such lot is restricted by recorded instrument acknowledging the lot is for the purpose of conservation, open space, or other similar purpose;

(c) Result in a lot, tract, parcel, site within a binding site plan or division that results in insufficient area or dimension to meet water availability and the minimum requirements for area and dimension as set forth in chapter 18.15 JCC and state and local health codes and regulations;

(d) Diminish or impair drainage, water supply, existing sewage disposal, and access or easement for vehicles or pedestrians, utilities, and fire protection for any lot, tract, parcel, site (i.e., within an approved binding site plan), or division;

(e) Diminish or impair any public or private utility easement or deprive any parcel of access or utilities;

(f) Diminish or impair the functions and values of critical areas designated under chapter 18.22 JCC, or create an unsafe or hazardous environmental condition;

(g) Create unreasonably restrictive or hazardous access to the property;

(h) Create a nonconforming lot, tract, or parcel or increase the nonconforming aspects of an existing lot, tract or parcel relative to chapter 18.15 JCC;

(i) Replat or vacate a short plat or long plat, or revise, amend, or violate any of the conditions of approval for any short or long subdivision; or

(j) Create a lot, tract, or parcel that crosses zoning district boundaries, with the exception of an adjustment across rural residential densities.

(3) Following approval by the administrator, a final record of survey document shall be prepared by a licensed land surveyor in accordance with chapter 58.09 RCW and chapter 332-130 WAC. The document shall contain a land surveyor's certificate and a recording certificate. The final page of the record of survey document shall contain the following signature blocks:

(a) The Jefferson County assessor's office, to be signed by the Jefferson County assessor or their designee; and

(b) The department of community development, to be signed by the administrator.

(4) Upon approval the following statement of intent shall be recorded by the auditor and referenced by auditor file number on the final survey:

THIS RECORDING IS FOR THE PURPOSE OF ASSISTING WITH A BOUNDARY LINE ADJUSTMENT PURSUANT TO RCW 58.17.040(6). IT DOES NOT CREATE ANY ADDITIONAL LOTS, TRACTS, PARCELS, OR A DIVISION AS THE LAND DESCRIBED HEREON SHALL MERGE OR BE INTEGRATED INTO ABUTTING PROPERTY PRESENTLY OWNED BY THE PROPONENTS. NOR DOES THE BOUNDARY LINE ADJUSTMENT RESULT IN ANY LOTS, TRACTS, PARCELS OR DIVISION WHICH CONTAIN INSUFFICIENT AREA AND DIMENSION TO MEET MINIMUM COUNTY AND SANITATION REQUIREMENTS FOR WIDTH AND AREA FOR A BUILDING SITE.

(5) Pursuant to RCW 84.56.345, current year and any delinquent taxes shall be paid before approval of any boundary line adjustment.

(6) Applications for boundary line adjustments shall be processed according to the procedures for Type I land use decisions established in Chapter 18.40 JCC. [Ord. 9-22 § 4 (Appx. C); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

Article III. Short Subdivisions

18.35.090 Scope.

Any land being divided into four or fewer lots, tracts or parcels that has not been divided through a short subdivision within the previous five years shall meet the requirements of this article. Land within an approved short subdivision may not be further divided in any manner within a period of five years without the filing of a long plat. However, when a short plat contains fewer than four parcels, the owner of the short plat may file an alteration within the five-year period to create up to four lots within the boundaries of the original short plat; provided, that the parcel is not held in common ownership with a contiguous parcel which has been subdivided within the preceding five years. [Ord. 8-06 § 1]

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);

(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. 11-23 § 8 (Att. A); Ord. 8-06 § 1]

18.35.110 Preliminary short plat preparation.
The preliminary short plat shall be prepared in accordance with the following requirements:

(1) The preliminary short plat shall be prepared by a Washington State licensed engineer or land surveyor registered or licensed by the state of Washington. The preparer shall certify on the short plat that it is a true and correct representation of the land actually surveyed. The preparation of the plat shall comply with the Survey Recording Act, chapter 58.09 RCW and chapter 332-130 WAC as now adopted or hereafter amended. Upon surveying the property, the surveyor shall place temporary stakes on the property to enable the county to locate and assess features of the short plat in the field. The datum to be used for all surveying and mapping shall be as follows: The projection name is the state plane; the projection spheroid is GRS 1980; the coordinate system is Washington State Plane North Zone; and the horizontal datum is NAD 83.

(2) All geographic information portrayed by the preliminary short plat shall be accurate, legible and drawn to a horizontal scale of 50 feet or fewer to the inch, except that the location sketch and typical roadway cross-sections may be drawn to any other appropriate scale.

(3) A preliminary short plat shall be 18 by 24 inches in size, allowing one-half inch borders, and if more than one sheet is needed, each sheet shall be numbered consecutively and an index sheet showing the entire property and orienting the other sheets, at any appropriate scale, shall be provided. In addition to other map submittals, the applicant shall submit one copy of each sheet reduced to 8-1/2 inches by 11-1/2 inches in size. If more than one sheet is required, an

index sheet showing the entire subdivision with road and highway names and block numbers (if any) shall be provided. Each sheet, including the index sheet, shall be of the above specified size.

(4) The area of each proposed lot, tract or parcel on the short plat map shall accurately show that each lot, tract or parcel contains sufficient area to satisfy minimum zoning requirements. The area of land contained in access easements, access panhandles or pipestem configurations shall not be included in the area computations. [Ord. 8-06 § 1]

18.35.120 Preliminary short plat contents.

(1) A preliminary short plat shall be submitted on one or more sheets and shall provide the information described below. All specifications for required improvements shall conform to the development standards contained in chapter 18.30 JCC.

(a) The name of the proposed subdivisions together with the words "Preliminary Short Plat";

(b) The name and address of the applicant;

(c) The name, address, stamp and signature of the professional engineer or professional land surveyor who prepared the preliminary plat;

(d) Numeric scale (50 feet or fewer to the inch), graphic scale, true north point, and date of preparation;

(e) Identification of all land intended to be cleared, and the location of the proposed access to the site for clearing and grading during site development or construction; and

(f) A form for the endorsement of the administrator, as follows:

APPROVED BY JEFFERSON COUNTY

_____ _____

Department of Community Development Administrator Date

(2) The preliminary plat shall contain a vicinity sketch sufficient to define the location and boundaries of the proposed subdivision with respect to surrounding property, roads, and other major constructed and natural features.

(3) Except as otherwise specified in this chapter, the preliminary short plat shall contain the following existing geographic features, drawn lightly in relation to proposed geographic features:

(a) The boundaries of the property to be subdivided, and the boundaries of any adjacent property under the same ownership as the land to be subdivided, to be indicated by bold lines;

(b) The names of all adjoining property owners, or names of adjoining developers;

(c) All existing property lines lying within the proposed subdivision, including lot lines for lots of record which are to be vacated, and all existing property lines for any property adjacent to the subject property which is under the same ownership as the property to be subdivided (as described in JCC 18.35.110(3)) shall be shown in broken lines;

(d) The location, right-of-way widths, pavement widths and names of all existing or platted roads, whether public or private, and other public ways within 200 feet of the property to be divided;

(e) The location, widths and purposes of any existing easements lying within or adjacent to the proposed subdivision;

(f) The location, size and invert elevation of sanitary sewer lines and stormwater management facilities lying within or adjacent to the proposed subdivision or those that will be connected to the subdivision as part of the proposal (if applicable);

(g) The location and size of existing water system facilities including all fire hydrants lying within or adjacent to the proposed subdivision or those which will be connected to as part of the proposed subdivision (if applicable);

(h) The location, size and description of any other underground and overhead facilities lying within or adjacent to the proposed subdivision (if applicable);

(i) The location of any critical areas as described in chapter 18.22 JCC;

(j) The location of existing sections and municipal corporation boundary lines lying within or adjacent to the proposed subdivision;

(k) The location of any well and associated setbacks existing within the proposed subdivision;

(l) The location of any individual or on-site sewage disposal system existing within the proposed subdivision;

(m) Existing contour lines at intervals of five feet, labeled at intervals not to exceed 20 feet;

(n) The location of any existing structures lying within the proposed subdivision; existing structures to be removed shall be indicated by broken lines, and existing structures not to be removed shall be indicated by solid lines.

(4) The preliminary plat shall show the following proposed geographic features:

(a) The boundaries in bold solid lines of any proposed lots, tracts or parcels, the area and dimensions of each proposed lot, tract or parcel, and the proposed identifying number or letter to be assigned to each lot, tract or parcel, and block (if applicable);

(b) The right-of-way location and width, the proposed name of each road, street or other public way to be created and the estimated tentative grades of such roads; where roadways may exceed the maximum allowable grade or alignment, the director of the department of

public works may require sufficient data, including centerline profiles and cross-sections, if necessary, to determine the feasibility of said roadway;

(c) The location, width and purpose of each easement to be created;

(d) The boundaries, dimensions and area of public and common park and open space areas;

(e) Identification of all areas proposed to be dedicated for public use, together with the purpose and any condition of dedication;

(f) Proposed final contour lines at intervals of five feet; final contour lines shall be indicated by solid lines; contour lines shall be labeled in intervals not to exceed 20 feet;

(g) The building envelope, as defined in JCC 18.10.020, shall be indicated for each lot;

(h) Proposed monumentation;

(i) Proposed location and description of all individual or community wells, or water system improvements, including fire hydrants (if applicable);

(j) Proposed location and description of all sewage disposal improvements, including (if applicable) profiles and all pump stations and their connections to the existing system;

(k) Proposed location and description of all stormwater management improvements;

(l) Proposed road cross-sections, showing bicycle and pedestrian pathways, trails and sidewalks (if applicable);

(m) Proposed type and location of road lighting (if applicable);

(n) Proposed type and location of landscaping (if applicable);

(o) Proposed location and description of transit stops and shelters (if applicable);

(p) Proposed covenants, conditions and restrictions (CC&Rs) on development (if applicable).

(5) Upon review of an application, the administrator may require additional pertinent information, as deemed necessary, to satisfy any other regulatory requirements. The administrator may also waive specific submittal requirements determined to be unnecessary for review of an application. In such event, the administrator shall document the waiver in the project file or log. [Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.35.130 Short plat approval criteria.
In addition to the review criteria provided in chapter 18.40 JCC, the following criteria are the minimum measures by which each proposed short subdivision will be considered:

(1) Short subdivisions shall be given preliminary approval, including preliminary approval subject to conditions, upon finding by the administrator that all of the following have been satisfied:

(a) The proposed subdivision conforms to all applicable county, state and federal zoning, land use, environmental and health regulations and plans, including but not limited to the following:

(i) The Jefferson County Comprehensive Plan; and

(ii) The provisions of this code, including any incorporated standards;

(b) Utilities and other public services necessary to serve the needs of the proposed subdivision shall be made available, including open spaces, drainage ways, roads, streets and other public ways, potable water, transit facilities, sewage disposal, parks, playgrounds, schools, sidewalks and other improvements to assure safe walking conditions for students who walk to and from school;

(c) Approving the proposed short subdivision will serve the public use and interest and adequate provision has been made for the public health, safety and general welfare.

(2) Notwithstanding the approval criteria set forth in subsection (1) of this section, in accordance with RCW 58.17.120, as now adopted and hereafter amended, a proposed subdivision may be denied because of flood, inundation or swamp conditions. Where any portion of the proposed short subdivision lies within both a flood control zone, as specified by chapter 86.16 RCW, and either the 100-year floodplain or the regulatory floodway, the county shall not approve the preliminary short plat unless:

(a) The applicant has demonstrated to the satisfaction of the administrator that no feasible alternative exists to locating lots and building envelopes within the 100-year floodplain; and

(b) It imposes a condition requiring the applicant to comply with Article VI-F of chapter 18.15 JCC and any written recommendations of the Washington State Department of Ecology. In such cases, the county shall issue no development permit associated with the proposed short subdivision until flood control problems have been resolved.

18.35.140 Short plat review process.

(1) An application for a short subdivision shall be processed according to the procedures for Type II land use decisions established in chapter 18.40 JCC.

(2) The administrator shall solicit comments from the director of the department of public works, the chief of the fire district in which the proposal is located, local utility providers, sheriff, building official, school district in which the proposal is located, adjacent jurisdictions if the proposal is within one mile of a city or other jurisdiction, Washington State Department of Transportation if the proposal is adjacent to a state highway, and any other local, state or federal officials as may be necessary.

(3) Based on comments from county departments, applicable agencies and other information, the administrator shall review the proposal subject to the criteria contained in JCC 18.35.130. A proposed short plat shall only be approved when consistent with all the provisions of JCC 18.35.130.

(4) An applicant for a short subdivision may request that certain requirements established or referenced by this chapter be modified. Such requests shall be processed according to the procedures for variances in chapter 18.40 JCC, and shall satisfy the criteria contained in Article IV of chapter 18.40 JCC, Variances.

(5) Pursuant to RCW 84.56.345, current year and any delinquent taxes must be paid before the approval of a short subdivision. [Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.35.150 Modifications to an approved preliminary short plat.

(1) Minor modifications to a previously approved preliminary short plat may be requested by the applicant and approved by the administrator subject to the provisions for Type I decisions in chapter 18.40 JCC; provided, that the modification does not involve any of the following:

(a) The location or relocation of a road or street;

(b) The creation of an additional lot, tract or parcel;

(c) The creation of a lot, tract or parcel that does not qualify as a buildable lot pursuant to this code;

(d) The relocation of an entire lot, tract or parcel from one parent parcel into another parent parcel.

(2) Before approving such an amendment, the administrator shall make written findings and conclusions documenting the following conditions:

(a) The modification will not be inconsistent or cause the short subdivision to be inconsistent with the decision of the county preliminarily approving the application;

(b) The modification will not violate the intent of the original conditions of application approval; and

(c) The modification will not cause the short subdivision to violate any applicable county policy or regulation.

(3) Modifications that involve the circumstances described in subsection (1) of this section, or exceed the criteria set forth in subsection (2) of this section, shall be processed as a new preliminary short plat application. [Ord. 8-06 § 1]

18.35.160 Surety.

Subdivision applicants may be required to post a surety guaranteeing completion of subdivision improvements within one year of final plat approval. The surety shall be for 200 percent of the cost of construction of those improvements estimated by a licensed engineer. Surety shall be in a form acceptable to Jefferson County. In the event that the applicant does not complete construction within one year, Jefferson County shall be authorized to complete the construction and pay for the work from the surety account. Surety shall not be accepted for developing potable water sources. Surety may only be released only after inspection by Jefferson County. [Ord. 8-06 § 1]

18.35.170 Director of the department of public works certificate of improvements.
No permit for the construction of improvements within an approved subdivision shall be issued by the county until the improvement method report, all construction drawings, proposed performance guarantees, and other submittals in conformance with the development standards contained in chapter 18.30 JCC and any incorporated standards have been received and approved by the director of the department of public works. All construction of improvements shall be inspected and approved in conformance with the development standards contained in chapter 18.30 JCC and any incorporated standards. After completion of all required improvements or the guarantee of the construction of all required improvements, the director of the department of public works shall submit a certificate in triplicate to the administrator stating the required improvements or guarantees are in accordance with the provisions of this chapter, the preliminary short plat, including the county's decision approving the short plat, and in accordance with the development standards contained in chapter 18.30 JCC and any incorporated standards. The administrator shall transmit one copy of the certification to the subdivider, together with a notice advising the subdivider to prepare a final plat for the proposed short subdivision. The administrator shall retain one copy of the certificate. [Ord. 8-06 § 1]

18.35.180 Final short plat requirements.
The applicant must submit a reproducible copy, plus five paper copies of the proposed final short plat to the administrator. The reproducible copy of the approved final short plat will contain the elements as described in JCC 18.35.120 and shall include certifications and other requirements as provided in JCC 18.35.370 for long plats. [Ord. 8-06 § 1]

18.35.190 Accompanying documents – Final short plat.
(1) In cases where any restrictive deed covenants or CC&Rs will apply to lots or parcels within a subdivision, a type written copy of such covenants, bearing all necessary signatures, shall be submitted along with the final plat. Where the recordation of specific deed restrictions or CC&R provisions have been required as a condition of preliminary plat approval, the administrator shall approve and sign the deed restriction or CC&Rs prior to final plat approval.

(2) The final plat shall be accompanied by a current (i.e., within 30 days) title company certification of the following:

(a) The legal description of the total parcel sought to be subdivided;

(b) Those individuals or corporations holding an ownership interest and any security interest (such as deeds or trust or mortgages) or any other encumbrances affecting the title of said parcel. Such individuals or corporations shall sign and approve the final plat prior to final approval;

(c) Any lands to be dedicated shall be confirmed as being owned in fee title by the owner(s) signing the dedication certificate;

(d) Any easements or restrictions affecting the property to be subdivided with a description of purpose and referenced by the auditor's file number and/or recording number; and

(e) If lands are to be dedicated or conveyed to the county as part of the subdivision, an American Land Title Association (A.L.T.A.) policy may be required by the director of the department of public works.

(3) All maintenance, performance and guarantee bonds or other guarantees as may be required by the director of the department of public works and the approved improvement method report to guarantee the acceptability and/or performance of all required improvements. [Ord. 8-06 § 1]

18.35.200 Final short plat approval.
The final short plat shall be approved by the administrator upon satisfaction of all conditions of approval and all requirements as provided in this article and Article VI of this chapter. Final approval of short plats by the Jefferson County board of county commissioners shall be required. All final short plats shall be approved, disapproved or returned to the applicant within 30 days of their filing, unless the applicant consents to an extension of time in writing. [Ord. 8-06 § 1]

18.35.210 Time limitation on final short plat submittal.
Approval of a preliminary short plat shall expire unless the applicant submits a proposed final plat in proper form for final approval within three years after preliminary approval. The department of community development shall not be responsible for notifying the applicant of an impending expiration. [Ord. 8-06 § 1]

18.35.220 Effect of an approved final short plat – Valid land use.
Any lots, tracts or parcels in a final short plat filed for record shall be a valid land use notwithstanding any change in zoning for a period of five years from the date of filing. A short subdivision shall be governed by the terms of approval of the final short plat, and the statutes, ordinances and regulations in effect on the date of preliminary plat approval for a period of five years after final short plat approval unless the Jefferson County board of commissioners finds that a change in conditions creates a serious threat to the public health or safety of residents within or outside the short subdivision. [Ord. 8-06 § 1]

18.35.230 Distribution of copies and filing of final short plat.
The administrator shall distribute the original and copies of the approved final short plat as follows:

(1) The original shall be returned to the applicant after it has been forwarded to the county auditor for recording; and

(2) One recorded paper copy shall be retained in the files of the department of community development. [Ord. 8-06 § 1]

18.35.240 Transfer of ownership following short plat approval.
Whenever any parcel of land lying within the county is divided under the provisions of this article relating to short subdivisions, no person, firm, or corporation shall sell or transfer any such lot, tract or parcel without having first received final approval of the short plat and having recorded the final short plat with the Jefferson County auditor. It is the responsibility of the applicant to ensure that a final short plat is fully certified and filed for record with the Jefferson County auditor prior to transferring ownership of any land. [Ord. 8-06 § 1]

18.35.250 Building and occupancy permits – Issuance after final short plat approval.
(1) No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved short subdivision prior to a determination by the relevant fire district chief or designee that adequate fire protection and access for construction needs exists.

(2) No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved short subdivision until the applicant complies with the improvement method report, all requirements of the department of public works certificate of improvements, and all requirements of the final plat approval.

(3) No occupancy permit for a structure other than a temporary contractor's office or other approved temporary building shall be issued for a structure on a lot or parcel within an approved subdivision prior to final inspection and approval of all required improvements which will serve such lot or parcel to the satisfaction of the director of the department of public works and county building official. [Ord. 8-06 § 1]

18.35.260 Accumulative short plats.
Accumulative short plats are not permitted. The short subdivision process may not be used to apply for a series of short plats within two years from any application, thereby circumventing the long subdivision procedures. [Ord. 8-06 § 1]

Article IV. Long Subdivisions

18.35.270 Scope.
Long subdivisions, as processed under this article, shall include all divisions of land into five or more lots, and shall require improvements so that any development will be in compliance with this code and any other codes or ordinances which may apply. [Ord. 8-06 § 1]

18.35.280 Application submittal and contents.
To be considered complete, the application for a long subdivision shall include the following information:

(1) The application for approval of a long subdivision shall be submitted to the department of community development on forms to be provided by the department along with the appropriate fees established by the Jefferson County fee ordinance;

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

(3) The area and dimensions 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. The area of land contained in access easements, access panhandles or pipestem configurations shall not be included in the area computations;

(4) Five paper copies of a preliminary plat meeting the standards and requirements of JCC 18.35.290 and 18.35.300;

(5) Where applicable, any special reports or studies required under chapter 18.15 JCC, prepared in accordance with the requirements of Article VI-K of chapter 18.15 JCC;

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

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

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

18.35.290 Preliminary plat – Preparation.
The preliminary plat shall be prepared in accordance with the following requirements:

(1) The preliminary plat shall be prepared by a Washington State licensed engineer or land surveyor registered or licensed by the state of Washington. The preparer shall certify on the plat that it is a true and correct representation of the lands actually surveyed. The preparation of the plat shall comply with the Survey Recording Act, chapter 58.09 RCW and Chapter 332-130 WAC as now adopted or hereafter amended. Upon surveying the property, the surveyor shall place temporary stakes on the property to enable the county to locate and assess features of the long plat in the field. The datum to be used for all surveying and mapping shall be as follows: The projection name is the state plane; the projection spheroid is GRS 1980; the coordinate system is the Washington State Plane North Zone; and the horizontal datum is NAD 83.

(2) All geographic information portrayed by the preliminary plat shall be accurate, legible and drawn to a horizontal scale of 50 feet or fewer to the inch, except that the location sketch and typical roadway cross-sections may be drawn to any other appropriate scale.

(3) A preliminary plat shall be 18 inches by 24 inches in size, allowing one-half-inch borders, and if more than one sheet is needed, each sheet shall be numbered consecutively and an index sheet showing the entire property and orienting the other sheets, at any appropriate scale, shall be provided. In addition to other map submittals, the applicant shall submit one copy of each sheet reduced to 8-1/2 inches by 11-1/2 inches in size. If more than one sheet is required, an index sheet showing the entire subdivision with road and highway names and block number (if any) shall be provided. Each sheet, including the index sheet, shall be of the above-specified size.

(4) The area of each proposed lot or parcel depicted on the long plat map shall accurately show that each lot, tract or parcel contains sufficient area to satisfy minimum zoning requirements. The area of land contained in access easements, access panhandles or pipestem configurations shall not be included in the lot size computations. [Ord. 8-06 § 1]

18.35.300 Preliminary plat – Contents.
(1) A preliminary plat shall be submitted on one or more sheets and shall provide the following information. All specifications for public improvements shall conform to the standards contained in chapter 18.30 JCC, including any standards incorporated therein:

(a) The name of the proposed subdivision together with the words "Preliminary Plat";

(b) The name and address of the applicant;

(c) The name, address, stamp and signature of the professional engineer or professional land surveyor who prepared the preliminary plat;

(d) Numeric scale 50 feet or fewer to the inch), graphic scale, true north point, and date of preparation;

(e) Identification of all land intended to be cleared, and the location of the proposed access to the site for clearing and grading during site development and construction; and

(f) A form for the endorsement of the administrator of the department of community development, as follows:

APPROVED BY JEFFERSON COUNTY

_____ _____

Department of Community Development Administrator Date

(2) The preliminary plat shall contain a vicinity sketch sufficient to define the location and boundaries of the proposed subdivision with respect to surrounding property, roads, and other major constructed and natural features.

(3) Except as otherwise specified in this chapter, the preliminary plat shall contain the following existing geographic features, drawn lightly in relation to proposed geographic features:

(a) The boundaries of the property to be subdivided, and the boundaries of any adjacent property under the same ownership as the land to be subdivided, to be indicated by bold lines;

(b) The names of all adjoining property owners, or names of adjoining developers;

(c) All existing property lines lying within the proposed subdivision, including lot lines for lot of record which are to be vacated, and all existing property lines for any property lying adjacent to the subject property which is under the same ownership as the property to be subdivided (as described in JCC 18.35.290(3)) shall be shown in broken lines;

(d) The location, right-of-way widths, pavement widths and names of all existing or platted roads, whether public or private, and other public ways within 200 feet of the property to be subdivided;

(e) The location, widths and purposes of any existing easements lying within or adjacent to the proposed subdivision;

(f) The location, size and invert elevation of sanitary sewer lines and stormwater management facilities lying within or adjacent to the proposed subdivision or those that will be connected to as part of the proposed subdivision (if applicable);

(g) The location and size of existing water system facilities including all fire hydrants lying within or adjacent to the proposed subdivision or those which will be connected to as part of the proposed subdivision (if applicable);

(h) The location, size and description of any other underground and overhead facilities lying within or adjacent to the proposed subdivision (if applicable);

(i) The location of any critical areas as described in chapter 18.22 JCC;

(j) The location of existing sections and municipal corporation boundary lines lying within or adjacent to the proposed subdivision;

(k) The location of any well existing within the proposed subdivision;

(l) The location of any individual or on-site sewage disposal system existing within the proposed subdivision;

(m) Existing contour lines at intervals of five feet labeled at intervals not to exceed 20 feet;

(n) The location of any existing structures lying within the proposed subdivision; existing structures to be removed shall be indicated by broken lines, and existing structures not to be removed shall be indicated by solid lines.

(4) The preliminary plat shall show the following proposed geographic features:

(a) The boundaries in bold solid lines of all proposed lots, the area and dimensions of each proposed lot, and the proposed identifying number or letter to be assigned to each lot and/or block;

(b) The right-of-way location and width, the proposed name of each road, street, alley, or other public way to be created and the estimated tentative grades of such streets; where roadways may exceed the maximum allowable grade or alignment, the director of the department of public works may require sufficient data, including centerline profiles and cross-sections if necessary, to determine the feasibility of said roadway;

(c) The location, width and purpose of each easement created;

(d) The boundaries, dimensions and area of public and common park and open space areas;

(e) Identification of all areas proposed to be dedicated for public use, together with the purpose and any condition of dedication;

(f) Proposed final contour lines at intervals of five feet; final contour lines shall be indicated by solid lines; contour lines shall be labeled in intervals not to exceed 20 feet;

(g) The building envelopes, as defined in JCC 18.10.020, shall be indicated for each lot;

(h) Proposed monumentation;

(i) Proposed location and description of all individual or community wells, or water system improvements, including all proposed fire hydrants (if applicable);

(j) Proposed location and description of all sewage disposal improvements, including (if applicable) profiles, and, if needed, all pump stations and their connections to the existing system;

(k) Proposed location and description of all stormwater management system improvements;

(l) Proposed road cross-sections, showing proposed bicycle and pedestrian pathways, trails and sidewalks (if applicable);

(m) Proposed type and location of road lighting (if applicable);

(n) Proposed type and location of landscaping (if applicable);

(o) Proposed location and description of transit stops and shelters (if applicable);

(p) Proposed covenants, conditions and restrictions (CC&Rs) on development (if applicable).

(5) Upon review of an application, the administrator may require additional pertinent information as needed to satisfy any other regulatory requirements. The administrator may also waive specific submittal requirements determined to be unnecessary for review of an application. In such event, the administrator shall document the waiver in the project file or log. [Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.35.310 Approval criteria.
In addition to the review criteria provided chapter 18.40 JCC, the following criteria are the minimum measures by which each proposed subdivision will be considered:

(1) Long subdivisions shall be given preliminary approval, including preliminary approval subject to conditions, upon finding by the county that all of the following have been satisfied:

(a) The proposed subdivision conforms to all applicable county, state and federal zoning, land use, environmental and health regulations and plans, including, but not limited to, the following:

(i) The Jefferson County Comprehensive Plan; and

(ii) The provisions of this code, including any incorporated standards;

(b) Utilities and other public services necessary to serve the needs of the proposed subdivision shall be made available, including open spaces, drainage ways, roads, streets, other public ways, potable water, transit facilities, sewage disposal, parks, playgrounds, schools, sidewalks and other improvements that assure safe walking conditions for students who walk to and from school;

(c) The probable significant adverse environmental impacts of the proposed subdivision, together with any practical means of mitigating adverse impacts, have been considered

such that the proposal will not have an unacceptable adverse effect upon the quality of the environment, in accordance with the State Environmental Policy Act (SEPA) implementing provisions contained within chapter 18.40 JCC and chapter 43.21C RCW;

(d) Approving the proposed subdivision will serve the public use and interest and adequate provision has been made for the public health, safety, and general welfare.

(2) Notwithstanding approval criteria set forth in subsection (1) of this section, in accordance with RCW 58.17.120, as now adopted and hereafter amended, a proposed subdivision may be denied because of flood, inundation or swamp conditions. Where any portion of the proposed subdivision lies within both a flood control zone, as specified by chapter 86.16 RCW, and either the 100-year floodplain or the regulatory floodway, the county shall not approve the preliminary plat unless:

(a) The applicant has demonstrated to the satisfaction of the hearing examiner that no feasible alternative exists to locating lots and building envelopes within the 100-year floodplain; and

(b) It imposes a condition requiring the applicant to comply with Article VI-F of chapter 18.15 JCC and any written recommendations of the Washington State Department of Ecology. In such cases, the county shall issue no development permit associated with the proposed short subdivision until flood control problems have been resolved.

(3) Pursuant to RCW 84.56.345 current year and any delinquent taxes must be paid before approval of any subdivision. [Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.35.320 Preliminary long plat review process.

(1) An application for a full subdivision shall be processed according to the procedures for Type III land use decisions established in chapter 18.40 JCC.

(2) The administrator shall solicit comments from the director of the department of public works, the chief of the fire district in which the proposal is located, local utility providers, sheriff, building official, school district in which the proposal is located, adjacent jurisdictions if the proposal is located within one mile of a city or other jurisdiction, Washington State Department of Transportation, if the proposal is adjacent to a state highway, and any other state, local or federal officials as may be necessary.

(3) Based on comments from county departments, applicable agencies and other information, the administrator shall review the proposal subject to the criteria contained in JCC 18.35.310. A proposed long subdivision shall only be approved when consistent with all the provisions of JCC 18.35.310.

(4) An applicant for a long subdivision may request that certain requirements established or referenced by this chapter be modified. Such requests shall be processed according to the procedures for variances in chapter 18.40 JCC, and shall satisfy the criteria contained in Article IV of chapter 18.40 JCC, Variances. [Ord. 8-06 § 1]

18.35.330 Preliminary plat approval – Phased development.
Where subdivision development is proposed in distinct phases, preliminary plat approval must be granted for the entire subdivision. The plat map must delineate the separate divisions or phases that are to be developed in increments. The preliminary approval is conditional upon completion of the proposed phases in a particular sequence and may specify a completion date for each phase. Final plat approval is granted for each separate phase of the preliminary plat. Any changes in the development after preliminary approval will require approval in accordance with JCC 18.35.320. [Ord. 8-06 § 1]

18.35.340 Modifications to an approved preliminary plat.
(1) Minor modifications to a previously approved preliminary long plat may be requested by the applicant and approved by the administrator subject to the provisions for Type I decisions in chapter 18.40 JCC; provided, that the modification does involve any of the following:

(a) The location or relocation of a road or street;

(b) The creation of an additional lot, tract or parcel;

(c) The creation of a lot, tract or parcel that does not qualify as a buildable lot pursuant to this code;

(d) The relocation of an entire lot, tract or parcel from one parent parcel into another parent parcel.

(2) Before approving such an amendment, the administrator shall make written findings and conclusions documenting the following conditions:

(a) The modification will not be inconsistent or cause the long subdivision to be inconsistent with the decision of the county preliminarily approving the application;

(b) The modification will not violate the intent of the original conditions of application approval; and

(c) The modification will not cause the long subdivision to violate any applicable county policy or regulation.

(3) Modifications that involve the circumstances described in subsection (1) of this section, or exceed the criteria set forth in subsection (2) of this section, shall be processed as a new preliminary long plat application. [Ord. 8-06 § 1]

18.35.350 Surety.
Subdivision applicants may be required to post a surety guaranteeing completion of subdivision improvements within one year of final plat approval. The surety shall be for 200 percent of the cost of construction of those improvements estimated by a licensed engineer. Surety shall be in a form acceptable to Jefferson County. In the event that the applicant does not complete construction within one year Jefferson County shall be authorized to complete the construction and pay for the work from the surety account. Surety shall not be accepted for developing potable water sources. Surety may only be released only after inspection by Jefferson County. [Ord. 8-06 § 1]

18.35.360 Director of public works certificate of improvements.
No permit for the construction of improvements within an approved subdivision shall be issued by the county until the improvement method report, all construction drawings, proposed performance guarantees, and other submittals in conformance with chapter 18.30 JCC and any incorporated standards have been received and approved by the director of the department of public works. All construction of improvements shall be inspected and approved in conformance with development standards contained in chapter 18.30 JCC and any incorporated standards. After completion of all required improvements or the guarantee of the construction of all required improvements, the director of the department of public works shall submit a certificate in triplicate to the administrator stating the required improvements or guarantees are in accordance with the provisions of this chapter, the preliminary plat, including the county's decision approving the plat, and in accordance with the development standards contained in chapter 18.30 JCC and any incorporated standards. The administrator shall submit one copy of the certification to the subdivider, together with a notice advising the subdivider to prepare a final plat for the proposed subdivision. One copy of the certificate shall be retained by the administrator. [Ord. 8-06 § 1]

18.35.370 Preparation of a final long plat.
The final long plat shall be prepared in accordance with the following requirements:

(1) The final plat shall be prepared by a land surveyor licensed by the state of Washington or a Washington state licensed engineer.

(2) Six paper copies of the final long plat shall be submitted, measuring 18 inches by 24 inches in size, allowing one-half inch for border.

(3) A final long plat shall contain the following information:

(a) The name of the subdivision;

(b) Legal description of the property being subdivided;

(c) Numeric scale, graphic scale, true north point and date of preparation of the final plat;

(d) The lot line of the plat, referenced to county (USC&GS) datum and based on an accurate traverse, with angular and linear dimensions and bearings;

(e) The exact location, width and name of all roads, streets, alleys and other public ways within and adjacent to the subdivision;

(f) The exact location, width and purpose of all easements and dedications for rights-of-way provided for public and private services and utilities;

(g) True courses and distances to the nearest established road lines, or sections or quarter section corner monuments which shall accurately locate the subdivision;

(h) Section lines accurately tied to the lines of the plat by distances and courses;

(i) All lot and block numbers (if applicable) and lines, with accurate dimensions in feet and hundredths of feet;

(j) All house address numbers as assigned by the county;

(k) Delineation of the building envelope of each lot;

(l) The radii, internal angles, points of curvature, tangent bearings and lengths of arc;

(m) The accurate location of each permanent control monument;

(n) All plat meander lines or reference lines along bodies of water shall be established as above, but not farther than 20 feet from the high water line of such body;

(o) Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purpose of such dedication or reservation and any limitations indicated thereon and in dedication;

(p) Accurate outlines of any area to be reserved by the deed covenant for common use of owners of property within the subdivision, together with the purposes of such reservation;

(q) Any restrictions or conditions on the lots or tracts within the subdivision, as required by the county or at the discretion of the property owner, including, but not limited to, critical area buffers;

(r) The auditor's file number of all documents and conveyances recorded with the Jefferson County auditor associated with preliminary or final plat approval;

(s) The name and seal of the Washington State licensed land surveyor or Washington State licensed engineer responsible preparation of the final plat, and a signed certification on the plat by said surveyor to the effect that it is a true and correct representation of the land actually surveyed by him or her, that the existing monuments shown thereon exist as located and that all dimensional and geodetic details are correct;

(t) A signed, notarized certification stating that the subdivision has been made with the free consent and in accordance with the desires of the all persons with ownership and/or security interests in the property. If the plat includes a dedication, the certificate or a separate written instrument shall contain the dedication of all roads and other areas to the public, any individual or individuals, or to any corporation, public or private, as shown on the plat. Such certificate or instrument shall be signed and acknowledged before a notary public by all parties having any interest in the land subdivided. The owner shall waive all claims against the county, on behalf of the owner and the owner's successors and assigns, which may be occasioned by the establishment and/or construction of any roads, streets, storm drainage improvements or other improvements;

(u) An offer of dedication may include a waiver of right of direct access to any road from any property. Such waiver may be required by the director of the department of public works as a condition of approval. Any dedication, donation or grant as shown on the face of the plat shall be considered as a quit claim deed to the said donee or grantee for use for the purpose intended by the donation or grant;

(v) Signature blocks for the appropriate certification of the county auditor, director of the department of public works, director of the public health department, and DCD administrator, as follows:

DIRECTOR OF PUBLIC WORKS CERTIFICATE

I hereby certify to the best of my knowledge that this final plat is in compliance with the certificate of improvements issued pursuant to the Jefferson County Unified Development Code and is consistent with all applicable county improvement standards and requirements in force on the date of preliminary plat approval, this ____ day of _____, 20__.

_____
Director, Jefferson County Department
of Public Works or Designee

DEPARTMENT OF COMMUNITY DEVELOPMENT DIRECTOR'S CERTIFICATE

I hereby certify that on this _____ day of _____, 20__, that this final plat is in substantial conformance with the preliminary plat and any conditions attached thereto, which preliminary plat was approved by Jefferson County on the _____ day of _____, 20____.

_____
Director, Jefferson County
Community Development Department or Designee

JEFFERSON COUNTY PUBLIC HEALTH DIRECTOR CERTIFICATE

Approved by public health department on this _____ day of _____, 20__.

_____
Director, Jefferson County Public Health Dept.

JEFFERSON COUNTY TREASURER'S CERTIFICATE

All taxes and/or assessments due are paid in full on this ____ day of _____, 20__.

_____
Jefferson County Treasurer or Designee

(w) A form of the approval of the county assessor, as follows:

JEFFERSON COUNTY ASSESSOR'S CERTIFICATE

Examined and approved this _____ day of _____, 20___.

_____
Jefferson County Assessor or Designee

Attest:

_____
Deputy Jefferson County Assessor

(x) A form for the certificate of the Jefferson County recorder, as follows:

RECORDING CERTIFICATE

Filed for record at the request of Jefferson County this _____ day of _____, 20 ____, at _____ minutes past __M., and recorded in Volume _____ of Plats, page _____ Records of Jefferson County, Washington.

Jefferson County Recording Number ___.

_____
Jefferson County Auditor or Designee

_____
Superintendent of Records

(y) Any additional pertinent information as required at the discretion of the director of the department of public works or the DCD administrator.

(4) All signatures or certifications appearing on a final plat shall in be reproducible black ink. [Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.35.380 Accompanying documents – Final long plat.

(1) In cases where any deed covenants or restrictions, including any CC&Rs, will apply to lots or parcels within a subdivision, a typewritten copy of such covenants bearing all necessary signatures shall be submitted along with the final plat.

(2) The final plat shall be accompanied by a complete survey of the section or sections in which the plat or replat is located, or as much thereof as may be necessary to properly orient the plat within such section or sections. The plat and section survey shall be submitted with complete field and computation notes, showing the original or re-established corners, with the description of the same, and the actual traverse showing error or closure and method of balancing. A sketch showing all distances, angles and calculations required to determine corners and distances of the plat shall accompany this data. The allowable error of closure shall not exceed one foot in 10,000 feet.

(3) The final plat shall be accompanied by a current (within 30 days) title company certification of:

(a) The legal description of the total parcel sought to be subdivided;

(b) Those individuals or corporations holding an ownership interest and any security interest (such as deed of trust or mortgages) or any other encumbrances affecting the title of said parcel. Such individuals or corporations shall sign and approve the final plat prior to final approval;

(c) Any lands to be dedicated shall be confirmed as being owned in fee title by the owner(s) signing the dedication certificate;

(d) Any easements or restrictions affecting the property to be subdivided with a description of purpose and referenced by the auditor's file number and/or recording number; and

(e) If lands are to be dedicated or conveyed to the county as part of the subdivision, an American Land Title Association (A.L.T.A.) title policy may be required by the director of the department of public works.

(4) The applicant shall provide the director of the department of public works with a computer disk containing a complete set of the final plat maps and as-built drawings on CADD(c) or other GIS-compatible software as acceptable to the director of the department of public works.

(5) All documents submitted under this section shall contain the name of the subdivision and the name and address of the subdivider.

(6) All maintenance, performance and guarantee bonds or other guarantees as may be required by the director of the department of public works and the improvement method report to guarantee the acceptability and/or performance of all improvements. For all improvements constructed after final plat approval, reproducible as-built drawing and CADD(c) files shall be submitted within 15 days of completion of construction. [Ord. 8-06 § 1]

18.35.390 Final long plat application.

(1) Applications for final long plat approval shall be made on forms provided by the department along with the fee established in the Jefferson County fee ordinance.

(2) Applications for final plat approval shall be processed according to the procedures for Type IV land use decisions established in chapter 18.40 JCC, and shall be approved,

disapproved, or returned to the applicant within 30 days of their filing, unless the applicant consents to an extension of time in writing.

(3) Applications for final plat approval shall be submitted within five years of the date of the preliminary plat approval.

(4) The final plat map shall be prepared in accordance with JCC 18.35.300 and 18.35.320.

(5) Prior to final approval, with the exception of the recording certificate, the applicant shall obtain all signatures and certifications on the face of the plat in accordance with JCC 18.35.370. [Ord. 8-06 § 1]

18.35.400 Time limitation on final long plat submittal.
(1) Approval of a preliminary long plat shall be valid as follows:

(a) For preliminary long plats approved on or after January 1, 2015, the original and three copies of a final long plat meeting all requirements of chapter 58.17 RCW shall be transmitted by the administrator to the board of county commissioners within five years of the date of the preliminary long plat approval.

(b) For preliminary long plats approved on or before December 31, 2014, the original and three copies of the final long plat meeting all requirements of chapter 58.17 RCW shall be transmitted by the administrator to the board of county commissioners within seven years of the date of the preliminary long plat approval.

(c) For preliminary long plats approved on or before December 31, 2007, and not located within shoreline jurisdiction, subject to chapter 90.58 RCW, the original and three copies of a final long plat meeting all requirements of chapter 58.17 RCW shall be transmitted by the administrator to the board of county commissioners within 10 years of the date of the preliminary long plat approval.

(2) No extensions shall be granted. A plat granted preliminary approval but filed for final long plat approval following the applicable time period shall be null and void. The department of community development shall not be responsible for notifying the applicant of an impending preliminary long plat expiration. [Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.35.410 Effect of an approved final long plat – Valid land use.
(1) Any lots in a final long plat filed for record on or after January 1, 2015, shall be a valid land use notwithstanding any change in zoning laws for a period of five years from the date of filing.

(2) Any lots in a final long plat filed for record on or before December 31, 2014, shall be a valid land use notwithstanding any change in zoning laws for a period of seven years from the date of filing.

(3) Any lots in a final long plat filed for record on or before December 31, 2007, and not located within shoreline jurisdiction, subject to chapter 90.58 RCW, shall be a valid land use notwithstanding any change in zoning laws for 10 years from the date of filing.

(4) A long subdivision shall be governed by the terms of approval of the final long plat, and the statutes, ordinances and regulations in effect on the date of preliminary long plat approval for a period after final long plat approval as provided in subsections (1), (2) and (3) of this section unless the board of county commissioners finds that a change in conditions creates a serious threat to the public health or safety of residents within or outside the subdivision. [Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.35.420 Distribution of copies and filing of final long plat.
The administrator shall distribute the original and copies of the approved final long plat as follows:

(1) The original shall be returned to the applicant after it has been forwarded to the county auditor for recording;

(2) Prior to the issuance of any building permits, one recorded reproducible copy shall be transmitted to the director of the department of public works;

(3) One recorded paper copy shall be retained in the files of the department of community development; and

(4) One recorded paper copy shall be provided to the building official for assignment of addresses. [Ord. 8-06 § 1]

18.35.430 Transfer of ownership following final long plat approval.
Whenever any parcel of land lying within the county is divided under the provisions of this article relating to long subdivisions, no person, firm, or corporation shall sell or transfer or advertise for sale or transfer any such lot, tract or parcel without having first received final approval of the long plat and having recorded the final long plat with the Jefferson County auditor. It is the responsibility of the applicant to ensure that a final long plat is fully certified and filed for record with the Jefferson County auditor prior to transferring ownership of any land. [Ord. 8-06 § 1]

18.35.440 Building and occupancy permits – Issuance after final long plat approval.
(1) No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved long subdivision prior to a determination by the relevant fire district chief or designee that adequate fire protection and access for construction needs exists.

(2) No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved long subdivision until the applicant complies with the improvement method report, all requirements of the department of public works certificate of improvements, and all requirements of the final plat approval.

(3) No occupancy permit for a structure other than a temporary contractor's office or other approved temporary building shall be issued for a structure on a lot or parcel within an approved long subdivision prior to final inspection and approval of all required improvements which will serve such lot or parcel to the satisfaction of the director of the department of public works and county building official. [Ord. 8-06 § 1]

Article V. Binding Site Plans

18.35.450 Purpose.

The purpose of this article is to clearly delineate the criteria used by the county to review and approve binding site plans. A binding site plan is intended to provide an alternative means of dividing land. The binding site plan process provides a means for certain types of land division applications to be processed administratively based upon the development standards and regulations contained within this code and any other applicable ordinances and regulations. Binding site plans tie a future development to an approved set of conditions and site layout. [Ord. 8-06 § 1]

18.35.460 Scope.

This article shall only apply to one or more of the following:

(1) The use of a binding site plan to divisions of land for sale or lease of mixed use, commercial or industrial zoned property where the applicant proposes a unified scheme of development;

(2) Divisions of property for residential, commercial or industrial condominium development as provided for in JCC 18.35.470; and

(3) Planned rural residential developments (PRRDs) proposed under Article VI-M of chapter 18.15 JCC where full short or long subdivision of the land into separate, legally segregated lots, tracts or parcels is not required. [Ord. 8-06 § 1]

18.35.470 Condominiums.

For the purpose of approval of condominium developments, the provisions of this chapter regarding short subdivision and long subdivision shall not apply if:

(1) A land division is proposed as a condominium and does not result in the subdivision of land into separately owned lots in accordance with the definition for short or long subdivisions, but subjects a portion of a lot, tract or parcel to chapter 64.34 RCW (the Condominium Act) subsequent to the recording of a binding site plan for all such land;

(2) The improvements constructed or to be constructed thereon are required by the provisions of the binding site plan proposed for a condominium project;

(3) Jefferson County has approved a binding site plan for all such land; and

(4) The binding site plan contains the following statement:

> All development and use of the land described herein shall be in accordance with this binding site plan, as it may be amended with the approval of Jefferson County, and in accordance with such other government permits, approvals, regulations, requirements, and restrictions that may be imposed upon such land and the development and use thereof. Upon completion, the improvements on the land shall be included in one (1) or more condominiums or owned by an association or other legal entity in which the

owners' associations have a membership or other legal or beneficial interest. This binding site plan shall be binding upon all persons, businesses, corporations, partnerships or other entities now or hereafter having any interest in the land described herein.

[Ord. 8-06 § 1]

18.35.480 Application submittal and contents.

To be considered complete, applications for binding site plan approval shall include the following information:

(1) Applications for binding site plans shall be made on forms provided by the Jefferson County department of community development and shall be submitted to the department of community development, 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) Mixed Use, Commercial and Industrial Binding Site Plans. In addition to materials required pursuant to subsections (1) and (2) of this section, a binding site plan application for mixed use, commercial or industrial proposals shall contain the same elements and information as a preliminary long plat, in accordance with JCC 18.35.280, 18.35.290 and 18.35.300;

(4) Binding Site Plan for Residential Condominiums. In addition the materials required pursuant to subsections (1) and (2) of this section, a binding site plan for residential condominiums shall conform to the requirements of chapter 64.34 RCW, the "Condominium Act." The applicant shall submit a sworn declaration from a registered land surveyor licensed in the state of Washington that all requirements of RCW 64.34.232, as now adopted and hereafter amended, have been satisfied. The county shall not be responsible for verification that the proposal complies with chapter 64.34 RCW, but may rely upon the representation of the licensed surveyor. The applicant shall submit five copies of the binding site plan map for review. The site plan shall have dimensions of 18 inches by 24 inches and must be prepared by a registered surveyor licensed in the state of Washington. In addition to the requirements of chapter 64.34 RCW, the binding site plan map must include the following information:

(a) The name of the condominium project;

(b) Legal description of the entire parcel;

(c) The date, scale, and north arrow;

(d) Boundary lines, rights-of-way for roads, streets, easements, and property lines of lots, the location of all open spaces, utilities, and other improvements with accurate bearings, dimensions of angles and arcs, and of all curve data describing the location of all improvements;

(e) Names and right-of-way widths of all roads or streets within the parcel and immediately adjacent to the parcel. Street names shall be consistent with the names of existing adjacent streets;

(f) Number of each lot and each block or division;

(g) Location, dimensions and purpose of any easements, noting if the easements are public or private;

(h) Location and description of monuments, boundary corners set, and all lot corners set and found;

(i) Datum elevations and primary control points approved by the department of public works. Descriptions and ties to all control points will be shown with dimensions, angles, and bearings;

(j) A dedicatory statement acknowledging public and private dedications and grants;

(k) The statement required by JCC 18.35.470(4) must be on the face of the final binding site plan; and

(l) Other restrictions, conditions, and requirements as deemed necessary by the county, including all applicable development standards contained in chapter 18.30 JCC and any standards incorporated therein. [Ord. 8-06 § 1]

18.35.490 Binding site plan approval criteria.

(1) Binding site plans shall be approved upon showing that all of the following have been satisfied:

(a) The proposed binding site plan conforms to all applicable county, state and federal zoning, land use, environmental and health regulations and plans, including but not limited to the following:

(i) The Jefferson County Comprehensive Plan; and

(ii) The provisions of this code, including any incorporated standards;

(b) Utilities and other public services necessary to serve the needs of the proposed binding site plan shall be made available, including open spaces, drainage ways, roads, streets and other public ways, potable water, transit facilities, sewage disposal, parks, playgrounds, schools, sidewalks and other improvements to assure safe walking conditions for students who walk to and from school;

(c) The probable significant adverse environmental impacts of the proposed binding site plan, together with any practical means of mitigating adverse impacts, have been considered such that the proposal will not have an unacceptable adverse effect upon the quality of the environment, in accordance with the State Environmental Policy Act (SEPA) implementing provisions contained within chapter 18.40 JCC and chapter 43.21C RCW;

(d) Approving the proposed binding site plan will serve the public use and interest and adequate provision has been made for the public health, safety and general welfare.

(2) Notwithstanding the approval criteria set forth in subsection (1) of this section, a proposed binding site plan may be denied because of flood, inundation or swamp conditions. Where any portion of the proposed binding site plan lies within both a flood control zone, as specified by chapter 86.16 RCW, and either the 100-year floodplain or the regulatory floodway, the county shall not approve the binding site plan unless:

(a) The applicant has demonstrated to the satisfaction of the administrator that no feasible alternative exists to locating lots and building envelopes within the 100-year floodplain; and

(b) It imposes a condition requiring the applicant to comply with Article VI-F of chapter 18.15 JCC and any written recommendations of the Washington State Department of Ecology. In such cases, the county shall issue no development permit associated with the proposed binding site plan until flood control problems have been resolved. [Ord. 8-06 § 1]

18.35.500 Binding site plan review process.

(1) An application for a binding site plan approval shall be processed according to the procedures for Type III land use decisions established in chapter 18.40 JCC.

(2) The administrator shall solicit comments from the director of the department of public works, the chief of the fire district in which the proposal is located, local utility providers, sheriff, building official, school district in which the proposal is located, adjacent jurisdictions if the proposal is within one mile of a city or other jurisdiction, Washington State Department of Transportation if the proposal is adjacent to a state highway, and any other local, state or federal officials as may be necessary.

(3) Based upon comments from county departments and applicable agencies, and other information, the administrator shall review the proposal subject to the criteria of JCC 18.35.490. A proposed binding site plan shall only be approved when consistent with all the provisions of JCC 18.35.490. Binding site plan approval may be based upon certain delineated conditions. The county shall make written finding and conclusions documenting compliance with all approval criteria. A binding site plan shall be granted preliminary approval only, until all improvements are installed or the county has received adequate guarantees or assurances of future installation of improvements.

(4) Upon satisfying all conditions of approval, if any, and satisfying all requirements of chapter 18.30 JCC and any incorporated standards for the installation of all improvements, the administrator shall administratively approve the final binding site plan for filing with the Jefferson County assessor. The final binding site plan shall conform to the requirements of JCC 18.35.370 and 18.35.380, as applicable.

(5) For all condominium projects, prior to final approval, the applicant shall obtain the written approval from the Jefferson County assessor of the condominium CC&Rs. [Ord. 8-06 § 1]

18.35.510 Binding site plan development standards.
Binding site plans shall conform to the development standards contained in Article VI of this chapter. [Ord. 8-06 § 1]

18.35.520 Modifications and vacations.
Binding site plans may be modified or vacated subject to the following:

(1) Binding site plans may be modified only if the modification is minor in nature and the original intent of the recorded binding site plan is not changed and if the modification does not adversely impact public health and safety, the environment, or the delivery of services to the site. The proposed modification must be clearly shown and be accompanied by a letter of explanation and application for a plat alteration. Upon administrative approval of such modification, the modifications shall become part of the binding site plan. If the proposed modification constitutes a substantial modification, the proposal shall be processed as a new binding site plan application.

(2) Prior to issuance of any building permit or other site development permits, including, but not limited to, clearing and grading permits, a binding site plan may be vacated as a whole only. Vacating a binding site plan releases all conditions and obligations on the parcel associated with such plan. A binding site plan may be vacated with the submission to DCD of a letter of intent to vacate the binding site plan. The letter shall become binding upon its acceptance by the administrator. If the binding site plan has been recorded with the Jefferson County auditor, notice of the vacation shall be recorded on forms acceptable to the Jefferson County auditor.

(3) After issuance of any building or other site development permits, including, but not limited to, clearing and grading permits, the process for vacation of all or part of a binding site plan is identical to the process for initial binding site plan approval. [Ord. 8-06 § 1]

18.35.530 Distribution of copies and filing.
(1) Upon approval, a binding site plan shall follow the procedures of JCC 18.35.420.

(2) After approval of the general binding site plan for commercial or industrial divisions, the approval for improvements and finalization of specific individual commercial and industrial lots shall be done by administrative approval. [Ord. 8-06 § 1]

18.35.540 Time limit.
The applicant or owner of the property subject to a binding site plan shall obtain all permits for the development of a site within five years of its recording under JCC 18.35.530. If the applicant fails to obtain all permits within five years, no site development permits shall be issued until the applicant files a new application and obtains binding site plan approval in accordance with this article. [Ord. 8-06 § 1]

18.35.550 Extinguishment of binding site plans with preliminary approval prior to UDC adoption.
The applicant or owner of a property subject to a binding site plan having preliminary approval prior to the initial adoption date of this Unified Development Code (UDC) shall obtain final approval of the binding site plan within two years of the initial adoption of this code. If the applicant fails to obtain final binding site plan approval within two years, no site development

permits shall be issued until the applicant files a new application and obtains binding site plan approval in accordance with this article. [Ord. 8-06 § 1]

18.35.560 Effect of final binding site plan approval.

(1) All provisions, conditions, and requirements of the binding site plan shall be legally enforceable on the purchaser of any other person acquiring a lease or other legal or property interest of any lot, tract, or parcel created pursuant to the binding site plan.

(2) Any sale, transfer, or lease of any lot, tract or parcel created pursuant to the binding site plan, that does not conform to the requirements of the binding site plan, or without binding site plan approval, shall be considered a violation of this article. [Ord. 8-06 § 1]

Article VI. Subdivision Development Standards

18.35.570 Requirements for improvements.

All improvements shall be designed and constructed in conformance with the development standards contained in this article, as well as chapter 18.30 JCC and any standards incorporated therein. Prior to construction of any improvements, as approved upon the preliminary plat or binding site plan, the subdivider shall furnish construction plans. These plans must be prepared, signed, dated and stamped by a Washington State licensed civil engineer and shall be in accordance with the standards contained in chapter 18.30 JCC. The construction plans must be reviewed and approved by the county prior to construction. [Ord. 8-06 § 1]

18.35.580 Transportation and drainage standards.

(1) Transportation Standards – Generally. All divisions of land covered by this chapter shall be served by appropriate transportation facilities, including roads and facilities for transit, pedestrians, and bicycles. Transportation facilities shall be adequate both the serve the division of land and to avoid adverse effects to the existing transportation system. If transportation facilities are inadequate, the applicant shall be required to make provision for all necessary improvements. Transportation facilities shall be deemed adequate if necessary improvements are planned and designated funding is secured in the Six-Year Transportation Improvement Program.

(2) Road and Drainage Design and Construction Standards.

(a) All roads serving two or more lots shall comply with the road design and construction standards specified in JCC 18.30.080;

(b) A drainage analysis shall be performed in conformance with JCC 18.30.070, and drainage systems shall be designed to the standards set forth in JCC 18.30.060(2) and 18.30.070. [Ord. 8-06 § 1]

18.35.590 Responsibility for road improvements.

Where reasonably necessary to mitigate the direct impacts of the proposed division of land and/or to meet safety requirements, off-site road improvements may be required as a condition of approval under this chapter. When required, the applicant shall bear the sole responsibility to make such off-site road improvements. [Ord. 8-06 § 1]

18.35.600 Health standards.
The following health standards apply to all divisions of land governed by this chapter:

(1) Water. All divisions of land shall comply with the requirements established by the Jefferson County department of health for the provision of water;

(2) Wastewater Disposal. All divisions of land shall comply with the requirements established by the Jefferson County department of health for wastewater disposal; and

(3) Storm Drainage. Stormwater flows from land divisions shall not adversely affect critical aquifer recharge areas. All divisions of land shall meet the regulations for critical aquifer recharge areas contained in Article VI-E of chapter 18.15 JCC. [Ord. 8-06 § 1]

18.35.610 Fire and utility standards.
All divisions of land governed by this chapter shall meet the fire protection and improvement standards adopted by Jefferson County. [Ord. 8-06 § 1]

18.35.620 Plan review, inspection and fees.
The department of community development and department of public works are responsible for reviewing all engineering drawings and for the supervision, inspection and acceptance of all subdivision improvements, and shall charge the subdivider the applicable fees as set forth in the Jefferson County fee ordinance. [Ord. 8-06 § 1]

18.35.630 Release of improvement guarantee.
If an improvement bond or other guarantee has been submitted, such guarantee shall be released in accordance with the development standards contained in chapter 18.30 JCC. [Ord. 8-06 § 1]

18.35.640 Floods and flood control.
The county may disapprove a proposed subdivision because of flood, inundation or regulated wetlands if the county finds that such condition poses a threat to the public health, safety or general welfare. Where any portion of the proposed subdivision lies within both a flood control zone, as specified by chapter 86.16 RCW, and either the 100-year floodplain or the regulatory floodway, the county shall impose a condition on the preliminary plat requiring the subdivider to conform to the Federal Emergency Management Agency (FEMA) flood hazard requirements. In such cases, no development permit associated with the proposed subdivision shall be issued by the county until said FEMA requirements have been met. Where feasible, the county may require that all lots and/or building envelopes be located outside the 100-year floodplain. The county may also require dedication of land to any public body and/or the construction of improvements and may impose other conditions necessary to protect against flooding or inundation. [Ord. 8-06 § 1]

18.35.650 Additional requirements.
The standards or requirements established in this chapter and chapter 18.30 JCC are minimum requirements. These standards may be increased and additional requirements may be imposed for the purpose of mitigating identified probable significant adverse environmental impacts pursuant to the State Environmental Policy Act (SEPA), chapter 43.21C RCW, as now established or hereafter amended. Such additional requirements may include, but are not limited to, off-site improvements to any public facility, the dedication and/or improvement of

parks and open spaces, and contributions to any county fund established to finance the provision of public services required by subdivision. [Ord. 8-06 § 1]

18.35.660 Phased subdivision.
Preliminary plat approval must be granted for the entire subdivision and must delineate the separate divisions that are to be developed in phased increments. Where the preliminary plat approval is conditioned upon completion of the proposed phases in a particular sequence, the preliminary plat approval shall specify a completion date for each phase. Final plat approval may be granted for each separate phase of the preliminary plat. Any changes at the preliminary plat stage will require approval in accordance with JCC 18.35.340. [Ord. 8-06 § 1]

Article VII. Plat Alteration

18.35.670 Purpose.
(1) To allow modifications to approved short plats, binding site plans, and subdivisions including:

(a) The creation of additional lots within an existing subdivision or short plat resulting in four or fewer lots within five years of final approval;

(b) Revision of lot lines, notes, notice to purchasers, or easements established in a recorded plat;

(c) Vacation, in whole or in part, of a subdivision, binding site plan, mobile home park, RV park, short subdivision, or large lot subdivision.

(2) This section does not apply to alteration or replatting of any plat of state-granted tide or shore lands. [Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.35.680 Application submittal and contents.
To be considered complete, applications for plat alterations shall include the following:

(1) Applications for plat alterations shall be made on forms provided by the Jefferson County department of community development and shall be submitted to the department of community development, 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) Current title company certification/plat certificate.

(a) For a plat vacation, signatures of all parties having an ownership interest, including deeds of trust, in that portion of the short plat, long plat, or binding site plan subject to the proposed vacation; or

(b) For a plat alteration or replat, signatures of a majority of those parties having an ownership interest, including deeds of trust, of the lots, tracts, parcels, sites or divisions in the subject short plat, long plat or binding site plan, or portion to be altered; or

(c) For a plat alteration affecting open space, easements, or public or private rights-of-way signatures of all parties that make use of the portion being altered;

(4) A copy of any covenants, conditions, and restrictions (CC&Rs), deed restrictions, easements, planned rural residential development (PRRD) agreements, or other encumbrances restricting the use of the property;

(5) Five paper copies of the plat map and any surveys of record, with proposed alteration(s) or vacation(s) depicted in red ink. [Ord. 8-06 § 1]

18.35.690 Review process and criteria.

(1) An application for a plat amendment shall be processed according to the procedures for Type II land use decisions established in chapter 18.40 JCC and the criteria listed in RCW 58.17.215;

(2) Notice shall be given to the affected parties, a public hearing may be requested by a person receiving notice within 14 days of receipt of notice. When a public hearing is requested the application shall be processed according to the procedures for Type III decisions established in chapter 18.40 JCC and the criteria listed in RCW 58.17.215;

(3) The administrator shall solicit comments from the director of the department of public works, the chief of the fire district in which the proposal is located, local utility providers, sheriff, building official, school district in which the proposal is located, adjacent jurisdictions if the proposal is within one mile of a city or other jurisdiction, Washington State Department of Transportation if the proposal is adjacent to a state highway, and any other local, state or federal officials as may be necessary;

(4) Based on comments from county departments, applicable agencies and other information, the administrator shall review the proposal subject to the criteria contained in this section. A proposed plat amendment shall only be approved when consistent with all the provisions of JCC 18.35.690 and RCW 58.17.215. [Ord. 8-06 § 1]

Article VIII. Boundary Line Agreements

(Repealed)

Article IX Unit Lot Subdivisions

18.35.800 Purpose and Applicability.

1. Purpose.

The primary purpose of these provisions is to establish a process which allows greater flexibility in the development of single-family detached and attached housing on lots which do not strictly conform to the development standards of chapters 18.18 and this title. For single-family attached and townhouse dwellings, the intent is to apply only those site development standards applicable to the parent site as a whole, rather than individual lot standards. For single-family detached dwellings, these standards are intended to provide an

alternative to the traditional method of land division for creating sellable lots for townhouse, and cottage housing developments

2. Scope.

The provisions of this chapter apply exclusively to the unit lot subdivision of land for single-family attached and detached housing in the Irondale and Port Hadlock Urban Growth Area (PHUGA) where such uses are allowed.

3. Applicability.

41. Single -Family Attached and Townhouse Unit Lot Development. The provisions of this chapter apply to the division of land for single-family attached dwelling developments in zones that allow this use. To use this process, a development shall have a minimum of two single-family attached units.

42. Single-Family Detached and Cottage Housing. This process may be used as an alternative to a conventional subdivision or short subdivision and shall be permitted in any residential zone allowing for the development of single-family detached dwellings. To use this process, developments shall contain at least two single-family detached dwellings.

4. Approval Process.

Unit lot subdivisions of four or fewer lots shall be processed in the same manner as short plats, as a Type II permit pursuant to chapter 18.35 Article III. Unit lot subdivisions of five or more lots shall be processed as long subdivisions, as a Type III permit pursuant to chapter 18.35 Article IV.

5. Site Development Plan Approval Required.

All developments using the unit lot subdivision process are required to submit a site development plan for review and approval as part of the land division application. The site plan must demonstrate compliance with the applicable regulations of chapters 18.18 and this title.

18.35.810 Unit lot subdivision standards applicable to all developments.

All applications for unit lot subdivisions or short subdivisions shall be considered under the following standards of chapters 18.18, this title, and where applicable:

- chapter 18.05 – Introductory Provisions;
- chapter 18.10 – Definitions;
- chapter 18.15 – Land Use Districts;
- chapter 18.19 – Transitional Rural Development Standards of the Irondale/Port Hadlock Urban Growth Area;

- chapter 18.20 – Performance and Use-Specific Standards;
- chapter 18.22 – Critical Areas;
- chapter 18.25 – Shoreline Master Program;
- chapter 18.30 – Development Standards;
- chapter 18.35 – Land Divisions
- chapter 18.40 – Permit Application and Review Procedures/SEPA Implementation
- Comprehensive Plan and GMA Implementing Regulations Amendment Process.

18.35.820 Unit lot subdivision standards – single-family attached and townhouse.

A. Development on individual unit lots within the unit lot subdivision need not conform to the minimum lot area or dimensional standards of chapter 18.18, provided that overall development of the parent site meets the development and design standards of the underlying zoning and the requirements of this section. There shall be no minimum required lot area for individual lots for attached dwellings, provided the area of the unit lot shall be large enough to contain the dwelling unit and any accessory structures, decks, fences, garages, driveways, private yard areas, parking, landscaping or other improvements that are accessory to the dwelling unit; provided further, so long as conforming to the approved site development plan, such accessory improvements may encroach upon or be located in an adjoining unit lot or common area pursuant to an appropriate easement.

B. Overall development of the parent site shall meet the development and design standards of the underlying land use district.

C. Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions (CC&Rs) identifying the rights and responsibilities of property owners and/or the homeowners' association must be executed for use and maintenance of common garage, parking and vehicle access areas, underground utilities, stormwater treatment and/or detention facilities, common open space, exterior building facades and roofs, and other similar features, and must be recorded with the Jefferson County auditor.

18.35.830 Ownership of common areas.

Portions of the parent site not subdivided for individual unit lots or not dedicated to the county as public streets or public utility systems shall be owned in common by the owners of the individual lots within the subdivision, by a homeowners' association comprised of the owners of the individual unit lots within the subdivision or by a qualified organization managing the development.

18.35.840 Building Setbacks.

Building setbacks shall be as required for the zone as applied to the underlying parent site as a whole. There shall be no setback required from unit lot lines which are interior to the

perimeter of the parent site; provided, however, that any structure located upon a unit lot created hereunder shall comply with the setbacks applicable to the approved site development plan.

18.35.850 Building and occupancy permits – Issuance after final unit lot plat approval.

39. No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved unit lot subdivision until the applicant complies with all requirements of the final plat approval.

40. No occupancy permit for a structure other than a temporary contractor's office or other approved temporary building shall be issued for a structure on a lot or parcel within an approved unit lot subdivision prior to final inspection and approval of all required improvements which will serve such lot or parcel, to the satisfaction of the public works director and county building official.

18.35.860 Transfer of ownership following final unit lot plat approval.

Whenever any parcel of land lying within the county is divided under the provisions of this chapter, no person, firm, or corporation shall sell or transfer, or offer or advertise for sale or transfer, any such lot, tract or parcel without having first had an approved final plat for such subdivision or short plat filed for record. It is the responsibility of the applicant to ensure that a final plat is fully certified and filed for record with the Jefferson County auditor prior to transferring ownership of any land.

Chapter 18.10
DEFINITIONS

Sections:

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18.10.001 Scope.

This chapter contains definitions of technical and procedural terms used throughout this code. [Ord. 8-06 § 1]

18.10.005 Interpretations.

(1) For the purpose of this code, all words shall have their normal and customary meanings, unless specifically defined otherwise in this chapter. In general, words used in the present tense shall include the future; the singular shall include the plural; and the plural the singular. The words "shall," "must," "will," "may not," and "no... may" are always mandatory. The word "should" indicates that which is recommended but not required. The word "may" indicates a use of discretion in making a decision. The word "used" includes "designed,

intended, or arranged" to be used. The masculine gender includes the feminine and vice versa. References to "distance" means distance as measured horizontally unless otherwise specified.

(2) All definitions which reference the Revised Code of Washington (RCW), Washington Administrative Code (WAC), and International Building Code (ICODE) are intended to mirror the definitions in these codes at the effective date of the ordinance codified in the Unified Development Code (this code) or as amended. If the definition in this code conflicts with a definition under state law or regulation, the state definition shall control over this definition.

(3) These definitions are not intended to establish regulations. [Ord. 8-06 § 1]

18.10.010 A definitions.

"Abandon" means to terminate the use of a structure by an affirmative act, such as changing to a new use; or to cease, terminate, or vacate a use or structure through nonaction. Except for ongoing agricultural activities, there shall be a presumption that a use has been abandoned if it is not undertaken, utilized, implemented or performed for a period of two years.

"Abutting" means adjoining with a common boundary line or any portion thereof.

"Accessory dwelling unit" means an additional dwelling unit either in or added to an existing single-family detached dwelling, or in a separate accessory structure on the same lot as the main structure, for use as a complete, independent living facility with provisions within the accessory dwelling unit for cooking, eating, sanitation and sleeping. Such a dwelling shall be considered an accessory use to the main dwelling and be clearly subordinate to the main dwelling.

"Accessory use" means use of land or of a building or portion thereof incidental and subordinate to the principal use or building and located on the same lot with the principal use.

"Accessory uses (to agriculture)" mean uses accessory to agriculture that support, promote, or sustain agricultural operations and production, as provided in JCC 18.20.030.

"Accumulative short subdivision" means multiple short subdivision of contiguous land under common ownership. "Ownership," for purposes of chapter 18.35 JCC, means ownership as established at the date of the initial short subdivision approval. Ownership by persons related by blood or marriage where an interfamily land conveyance has occurred within two years of making application for short subdivision approval shall be construed to be common ownership.

"Acre" means a unit of measure of land area which consists of 43,560 square feet.

"Adequate" means acceptable but not excessive.

"Adequate capacity (adequate capital or public facilities)" means capital facilities and services that have the capacity available to serve development at the time of occupancy or use without decreasing levels of service (LOS) below the standards set forth in the Comprehensive Plan. "Adequate capacity" also includes a financial commitment that is in place to complete the improvements, or noncapital strategies, necessary to provide a specific level of service within

six years. (See also "Available capital facilities (available capacity)," "Concurrency," "Level of service (LOS).")

"Adjacent" means (in addition to abutting) that which is near or close; for example, an industrial district across the road or highway from a commercial district shall be considered as "adjacent."

"Adjacent lands, shoreline" means lands adjacent to the shorelines of the state (outside of shoreline jurisdiction). See RCW 90.58.340.

"Administrator" means the Jefferson County department of community development director or a designated representative.

"Adverse" means contrary to one's interest or welfare; harmful or unfavorable circumstances.

"Adverse impacts" means a condition that creates, imposes, aggravates, or leads to inadequate, impractical, unsafe, or unhealthy conditions on a site proposed for development or on off-site property or facilities or on wildlife or wildlife habitat.

"Affordable housing" means those housing units available for purchase or rent to individuals or families with a gross income between the federally recognized poverty level and the median income for working families in Jefferson County; and whose costs, including utilities, would not exceed 30 percent of gross income.

"Aggrieved person" means a party of record who can demonstrate the following:

(a) The land use decision will prejudice the person;

(b) The asserted interests are among those the county is required by county code, federal or state law or regulation to consider in making a land use decision;

(c) The person is a party of record, as defined in JCC 18.10.160; and

(d) A decision on appeal in favor of the person would substantially eliminate or redress the prejudice alleged to be caused by the land use decision.

"Agricultural activities" has the same meaning as in RCW 90.58.065(2)(a), as it may be modified in the future, and currently reads "agricultural uses and practices including, but not limited to: Producing, breeding, or increasing agricultural products; rotating and changing agricultural crops; allowing land used for agricultural activities to lie fallow in which it is plowed and tilled but left unseeded; allowing land used for agricultural activities to lie dormant as a result of adverse agricultural market conditions; allowing land used for agricultural activities to lie dormant because the land is enrolled in a local, state, or federal conservation program, or the land is subject to a conservation easement; conducting agricultural operations; maintaining, repairing, and replacing agricultural equipment; maintaining, repairing, and replacing agricultural facilities, provided that the replacement facility is no closer to the shoreline than the original facility; and maintaining agricultural lands under production or cultivation."

"Agricultural best management practices (BMPs)" means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce pollution of waters or degradation of wetlands and fish and wildlife habitat areas.

"Agricultural checklist" means the checklist required by JCC 18.22.830(1).

"Agricultural land" has the same meaning as in WAC 365-190-030(1).

"Agricultural land of local importance" means land in addition to designated prime agricultural land that is of local importance for the production of food, fiber, forage, or oilseed crops. Generally, additional farmlands of local importance include those that are nearly prime farmland and that economically produce high yields of crops when treated or managed according to acceptable farming methods. Such farmlands may include areas of commercial aquaculture.

"Agricultural product or commodity" is defined as follows, except for chapter 18.22 JCC. For all other chapters, "agricultural product or commodity" means any plant or part of a plant, or animal, or animal product, produced by a producer primarily for sale, consumption, propagation, or other use by people or animals. For chapter 18.22 JCC "agricultural products" are defined in RCW 90.58.065(2)(b).

"Agricultural resource lands (agricultural lands)" means lands that are primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, or Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, finfish in upland hatcheries, or livestock, and that have long-term commercial significance for agricultural production (RCW 36.70A.030(2)). Agricultural resource lands are divided into two land use designations, prime (AP-20) and local (AL-20), in the Comprehensive Plan.

"Agricultural warehouse (public warehouse)" means any elevator, mill, subterminal grain warehouse, terminal warehouse, country warehouse, or other structure or enclosure that is used or usable for the storage of agricultural products, and in which commodities are received from the public for storage, handling, conditioning, or shipment for compensation. The term does not include any warehouse storing or handling fresh fruits or vegetables, any warehouse used exclusively for cold storage, or any warehouse that conditions yearly less than 300 tons of an agricultural commodity for compensation.

"Agriculture" means the science, art, and business of producing crops, or raising livestock; farming.

"Agriculture, existing and ongoing" is defined as follows, except for chapter 18.22 JCC which is governed by the definition of "agricultural activities." For all other chapters, "agriculture, existing and ongoing" means any agricultural activity conducted on an ongoing basis on lands enrolled in the open space tax program for agriculture or designated as agricultural lands of long-term commercial significance on the official map of Comprehensive Plan land use designations; provided, agricultural activities were conducted on those lands at any time during the five-year period preceding April 28, 2003. Agricultural use ceases when the area on which it is conducted is converted to a nonagricultural use.

"Agriculture, new" is defined as follows, except for chapter 18.22 JCC which is governed by the definition of "agricultural activities." For all other chapters, "agriculture, new" means agricultural activities proposed or conducted after April 28, 2003, and that do not meet the definition of "existing and ongoing agriculture."

"Agritourism" means agriculturally related accessory uses designed to bring the public to the farm on a temporary or continuous basis, such as U-Pick farm sales, retail sales of farm products, farm mazes, pumpkin patch sales, farm animal viewing and petting, wagon rides, farm tours, horticultural nurseries and associated display gardens, cider pressing, wine or cheese tasting, etc.

"Airport" means an area of land or facility publicly owned and open to general public use for aircraft operations, except any airfield or airstrip as defined herein. An airport may include related services and facilities.

"Airstrip" means a privately owned area of land, closed to the public, and restricted to use by the owner primarily for noncommercial aircraft operations and, on an occasional basis, invited guests of the owner or for emergency purposes.

"Allowable outright use" means land uses and activities which are exempt from the provisions of this Unified Development Code.

"Allowed use ("Yes" use)" means uses allowed subject to the provisions of this code, including meeting applicable performance and development standards; if a building, or other development permit (e.g., stormwater permit) is required, the use is subject to the project review and approval process.

"Alteration, nonconforming structures" means any change or rearrangement in the supporting members of existing buildings, such as bearing walls, columns, beams, girders, or interior partitions, as well as any changes in doors, windows, means of egress or ingress or any enlargement to or diminution of a building or structure, horizontally or vertically, or the moving of a building from one location to another. This definition excludes normal repair and maintenance, such as painting or roof replacement, but includes more substantial changes.

"Alteration, nonconforming use" means the expansion, modification or intensification of a use that does not conform to the land use regulations of the UDC.

"Animal feeding operation (AFO)" means agricultural enterprises where animals are kept and raised in confined situations. AFOs congregate animals, feed, manure and urine, dead animals and production operations on a small land area. Feed is brought to the animals rather than the animals grazing or otherwise seeking feed in pastures, fields, or on rangeland. The formal definition in federal regulations is "a lot or facility (other than an aquatic animal production facility) where the following conditions are met: (1) animals (other than aquatic animals) have been, are or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period, and (2) crops, vegetation, forage, growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility." (40 CFR 122.23(b)(1))

"Animal feeding operation, concentrated (CAFO)" means an AFO that is defined as a "large CAFO" or as a "medium CAFO" according to federal regulations or that is designated as a CAFO by the permitting authority. Two or more AFOs under common ownership are considered to be a single AFO for the purposes of determining the number of animals at an operation, if they adjoin each other or if they use a common area or system for the disposal of wastes. (40 CFR 122.23(b)(2))

"Large CAFO" means an AFO that meets or exceeds one of the following thresholds: 700 mature dairy cows; 1,000 beef cattle or heifers; 2,500 swine (each 55 pounds or more); 10,000 swine (each under 55 pounds); 1,000 veal calves; 500 horses; 10,000 sheep or lambs; 55,000 turkeys; 30,000 ducks (other than liquid manure handling systems); 5,000 ducks (liquid manure handling systems); 30,000 chickens (liquid manure handling systems); 125,000 chickens, except laying hens (other than liquid manure handling systems); 82,000 laying hens (other than liquid manure handling systems).

"Medium CAFO" means an AFO where either a manmade ditch or pipe carries manure or wastewater from the operation to surface water or animals come into contact with surface water running through the area where they are confined; and the operation meets or exceeds the following thresholds: 200 mature dairy cows; 300 beef cattle or heifers; 750 swine (each 55 pounds or more); 3,000 swine (each under 55 pounds); 300 veal calves; 150 horses; 3,000 sheep or lambs; 16,500 turkeys; 10,000 ducks (other than liquid manure handling systems); 1,500 ducks (liquid manure handling systems); 9,000 chickens (liquid manure handling systems); 37,500 chickens, except laying hens (other than liquid manure handling systems); 25,000 laying hens (other than liquid manure handling systems).

"Animal commercial kennel or cattery" means a kennel where five or more adult dogs or cats are boarded, bred or trained for compensation. Commercial kennels exceed the number of animals allowed by a hobby kennel, regardless if compensation is received for services. Commercial kennels or catteries do not including a small animal hospital or clinic, pet shop or shelter. (See also "Animal shelter" and "Animal hobby kennel.")

"Animal hobby kennel" means a noncommercial kennel at or adjoining a private residence where five or more adult dogs, cats or combination thereof are kept for purposes other than breeding as a primary interest, such as for hunting or organized field trials, obedience or confirmation competition. Hobby kennels exceeding 10 dogs, cats or combination thereof shall be subject to the provisions of a commercial kennel.

"Animal shelter" means a facility which is used to house or contain stray, homeless, abandoned or unwanted animals. Shelters are owned, operated or maintained by a public body, established humane society, animal welfare society, society for the prevention or cruelty to animals or other nonprofit organization devoted to the welfare, protection and humane treatment of animals. Shelters also include facilities for the rehabilitation of wildlife.

"Appeal" means a request by an applicant or citizen that a decision made pursuant to this UDC be reviewed for its correctness and legality by another person, agency or court of law having jurisdiction to hear such an appeal.

Appeal, Open Record. (See "Open record hearing.")

"Applicant" means the owner or owners of record of the property subject to a project permit application under this code, or authorized representative thereof.

"Application" means the forms, plans and accompanying documents required for any project permit approval under this code.

"Approving authority" means either the administrator, as defined in this UDC, the Jefferson County hearing examiner or the Jefferson County board of commissioners, depending on the type of permit process or decision specified in the applicable portion of this UDC.

"Aquaculture" means the farming or culturing of aquatic organisms.

"Aquifer" means a body of permeable saturated rock material or soil capable of conducting groundwater.

"Aquifer recharge areas" means lands through which precipitation and surface water infiltrate the soil and are transmitted through rocks and soil to create groundwater storage.

"Archaeological" means having to do with the scientific study of material remains of past human life and activities.

"Archaeological site" means an area of ancestral human use such as middens, burial grounds, and earthworks.

"Area" means the size of a parcel of land, as expressed in square feet or acres to two decimal places. When a public road right-of-way lies within a tract of land otherwise in contiguous ownership, area within the right-of-way may be included in gross area for the purpose of calculating maximum allowable density. When public road right-of-way abuts a tract of land, area to the centerline may not be included in the gross area of the parcel for this purpose.

"Area, nominal" means the approximate area of a parcel of land, such as the aliquot part or the land area in the assessor's records.

"Area of special flood hazard" means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year, as indicated on the flood insurance rate maps (FIRMs).

"Assembly facility" means a facility designed and used for the gathering of people, or in which they may come together in a body, such as a meeting hall, community club or center, church, etc. (See also "Community structure" and "Religious assembly facility.")

"Assessor's parcel number" means a geocoding number assigned by the assessor's office for property tax assessment purposes only.

"Automobile service station and repair" means any building, land area, or other premises used for the retail dispensing or sales of vehicular fuels and the servicing or repair of automobiles.

"Automobile wrecking and salvage yards" means an outdoor area used for the wrecking, storage, and recycling/salvage of vehicles for scrap metal and/or parts. (See "Junk yard.")

"Available capital facilities (available capacity)" means capital facilities or services that are in place ("existing capacity"), or for which a financial commitment is in place to provide the facilities or services within a specified time ("planned capacity"). "Available capacity" consists of existing plus planned capacity. (See also "Adequate capacity (adequate capital or public facilities)," "Concurrency," and "Level of service (LOS).")

"Average vehicular trips" means the average number of all vehicles entering or leaving a site during a defined period. [Ord. 5-20 § 3 (Appx. A); Ord. 12-19 § 4 (Appx. C); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.10.020 B definitions.

"Backstop" means a barrier that stops or redirects bullets fired on a shooting range, usually directly behind the target line.

"Baffles" means barriers constructed to contain bullets or to reduce, redirect or suppress sound waves.

"Base flood" means the flood having a one percent chance of being equaled or exceeded in any given year; also known as the "100-year flood," as shown on the FIRM maps.

"Base flood elevation" means the elevation for which there is a one percent chance in any given year that flood levels will equal or exceed it.

"Bed and breakfast inn" means a hospitality commercial use containing four to six lodging units without cooking facilities, which provides overnight accommodation and meals in a proprietor-occupied or owner-occupied existing single-family residence and additional legal structures or up to 10 lodging units in an existing historic structure.

"Bed and breakfast residence" means a hospitality commercial use containing one to three lodging units without cooking facilities, which provides overnight accommodation and meals in an owner-occupied existing single-family residence.

"Berm" means an embankment used for restricting bullets to a given area, as a protective or dividing wall between shooting areas, or for noise abatement.

"Best available science" means with regard to designating and protecting critical areas, best available science refers to the utilization of the most current, widely accepted scientific data, research, studies and/or reports in making land use and policy decisions. (See WAC 365-195-900.)

"Best management practices (BMP)" means systems of practices, schedules of activities, prohibitions, maintenance procedures, and management measures that prevent or minimize adverse impacts to the environment.

Best Management Practices, Agricultural. (See "Agricultural best management practices (BMPs).")

"Binding site plan" means a drawing to appropriate scale that:

(a) Identifies and shows the areas and locations of all roads, improvements, utilities, open space, and any other matters specified by local regulations;

(b) Contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by Jefferson County; and

(c) Contains provisions requiring that any development be in conformity with the site plan.

"Block" means a group of lots, tracts or parcels within well-defined and fixed boundaries.

"Board (BOCC)" means the board of county commissioners for Jefferson County. Also referenced as board of commissioners or county commissioners.

"Boat building and repair, commercial" means a commercial establishment where boats are constructed, dismantled, stored, serviced, or repaired, including maintenance work thereon.

"Boundary line adjustment" means the relocation or other adjustment of the boundaries of a lot, tract or parcel, in which the relocation neither results in the creation of any additional lot, tract or parcel nor results in creation of any lot, tract or parcel which is more nonconforming or insufficient in area or dimension.

"Buffer" means an area that is intended to protect the functions and values of critical areas. Protecting these functions and values includes the preservation of existing native and nonnative vegetation where it exists, unless otherwise required to be replaced with native vegetation through mitigation or voluntarily enhanced or restored.

"Buffer zone, strip, or area" means an area designed to separate incompatible uses or activities.

Buildable Lot. (See "Lot, buildable.")

"Building envelope" means:

(a) A three-dimensional space in which a building or structure may be built;

(b) A plat restriction for the purpose of defining building coverage areas for individual lot, or for describing shoreline building setbacks;

(c) The buildable area of a lot, tract or parcel after applicable setbacks, easements and other restrictions on the lot, tract or parcel are taken into account.

"Bulk plant or terminal facility" means that portion of a property where flammable or combustible liquids are received by tank vessel, pipelines, tank car or tank vehicle and are stored or blended in bulk for the purpose of distributing such liquids by tank vessel, pipeline, tank car, tank vehicle, portable tank or container (cf. International Fire Code).

"Bullet" means a single projectile fired from a firearm. [Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.10.030 C definitions.

"Calendar day" means any day of the week, including weekends and holidays. When used for computing time, the day shall begin with the first day following the act or event initiating such period of time occurred. When the last day of the period so computed is a Saturday, Sunday, or a county, national, or state holiday, the period shall run until the end of the following business day.

"Campground and camping facilities" means a facility in which sites are offered for persons using tents or other personal, portable overnight shelters.

"Capital facilities" means physical structures or facilities owned or operated by a government entity which provides or supports a public service.

"Capital improvements" means improvements to land, structures, initial furnishings, and selected equipment.

"Caretaker residence" means a residence located on a premises with a main nonresidential use and occupied only by a caretaker, and his/her immediate family, or guard employed on the premises.

"CC&Rs" means covenants, conditions and restrictions by which the declarant or other party or parties executing the CC&Rs impose contractual obligations upon the present and future owners and assignees of real property. CC&Rs are connected with land or other real property, and run with the land, so that the grantee of such land is invested with and bound by the CC&Rs. CC&Rs include but are not limited to "declarations" for condominiums in accordance with chapters 64.32 and 64.34 RCW. CC&Rs are not enforced by the county.

"Certificate of occupancy or use" means a document issued by the Jefferson County building official as the final approval acknowledging that all conditions and requirements have been met and that the occupancy or use of a development is allowed.

"Certified feed lot" means any place, establishment, or facility commonly known as a commercial feed lot, or the like, which complies with all of the requirements of chapter 16.58 RCW and associated rules and which holds a valid license from the state.

"Channel migration zone" (or CMZ) means an area within the lateral extent of likely stream channel movement that is subject to risk due to stream bank destabilization, rapid stream incision, stream bank erosion and shifts in the location of stream channels. "Channel migration zone" means the historic channel migration zone (which is the footprint of the active channel documented through historical photographs and maps), the avulsion hazard zone (which is an area with the potential for movement of the main river channel into a new location), and the erosion hazard area (which is an area outside the historic channel migration zone and the avulsion hazard zone, and includes an erosion setback for a 100-year period of time and a geotechnical setback to account for slope retreat to a stable angle of repose). "Channel migration zone" does not include disconnected migration areas, which are areas that have been disconnected from the river by legally existing artificial structure(s) that restrain channel migration (such as levees and transportation facilities built above or constructed to remain intact through the 100-year flood elevation), that are no longer available for migration by the river. "Channel migration zone" may exclude areas that lie behind a lawfully

established flood protection facility that is likely to be maintained by existing programs for public maintenance consistent with designation and classification criteria specified by public rule. When a natural geologic feature affects channel migration, the channel migration zone width will consider such natural constraints. "High channel migration hazard" (or high risk CMZ) for the Big Quilcene, Little Quilcene, Dosewallips, Duckabush, and Lower Hoh Rivers means those nondisconnected portions of the channel that are likely to migrate within a 50-year time frame. For the Big Quilcene, Little Quilcene, Dosewallips, and Duckabush Rivers, "moderate channel migration hazard" (or moderate risk CMZ) means those nondisconnected portions of the channel that are likely to migrate within a 50- to 100-year time frame; and, "low channel migration hazard" (or low risk CMZ) means those nondisconnected portions of the channel that are likely to migrate beyond a 100-year time frame. For the Lower Hoh River, "moderately high hazard" (or moderately high risk CMZ) means those nondisconnected portions of the channel that are likely to migrate within a 50- to 100-year time frame, "moderate hazard" means those nondisconnected portions of the channel that are likely to migrate beyond a 100-year time frame, and "low hazard" means the nondisconnected portions of the channel that are less likely to be affected by channel migration, but are still at risk due to their location on the valley floor. Rivers that have not been evaluated or mapped for CMZs include: Thorndyke Creek, Shine Creek, Chimacum Creek, Snow Creek, Salmon Creek, Upper Hoh River, Bogachiel River, Clearwater River, and Quinault River.

"Clearing" means the destruction or removal, by hand or with mechanical means, of vegetative ground cover or trees including, but not limited to, root material or topsoil material.

"Cluster development" means a development design technique that groups or "clusters" buildings in specific areas on a site rather than spread evenly throughout the parcel as in a conventional lot-by-lot development. The remaining land is to remain undeveloped in perpetuity and used for recreation, common open space, and/or preservation of critical areas.

"Co-housing (intentional communities)" means single-family residential developments, subject to the underlying land use district density, which may contain lots or structures in common ownership subject to meeting all other applicable provisions of this UDC and if approved under the requirements of Article VI-M of chapter 18.15 JCC, Planned Rural Residential Developments (PRRDs), where applicable.

"Commercial communication towers" means towers, dishes, or antennas established for the sending or receiving of signals for commercial purposes.

"Commercial kennel" has the same meaning as in JCC 6.07.020, as it exists now or may be amended in the future.

"Commercial recreational facility" means a place designed and equipped for the conduct of sports and leisure-time activities that is operated as a business and open to the public for a fee.

"Commercial shooting facility" means an indoor shooting facility or outdoor shooting facility designed and specifically designated for safe shooting practice with firearms, whether open to the public, open only to private membership, or any combination of the above that for the use of the commercial shooting facility requires a contract, charges a fee or other compensation, or requires membership. In addition, where property is used primarily for

lawful shooting practice for guests of the owner, and where the other uses of the property either facilitate shooting practice or are incidental, intermittent or occasional and whether or not payment is received, it is presumed that the property used for lawful shooting practices is a commercial shooting facility. The term "commercial shooting facility" does not include:

(a) Shooting facilities that are both owned and operated by any instrumentality of the United States, the state of Washington, or any political subdivision of the state of Washington; or

(b) Any portion of a privately owned property used for lawful shooting practice solely by its owner or the owner's guests without payment of any compensation to the owner of the privately owned property or to any other person, except where the property is presumed to be a commercial shooting facility, as described above.

"Commercial sign" means any object, device, display or structure that is used for attracting attention to any commercial use, product, service, or activity.

"Commercial use" means a business use or activity at a scale greater than a home business or cottage industry involving retail or wholesale marketing of goods and services. Examples of commercial uses include offices and retail shops.

"Common area" means any area contained within the boundaries of a proposed land division or within a multifamily residential development and owned by the lot owners as tenants-in-common, joint tenancy, or through an association or nonprofit association, and provided specifically for the common use of the residents.

"Common open space" means a parcel or parcels of land or an area of water or a combination of land and water within the site designated for a subdivision and designed and intended for the use or enjoyment of the public. Common open space may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the residents of the subdivision.

"Community structure" means a structure which is intended for the common use of the residents of a particular subdivision or community.

"Compatible" means uses or activities capable of existing together or in the vicinity of one another without disharmony or without generating effects or impacts which are disruptive to the normal use and enjoyment of surrounding property.

"Comprehensive Plan" means the Jefferson County Comprehensive Plan and all of its goals, objectives, policies, documents, and maps which is a generalized coordinated land use policy statement of the Jefferson County board of commissioners, adopted pursuant to chapter 36.70A RCW.

Concentrated Animal Feeding Operation (CAFO). (See "Animal feeding operation, concentrated (CAFO).")

"Concurrency" means a condition in which an adequate capacity of capital and transportation facilities and services is available to support development at the time that the impacts of

development occur. (See also "Adequate capacity (adequate capital or public facilities)," "Available capital facilities (available capacity)," and "Level of service (LOS).")

"Conditional use" means a use that, owing to some special characteristics attendant to its operation or installation (e.g., potential danger, traffic, smoke or noise impact), is permitted in a district, subject to approval and special requirements, different from those usual requirements for the district in which the conditional use may be located.

"Conditional use permit" means a permit issued by Jefferson County stating that the land uses and activities meet all criteria set forth in this code, and all conditions of approval in accordance with the procedural requirements of this code.

"Condominium" means real property, portions of which are designed for separate ownership and the remainder of which is designated for common ownership solely by owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in unit owners, and unless a declaration and a survey map and plans have been recorded in accordance with chapters 64.32 and 64.34 RCW. Condominiums are not confined to residential units, such as apartments, but also include offices and other types of space in commercial buildings.

"Conservation district" means a "special purpose district," like a fire district or school district, organized in accordance with chapter 89.08 RCW for the purpose of providing assistance to landowners for the conservation of renewable resources.

"Construction/contractor yards and offices" means service establishments primarily engaged in general contracting or subcontracting in the building construction trades. These include administrative offices, workshops and the indoor or outdoor storage of tools, equipment, materials, and vehicles.

Contract Purchaser. (See "Applicant.")

"Convenience store" means any retail establishment offering for sale prepackaged food products, household items, and other goods commonly associated with the same and having a gross floor area of less than 5,000 square feet.

"Cottage Housing" means residential units on a lot with a common open space that is owned in common.

"Cottage industry" means a commercial or manufacturing activity conducted in whole or in part in either the resident's single-family dwelling unit or in an accessory building, but is of a scale larger than a home occupation or home business. A cottage industry is a limited, small-scale commercial or industrial activity, including fabrication, with limited retail sales, that can be conducted without substantial adverse impact on the residential character in the vicinity.

"County" means Jefferson County, Washington, its board, commissions, and departments.

"Critical aquifer recharge areas" has the same meaning as in WAC 365-190-030(3).

"Critical area buffer" means any buffer required by chapter 18.22 JCC.

"Critical areas" has the same meaning as in WAC 365-190-030(4).

"Critical habitat" means an area or type of environment that may be of crucial importance to the perpetuation of an organism or biological population which normally lives or occurs there.

"Cul-de-sac" means a road closed at one end by an area of sufficient size for turning vehicles around.

"Current use" means the use of land or improvements at the time of permit application.

"Custom meat facility" means a facility operated by a person licensed to prepare uninspected meat for the owner of the uninspected meat.

"Custom slaughtering establishment" means a facility operated by a person licensed to slaughter meat food animals for the owner of the animal at a fixed location. [Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 12-19 § 4 (Appx. C); Ord. 14-18 § 4 (Exh. B); Ord. 6-09 § 1 (Exh. B); Ord. 3-08 § 1 (Exh. C); Ord. 8-06 § 1]

18.10.040 D definitions.

"Day care, commercial" means a person or agency that provides care for 13 or more children during part of the 24-hour day (RCW 74.15.020).

(1) "Home day care provider" means a state-licensed day care provider who regularly provides day care for not more than 12 children in the provider's home in the family living quarters (RCW 74.15.020).

(2) "Child day care center" means a person or agency providing care during part of the 24-hour day to 12 or fewer children in a facility other than the family abode of the person or persons under whose direct care the children are placed (RCW 35.63.170).

"Days, calendar" means so many days computed according to the course of the calendar. In computing comment and appeal periods under this code, if the last day so computed is a Saturday, Sunday or legal holiday, the comment or appeal period shall run to the next business day.

"DCD" means the Jefferson County department of community development.

"Dedicate" means to set aside a piece of real property, a structure, or a facility for public or private use or ownership.

"Dedication" means a deliberate appropriation of land by its owners for any general and public uses, reserving to the owner/dedicator no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

"Degrade" means to scale down in desirability or salability, to impair in respect to some physical property or to reduce in structure or function, in terms of Jefferson County standards and environment.

"Density" means the quantity per unit area, such as the number of dwelling units per acre.

"Design capacity" means the theoretical or calculated maximum ability of a system or device to handle the duty for which it is to be used.

"Developable area" means the area of land which is not constrained from development by land use restrictions.

"Development" means the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any grading, excavation, mining, landfill; or any extension of the use of land; dredging, drilling, dumping, filling, earth movement, clearing or removal of vegetation, forest practice activities that are being conducted as a part of a conversion from forestry to non-forestry use, storage of materials or equipment in a designated floodway, or other site disturbance, which either requires a permit, approval, review, or authorization from the county or is proposed by a public agency.

"Development application" means an application for a development permit.

"Development envelope" means the portion of a lot which may be used for development. A development envelope must include space for utilities, driveways, and any other improvements necessary to complete development. As applied to a buildable lot for residential purposes, the development envelope is the portion of a lot that may contain a dwelling(s) and accessory structures.

"Development permit" means any permit issued by Jefferson County allowing development.

"Development regulation or regulations" means the controls placed on development or land use activities, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances, together with any amendments thereto. A development regulation does not include a decision to approve a project permit or project permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in a resolution or ordinance of the legislative body of the county (RCW 36.70A.030(7)). However, for the avoidance of doubt, a development regulation does not include ordinances or regulations that address administrative processes and procedures related to land use planning, interim or emergency ordinances, moratorium ordinances, or remand actions from state administrative boards or courts of law.

"Development right" means the right to develop property subject to federal, state, and local restrictions and regulations.

"Director" means, unless otherwise specified, the director of the county's department of community development (DCD) or the director's designee.

"Discretionary use" means all unnamed and certain named uses in Table 3-1 in JCC 18.15.040 which, subject to the administrative review and classification criteria set out in chapter 18.15 JCC, may be classified by the administrator as an allowed outright "Yes" use, a conditional "C" use or a prohibited "No" use in the applicable district for which the use is proposed.

"District" means a part, zone, or geographic area within Jefferson County within which certain development regulations apply.

"Disturbed area" means any place where activities clearly in preparation for, or during, surface mining have physically disrupted, covered, compacted, moved, or otherwise altered the characteristics of soil, bedrock, vegetation, or topography that existed prior to such activity. Disturbed areas may include but are not limited to: working faces, water bodies created by mine-related excavation, pit floors, the land beneath processing plant and stock pile sites, spoil pile sites, and equipment staging areas. Disturbed areas shall also include aboveground waste rock sites and tailing facilities, and other surface manifestations of underground mines. Disturbed areas do not include surface mine access roads in mineral resource land designations unless these have characteristics of topography, drainage, slope stability, or ownership that, in the opinion of the department of natural resources, make reclamation necessary, lands that have been reclaimed to all standards outlined in this chapter, rules of the department of natural resources, any applicable SEPA document, and the approved reclamation plan, and subsurface aspects of underground mines, such as portals, tunnels, shafts, pillars, and stopes.

"Division of land" means the creation of any new lot or lots for the purpose of sale, lease, or transfer of ownership (see chapter 18.35 JCC).

DOT. (See "WADOT" or "WSDOT.")

"Drainage" means surface water runoff; the removal of surface water or groundwater from land by drains, grading, or other means, which include runoff controls to minimize erosion and sedimentation during and after construction or development.

"Drainageway" means any natural or artificial watercourse, trench, ditch, swale, or similar depression into which surface water flows.

"Dredging" means the removal of earth from the bottom of a stream, river, lake, bay, or other water body.

"Drinking establishment (lounge)" means a business primarily engaged in the retail sale of alcoholic beverages for consumption on the premises. A restaurant operated as part of a lounge is considered to be accessory to the lounge.

"Drive-thru window service" means businesses where patrons may carry on business on the premises while in a motor vehicle (see also "Mobile food unit").

"Driveway" means a strip of land which provides vehicular access to one or two lots.

Duplex. (See "Dwelling unit, two-family.")

"Dwelling unit" means one or more rooms or structures designed for occupancy by an individual or family for living and sleeping purposes, containing kitchen facilities and rooms with internal accessibility, for use solely by the dwelling's occupants.

"Dwelling unit, multiple-family" means one or more structures containing three or more dwelling units.

"Dwelling unit, two-family" (duplex) means a single structure containing two dwelling units. [Ord. 9-22 § 2 (Appx. A); Ord. 4-19 § 1 (Exh. A); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.10.050 E definitions.

"Eating establishment (restaurant)" means a business primarily engaged in the retail sale of food for consumption on the premises. A lounge operated as part of a restaurant is considered to be accessory to the restaurant.

"Emergency housing" means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

"Emergency shelter" means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

"Ecology (WDOE)" means the state of Washington Department of Ecology.

"Endangered species" means a species which is in danger of extinction throughout all or a significant portion of its range, as classified by the Washington Department of Fish and Wildlife, WAC 232-12-014 and the Washington Department of Natural Resources, Washington Natural Heritage Plan.

"Environmental checklist" means a form prescribed by the administrator and the state of Washington to identify the potential environmental impacts of a given proposal.

"Environmental impact statement (EIS)" means a draft, final, or supplemental written document that reviews the likely significant and nonsignificant adverse and positive impacts of a proposal, ways to avoid, minimize or lessen the adverse impacts, and alternatives to the proposal.

"Equestrian center" means uncovered and covered facilities for commercial boarding, training, teaching, breeding and rental of horses including facilities for shows and competitive events, and riding trails. This shall not include stables used solely for the private personal use of the property owner or stables used solely for boarding or breeding of horses.

"Erosion" means the detachment and movement of soil or rock by water, wind, ice, or gravity.

"Erosion hazard areas" has the same meaning as in WAC 365-190-030(5).

"Essential public facilities" means those important and necessary facilities which provide essential services that are typically difficult to site, such as airports, state educational facilities, state or regional transportation facilities, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance-abuse facilities, mental health facilities, and group homes (RCW 36.70A.200). They do not necessarily include all public facilities or services; they may be, but are not necessarily, publicly owned. Essential public facilities in Jefferson County include airports, large-scale transportation facilities, solid waste handling and disposal facilities, correctional facilities, in-patient treatment facilities including substance-abuse facilities, and mental health facilities, state-owned educational facilities, and wastewater treatment plants.

"Excavation" means the mechanical removal of earth.

Exemption (Exception). Reserved.

"Existing use" means the use of a lot or structure or improvements at the time of the enactment of the Unified Development Code (this code), unless otherwise specified.

Expansion, Nonconforming Use. (See "Intensification, nonconforming use.")

"Extraction" means the commercial removal of naturally occurring materials from the earth, excluding water. [Ord. 5-20 § 3 (Appx. A); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.10.060 F definitions.

"Facility and service provider" means the department, district, agency or private entity responsible for providing a specific concurrency facility.

"Family" means an individual or two or more persons related by blood or marriage or a group of not more than five persons living together as a single housekeeping unit and doing their cooking on the premises as distinguished from a group occupying a boarding house or rooming house or motel.

"Farm assistance agencies" means federal, state, or local agencies with expertise in the design, implementation, and evaluation of conservation practices including but not limited to the federal Natural Resources Conservation Service, the Washington Department of Agriculture, or the Jefferson County conservation district.

"Farm equipment" for all chapters in this title, except chapter 18.22 JCC, includes, but is not limited to, tractors, trailers, combines, tillage implements, balers, and other equipment, including attachments and accessories that are used in the planting, cultivating, irrigation, harvesting, and marketing of agricultural, horticultural, or livestock products. "Farm equipment" for purposes of chapter 18.22 JCC is governed by the definition of "agricultural activities."

"Farm plan" means a conservation plan developed by a farm assistance agency and a landowner outlining a series of actions developed to meet a landowner's goals while protecting water quality and the natural resources within and around the farm property. Many things are considered in a farm plan including farm size, soil types, slope of the land, proximity to streams, wetlands or water bodies, type and numbers of livestock or crops, resources such as machinery or buildings and finances available. The terms "conservation plan" and "farm plan" are interchangeable in this context.

"Farm worker housing" means a place, area, or piece of land where sleeping places or housing sites are provided by an agricultural employer for agricultural employees.

"Farmed wetland" means wet meadow, grazed or tilled; an emergent wetland that has grasses, sedges, rushes or other herbaceous vegetation as its predominant vegetation and has been previously converted to agricultural activities.

"Feasible alternative" means an alternative that:

(a) Meets the requirements of federal, state, and local laws and regulations;

(b) Attains most or all of the basic objectives of the project;

(c) Is technically and technologically possible;

(d) Can be accomplished at a reasonable cost;

(e) Can be accomplished in a reasonable amount of time; and

(f) Adverse environmental, health, and safety effects are no greater than those of the original proposal.

A determination of what is reasonable or feasible is made by the decision-making body on a case-by-case basis, taking into account the:

(i) Probable intensity, severity, and cumulative impacts of the original proposal and alternative approaches, and opportunity for the avoidance or reduction in the number, intensity, or severity of significant impacts, or of the aggregate adverse impact;

(ii) Risk of "upset conditions" (i.e., the risk that the control and mitigation measures will fail, be overwhelmed, or exceed allowed limits) and the potential severity of the impact should control or mitigation measures be ineffective or fail;

(iii) Capital and operating costs;

(iv) Period of time to accomplish, costs of additional time or delay, and time constraints for completion; and

(v) Location and site-specific factors, such as seasonal or topographic constraints, critical areas and habitats, site accessibility, and local community concerns.

"Federal candidate species" means formally proposed endangered or threatened species and candidate species for which the U.S. Fish and Wildlife Service has information to indicate biological vulnerability and threat.

"Federal endangered species" means species in danger of extinction according to the U.S. Fish and Wildlife Service official listing.

"Federal sensitive species" means species that are considered a sensitive species by the U.S. Fish and Wildlife Service.

"Federal threatened species" means species likely to become endangered within the foreseeable future according to the U.S. Fish and Wildlife Service official listing.

"Field Office Technical Guide (FOTG)" means a USDA Natural Resources Conservation Service manual that contains information for use in technical assistance to decision-makers for resource management.

Filing. (See "Recording.")

"Fill" means any sand, gravel, earth, or other materials of any composition whatsoever placed or deposited by humans.

"Final plat" means the final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in chapter 18.35 JCC and all other applicable codes and ordinances.

"Firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder. The definition of "firearm" includes the terms "pistol," "rifle," "short-barreled rifle," "shotgun," "short-barreled shotgun," "machine gun," and "antique firearm" as those terms are defined in RCW 9.41.010. The term "firearm" shall not include: (a) devices, including but not limited to "nail guns," which are used as tools in the construction or building industries and which would otherwise fall within this definition; or (b) a "destructive device" as defined in 18 U.S.C. Section 921(a)(2).

"Firing line" means a line parallel to the targets from which firearms are discharged.

"Firing point" means a location from which one individual fires at an associated target located down range.

"Fish and wildlife habitat conservation areas" has the same meaning as in WAC 365-190-030(6).

"Flood Insurance Rate Map (FIRM)" means the official map issued by the Federal Emergency Management Agency that delineates both the special hazard areas and the risk premium zones applicable to Jefferson County.

"Flood or flooding" means the temporary inundation of normally dry land areas from the overflow of inland or tidal waters or from the unusual and rapid accumulation or runoff of surface waters.

"Forest land" has the same meaning as in WAC 365-190-030(7).

"Forest management" means forest practices pertaining to protecting, producing, and harvesting timber for economic use.

"Forest practice" means any activity conducted on or directly pertaining to forest land and relating to growing or harvesting of timber, or the processing of timber on a harvest site for less than 30 days per calendar year, including but not limited to: road and trail construction and maintenance; harvest, final and intermediate; precommercial thinning; reforestation; fertilization; prevention and suppression of diseases and insects; salvage of trees; and brush control.

"Forest practice, conversion" means the conversion of land to an active use incompatible with timber growing and where future nonforest uses will be located on currently forested land.

"Forest practice, conversion option harvest plan (COHP)" means a voluntary plan developed by the landowner and approved by the county that indicates the limits and types of harvest areas, road locations, and open space. This jointly agreed plan is submitted to the Washington Department of Natural Resources (WDNR) as part of a Class II, III, or IV special forest

practice permit application, and is attached to and becomes part of the conditions of the permit approved by the WDNR.

"Forest resource lands" means lands primarily devoted to growing trees for long-term commercial production on land that can be economically and practically managed for such production (RCW 36.70A.030(8)).

"Frequently flooded areas" has the same meaning as in WAC 365-190-030(8). [Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.10.070 G definitions.

"Geologically hazardous areas" has the same meaning as in WAC 365-190-030(9).

"Geotechnical professional" means a person with experience and training in analyzing, evaluating, and mitigating any of the following: landslide, erosion, seismic, or mine hazards, or hydrogeology, fluvial geomorphology, and river dynamics. A geotechnical professional shall be licensed in the state of Washington as an engineering geologist, hydrogeologist, or professional engineer. In accordance with WAC 196-27-020 and 308-15-140, licensed engineering geologists, hydrogeologists, and professional engineers shall affix their signatures or seals only to plans or documents dealing with subject matter in which they are qualified by training or experience.

"Grade, existing" means the elevation of the ground or site prior to any work being done or any changes being made to the ground or site.

"Grade, finished" means the final elevation of the ground level after development.

"Grade plane" means a reference plane representing the average of the finished ground level adjoining the building at all exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet from the building between the structure and a point six feet from the building.

"Grading" means stripping, cutting, filling, or stock-piling land including the land in its cut or filled condition to create new grade.

Grandfathered Uses and Structures. (See "Nonconforming," "Nonconforming lot," "Nonconforming structure," "Nonconforming use," "Alteration, nonconforming structures," and "Alteration, nonconforming use.")

"Grocery store" means a commercial establishment selling primarily packaged food products typically in combination with household products and sundries.

"Gross area" means the total area included within the boundaries of any parcel including land area up to any abutting public road right-of-way.

Groundwater. (See "Water, ground.")

"Group home" means a residential occupancy that exceeds the definition of "family" in a single-family residence.

"Group housing" means a residential dwelling that exceeds the definition of a single-family residence and which is not a multifamily dwelling.

"Growth Management Act (GMA)" means the State of Washington Growth Management Act, chapter 36.70A RCW, as amended. [Ord. 5-20 § 3 (Appx. A); Ord. 8-06 § 1]

18.10.080 H definitions.

"Habitat" means the place or type of site where a plant or animal naturally or normally lives and grows.

"Hangars" means covered areas and enclosed structures for housing and repairing aircraft.

"Hazardous substance" means hazardous substance as defined in RCW 70.105D.020(13), as it exists now or may be amended in the future.

"Hazardous waste" means those solid wastes designated by 40 CFR Part 261 and regulated as hazardous or mixed waste by the United States EPA.

"Hearing examiner" has the same meaning as "examiner" in JCC 2.30.030(8).

"Hearing Examiner Rules of Procedure" means the Hearing Examiner Rules of Procedure adopted pursuant to JCC 2.30.070.

"Heavy equipment sales or rental services" means the use of any internal or external space for the sale, rental and display of construction or other heavy equipment, machinery or vehicles or parts thereof.

"Height, building" means the vertical distance from grade plane to the average height of the highest roof surface (cf. International Building Code).

"Height, story" means 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 joists or, where there is not a ceiling, to the top of the roof rafters (cf. International Building Code).

"Historic site, structure or landmark" means a site, structure, building, district, or object of archaeological, architectural, historical or cultural significance. This is shown by its listing, or its determination of eligibility for listing, in the National Register of Historic Places, the Washington Heritage Register, or determined to be contributing to the character and/or historical significance of a district for which the State Historic Preservation Officer has made a determination of eligibility pursuant to Section 106 of the National Historic Preservation Act. This definition also applies to a site, structure, building, district, or object of archaeological, architectural, historical or cultural significance shown by its designation, or determination of eligibility for designation, by a local jurisdiction, or its inclusion in the Washington State Inventory of Cultural Resources as administered by the Department of Archaeology and Historic Preservation.

"Hobby kennel" means a kennel, as now defined in JCC 6.07.020, as it exists now or may be amended in the future, which is not a commercial kennel at or adjacent to a private residence.

Home Business. Home-based businesses are secondary and incidental to the primary residential use of the structure, provide supplemental income for a family, consist of limited-scale service or fabrication, and limited retail sales.

"Homeowners association" means an incorporated nonprofit organization operating under recorded land agreements, including, but not limited to, CC&Rs, through which:

(a) Each lot owner is automatically a member;

(b) Each lot is automatically subject to a proportionate share of the expenses for the organization's activities, such as maintaining commonly owner property; and

(c) A charge, if unpaid, becomes a lien against the real property.

"Hotel" (or "lodge") means a commercial building in which lodging is provided and offered to the public for compensation, and which is open to transient guests, and is not a motel or bed and breakfast inn as otherwise defined in this code.

"Household" means one or more related or unrelated persons occupying a dwelling unit.

"Hydrogeologist" means a person who is qualified to engage in the practice of hydrogeology, has met the qualifications in hydrogeology established under chapter 18.220 RCW, and has been issued a license in hydrogeology by the Washington State Geologist Licensing Board. In accordance with WAC 196-27-020 and 308-15-140, licensed hydrogeologists shall affix their signatures or seals only to plans or documents dealing with subject matter in which they are qualified by training or experience. [Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 12-19 § 4 (Appx. C); Ord. 14-18 § 4 (Exh. B); Ord. 13-12 § 1; Ord. 8-06 § 1]

18.10.090 I definitions.

"Illegal use" means any use of land or a structure which is inconsistent with current codes or was inconsistent with previous codes in effect when the use or structure was established. An illegal use is different than a "nonconforming use." (See also "Nonconforming.")

"Impact area" means the area in a backstop or bullet trap directly behind the target where bullets are expected to impact or the area downrange where bullets will impact if not captured by a backstop or bullet trap.

"Impervious surface" means a hard surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces for purposes of determining whether the thresholds for application of minimum requirements are exceeded. Open, uncovered retention/detention facilities shall be considered impervious surfaces for purposes of runoff modeling.

"Improvements" means the facilities and infrastructure of a land development, including, but not limited to, the roads, sidewalks, street lights, stormwater facilities, sewage disposal facilities, domestic water facilities, and other utilities and facilities required by chapter 18.35 JCC to be constructed in conjunction with any particular land division, as approved by the necessary county departments.

"Incidental" means subordinate to, minor in significance, and bearing a reasonable relationship with the primary use.

"Incompatible" means uses and activities that are not compatible. (See "Compatible.")

"Indoor entertainment or recreational facilities" means places designed and equipped for the conduct of sports and leisure-time activities, including, but not limited to, physical fitness clubs, bowling alleys, theaters, playhouses, and billiard rooms.

"Indoor shooting facility" means a commercial shooting facility within a fully enclosed structure, including lawful incidental sales of firearms, ammunition, component parts and accessories.

"Industrial use, heavy or resource-based" means a use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials or natural resources; a use engaged in storage of or manufacturing processes using flammable, hazardous or explosive materials; or manufacturing processes that potentially involve hazardous or commonly recognized adverse conditions.

"Infrastructure" means existing installed facilities and services including capital facilities such as water supply, sewage disposal, and storm drainage systems, and transportation facilities such as public roads.

"Inoperable (or unlicensed) vehicle" means any motor vehicle (excluding farm machinery or implements), trailer, or semitrailer which is inoperable and which, by virtue of its condition, cannot be economically restored to operable condition; provided, that such vehicle, trailer, or semitrailer shall be presumed to be an inoperable or unlicensed vehicle if no license plates are displayed or if the license plates displayed have been invalid for more than three years.

"Institutional facilities or development" means structures and related activity areas used by organizations providing educational, social, or noncommercial recreational services to the community, including performance halls, government service offices, facilities for assembly, colleges, primary and secondary schools, museums, and libraries.

"In-stream resources" means features, properties, or other beneficial assets which exist within a stream corridor, such as fish and wildlife habitat, recreation, and scenic beauty.

"Intensification of nonconforming use" means any increase or expansion in the quality or quantity of products, goods, services, structures or adverse impacts upon parcels within the vicinity of the nonconforming use produced, generated, served, created or performed at the site of the legal nonconforming use by the owner or occupant of that legal nonconforming use.

"Intensive" means highly concentrated, very large, or considerable, in terms of Jefferson County standards and environment.

"International Building Code" means the building code officially adopted by Jefferson County.

"Inter vivos" means a transfer or conveyance of property during the life of the owner, as distinguished from testamentary transfers where the property passes at death. [Ord. 3-20 § 1 (Appx. A); Ord. 8-06 § 1]

18.10.100 J definitions.

"Junk vehicle" means a vehicle certified under RCW 46.55.230 as meeting at least three of the following requirements: (a) three years or older; (b) extensively damaged, such damage including, but not limited to, the following: a broken window or windshield, missing seats, wheels, tires, motor, or transmission; (c) apparently inoperable; and/or (d) has approximate fair market value equal only to the approximate value of the scrap in it.

"Junk yard" means a primary or accessory use of structures or land for storage, recycling, dismantling or selling of cast-off, unused, scrap, or salvage material of any sort. [Ord. 8-06 § 1]

18.10.110 K definitions.

"Kennel" has the same meaning as in JCC 6.07.020, as it exists now or may be amended in the future.

"Kitchen" means a room used for cooking or preparing food. [Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.10.120 L definitions.

"Land disturbing activity" means any activity that results in movement of earth, or a change in the existing soil cover (both vegetative and nonvegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to, clearing, grading, filling, and excavation. Compaction that is associated with stabilization of structures and road construction shall also be considered a land disturbing activity. Vegetation maintenance practices are not considered land-disturbing activity.

Land Division. (See "Division of land.")

"Land use decision" means a final determination by the county's hearing body or officer with the highest level of authority to make the determination, including those with authority to hear appeals, on:

(a) An application for a project permit or other governmental approval required by law before real property may be improved, developed, modified, sold, transferred, or used, but excluding applications for permits or approvals to use, vacate, or transfer streets, parks, and similar types of public property; excluding applications for legislative approvals such as area-wide rezones and annexations; and excluding applications for business licenses;

(b) An interpretative or declaratory decision regarding the application to a specific property of zoning or other ordinances or rules regulating the improvement, development, modification, maintenance, or use of real property; and

(c) The enforcement by the county of regulations governing the improvement, development, modification, maintenance, or use of real property.

"Landslide hazard areas" has the same meaning as in WAC 365-190-030(10).

"Landward" means to or toward the land.

"Legal lot of record" means any lot that is determined to be a legal lot of record pursuant to chapter 18.12 JCC and satisfies the "legal lot of record" requirement in WAC 246-272A-0320.

"Level of service (LOS)" means the number of units of capacity per unit of demand (e.g., trips, population, school-age residents) or other appropriate measure of need sufficient to meet the standards for adequate service set forth in the Comprehensive Plan. (See also "Adequate capacity (adequate capital or public facilities)," "Available capital facilities (available capacity)," and "Concurrency.")

"Light industrial" means a use involving: (a) basic processing and manufacturing of materials or products predominantly from previously prepared materials; or (b) finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic processing of raw materials except food products.

"Livestock" means horses, mules, donkeys, cattle, bison, sheep, goats, swine, rabbits, llamas, alpacas, ratites, poultry, waterfowl, game birds, and other species so designated by statute. Livestock does not mean free-ranging wildlife as defined in RCW Title 77.

"Livestock management" includes breeding, birthing, feeding, care, processing and sales of animals and animal products, birds, honey bees, fish and shellfish.

"Logging" means activities related to and conducted for purposes of harvesting or processing timber.

"Long-term commercial significance" has the same meaning as in WAC 365-190-030(11).

"Lot" means a contiguous quantity of land in possession of, owned by or recorded as the property of a person or entity. A lot also shall include any individually numbered or separately designated parcels of property in an approved subdivision or development.

"Lot, buildable means: (a) a lot that is a legal lot of record, consistent with chapter 18.12 JCC and applicable law, and (b) has site development review approval pursuant to JCC 18.40.420 et seq. A guaranteed right to development of a lot can only be established once a development permit application or building permit application vests pursuant to JCC 18.40.320.

"Lot, corner" means a lot situated at the intersection of two roads, by which the interior angle does not exceed 135 degrees.

"Lot coverage" means the surface area of a lot or lots within a single development which is occupied by buildings, excluding roof overhangs and covered porches not used for sales, storage, or service.

"Lot, frontage" means the boundary of a lot that is along an existing or dedicated public road, or where no public road exists, along a private road, easement or access way. On an interior lot, it is the lot line abutting a road; or, on a pipestem (i.e., flag) lot it is the interior lot line most parallel to the nearest road from which access is obtained.

"Lot of record" means a lot or parcel of land that was created by a metes and bounds description or through platting or other means, and met all applicable zoning and subdivision requirements in effect at the time of lot creation. A lot of record is not necessarily developable or buildable, but may be conveyed pursuant to chapter 58.17 RCW.

"Lot, pipestem" means a lot not meeting minimum frontage requirements and where access to the public road is by a narrow private right-of-way or driveway. The term is synonymous with "flag lot."

"Lot, substandard" means a lot or parcel of land that has less than the required minimum area or width as established by the land use district in which it is located or as defined in any other section of the code.

"Lot, through" means a lot that has both ends fronting on a road or street; both ends shall be deemed front.

"Lumber mill, portable" means portable equipment to mill, split, or otherwise process forest products.

"Lumber mill, stationary" means a permanently located facility or equipment used to process forest products. [Ord. 9-22 § 2 (Appx. A); Ord. 5-20 § 3 (Appx. A); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.10.130 M definitions.

"Maintenance agreement" means a written agreement between parties to physically maintain a facility for common use in a manner which conforms to standards of adequacy specified in such an agreement.

"Major industrial development" means a master planned location for a specific manufacturing, industrial, or commercial business that (a) requires a parcel of land so large that no suitable parcels are available within an urban growth area; or (b) is a natural resource-based industry requiring a location near agricultural land, forest land, or mineral resource land upon which it is dependent. A major industrial development shall not be for the purpose of retail commercial development or multi-tenant office parks. (cf. RCW 36.70A.365(1).)

"Managing agency" means an individual or organization applying to permit a temporary housing facility under JCC 18.20.385(2)(a). Managing agencies are limited to religious organizations and nonprofit agencies. A "managing agency" may be the same entity as the sponsor.

"Manufactured home" means a single-family dwelling built according to the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act, which is a national, preemptive building code. A manufactured home also: (a) includes plumbing, heating, air conditioning, and electrical systems; and (b) is built on a permanent chassis; and (c) can be transported in one or more sections with each section at least eight feet wide and 40 feet long when transported; or when installed on the site is 320 square feet or greater. (See also "Mobile home.")

Manufactured Housing. (See "Manufactured home" and "Mobile home.")

"Manufacturing" means the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials, such as lubricating oils, plastics, resins, or liquors.

"Market value" means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus.

"Master planned resort" means a self-contained and fully integrated planned unit development in a setting of significant natural amenities, with primary focus on destination resort facilities consisting of short-term visitor accommodations associated with a range of on-site indoor or outdoor recreational facilities. A master planned resort may include other residential uses within its boundaries, but only if the residential uses are integrated into and support the on-site recreational nature of the resort. (cf. RCW 36.70A.360.)

"Material change" means a measurable change that has significance for existing or proposed development or for the existing environment.

"Meander line" means a line along a body of water intended to be used solely as a reference for surveying.

"Mine hazard areas" has the same meaning as in WAC 365-190-030(12).

"Mineral extraction" means the removal of naturally occurring materials from the earth for economic use. Extraction materials include nonmetallic minerals such as sand, gravel, clay, coal, and various types of stone. This shall not include the following:

(a) Excavation and grading at building construction sites where such construction is authorized by a valid building permit; or

(b) Excavation and grading in public rights-of-way for the purpose of on-site road construction, or in private rights-of-way for the same purpose if authorized by the county; or

(c) Excavation and grading for the purpose of developing ponds or manure lagoons for agricultural purposes; or

(d) Excavation and grading in connection with and at the site of any creek, river, or flood-control or storm drainage channel for the purpose of enlarging hydraulic capacity or

changing the location or constructing a new channel or storm drain where such work has been approved by the county; or

(e) Excavation and grading where the excavated material will be used on the same property or on property contiguous to and under the same ownership as the excavation.

"Mineral processing" means activities accessory to mineral extraction that include material washing, sorting, crushing or more intensive modification or alteration through mechanical or chemical means to a mineral resource after it has been removed from the earth. This does not include asphalt or concrete batch plants.

"Mineral resource lands" has the same meaning as in WAC 365-190-030(13).

"Minerals" has the same meaning as in WAC 365-190-030(14).

"Mini storage" means a structure or structures containing separate, individual, and private storage spaces leased or rented individually for varying periods of time.

"Minimal demands on existing infrastructure" means demands that do not cause the need for additional infrastructure, including but not limited to roads, fire protection, water, wastewater disposal or stormwater control, that is not provided by the applicant.

"Minimal impacts" means impacts that do not cause adverse impacts on the human or natural environments that cannot be mitigated by conditions of approval.

"Mitigation" means measures prescribed and implemented to avoid, minimize, lessen, or compensate for adverse impacts.

"Mobile food unit" means a readily movable food and/or beverage establishment. (See also JCC 18.20.182, Food and beverage stands.)

"Mobile home" means a factory-built dwelling built prior to June 15, 1976, to the standards other than the HUD Code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile homes have not been built since the introduction of the HUD Manufactured Home Construction and Safety Standards Act. (See also "Manufactured home" and "Manufactured housing.")

"Mobile home park" means a development with two or more improved pads or spaces with required improvements and utilities designed to accommodate mobile homes, according to RCW 59.20.030 (4).

"Motel" means a commercial building or group of buildings in which lodging is provided to transient guests, offered to the public for compensation, and in which access to and from each room or unit is through an exterior door.

"Motor home" means a motor vehicle originally designed, reconstructed, or permanently altered to provide facilities for human habitation, which include lodging, cooking, and sewage disposal, and enclosed within a solid body shell with the vehicle, but excluding a camper or similar unit constructed separately and affixed to a motor vehicle (RCW 46.04.305).

Multifamily Dwelling. (See "Dwelling unit, multiple-family.") [Ord. 5-22 § 3 (Appx. A(1)); Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 8-06 § 1]

18.10.140 N definitions.

"National Pollutant Discharge Elimination System (NPDES)" means a joint federal and state permitting system for the control, monitoring, and reduction of point-sources of pollution, established under the Federal Water Pollution Control Act (Clean Water Act) (Public Law 92-500).

"National Register of Historic Places" means the official federal list, established by the National Historic Preservation Act, of sites, districts, buildings, structures and objects significant in the nation's history and prehistory, or whose artistic or architectural value is unique.

"Native vegetation" means plant species that are indigenous to Jefferson County.

"Natural or existing topography" means the topography of the lot, parcel, or tract of real property immediately prior to any site preparation or grading, including excavation or filling.

"Natural resource lands" has the same meaning as in WAC 365-190-030(15).

"Natural Resources Conservation Service" is a U.S. Department of Agriculture division that provides technical assistance to decision-makers to protect, maintain and improve soil, water, air, plant, and animal resources and related human considerations.

"Noise" means any sound not occurring in the natural environment which causes or tends to cause an adverse psychological or physiological effect on humans. This includes sounds arising from the amplification of noises generated by expected or permitted uses of a lot or structure.

"Nonconforming" means a use, structure, site, or lot which conformed to the applicable codes in effect on the date of its creation but which no longer complies because of changes in code requirements. Nonconformity is different than and not to be confused with illegality (see "Illegal use"). Legal nonconforming lots, structures, and uses are commonly referred to as "grandfathered."

"Nonconforming lot" means a lot of record in existence prior to the effective date of the ordinance codified in this Unified Development Code and any amendments thereto, which does not meet the minimum lot size and other requirements as set forth in this code.

"Nonconforming structure" means a structure which does not conform to the dimensional regulations, including but not limited to setback, height, lot coverage, density, and building configuration regulations of the land use district in which it is located due to changes in code requirements. (See also "Alteration, nonconforming structures.")

"Nonconforming use" means a use of a structure or of land which does not conform to the regulations of the land use district in which the use exists due to changes in code requirements. (See also "Alteration, nonconforming use.")

"Nonconsumptive use" means a use which does not permanently deplete, degrade, or destroy the resource involved.

"Nonpoint source" means the release of waste or other flows which occurs over a broad or undefined area. Releases which can be described as confined to a small area, such as discharges from a pipe or conduit, are referred to as "point-source discharges." (See also "Point-source discharge.")

"NRA Range Source Book" means the 2012 version of the NRA Range Source Book published by the National Rifle Association.

"Nursery" means lands or greenhouses used to raise flowers, shrubs, and plants for commercial purposes.

"Nursing/convalescent/assisted living facility" means a facility or residence that provides health or long-term care services to residents, including nursing or other supportive or restorative health services on a 24-hour basis (RCW 43.190.020). [Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 8-06 § 1]

18.10.150 O definitions.

"Off-street parking" means an area of land located outside of any public right-of-way or private roadway and used for vehicular parking.

"Office" means a commercial use which provides business, professional, or personal services to customers.

"Official maps" means the maps identified in the Jefferson County Comprehensive Plan as the "official maps." These maps show the applicable land use designation(s), overlays, and maximum allowable density for all property in the county.

"On-site waste disposal" means any one of several means for disposal of sanitary waste on the property from which it is generated (e.g., septic tank and drainfield).

"Open record hearing" means a hearing, conducted by a single hearing body or officer that creates the record through testimony and submission of evidence and information, under procedures prescribed by ordinance or resolution. An open record hearing may be held prior to the decision on a project permit to be known as an "open record predecision hearing." An open record hearing may be held on an appeal, to be known as an "open record appeal hearing," if no open record predecision hearing has been held on the project permit.

"Open space" means lands committed to farming and forestry uses and any parcel, lot, or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment.

"Open space tax program" means a county program associated with property taxation. Land being used for agriculture may be enrolled in the tax program through the county assessor. The tax program is independent of land use designation (i.e., zoning) and these development regulations, except in the context of identifying "existing and ongoing agriculture," as defined and regulated in this code.

"Operating entity" for purposes of the temporary housing facility regulations in JCC 18.20.385 means the sponsor, managing agency, and individuals or organizations determined by the administrator to be qualified under JCC 18.20.385(2)(a) to operate a temporary housing facility.

"Operator" means any person who is in actual physical or electronic control of a powered watercraft, motor vehicle, aircraft, off-highway vehicle, or any other engine driven vehicle.

"Outdoor commercial amusement facility" means permanent developments containing single or multiple outdoor amusements such as batting cages, go-cart tracks, bumper cars, amusement rides, or games of chance. This shall not include casinos or theme parks.

"Outdoor shooting facility" means a commercial shooting facility that is not an indoor shooting facility.

Outdoor Storage Yards. (See "Storage yard, outdoor.")

"Overlay district" means a district that provides policies and regulations in addition to those of other sections in this code for certain land areas and for uses which warrant specific recognition and management. Except as otherwise provided, 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.

"Owner" means an individual, firm, business entity, trust, association, syndicate, partnership, or corporation having sufficient property interest to seek development of land.

"Owner-occupied" means the residential occupancy of a building or property by the owner. [Ord. 5-22 § 3 (Appx. A(2)); Ord. 3-20 § 1 (Appx. A); Ord. 8-06 § 1]

18.10.160 P definitions.

"Panhandle" means an irregular extension or protrusion of a lot created for the purpose of providing such lot with frontage on a public or private road, street or access way.

Parcel. (See "Lot.")

"Parent parcel" means each existing lot that is located within the perimeter of a proposed boundary line adjustment application.

"Park" means a tract of land designated and used by the public for recreation.

"Parking lot" means an off-street, ground level open area, usually improved, for the temporary storage of motor vehicles.

"Parties of record" means persons or entities who wish to receive a copy of the hearing examiner's decision and notice of upcoming hearings. "Parties of record" includes the applicant, appellant, petitioner, respondent, their agents and representatives, the county, and persons or entities who: indicate on a sign-up sheet, at a public hearing, that they wish to become a party of record; or for public hearings specifically advised the examiner's office by individual written letter or electronic mail of their desire to become a party of record. Persons

who only signed petitions or mechanically produced form letters may be excluded as parties of record.

"Performance standard" means a set of criteria or limits relating to certain characteristics that a particular use or process may not exceed.

"Permanent supportive housing" is subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.

"Permit center" means the Jefferson County department of community development.

"Permit exemption statement" means a written statement of administrative finding and conclusions that a land use or development is consistent with applicable regulations and is not subject to permit requirements of this code.

"Permit review" means the process of reviewing applications for project permits for consistency with the requirements of this code.

"Permittee" means the entity to whom a permit is granted.

"Person" means any individual, owner, contractor, tenant, partnership, corporation, business entity, association, organization, cooperative, public or municipal corporation, agency of a state or local governmental unit however designated, public or private institution, or an employee or agent of any of the forgoing entities.

"Personal and professional services" means, for the purposes of this code, establishments primarily engaged in providing assistance, as opposed to products, to individuals, business, industry, government, and other enterprises, not listed specifically in this code as a distinct use for regulatory purposes, such as laundry and dry cleaning services; barber shops and beauty salons; locksmiths, banks, legal, engineering, architectural, design, financial and accounting services, and the like.

"Pervious surface" means a surface that absorbs water.

"Physical containment" with respect to a commercial shooting facility means the use of physical barriers that are sufficient to contain the projectile from the highest power firearm used on a shooting range when the shooting range is used in accordance with its operating permit. Physical containment may include but is not limited to baffles, sidewalls, backstops

and berms of adequate design, quantity, and location to ensure that projectiles cannot escape the commercial shooting facility.

"Planned rural residential development (PRRD)" means development characterized by a unified site design, clustered residential units, and areas of common open space pursuant to Article VI-M of chapter 18.15 JCC.

"Planning department" means the Jefferson County department of community development.

"Plat" means a map or representation of a subdivision or short subdivision of land showing the division of a parcel of land into lots, roads, dedications, common areas, restrictions and easements, as regulated by chapter 58.17 RCW and this code.

Plat Alteration. (See "Subdivision, alteration of.")

Plat, Long. (See "Subdivision, long.")

Plat, Short. (See "Subdivision, short.")

Plat Vacation. (See "Subdivision, vacation of.")

"Playing field" means a land area designed and used for outdoor games, such as baseball, football, soccer, track events and tennis. It includes public outdoor swimming pools.

"Point-source discharge" means the release of waste or other flows which can be described as confined to a small area, such as discharges from a pipe or conduit. Releases occurring over a broad or undefined area are referred to as "nonpoint sources." (See also "Nonpoint source.")

"Predecision hearing, open record" means a hearing, conducted by the hearing examiner, that creates the county's record through testimony and submittal of evidence and information, under procedures prescribed by the county by ordinance or resolution. An "open record predecision hearing" may be held prior to the county's decision on a project permit (RCW 36.70B.020).

"Preliminary approval" means the final action of the county granting approval to a short or long subdivision, subject to applicable conditions that must be fully satisfied prior to final plat approval.

"Preliminary plat" means a neat and approximate drawing of a proposed subdivision showing the general layout of streets, lots, blocks (if applicable) and other elements of a subdivision consistent with the provisions of this code.

"Primary use" means the principal use of a property.

"Prime farmland soil" means land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber and oilseed crops and is available for these uses. (See Part 603.05, National Soils Handbook, Department of Agriculture, Soil Conservation Service.) (WAC 365-190-030(1)(a).)

"Priority species" means all state and federal endangered, threatened, and sensitive species, and all federal candidate species; and all species of local concern as defined in this chapter.

"Private road" or "private street" means an approved road or street that is not dedicated to the county and is used for access to secondary lots that have no direct access to a public way.

"Producer" means a person engaged in agricultural activities, including but not limited to farmers, ranchers, vineyardists, plant propagators, Christmas tree growers, aquaculturists, floriculturists, orchardists, foresters, or another comparable person.

"Prohibited uses" means any use or activity which is not specifically enumerated or interpreted as allowable in the applicable land use district.

"Project permit" or "project permit application" means any land use or environmental permit or license required from the county for a project action.

"Projectile" means an object fired from a firearm.

"Proof of ownership" means a photocopy of a recorded deed to property and/or a current title insurance policy insuring the status of an applicant as the owner in fee title to real property.

"Proprietor-occupied" means the residential occupancy by the owner of a building or property.

"Provision" means any written language contained in this code, including without limitation any definition, policy, goal, regulation, requirement, standard, authorization, or prohibition.

"Public access areas" means ways or means of approach to provide the general public with a physical entrance to a property.

"Public facilities" has the same meaning as in WAC 365-190-030(16).

"Public livestock market" means any place, establishment or facility commonly known as a "public livestock market," "livestock auction market," "livestock sales ring," yards selling on commission, or the like, conducted or operated for compensation or profit as a public livestock market, consisting of pens and other enclosures, and their appurtenances in which livestock is received, held, sold, or kept for sale or shipment. The term does not include the operation of a person licensed under chapter 16.65 RCW to operate a special open consignment horse sale.

"Public meeting" means an informal meeting, hearing, workshop, or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to a decision. A public meeting may include, but is not limited to, a community association meeting or a scoping meeting on a draft environmental impact statement (DEIS). A public meeting does not include an open record hearing. The proceeding at a public meeting may be recorded and a report or recommendation may be included in the county's project permit application file.

"Public purpose facilities" means lands and facilities needed to provide the full range of services to the public provided by government, substantially funded by government, contracted for by government, or provided by private entities to meet public service obligations.

"Public road or public street" means an approved road or street, whether improved or unimproved, held in public ownership or control (i.e., either through deed or easement conveyance) and intended to be open as a matter of right to public vehicular travel.

"Public schools" means a building (and grounds) or part thereof designed, constructed, or used for publicly operated education and/or instruction.

"Public services" has the same meaning as in WAC 365-190-030(17).

"Public transportation systems" means public facilities for air, water, or land transportation.

"Public way" means any publicly owned land set aside for utilities, surface transportation purposes, including motorized vehicular and nonmotorized (e.g., bicycle and pedestrian) transportation, whether improved or unimproved. [Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 12-19 § 4 (Appx. C); Ord. 8-06 § 1]

18.10.170 Q definitions.

"Qualified shooting range evaluator" means a person who has been an NRA range technical team advisor or who is a professional engineer with expertise in the design of shooting ranges.

"Qualified wetlands consultant" means a person who has the qualifications to conduct wetland studies and make recommendations for wetland mitigation. These qualifications include specialization in wetland biology, botany, and hydrology, with appropriate education and experience. [Ord. 3-20 § 1 (Appx. A); Ord. 8-06 § 1]

18.10.180 R definitions.

"Rare, endangered, threatened and sensitive species" means plant and animal species identified and listed by the Washington State Department of Natural Resources, Washington Natural Heritage Program, Washington State Department of Fish and Wildlife, or the U.S. Fish and Wildlife Service, as being severely limited or threatened with extinction within their native ranges.

"RCW" means the Revised Code of Washington, as it now exists or may be amended in the future.

"Reclamation" means rehabilitation for the appropriate future use of disturbed areas resulting from surface mining including areas under associated mineral processing equipment, areas under stockpiled materials, and aboveground waste rock and tailing facilities, and all other surface disturbances associated with underground mines. Although both the need for and the practicability of reclamation will control the type and degree of reclamation in any specific surface mine, the basic objective shall be to reestablish on a perpetual basis the vegetative cover, soil stability, and water conditions appropriate to the approved subsequent use of the surface mine and to prevent or mitigate future environmental degradation.

"Reclamation setbacks" include those lands along the margins of surface mines wherein minerals and overburden shall be preserved in sufficient volumes to accomplish reclamation according to the approved plan and the minimum reclamation standards. Maintenance of reclamation setbacks may not preclude other mine-related activities within the reclamation setback.

"Recording" means the filing of a document(s) for recordation with the county auditor.

"Recreational development" means parks and facilities for camping, indoor and outdoor sports, and similar developments.

"Recreational park trailer" means a trailer-type unit that is primarily designed to provide temporary living quarters for recreational, camping or seasonal use, that meets the following criteria: (a) built on a single chassis, mounted on wheels; (b) having a gross trailer not exceeding 400 square feet in the set-up mode; (c) certified by the manufacturer as complying with ANSI A119.5.

"Recreational uses" means those activities of a voluntary and leisure time nature that aid in promoting entertainment, pleasure, play, relaxation, or instruction.

"Recreational vehicle (RV)" means a vehicle designed primarily for recreational camping or travel use that has its own motive power or is mounted on or towed by another vehicle, including travel trailers, fifth-wheel trailers, folding camping trailers, truck campers, and motor homes, but not mobile homes (RCW 43.22.335).

"Recreational vehicle park" means a commercially developed tract of land in which two or more recreational vehicle sites are established as the principal use of the land.

"Recycling" means the process of segregating solid waste for sale, processing, and beneficial use. Materials which can be removed through recycling include but are not limited to newsprint, cardboard, aluminum, glass, plastics, and ferrous metal. Recycling does not include combustion of solid waste or preparation of a fuel from solid waste.

"Recycling center" means an area, with or without buildings, upon which used materials are separated and processed for shipment.

"Recycling collection facilities" means neighborhood facilities for the drop-off and temporary storage of recyclables but without waste processing.

"Regulated substance" means:

Any substance defined in Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 (but not including any substance regulated as a hazardous waste under Subtitle C of the Federal Solid Waste Disposal Act, or a mixture of such hazardous waste and any other regulated substances); and

Petroleum, including crude oil or any fraction thereof that is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute). The term "regulated substance" includes but is not limited to petroleum and petroleum-based substances comprised of a complex blend of hydrocarbons derived from crude oil through processes of separation, conversion, upgrading and finishing, such as motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, petroleum solvents, and used oils. The term "regulated substance" does not include propane or asphalt or any

other petroleum product which is not liquid at standard conditions of temperature and pressure (WAC 173-360-120).

"Religious assembly facility" means a facility designed and used primarily for ceremonies, rituals, and education pertaining to a particular system of spiritual beliefs (e.g., a church).

"Residential care facility" means a facility that provides room, board and care with 24-hour supervision for persons who, by reason of circumstance or condition, require care. This may include care for the aged or functionally disabled persons but shall not include correctional facilities, inpatient substance abuse or inpatient mental health facilities that are otherwise identified as essential public facilities by the Comprehensive Plan and regulated under JCC 18.15.110.

"Residential development" means development of land with dwelling units for nontransient occupancy. For the purposes of this code, accessory dwelling units, garages, and other similar structures accessory to a dwelling unit shall also be considered residential development unless regulated otherwise by this code or subarea plans. (See also "Dwelling unit" and "Accessory dwelling unit.")

"Resource-based industrial" means a forest resource-based industrial land use designation that recognizes existing, active sawmills and related activities.

"Resource lands" means agricultural, forest, and mineral lands that have long-term commercial significance.

"Resource management system" means a conservation system that meets or exceeds the quality criteria in the NRCS FOTG for resource sustainability for all identified resource concerns for soil, water, air, plants and animals.

"Restoration" means to return to an original or like condition.

"Restriction" means a limitation placed upon the use of parcel(s) of land.

"Retail sales and services" means establishments engaged in retail sales of goods, including, but not limited to, the retail sale of merchandise not specifically listed under another use classification in Table 3-1 in JCC 18.15.040. This classification includes, but is not limited to, department stores, clothing stores, shoe stores, jewelry stores, hardware stores, furniture stores, antique stores, pharmacies, appliance stores, agricultural feed and supply stores, stationary stores, office supply stores and other similar uses; and establishments engaged in the sale of services directly to the consumer including, but not limited to, small equipment repair, plumbing and electrical repair services, and other similar uses.

Right-of-Way. (See "Public way.")

"Right-to-farm provisions" means provisions intended to enhance and encourage agricultural operations by recognizing agricultural activities as essential rural activities that do not constitute a nuisance.

"Right-to-forestry provisions" means provisions intended to enhance and encourage sustainable forestry operations by recognizing forestry activities as essential rural activities that do not constitute a nuisance.

"Road" means an improved and maintained public or private right-of-way which provides vehicular access to abutting properties, and which may also include provision for public utilities, pedestrian access, cut and fill slopes, and drainage.

"Road, access" means a road that functions solely to provide access to two or more properties.

"Road, arterial" means roads designated as arterial roads in the Transportation Element of the Comprehensive Plan.

"Road, collector" means:

(a) Roads designated as collector roads in the Transportation Element of the Comprehensive Plan.

(b) A street or road whose principal function is to carry traffic between access and arterial roads and streets.

"Road end" means:

(a) A road closed at one end that may be designed for future road extensions.

(b) The point at which a public road meets the tidelands or a body of water.

"Road, primary" means any existing or proposed road designated as an arterial or collector road in the Transportation Element of the Comprehensive Plan or so designated by the Jefferson County engineer.

"Roadway" means that portion of an approved road or street intended for the accommodation of vehicular traffic, generally between curb lines on an improved surface.

"Rules and regulations" with reference to a commercial shooting facility means requirements used for the safe operation of a commercial shooting facility.

"Runoff" means water originating from rainfall and other precipitation that is found in drainage facilities, rivers, streams, springs, seeps, ponds, lakes and wetlands as well as shallow groundwater. In addition, that portion of rainfall or other precipitation that becomes surface flow and interflow.

"Runway" means the defined area at an airport, airfield, or airstrip indicated for landing and takeoff of aircraft along its length.

"Rural character" means a quality of the landscape dominated by pastoral, agricultural, forested, and natural areas interspersed with single-family homes, limited economic development, and farm structures. Rural character refers to the patterns of land use and development established by the Comprehensive Plan:

(a) In which open space, the natural landscape, and vegetation predominate over the built environment;

(b) That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;

(c) That provide visual landscapes that are traditionally found in rural areas and communities;

(d) That are compatible with the use of the land by wildlife and for fish and wildlife habitat;

(e) That reduce the inappropriate conversion of undeveloped land into sprawling, low density development;

(f) That generally do not require the extension of urban governmental services; and

(g) That are consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas. (cf. RCW 36.70A.030(14).)

"Rural commercial designation" means the land use designation of the Comprehensive Plan designed to provide opportunities for some commercial uses to be located in rural areas.

"Rural commercial uses" means the use of land or the use or construction of structures or facilities involving the retail sale of goods or services which is either unsuitable for a rural village center or rural crossroad or is better suited to rural lands and that does not require urban governmental services.

"Rural crossroads" means those areas established by virtue of historic transportation patterns and characterized by existing concentrations of small-scale commercial uses fronting on, or in close proximity to, major transportation routes and intersections. The following three types of commercial rural crossroads exist in Jefferson County: neighborhood/visitor crossroads, convenience crossroads, and general crossroads:

(1) Convenience Crossroads (CC). Those crossroads that provide a limited selection of basic retail goods and services, and serve a lower intensity population base and the traveling public. Convenience crossroads are characterized by a single convenience/general store. There are three convenience crossroads in Jefferson County: Nordland, Beaver Valley and Wawa Point.

(2) Neighborhood/Visitor Crossroads (NC). Those crossroads which provide multiple uses and services serving both the local community and the traveling public. There are five neighborhood/visitor crossroads identified in Jefferson County: Mats Mats, Discovery Bay, Four Corners, Chimacum and Gardiner.

(3) General Crossroads (GC). Similar to neighborhood crossroads, general crossroads serve a higher local population base and offer a wider variety of goods and services. There are three general crossroads identified in Jefferson County: Ness' Corner, Irondale Corner and SR 19/20 Intersection.

"Rural governmental services" means those public services provided to rural areas at a scale consistent with the rural character of the area.

"Rural lands" means the class of land use designations which are intended to preserve the rural character of the county. Rural land designations include the following: rural residential, rural commercial, and rural industrial.

"Rural recreational lodging or cabins" means a rural commercial establishment consisting of tourist lodging facilities such as cabins and/or motel, hotel, inn or lodge units that provide for overnight sleeping accommodations and may also provide limited small-scale conference or retreat facilities consistent with the standards set forth in JCC 18.20.350.

"Rural residential designation" means the land use designation in the Comprehensive Plan designed to recognize existing residential development patterns of the rural landscape and provide for a variety of residential living opportunities at densities which maintain the primarily rural residential character of an area.

"Rural village center" means small, unincorporated commercial and residential community centers that provide a rural level of services and which serve as a focal point for the local population. In Jefferson County these centers include: Quilcene and Brinnon. [Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.10.190 S definitions.

"Sale" means the conveyance for consideration of legal or beneficial ownership.

"Salt water intrusion" means the underground flow of salt water into wells and aquifers.

"Screening" means a method of visually shielding or obscuring a structure or use from view by fencing, walls, trees, or densely planted vegetation.

"Seaward" means to or toward the sea.

Seawater Intrusion. (See "Salt water intrusion.")

"Seawater intrusion protection zone (SIPZ)" means aquifers and land overlying aquifers with some degree of vulnerability to seawater intrusion.

"Sedimentation" means the process by which material is transported and deposited by water or wind.

"Seiche and landslide generated wave hazard areas" means lake and marine shoreline areas susceptible to flooding, inundation, debris impact, or mass wasting as the result of a seiche or landslide generated waves. No known best available science is currently available to characterize potential seiche hazards in Jefferson County.

"Seismic hazard areas" has the same meaning as in WAC 365-190-030(18).

"Sensitive areas" associated with JCC 18.20.345, Sexually oriented businesses, include: schools, day care facilities, libraries, off-road public trails and paths, public indoor recreational facilities, hospitals, parks and playgrounds, places of worship (i.e., churches),

community centers, senior citizen centers, cemeteries, residential neighborhoods, master planned resorts.

"Sensitive species" means species that could become threatened as classified by the State of Washington Department of Fish and Wildlife, Nongame Program, and the Department of Natural Resources, Washington Natural Heritage Plan.

"Service area" means a geographic area defined by a county or intergovernmental agreement in which a defined set of public facilities provides service to development within the area (e.g., an area identified by a public water system that includes the ability to provide a water tap).

"Setback" means the distance a structure is placed behind a specified line or topographic feature.

"Sewerage treatment facilities" means the management, storage, collection, transportation, treatment, utilization, and processing of sewage from a municipal or community sewage treatment plant, not including community drain fields.

"Sexually oriented business" means:

(1) Any exhibition, performance or dance conducted in an sexually oriented business facility where such exhibition, performance or dance is distinguished or characterized by a predominant emphasis on matters depicting, describing, or simulating any specified sexual activities or any specified anatomical areas; or

(2) Any exhibition, performance or dance intended to sexually stimulate any patron and conducted in a sexually oriented business facility where such exhibition, performance or dance is performed for, arranged with, or engaged in with fewer than all patrons in the sexually oriented business facility at that time, with separate consideration paid, either directly or indirectly, for such performance, exhibition or dance. For purposes of example and not limitation, such exhibitions, performances or dances are commonly referred to as table dancing, couch dancing, taxi dancing, lap dancing, private dancing or straddle dancing; or

(3) Sexually oriented retail store, meaning an enclosed building, or any portion thereof, which, for money or any other form of consideration, devotes a significant or substantial portion of stock in trade to the sale, exchange, rental, loan, trade, transfer or viewing of sexually oriented materials. For purposes of this definition, a retail store devotes a significant or substantial portion of its stock in trade to sexually oriented materials if the sale, exchange, rental, loan, trade, transfer or viewing of such sexually oriented materials is clearly material to the economic viability of the business. It is rebuttably presumed that such sexually oriented materials are clearly material to the viability of the business if sexually oriented materials account for:

(a) Twenty-five percent or more of the retail dollar value of gross sales over any quarterly period;

(b) Twenty-five percent or more of the floor area of the store open to the public;

(c) Twenty-five percent or more of the retail dollar value of all merchandise displayed in the store;

(d) Twenty-five percent or more of the store's inventory (whether measured by retail dollar value or number of items); or

(e) Twenty-five percent or more of the store's stock in trade.

In no event shall a retailer whose transactions only incidentally or marginally relate to sexually oriented materials be considered a sexually oriented retail store.

(4) Also see JCC 5.10.030 for a more complete list of definitions.

"Shooting range" consists of a firing line or firing points, and an impact area.

"Shoreline Management Act" means the Shoreline Management Act of 1971 (chapter 90.58 RCW), as amended.

"Shoreline Master Program (SMP)" means the Jefferson County Shoreline Master Program.

"Short plat" means a neat and accurate drawing of a short subdivision, prepared for filing for record with the county auditor, and containing all elements and requirements set forth in chapter 18.35 JCC.

"Sign" means any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images. Excluded from this definition are signs required by law, such as handicapped parking signs, and the flags of national and state governments.

"Sign, commercial" means a sign that directs attention to a business or profession, to a commodity or service sold, offered, or manufactured, or to an entertainment offered on the premises where the sign is located.

"Sign, freestanding" means a sign not attached to a structure.

"Silviculture" means the study and practice of controlling the establishment, composition, constitution, health, growth, and quality of forest stands.

"Single-family residence" means a dwelling unit designed for and occupied by no more than one family.

"SIPZ" means seawater intrusion protection zones.

"Site evaluation checklist" means all the information described in JCC 18.22.945(3)(d).

"Small equipment repair, sales and rental services" means commercial establishments engaged primarily in the repair, and/or rental and sale of small equipment, including, but not limited to, tools, watches, appliances, televisions and other electronic devices, computers, lawnmowers, bicycles and similar items.

"Small-scale" means of a size or intensity which has minimal impacts on the surrounding area and which makes minimal demands on the existing infrastructure.

"Small-scale recreation or tourist uses" means recreational uses or tourist uses that are reliant upon a rural setting or location; do not include any new residential development beyond that allowed in the underlying land use district; and otherwise meet the performance standards in JCC 18.20.350.

"Soil log" means the excavation and written record of soil septic suitability as per health department written guidelines and requirements.

"Solid waste" means all putrescible and nonputrescible solid and semi-solid wastes, except wastes identified in WAC 173-304-015, including, but not limited to, junk vehicles, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities, but excluding agricultural wastes and crop residues returned to the soil at agronomic rates. This includes all liquid, solid and semi-solid materials which are not the primary products of public, private, industrial, commercial, mining and agricultural operations. Solid waste includes but is not limited to sludge from wastewater treatment plants and septage from septic tanks, wood waste, dangerous waste, and problem wastes. Unrecovered residues from recycling operations shall be considered solid waste.

"Solid waste disposal" means the act or process of disposing of rubbish and garbage.

"Sound" means an oscillation in pressure, particle displacement, particle velocity, or other physical parameter in a medium with internal forces that causes compression and rarefaction of that medium, including any characteristics of sound, such as duration, intensity, and frequency.

"Source of contamination" means a facility or disposal or storage site for material that impairs the quality of groundwater to a degree that creates a potential hazard to the environment, public health, or interferes with a beneficial use; or in reference to well drilling, a specific area or source as defined in WAC 173-160-171.

"Special flood hazard" means land in the floodplain subject to a one percent or greater chance of flooding in any given year.

"Special report" means a technical report or study containing certain site analyses or project evaluations or a plan describing mitigation or monitoring recommendations.

"Species of local importance" has the same meaning as in WAC 365-190-030(19).

"Sponsor" for purposes of the temporary housing facility regulations in JCC 18.20.385 means an organization that is:

(a) A state of Washington registered not-for-profit corporation and federally recognized tax exempt 501(c)(3) organization that invites a temporary housing facility to reside on land it owns or leases; or

(b) Recognized by the Internal Revenue Service as exempt from federal income taxes as a religious organization, which expresses its religious mission, in part, by organizing living accommodations for those experiencing homelessness.

"Sprawl, low density" means scattered, poorly planned low density development that occurs particularly in urban fringe and rural areas and frequently invades land important for environmental and natural resource protection. Sprawl typically manifests itself in one or more of the following patterns:

(a) Leap frog development: when new development of urban or suburban character is sited away from an existing developed urban or suburban area, bypassing vacant parcels located in or closer to the developed area that are suitable for development;

(b) Strip development: when large amounts of commercial, retail, or other nonresidential development are located in a linear pattern along one or both sides of a major arterial or collector and, typically, accessing directly onto the arterial or collector; and

(c) Large expanses of low density, single-family dwelling development, outside of urban areas, rural village centers, or master planned resorts, that are located in relatively close proximity to one another.

"State endangered species" means a species native to the state of Washington that is seriously threatened with extinction throughout all or a significant portion of its range within the state. Endangered species are legally designated in WAC 232-12-014.

"State sensitive species" means a species, native to the state of Washington, that is vulnerable or declining and is likely to become endangered or threatened in a significant portion of its range within the state without cooperative management or the removal of threats. Sensitive species are legally designated in WAC 232-12-011.

"State threatened species" means a species, native to the state of Washington, that is likely to become endangered in the foreseeable future throughout a significant portion of its range within the state without cooperative management or the removal of threats. Threatened species are legally designated in WAC 232-12-011.

"Stockyard" means any place, establishment, or facility commonly known as a stockyard consisting of pens or other enclosures and their appurtenances in which livestock services such as feeding, watering, weighing, sorting, receiving and shipping are offered to the public; provided, that "stockyard" shall not include any facilities where livestock is offered for sale at public auction, feed lots, or quarantined registered feed lots.

"Storage yard, outdoor" means an outdoor area used for the storage of equipment, vehicles or materials for periods exceeding 72 hours.

"Street" means a public or private thoroughfare or easement that affords primary means of access. For the purposes of chapter 18.35 JCC, the definition of street includes all public and private utilities such as communication lines, cable television lines, electrical lines and equipment, gas distribution lines, stormwater, sidewalks, and other similar facilities commonly found in street rights-of-way.

"Street or road frontage" means the length along a street which a structure, business, or lot abuts or fronts.

"Structure" means a permanent or temporary edifice or building or any piece of work artificially built up or composed of parts joined together in some definite manner, whether installed on, above, or below the surface of the ground or water, except for vessels (WAC 173-27-030).

"Subarea plan" means a detailed plan consistent with but more specific than this code or the Comprehensive Plan. It may be a detailed land use plan for a specific geographic area, or a functional long-range plan for a land use or resource issue of county-wide concern.

"Subdivision" means the division or redivision of land into lots, tracts, parcels sites or divisions for the purpose of sale, lease or transfer of ownership.

"Subdivision, alteration of" means the alteration of lots or changes in dedications or restrictions or easements shown on the face of a plat of a subdivision or short subdivision; except as provided by RCW 58.17.040(6) for boundary line adjustments.

"Subdivision development standards" means the county's engineering, design and construction standards and specifications contained in chapter 18.30 JCC, including any incorporated standards, governing the construction of public and private improvements serving new divisions of land. The county's subdivision development standards include the adopted public works standards for design and construction of transportation facilities and standards for clearing and grading, erosion control, stormwater facilities, and water and sewage disposal improvements.

"Subdivision, long" means the division or redivision of land into five or more lots, tracts, parcels or sites or divisions for the purpose of sale, lease, or transfer of ownership.

"Subdivision, phased" means a subdivision that is developed in increments over a period of time.

"Subdivision, short" means the division or redivision of land into four or fewer lots, tracts, parcels or sites or divisions for the purpose of sale, lease, or transfer of ownership.

"Subdivision, vacation of" means the removal of lots, boundaries, roads, dedications, restrictions, or easements of a recorded subdivision or short subdivision.

"Surface mine" means any area or areas in close proximity to each other, as determined by the department, where extraction of minerals results: (a) in more than three acres of disturbed area, (b) surface-mined slopes greater than 30 feet high and steeper than one foot horizontal to one foot vertical, (c) more than one acre of disturbed area within an eight-acre area; when the disturbed area results from mineral prospecting or exploration activities. Surface mines include areas where mineral extraction from the surface or subsurface occurs by the auger method or by reworking mine refuse or tailings, when the disturbed area exceeds the size or height thresholds listed in of this definition. Surface mining occurs when operations have created or are intended to create a surface mine as defined by this subsection. Surface mining shall exclude excavations or grading used primarily for on-site construction, on-site road

maintenance, or on-site landfill construction, for the purpose of public safety or restoring the land following a natural disaster, for the purpose of removing stockpiles, for forest or farm road construction or maintenance on site or on contiguous lands, primarily for public works projects if the mines are owned or primarily operated by counties with 1993 populations of less than 20,000 persons, and if each mine has less than seven acres of disturbed area, and for sand authorized by RCW 79A.05.630.

Surrounding (Area or Property). A lot of record shall be considered to be a "surrounding" property with respect to the subject parcel or parcels if any portion of that lot of record is within 300 feet of any boundary of the subject parcel(s) when the subject parcel(s) is/are designated on the land use map as rural, residential, resource area, or parks preserve and recreation and shall be considered surrounding if any portion of the lot of record is within 100 feet of any boundary of the subject parcel(s) when the subject parcel(s) is/are designated as urban growth area or rural commercial. For industrial the criteria for "surrounding" property shall be 600 feet.

"Sustainable" means actions or activities which preserve and enhance resources for future generations. [Ord. 5-22 § 3 (Appx. A(3)); Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 14-18 § 4 (Exh. B); Ord. 3-12 § 1 (Exh. H); Ord. 8-06 § 1]

18.10.200 T definitions.

"Target" means a mark to shoot at.

"Target line" means the line where targets are placed.

"Temporary housing facility" means a facility providing temporary housing accommodations pursuant to JCC 18.20.385. Temporary housing facilities include temporary structures as defined in this section and may also include a safe parking area and common use structures.

"Temporary structures" includes tents, RVs, tiny shelters, and any other structure designed to provide personal and private shelter to an individual or family.

"Temporary tent facility" means a temporary housing facility for unhoused people that is composed of tents or other temporary structures, as approved pursuant to JCC 18.20.385.

"Temporary tiny shelter village" means a temporary housing facility for unhoused people that is composed of purpose-built tiny structures, as approved by the administrator, on a site permitted by the department pursuant to JCC 18.20.385. Temporary tiny structures for unhoused people are typically less than 200 square feet and easily constructed and moved to various locations. For the purposes of JCC 18.20.385, temporary tiny structures are not dwelling units for purposes of chapter 15.05 JCC.

"Threatened species" means a species that is likely to become an endangered species within the foreseeable future, as classified by the Washington Department of Fish and Wildlife, Wildlife Policy No. 602, and the Department of Natural Resources, Washington Natural Heritage Program.

"Threshold determination" means the decision by the responsible official under the State Environmental Policy Act (SEPA) regarding the likelihood that a project or other "action"

(WAC 197-11-704) will have a probable significant adverse impact on an element of the environment.

"Timber land" means land supporting or capable of supporting a stand of merchantable timber and which is not being developed or used for an activity which is incompatible with timber production.

"Tourist uses" means used by persons traveling for pleasure or culture.

"Townhouses" means buildings that contain three or more attached single-family dwelling units that extend from foundation to roof and that have a yard or public way on not less than two sides.

Tract. (See "Lot.")

"Trailer" means a structure standing on wheels, towed or hauled by another vehicle, and used for short-term human occupancy, carrying of materials, goods, or objects, or as a temporary office.

"Transfer of development rights (TDR)" means the transfer of the right to develop or build, expressed in dwelling units per acre, from land in one land use designation to land in another designation or from one property owner to another, where such a transfer is permitted.

"Transient accommodations" means a commercial use involving the rental of any structure or portion thereof for the purpose of providing lodging for periods less than 30 days.

"Transient residence or transient ADU" means a single-family residential unit or ADU used for short-term transient occupancy (for periods less than 30 days).

"Transitional housing" means a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living.

"Transportation facilities" means roads, trails, airports, airfields, public docks, ferries and related terminals, and parking areas.

"Tree line" means the line created by existing trees, at the trunk line, growing in a generally continuous line, as opposed to a line drawn between a few isolated trees.

"Tsunami hazard areas" means coastal areas susceptible to flooding, inundation, debris impact, or mass wasting as the result of a tsunami generated by seismic events. [Ord. 5-22 § 3 (Appx. A(4)); Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 8-06 § 1]

18.10.210 U definitions.

"Unimproved, dormant platted land" means land within the limits of a plat recorded prior to 1937 that, as of the date of the initial adoption of the ordinance codified in this Unified Development Code, does not contain a building that is or has been used as a dwelling unit or as a viable business facility.

"Unit Lot Subdivision" means a land division of a parent site into separately owned unit lots.

"Uplands" means lands outside of the jurisdiction of the Shoreline Master Program.

"Urban growth" has the same meaning as in WAC 365-190-030(20).

"Urban growth area" means an area designated by the county within which urban growth is to be encouraged and outside of which growth is not intended to be urban in nature. (cf. chapter 36.70A RCW.)

Urban Services. Pursuant to RCW 36.70A.030 (19), urban services are those public services and public facilities at an intensity historically and typically provided in cities, specifically including storm and sanitary sewer systems, municipal water systems, street cleaning services, fire and police protection services, public transit services, street improvements such as sidewalks, curbs and gutters and other public utilities associated with urban areas and normally not associated with rural.

"U.S.C." means the United States Code, as it now exists or is later amended.

"Use" means the purpose that land or building or structures now serve or for which they are or may be occupied, maintained, arranged, designed, or intended.

"Utilities" means facilities serving the public through a network of wires or pipes, and ancillary structures thereto, including systems for the delivery of natural gas, electricity, and telecommunications services.

"Utility distribution lines" means pipes, wires, and associated structural supports.

"Utility facilities" means facilities directly used for the distribution or transmission of services to an area, excluding utility service offices.

"Utility substations" means the intermediate substations used for the transmission of utilities. (See "Utility facilities.")

"Utility transmission lines" means pipes, wires and associated structural supports. [Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 8-06 § 1]

18.10.220 V definitions.

"Vacation, roads and streets" means a statutory procedure by which the county may relinquish its interest in streets, alleys, or easements.

"Variance" means the means by which an adjustment is made in the application of the specific bulk, dimensional, or performance standards set forth in this code to a particular piece of property, which property, because of special circumstances applicable to it is deprived of privileges commonly enjoyed by other properties in the same land use designation or vicinity and which adjustment remedies disparity in privileges. Variances shall not be used to vary from the allowable, conditional and prohibited uses set forth in Table 3-1 in JCC 18.15.040.

"Variance, major" means all variances other than those meeting the definition of a minor variance.

"Variance, minor" means variances that would permit expansion of an existing building that would extend no more than 10 percent beyond the dimensional, area and bulk requirements specified by this code. Minor variances also include variances to allow expansion of an existing building that is nonconforming as to setback or lot coverage requirements when the proposed expansion would not:

(a) Increase the nonconformity of the building; and

(b) Result in any portion of the building or expansion being located closer to the nearest abutting property line than does the existing building at its nearest point to the property line.

"Vicinity" means, in rural and resource lands, the area generally within one mile of the exterior boundary of a given parcel. [Ord. 8-06 § 1]

18.10.230 W definitions.

"WAC" means the Washington Administrative Code, as it now exists or may be amended in the future.

WADOT. (See "WSDOT" or "DOT.")

"Warehouse (or wholesale distribution center)" means a building, establishment or place of business used primarily for the storage of goods and materials for commercial or industrial purposes. Retail sales from such establishments shall be incidental to the primary use and limited to that allowed by JCC 18.20.220, Industrial uses – Standards for site development.

Warehouse, Agricultural. (See "Agricultural warehouse (public warehouse).")

"Water conservation" means a reduction in the amount of water used to carry out a beneficial water use without a reduction in the value of service the water provides.

"Water, ground" means all waters that exist beneath the land surface or beneath the bed of any stream, lake or reservoir, or any other body of water within the boundaries of the state, as defined in RCW 90.44.035.

"Water, potable" means water suitable for human consumption.

"Water purveyor" means any agency or subdivision of the state or any municipal corporation, firm, company, mutual or cooperative association, institution, partnership, or person or any other entity that owns or operates a public water system. Includes the authorized agents of any such entities.

"Water storage tanks" means tanks or reservoirs used for the storage of water.

"Water supply plans" means a design sketch showing proposed source and lots to be served or detailed engineering plans and specifications.

"Water system, alternative" means any source of water for an individual single-family use other than a legally constructed well that produces more than 400 gallons per day, or an

approved public water system that can provide adequate water for the intended use of a structure.

"Water system, approved" means any water source approved by the county health department and Washington Department of Health, including but not limited to wells, ponds, roof collection systems, treated systems, and public water supplies.

"Water system, individual (residential)" means any water supply system which is not subject to the State Board of Health drinking water regulations, chapter 246-290 WAC. An individual water supply system generally provides water to one single-family residence and no more than one accessory dwelling unit, or in the case of family farms, four or fewer connections on the same farm.

"Water system, public" means any water system subject to the State Board of Health drinking water regulations, chapter 246-290 WAC, excluding a system serving only one single-family residence or a system with four or fewer connections all of which serve residences on the same farm, providing piped water for human consumption, including (a) any collection, treatment, storage or distribution facilities which are under control of the purveyor and used primarily in connection with a system, and (b) any collection of pretreatment storage facilities which are not under the control of the purveyor but are primarily used in connection with the system.

"WDFW" means Washington Department of Fish and Wildlife.

"WDOE" means the Washington Department of Ecology. (See "Ecology (WDOE).")

"Well testing" means acquiring data directly from a constructed well in order to determine characteristics of the well, the water found in the well, or the geologic formations through which the well has passed. The well test may include pump testing, water quality testing, or geophysical testing.

"Wetland" or "wetlands" has the same meaning as in WAC 365-190-030(22).

"Wetland alteration" means any human-induced action which impacts the existing condition of a wetland or its buffer. Alterations include but are not limited to: grading; filling; dredging; draining; channelizing; installing drainage tiles; cutting, pruning, limbing or topping, clearing, relocating, planting or removing vegetation; applying herbicides or pesticides or any hazardous or toxic substance; discharging pollutants excepting stormwater; grazing domestic animals; paving, construction, application of gravel; modifying for surface water management purposes; or any other human activity that impacts the existing vegetation, hydrology, wildlife or wildlife habitat. Alteration does not include walking, passive recreation, fishing, or other similar activities.

"Wetland buffer" means the area immediately adjoining and contiguous with a wetland.

"Wetland creation" means the action performed to intentionally establish a wetland or a portion of a wetland where one did not formerly exist.

"Wetland delineation" means the technical process of determining the edge of the wetland in the field and ascertaining its classification and value.

"Wetland edge" means the boundary of a wetland as identified using the required wetland delineation procedure.

"Wetland, emergent" means a regulated wetland, or portion thereof, with at least 30 percent of the surface area covered by erect, rooted, herbaceous vegetation as the uppermost vegetative strata.

"Wetland enhancement" means alteration of an existing wetland or habitat to improve or increase its characteristics and processes without degrading other existing functions. Enhancements are to be distinguished from wetland or habitat creation or restoration projects.

"Wetland, forested" means a regulated wetland, or portion thereof, with at least 20 percent of the surface area covered by woody vegetation greater than 20 feet in height.

"Wetland functions and values" means the beneficial roles performed by wetlands include but are not limited to: water quality protection and enhancement; fish and wildlife habitat; food chain support; flood storage, conveyance and attenuation; groundwater recharge and discharge; erosion control; wave attenuation; historical and archaeological and aesthetic value; and recreation.

"Wetland, isolated" means those regulated wetlands which:

(a) Are outside of and not contiguous to any 100-year floodplain of a lake, river, or stream;

(b) Have no contiguous hydric soil or hydrophytic vegetation between the wetland and any surface water; and

(c) Have no surface water connection to a lake, river, or stream during any part of the year.

"Wetland, maintenance and repair" means activities that change the size or scope of a use or structure beyond its original nature; or which drain, dredge, fill, flood, or otherwise alter additional regulated critical areas.

"Wetland, regulated" means a wetland that meets the standards of this code. However, a wetland that does not meet these standards may still be regulated under the federal Clean Water Act.

"Wetland restoration" means the actions performed to re-establish a wetland in an area which was historically wetland but which does not now provide or contain the necessary functional characteristics.

"Wetland, scrub-shrub" means a regulated wetland with at least 30 percent of its surface area covered by woody vegetation less than 20 feet in height as the uppermost strata.

"Wetland specialist" means a person with experience and training in wetlands issues and with experience in performing delineations, analyzing wetland functions and values, analyzing

wetland impacts, and recommending wetland mitigation and restoration. Qualifications include: (a) Bachelor of Science or Bachelor of Arts or equivalent degree in biology, botany, environmental studies, fisheries, soil science, wildlife, agriculture, or related field, and two years of related work experience, including a minimum of one year experience delineating wetlands and preparing wetland reports and mitigation plans using the following manuals and guidelines: Federal Manual for Identifying and Delineating Jurisdictional Wetlands, Corps of Engineers Wetlands Delineation Manual 1987 Edition and corresponding guidance letters, March 1997 Washington State Wetlands Identification and Delineation Manual, Washington State Wetlands Rating System for Western Washington, as now or hereafter amended. Additional education may substitute for one year of related work experience; or (b) four years of related work experience and training, with a minimum of two years' experience delineating wetlands using the manuals cited above and preparing wetland reports and mitigation plans. The person should be familiar with the Pierce County Site Development Regulations, Pierce County Wetland Management Policies, Ordinance Nos. 88-182 and 89-162, and the requirements of this title.

"Wildlife biologist" means a person with experience and training within the last 10 years in the principles of wildlife management and with practical knowledge in the habits, distribution, and environmental management of wildlife. Qualifications include:

(a) Certification as professional wildlife biologist through the Wildlife Society;

(b) Bachelor of Science or Bachelor of Arts degree in wildlife management, wildlife biology, ecology, zoology, or a related field from an accredited institution and two years of professional field experience; or

(c) Five or more years of experience as a practicing wildlife biologist with a minimum of three years of practical field experience.

"Wildlife (wildlife species)" includes both plant and animal species for the purposes of this code.

"WSDOT" means Washington State Department of Transportation. (See also "WADOT" or "DOT.") [Ord. 5-20 § 3 (Appx. A); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.10.240 X definitions.
"Xeriscaping" means a water-conserving method of landscaping that utilizes native or other plants that are drought-tolerant. [Ord. 8-06 § 1]

18.10.250 Y definitions.
Reserved. [Ord. 8-06 § 1]

18.10.260 Z definitions.
"Zero Lot Line" means a common lot line on which a shared wall of structure may be constructed.

Chapter 18.18
IRONDALE AND PORT HADLOCK UGA DEVELOPMENT REGULATION IMPLEMENTATION

Sections:

18.18.005 General applicability.
18.18.010 Purpose.
18.18.020 Establishment of urban growth area (UGA) land use and zoning districts.
18.18.030 Purpose of UGA land use and zoning districts.
18.18.040 Use tables.
18.18.050 Density, dimension and open space standards.
18.18.060 Development requirements and performance standards.
18.18.070 Landscaping.
18.18.080 Parking and pedestrian circulation.
18.18.090 Lighting.
18.18.100 Signs.
18.18.110 Design standards.
18.18.120 Site plan approval required in the Irondale and Port Hadlock UGA.
18.18.130 Development standards in this title.

18.18.005 General applicability.

The land use regulations in this chapter implement the Comprehensive Plan and ensure urban development is accompanied by urban infrastructure and services, in compliance with the State Growth Management Act. The availability of sewer facilities is a precondition to developing inside the UGA at urban densities or standards. Jefferson County will apply urban standards to parcels where sewer is available. When sewer service is available, refer to this chapter. [Ord. 9-09 § 2 (Exh. B)]

18.18.010 Purpose.

The purpose of this chapter is to establish land use controls and regulations for the unincorporated Irondale and Port Hadlock Urban Growth Area ("PHUGA") consistent with the adopted Jefferson County Comprehensive Plan.

Zoning designations are depicted on the map Irondale and Port Hadlock Urban Zoning, found in the UGA Element, Exhibit 1-22, Jefferson County Comprehensive Plan (2018) .

This chapter's development regulations shall be used for urban development that has urban services available. Urban development will not be allowed before the availability of urban services, namely, sewer availability. Development in those areas in the UGA that do not yet have sewer available shall be consistent with chapter 18.19 JCC. See JCC 18.18.060, Development requirements and performance standards, for specific information about sewer availability and when urban development standards will apply. If there is conflict between development regulations in this chapter and elsewhere in this title, then this chapter prevails. [Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.020 Establishment of urban growth area (UGA) land use and zoning districts.

Urban Growth Area (UGA)	
Land Use Districts	**Zoning Districts**
Urban Residential	Urban low density residential (ULDR) Urban moderate density residential (UMDR) Urban high density residential (UHDR)
Urban Commercial	Urban commercial (UC) Visitor-oriented commercial (VOC)
Urban Industrial	Urban light industrial (ULI)
Public	Public (P)

[Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.030 Purpose of UGA land use and zoning districts.
The purposes of the land use and zoning districts are as follows:

(1) Urban Commercial (UC). The purpose of the urban commercial designation is to provide for a wide range of commercial activities and uses compatible with the expressed needs of the community that will provide goods and services for the UGA, nearby residents and serve the traveling public;

(2) Visitor-Oriented Commercial (VOC). The purpose of this designation is to recognize the unique area of the Old Alcohol Plant and allow commercial uses and for visitor-oriented lodging, goods and services that supplement the historical and tourism-related character of this area;

(3) Urban Low Density Residential (ULDR). The purpose of the ULDR district is to provide for areas of single-family urban residential development that are separate from commercial and industrial uses and activities;

(4) Urban Moderate Density Residential (UMDR). The purpose of the UMDR district is to provide for areas of mixed single-family and moderate density multifamily urban residential development;

(5) Urban High Density Residential (UHDR). The purpose of the UHDR district is to provide for areas of high density multifamily residential development;

(6) Urban Light Industrial (ULI). The purpose of the ULI designation is to allow for low intensity and low nuisance potential industrial uses;

(7) Public (P). The purpose of the P designation is to provide for the siting of important public facilities and services compatible. [Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.040 Use tables.

This section establishes whether a specific use is allowed, prohibited, conditional or otherwise designated.

Table 3A-1. Allowable and Prohibited Uses

How To Use This Table
Table 3A-1 displays the classifications of uses for UGA zoning districts. The allowability and classification of uses as represented in the table are further modified by the following: • The location may have a multiple designation. This would be true of the Shoreline Master Program, a subarea plan, or an overlay district applied to the location. The Shoreline Master Program (SMP) should be consulted if the location of interest is subject to the SMP jurisdiction. See also Notes 1 to 3 to this table. • All regulations in this code apply to the uses in these tables. To determine whether a particular use or activity can occur in a particular land use district and location, all relevant regulations must also be consulted in addition to this table. • A development proposal within 200 feet of the ordinary high water mark of a regulated shoreline is within the jurisdiction of the Shoreline Master Program, and is subject to the applicable provisions of the SMP in this title. • Overlay districts provide policies and regulations in addition to those of the underlying land use districts for certain land areas and for uses that warrant specific recognition and management. For any land use or development proposed to be located entirely or partly within an overlay district, or within the jurisdiction of a subarea plan, the applicable provisions of the overlay district or subarea plan as provided in Articles VI and VII of chapter 18.15 JCC shall prevail over any conflicting provisions of the UDC.

Categories of Uses		
Yes	=	Uses allowed subject to the provisions of this code, including meeting applicable performance standards (chapter 18.20 JCC) and development standards (chapter 18.30 JCC); if a building or other

		development permit is required, this use is also subject to project permit approval; see chapter 18.40 JCC.
D	=	Discretionary uses are certain named and all unnamed uses which may be allowed subject to administrative approval and consistency with the UDC, unless the administrator prohibits the use or requires a conditional use permit based on project impacts; see JCC 18.15.045 and chapter 18.40 JCC.
C	=	Conditional uses, subject to criteria, public notice, written public comment and public hearing procedure; see JCC 18.40.080.
C(a)	=	Conditional uses, subject to criteria, public notice, written public comment, and an administrative approval procedure, but not a public hearing; see JCC 18.40.080.
C(d)	=	Conditional uses, subject to criteria, public notice, written public comment and, at the discretion of the administrator, a public hearing procedure, if warranted, based on the project's potential impacts, size or complexity, according to criteria in JCC 18.40.550; see JCC 18.40.080.
No	=	Prohibited use.

Table 3A-1 Allowable and Prohibited Uses	Irondale and Port Hadlock Urban Growth Area (UGA) Zoning Districts						
	Commercial		Residential			Industrial	Public
	Urban Commercial	Visitor-Oriented Commercial	Urban Low Density Residential	Urban Moderate Density Residential	Urban High Density Residential	Urban Light Industrial	Public
Specific Land Use	**UC**	**VOC**	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
Residential Uses							
Single-Family Housing							
Single-family residences	Existing only	Existing only	Yes	Yes	No	No	No
Duplexes	Existing only	Existing only	Yes	Yes	No	No	No
Manufactured/mobile home parks	Existing only	No	Yes	Existing only	Yes	No	No
Multifamily Housing							
Multifamily residential units (3+ units)	D	Existing only	No	Yes	Yes	No	No
Residential adult care facilities	Yes	No	Yes	Yes	Yes	No	No
Nursing/convalescent/assisted living facilities	Yes	No	Yes	Yes	Yes	No	No
Emergency housing/emergency shelters	Yes	No	No	No	No	No	No
Permanent supportive housing/transitional housing	Yes	No	No	No	No	No	No

Table 3A-1 Allowable and Prohibited Uses	Irondale and Port Hadlock Urban Growth Area (UGA) Zoning Districts						
	Commercial		Residential			Industrial	Public
	Urban Commercial	Visitor-Oriented Commercial	Urban Low Density Residential	Urban Moderate Density Residential	Urban High Density Residential	Urban Light Industrial	Public
Specific Land Use	**UC**	**VOC**	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
Accessory Uses							
Accessory dwelling units	Existing only	Existing only	Yes	Yes	Yes	No	No
Home businesses[1]	Yes	Yes	Yes	Yes	Yes	No	No
Cottage industries[1]	Yes	Yes	No	No	No	No	No
Commercial Uses							
Animal shelters and kennels, commercial	C(a)	C(a)	No	No	No	No	No
Aquaculture	Yes	Yes	No	No	No	Yes	No
Automobile service station	Yes	Yes	No	No	No	No	No
Automobile repair and/or restoration	Yes	Yes	No	No	No	Yes	No
Automobile (car) wash	Yes	Yes	No	No	No	No	No
Automobile sales	Yes	No	No	No	No	No	No
Bakery	Yes	Yes	No	No	No	No	No
Banks and credit unions	Yes	Yes	No	No	No	No	No

Table 3A-1
Allowable and Prohibited Uses

	Irondale and Port Hadlock Urban Growth Area (UGA) Zoning Districts						
	Commercial		Residential			Industrial	Public
	Urban Commercial	Visitor-Oriented Commercial	Urban Low Density Residential	Urban Moderate Density Residential	Urban High Density Residential	Urban Light Industrial	Public
Specific Land Use	**UC**	**VOC**	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
Bed and breakfast residence	Yes	Yes	Yes	Yes	Yes	No	No
Billiard parlor	Yes	Yes	No	No	No	No	No
Blueprinting and photostatting	Yes	No	No	No	No	Yes	No
Boat building and repair	Yes	Yes	No	No	No	Yes	No
Boat sales	Yes	Yes	No	No	No	Yes	No
Bowling alley	Yes	Yes	No	No	No	No	No
Building supply and hardware store	Yes	No	No	No	No	No	No
Child day care, commercial	Yes	Yes	Yes	Yes	Yes	No	No
Clinics (medical, dental, and vision) and veterinary clinics and hospitals	Yes	Yes	No	No	No	No	No
Commercial indoor shooting facility	D	D	No	No	No	D	No
Commercial outdoor shooting facility[5]	No	No	No	No	No	No	No
Convenience store	Yes	Yes	No	No	No	No	No

Table 3A-1 Allowable and Prohibited Uses	Irondale and Port Hadlock Urban Growth Area (UGA) Zoning Districts						
	Commercial		Residential			Industrial	Public
	Urban Commercial	Visitor-Oriented Commercial	Urban Low Density Residential	Urban Moderate Density Residential	Urban High Density Residential	Urban Light Industrial	Public
Specific Land Use	**UC**	**VOC**	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
Contractor yards (commercial excavating)	Yes	No	No	No	No	Yes	No
Drinking establishment	Yes	Yes	No	No	No	No	Yes
Eating establishment	Yes	Yes	No	No	No	Yes[2]	Yes
Entertainment facility, indoor	Yes	Yes	No	No	No	No	Yes
Entertainment facility, outdoor	Yes	Yes	No	No	No	No	Yes
Grocery store	Yes	Yes	No	No	No	No	No
Gift shop	Yes	Yes	No	No	No	No	No
Liquor store	Yes	Yes	No	No	No	No	No
Lodging facilities (incl. motel/hotel)[3]	Yes	Yes	No	No	No	No	No
Lumber yard	Yes	No	No	No	No	No	No
Marijuana recreational retailer	Yes	No	No	No	No	Yes	No
Mini-storage facilities	No	No	No	No	No	Yes	No
Personal and professional services	Yes	Yes	No	No	No	No	No

Table 3A-1 Allowable and Prohibited Uses	Irondale and Port Hadlock Urban Growth Area (UGA) Zoning Districts						
	Commercial		Residential			Industrial	Public
	Urban Commercial	Visitor-Oriented Commercial	Urban Low Density Residential	Urban Moderate Density Residential	Urban High Density Residential	Urban Light Industrial	Public
Specific Land Use	**UC**	**VOC**	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
Retail sales and services (not including recreational marijuana)[6]	Yes	Yes	No	No	No	No	No
Sexually oriented businesses[4]	C	C	No	No	No	C	No
Unnamed commercial uses	D	D	No	No	No	No	No
Industrial Uses							
Asphalt batch plants	No	No	No	No	No	No	No
Boat storage	No	No	No	No	No	Yes	No
Concrete batch plants	No	No	No	No	No	Yes	No
Bulk fuel storage facilities	No	No	No	No	No	C	No
Feed lots	No	No	No	No	No	No	No
Heavy equipment sales and rental services	Yes	No	No	No	No	Yes	No
Heavy industry	No	No	No	No	No	No	No
Light industry (not including recreational marijuana)	No	No	No	No	No	Yes	No
Outdoor storage yards	Yes	No	No	No	No	Yes	No

Table 3A-1 Allowable and Prohibited Uses	Irondale and Port Hadlock Urban Growth Area (UGA) Zoning Districts						
	Commercial		Residential			Industrial	Public
	Urban Commercial	Visitor-Oriented Commercial	Urban Low Density Residential	Urban Moderate Density Residential	Urban High Density Residential	Urban Light Industrial	Public
Specific Land Use	**UC**	**VOC**	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
Resource processing, accessory to extraction operations	No	No	No	No	No	Yes	No
Marijuana recreational processor	No	No	No	No	No	Yes	No
Mining and mineral extraction activities	No	No	No	No	No	Yes	No
Recycling center	C	No	No	No	No	Yes	Yes
Warehouse/moving storage	No	No	No	No	No	Yes	No
Warehouse/wholesale distribution center	C(a)	No	No	No	No	Yes	No
(Automobile) wrecking and salvage yards	No	No	No	No	No	Yes	No
Unnamed industrial uses	No	No	No	No	No	D	No
Institutional Uses							
Essential public facilities	See JCC 18.15.110						
Public Purpose Facilities							
• College or technical school	Yes	C	No	No	No	Yes	Yes

Table 3A-1 Allowable and Prohibited Uses	Irondale and Port Hadlock Urban Growth Area (UGA) Zoning Districts						
	Commercial		Residential			Industrial	Public
	Urban Commercial	Visitor-Oriented Commercial	Urban Low Density Residential	Urban Moderate Density Residential	Urban High Density Residential	Urban Light Industrial	Public
Specific Land Use	**UC**	**VOC**	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
• Emergency services (fire, police, EMS)	Yes	Yes	C	C	C	Yes	Yes
• Government offices	Yes	Yes	No	No	No	No	Yes
• Library/museum/post office	Yes	Yes	No	No	No	No	Yes
• Parks	No	Yes	Yes	Yes	Yes	No	Yes
• Public works maintenance/equipment storage shops	Yes	No	No	No	No	Yes	Yes
• Recycling collection facilities	Yes	Yes	C(a)	C(a)	C(a)	Yes	Yes
• School, primary and secondary	Yes	Yes	C	C	C	No	Yes
• Visitor/community center	Yes	Yes	C(d)	C(d)	C(d)	No	Yes
• Water and wastewater treatment facilities	Yes	Yes	C(d)	C(d)	C(d)	Yes	Yes
Cemeteries	No	No	C(d)	C(d)	C(d)	No	Yes
Church	C(d)	C(d)	Yes	Yes	Yes	No	No
Nonprofit club or lodge, private	Yes	Yes	C(d)	C(d)	Yes	No	No
Unnamed institutional facilities	D	D	D	D	D	D	D

Table 3A-1 Allowable and Prohibited Uses	Irondale and Port Hadlock Urban Growth Area (UGA) Zoning Districts						
	Commercial		Residential			Industrial	Public
	Urban Commercial	Visitor-Oriented Commercial	Urban Low Density Residential	Urban Moderate Density Residential	Urban High Density Residential	Urban Light Industrial	Public
Specific Land Use	**UC**	**VOC**	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
Transportation Uses							
Park and ride lots/transit facilities	Yes	Yes	C(d)	C(d)	C(d)	Yes	Yes
Trails and paths, public or private	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Unnamed transportation uses	D	D	D	D	D	D	D
Utility Uses							
Commercial communication facilities	See JCC 18.20.130						
Utility developments, major	C	C	C	C	C	C	C
Utility developments, minor	C(a)	C(a)	C(a)	C(a)	C(a)	C(a)	C(a)
Unnamed utility uses	D	D	D	D	D	D	D
Agricultural and Forestry Uses							
Agricultural uses and activities	No	No	Existing only	No	No	Yes	No
Agricultural processing, heavy	No	No	No	No	No	Yes	No
Aquatic plant and animal processing and storage	No	No	No	No	No	Yes	No

Table 3A-1
Allowable and Prohibited Uses

	Irondale and Port Hadlock Urban Growth Area (UGA) Zoning Districts						
	Commercial		Residential			Industrial	Public
	Urban Commercial	Visitor-Oriented Commercial	Urban Low Density Residential	Urban Moderate Density Residential	Urban High Density Residential	Urban Light Industrial	Public
Specific Land Use	**UC**	**VOC**	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
Lumber mill, stationary	No	No	No	No	No	No	No
Marijuana recreational producer	No	No	No	No	No	Yes	No
Nurseries	Yes	No	No	No	No	No	No
Unnamed agricultural and forestry uses	D	D	D	D	D	D	D

[1] Home businesses and cottage industries are allowed in existing residential structures within commercial and visitor-oriented commercial zones.
[2] Maximum building size of 800 square feet.
[3] Hotel/motel rooms are not dwelling units and shall not be subject to residential density requirement.
[4] See JCC 18.20.345 for performance standards.
[5] Outdoor commercial shooting facility shall be a prohibited use in all zoning districts, including for small-scale tourist and recreation uses.
[6] Lawful incidental sales of firearms, ammunition, component parts and accessories for indoor shooting facilities shall be allowed. However, in industrial zones, JCC 18.20.220(1)(c)(i), (ii) and (iii) shall apply, but (iv) shall not.

[Ord. 3-20 § 1 (Appx. A); Ord. 4-15 § 3 (Att. B); Ord. 3-12 § 1 (Exh. H); Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.050 Density, dimension and open space standards.

This section establishes specific density and dimensional standards for new urban development within the UGA.

NOTES TO TABLE 3A-2:

1. Fences are exempt from setback requirements, except in the jurisdiction of the Shoreline Master Program (SMP) or when impairing safe sight lines, as determined by the county engineer.
2. 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 communication devices (such as antennas, satellite dishes) shall be located in the front setback area unless approved by the administrator. The administrator may reduce the minimum front road setbacks provided the proposed structures or required plantings do not interfere with sight distances and the reduced sight lines for vehicular traffic do not create a public safety concern.
3. 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, and spires associated with places of worship are exempt from height requirements.
4. Structures used for the storage of materials for agricultural activities are exempt from the maximum building height requirements.
5. Approved subarea plans may establish different bulk and dimensional requirements for those areas.
6. "N/A" = Not applicable.
7. Road Classifications. To clarify the setbacks for urban development activities within the UGA consistent with the requirements of this section, the following road designations shall apply:
   - Principal arterials. None classified in the UGA.
   - Minor arterials. SR 19 (Rhody Drive).
   - Major collectors. SR 116 (Ness' Corner Road, Oak Bay Road to Flagler Road and Flagler Road), Chimacum Road, Irondale Road.
   - Minor collectors.
   - Local access roads.
   - Alleys.
   - Private roads.
8. The special side and rear setbacks provided in Table 3A-2 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.

Table 3A-2
Density and Dimensional Standards

	Irondale and Port Hadlock Urban Growth Area (UGA)					
	Commercial	**Residential**			**Industrial**	**Public**
Development Standard	**Urban Commercial/Visitor-Oriented Commercial**	**Urban Low Density Residential**	**Urban Moderate Density Residential**	**Urban High Density Residential**	**Urban Light Industrial**	**Public**
	UC/VOC	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
Allowed Residential Density	N/A	4 – 6 units/acre	7 – 12 units/acre	13 – 18 units/acre	N/A	N/A
Note: Standard densities apply to development with connection required to sanitary sewer system. On-site sewer code allows minimum 12,500 sq. ft. lot for on-site septic systems with waivers possible to approximately minimum 7,500 sq. ft. However, the code does not allow waivers less than 12,500 sq. ft. for lots within critical aquifer recharge areas (CARAs). Therefore standard density in the ULDR zone (inside CARAs and outside of phased sewer service areas where sewer service is available) is approximately 3.5 DUs/acre. Standard density of 4 DUs/acre in the ULDR zone (outside CARAs and outside of phased sewer service areas where sewer is available) may be achieved only by compliance with the waiver provisions of the on-site septic code. Maximum density of 6 DUs/acre in the ULDR is only achievable by connection to sanitary sewer.						
Minimum Lot Area	None specified. Lot sizes shall be sufficient to meet the public health and environmental protection standards contained in the Jefferson County regulations. Ability to subdivide is regulated by the permitted development density.					
Minimum Front or Street Setbacks	Note: The administrator may alter the local access road setback requirements for subdivisions; provided, that pedestrian facilities are constructed and that reduced sight lines for vehicular traffic do not create a public safety concern.					
Local Access Roads	20	20	20	20	20	20
• Alleys	0	0	0	0	0	0
• Private roads	10	10	10	10	10	10
Minor Collector	20	20	20	20	20	20

Table 3A-2
Density and Dimensional Standards

	Irondale and Port Hadlock Urban Growth Area (UGA)					
	Commercial	Residential			Industrial	Public
	Urban Commercial/Visitor-Oriented Commercial	Urban Low Density Residential	Urban Moderate Density Residential	Urban High Density Residential	Urban Light Industrial	Public
Development Standard	**UC/VOC**	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
Major Collector	15	30	30	30	30	30
Minor Arterial	30	30	30	30	30	30
Principal Arterial	35	35	35	35	35	35
Minimum Rear and Side Yard Setbacks (See Key Notes)[1]	5	5	5	5	10	20
Maximum Building Dimensions	Note: Maximum building height recommended for increase from 35 feet to 70 feet in all commercial/industrial zones and in urban residential high density zones to allow for and accommodate increased densities.					
Building Height (feet)	70	35	35	70	70	70
Lot Coverage, Buildings Only (%)	No maximum[2]	60	70	70	No maximum[2]	
Total Building Size (sq. ft.)	None specified					

[1] Special rear and side setbacks:

- Wherever a light industrial use is proposed to abut a commercial or residential use or zone, the setback shall be 25 feet, unless otherwise specified in this code.
- Wherever a commercial use is proposed to abut a residential use or zone, the setback shall be 10 feet, unless otherwise specified in this code.

2 Adequate space must be provided for required parking, setbacks, landscaping, utilities, septic system (if no sewer available) and stormwater management facilities, as applicable.

[Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.060 Development requirements and performance standards.

The following development requirements and performance standards apply to all property proposed for development within the Irondale and Port Hadlock urban growth area (PHUGA). No development approval shall be given, and no building permit shall be issued, unless the proposed development is in compliance with the provisions of this section and chapter 18.30 JCC, Development Standards.

Development within the Irondale and Port Hadlock UGA shall be governed by the following level of service standards:

(1) Street Standards. As a condition of any development approval within the Irondale and Port Hadlock UGA, the property owner shall construct roads which the county determines are consistent with the adopted urban street standards in JCC 18.30.080.

(2) Water Service. As a condition of any development approval within the Irondale and Port Hadlock UGA, the property owner shall obtain a certificate of water availability for the proposed use from Jefferson PUD No. 1 and connect to the PUD No. 1 water system. Fire flow requirements shall be as specified by the Jefferson County fire marshal.

(3) Storm Drainage. As a condition of any development approval, the property owner shall construct surface and stormwater management improvements as determined by the county to be consistent with the surface water management standards adopted in the Jefferson County stormwater management plan (adopted November 27, 2006, Resolution No. 74-06).

(4) Sanitary Sewer Service.

(a) Sewer Service Area. The sewer service area is the same as the 20-year planning boundary of the Irondale and Port Hadlock urban growth area. No development approval shall be given, and no building permit issued, unless the proposed development complies with the provisions of this chapter. For development under this chapter, as a condition of any new development approval or major modification to an existing commercial, industrial, or residential use located within a sanitary sewer service area, as identified in the adopted general sewer plan for the Irondale and Port Hadlock urban growth area, as amended, the property owner must obtain confirmation of sewer availability from the PHUGA sewer system operator prior to development approval. Sewers shall be considered to be available for the purposes of turning off the transitional rural zoning in chapter 18.19 JCC for the Irondale and Port Hadlock urban growth area as described in title 13 JCC.

(b) Areas with Sewer Not Yet Available – Interim On-Site Septic Systems. If the proposed use or major modification is located within the Irondale and Port Hadlock urban growth area but outside of areas where sewer is available, then transitional rural development standards in chapter 18.19 JCC apply.

(5) Other Facilities and Services. Reserved.

(6) Credit for Prior Contributions and Infrastructure Improvements. All of the agreements not to protest formation of local improvement districts or other pro rata cost sharing arrangements

described in this section shall include credit for any contributions or facility construction already made or completed by the individual property owners (or their predecessor) for the particular urban public facility or service contemplated by the capital facilities plan. [Ord. 14-18 § 4 (Exh. B); Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.070 Landscaping.

Landscaping for urban commercial, industrial, mixed use, and multifamily developments in the UGA shall comply with the following standards and shall be exempt from the rural provisions of JCC 18.30.130, Landscaping/screening:

(1) Landscaping Definitions.

(a) "Visual screen" means evergreen and deciduous trees (no more than 50 percent deciduous) planted 20 feet on center, two shrubs planted between each pair of trees, and ground cover.

(b) "Visual buffer" means evergreen and deciduous trees (no more than 75 percent deciduous) planted 30 feet on center, two shrubs planted between each pair of trees, and ground cover.

(2) Plant Standards.

(a) Deciduous trees must be one and one-half inches diameter at chest height (four and one-half feet from ground level) and must have a survivability rate of 100 percent after one year and 80 percent after two years of planting.

(b) Evergreen trees must be four feet in height and must have a survivability rate of 100 percent after one year and 80 percent after two years of planting.

(c) Ground cover is low evergreen or deciduous plantings at three-foot spacing in all directions.

(d) Shrubs must be a minimum of 30 inches in height or four gallons and must have a survivability rate of 100 percent after one year and 80 percent after two years of planting.

(e) The retention of existing natural vegetation in place of new plants is encouraged and allowed. The use of existing native and/or drought-tolerant landscape materials shall be utilized whenever possible, and may be used in lieu or in combination with existing plantings to demonstrate substantial consistency with the requirements of this section.

(3) Screening Standards.

(a) New or expanding commercial or industrial land uses within commercial or industrial zones shall provide a five-foot visual buffer along all street frontages between the street and on-site parking areas and a 10-foot visual screen along any property line abutting a residential zoning district to minimize aesthetic impacts to residential properties.

(b) New multifamily dwellings over four dwelling units in residential zones shall provide a five-foot visual buffer along all street frontages.

(4) Alternative Designs. Alternative designs may be allowed if, upon review by the administrator, they are determined to provide landscaping substantially equivalent to the standards in this section. [Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.080 Parking and pedestrian circulation.

Unless as approved by the administrator, parking for all new development shall comply with JCC 18.30.100, Parking, and JCC 18.30.110, Off-street loading space requirements. Pedestrian facilities shall be provided in accordance with JCC 18.30.090, Pedestrian circulation. [Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.090 Lighting.

Lighting shall comply with the standards set forth in JCC 18.30.140, Lighting; shall not permit direct illumination of the sky (skyglow); and shall not provide more illumination into an adjoining property than is received from the adjoining property measured at a vertical plane at the property boundary (light trespass). [Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.100 Signs.

Signs shall comply with the standards set forth in JCC 18.30.150, Sign Code. No sign shall hereafter be erected or used for any purpose or in any manner in the urban growth area except as permitted by the regulations of this section. All signs subject to this section shall be subject to approval and issuance of a sign permit by the administrator according to a Type I permit approval process as specified in chapter 18.40 JCC. The administrator may waive certain requirements of this section or require additional conditions for any sign permit, if deemed necessary to maintain consistency with the Comprehensive Plan.

(1) Prohibited Signs. The following signs are prohibited:

(a) Abandoned signs;

(b) Billboards;

(c) Flashing, revolving or moving signs, excepting clocks and electronic reader boards allowed within urban commercial zones;

(d) Off-site signs which advertise a business;

(e) Signs or sign structures, which by coloring, shape, working, or location resemble or conflict with traffic-control signs or devices;

(f) Signs which create a safety hazard for pedestrians or vehicular traffic; and

(g) Signs attached to utility poles or traffic signs.

(2) Exemptions. The following signs are exempt from the provisions of this section:

(a) Traffic and standardized public signs installed by a government entity;

(b) Window and merchandise displays, point of purchase advertising displays such as product dispensers and barber poles;

(c) National flags, flags of a political subdivision, and symbolic flags of an institution or business;

(d) Legal notices required by law;

(e) Historic site plaques and markers and gravestones;

(f) Personal signs displaying personal messages such as "yard sale" or "no trespassing" not to exceed eight square feet;

(g) Political signs safely displayed on private property;

(h) Structures intended for separate use, such as recycling containers and phone booths;

(i) Real estate signs; and

(j) Lettering painted on or magnetically flush-mounted onto a motor vehicle operating in the normal course of business.

(3) Design Standards. Signs regulated by this section include signs that are attached to the building (e.g., facade, projection or wall signs) and signs that are set apart from the building (e.g., freestanding or monument signs). All signs must meet the following standards:

(a) The following standards apply to the illumination and illustration of signs:

(i) The illumination of signs shall be shaded, shielded, or directed so the light intensity or brightness shall not adversely affect surrounding properties or public and private rights-of-way or create a hazard or nuisance to the traveling public, or to surrounding properties. Illumination of signs shall comply with JCC 18.18.090;

(ii) No sign or part thereof shall consist of rotating, revolving, or moving parts; consist of banners, streamers, or spinners; or involve flashing, blinking, or alternating lights. Two exceptions to this standard are (A) temporary signs associated with local festivals, fairs, parades, or special events pursuant to JCC 18.30.150(8)(b); and (B) electronic reader board signs or message boards which are only allowed within urban commercial districts and residential districts for public purpose facilities, subject to the requirements of this code and JCC 18.30.150(6).

(b) Sign size shall be regulated as follows:

(i) There is no maximum sign size for businesses in the commercial and industrial districts in the Irondale and Port Hadlock UGA except as specified in this section. Multitenant developments in urban commercial and industrial districts may have one freestanding sign, 64 square feet in size plus 15 square feet for each occupant, for each access point, commonly identifying the businesses within multitenant developments provided such signs total no more than 100 square feet in aggregate. The maximum size for signs placed on a multitenant building identifying individual occupants shall be no larger than 15 square feet per occupant;

(ii) The square footage of signs shall be calculated by the outside dimensions necessary to frame the information displayed. No sign mounted on a building shall extend above or beyond the eaves, rake, or parapet of the wall on which it is mounted. Any sign projecting beyond six inches from a perpendicular wall shall be at least six feet eight inches above grade;

(iii) Directional, identification or advertising signs for any use located in any urban residential district shall not exceed 32 square feet, with the exception of institutional use signs, which shall not exceed 64 square feet;

(iv) Freestanding signs with reader boards for a single business shall be no larger than 128 square feet.

(c) Uses located in any urban commercial or industrial land use districts shall have no more than two on-premises signs, except as allowed in this section for multitenant developments.

(d) Signs attached to or painted against the structure to which they relate shall not be computed as a part of the overall total square footage, or number of signs allowed.

(e) All signs shall be continuously maintained. Signs that present a public hazard as determined by the Jefferson County building official or department of public works shall be subject to abatement.

(f) The design of freestanding signs shall include measures to restrict vehicles from passing beneath them, unless otherwise permitted by the Jefferson County department of public works. All freestanding pole signs or projecting signs shall provide pedestrian clearance to a minimum of eight feet, where applicable.

(g) Signs should be incorporated into the landscaping of the site when landscaping is provided.

(h) No signs, other than those related to water-dependent uses, such as a marina, are permitted to face seaward, excepting signs relating to safety concerns, such as cable-crossing, construction-dredging, fuel area, etc.

(i) No sign shall be placed in the public right-of-way or in the vision clearance triangle of intersections and curb cuts, unless otherwise approved by the Jefferson County department of public works.

(4) Specialty Signs. Specialty signs may be established when consistent with the standards set forth below:

(a) Signs and banners promoting public festivals, community or special events, and grand openings may be displayed up to 30 days prior to the event, and shall be removed no later than seven days after the event. The sponsoring entity is responsible for sign removal. Event signs may be located off site.

(b) Signs which identify a recognized community or unincorporated place are permitted at each entrance to the community. Said signs are limited to one per entrance, and may not exceed 64 square feet or eight feet in height. Signs relating to clubs, societies, orders, fraternities and the like shall be permitted as part of the community sign.

(c) Businesses may erect temporary on-site sandwich board signs subject to the following criteria:

(i) No more than two sandwich board signs may be erected per business;

(ii) Sandwich board signs shall not exceed four feet in height or three feet in width;

(iii) Sandwich board signs shall be displayed during business hours only;

(iv) Sandwich board signs shall not be placed on sidewalks; and

(v) Sandwich board signs shall not be placed in public road rights-of-way unless approved by the Jefferson County department of public works.

(d) Off-site signs may only be allowed when they meet all of the following standards:

(i) Are directional in nature;

(ii) Located on private property along a major or minor arterial;

(iii) Located no more than 600 feet from an intersection;

(iv) No larger than 12 square feet.

(5) Nonconforming Signs. Legally established signs in place prior to the adoption of the ordinance codified in this chapter and not in conformance with these standards shall be considered legal, nonconforming signs, and may remain as provided below:

(a) Nonconforming off-premises signs shall be removed within five years of adoption of the ordinance codified in this chapter. Until then, such signs must be continually maintained, not relocated, and not structurally altered. Nonconforming off-premises signs may be replaced by off-site directional signs as allowed in this section;

(b) Nonconforming on-premises signs may remain provided they are continually maintained, not relocated, and not structurally altered;

(c) Billboards which are in place prior to the adoption of the ordinance codified in this chapter may remain provided they are continually maintained, not relocated, and not structurally altered. [Ord. 14-18 § 4 (Exh. B); Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.110 Design standards.

Reserved. [Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.120 Site plan approval required in the Irondale and Port Hadlock UGA.

In the Irondale and Port Hadlock UGA prior to the provision of public sewer or public water to a site, any approval for a commercial, industrial, mixed use, multifamily, high density residential, or single-family residential subdivision in the ULDR zone is required to include a site plan which:

(1) Complies with the applicable health regulations and other Jefferson County development and building regulations (e.g., critical areas, stormwater management, etc.);

(2) Provides for sanitary sewer connection and other utilities.

The site plan prepared under this section and reviewed and approved by the administrator shall address the following: buffers, landscaping, traffic access and parking standards, current septic and future sanitary sewer provisions, height and scale in relation to surrounding uses and future uses, vegetation removal, stormwater, potable water, and lot coverage.

Development of the site shall be consistent with the approved site plan. Minor modification to the site plan may be allowed by the administrator; provided, that all other regulations and conditions placed on the approval are met. [Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.130 Development standards in this title.

In addition to this chapter, development and standards in the UGA shall also comply, where applicable, with the following chapters in the Unified Development Code:

18.05 Introductory Provisions

18.10 Definitions

18.15 Land Use Districts

18.19 Transitional Rural Development Standards of the Irondale/Port Hadlock Urban Growth Area

18.20 Performance and Use-Specific Standards

18.22 Critical Areas

18.25 Shoreline Master Program

18.30 Development Standards

18.35 Land Divisions

18.40 Permit Application and Review Procedures/SEPA Implementation

18.45 Comprehensive Plan and GMA Implementing Regulations Amendment Process

[Ord. 9-20 § 2 (Appx. B); Ord. 14-18 § 4 (Exh. B); Ord. 9-09 § 2 (Exh. B)]

APPENDIX A, Exhibit 5

The following sections in title 13 JCC shall be amended for consistency with the changes proposed for title 18 JCC in Appendix A.

JCC 13.02.010 is amended as shown below.

13.02.010 "A" definitions.

"Accessory dwelling unit" or "ADU" has the same meaning as in JCC 18.10.010.

"Aggrieved person" means a person who received an adverse decision by the director on decisions listed in JCC 13.07.060.

"Applicant" means a person who applies for a permit to connect to the PHUGA sewer system.

"Assessment" means a fee to be paid by the property owner for the cost of private construction of PHUGA sewer system improvements for property within an assessment reimbursement area.

"Assessment Reimbursement Area" means that area within the Port Hadlock UGA, which includes all parcels or real property likely to require connection to or service by PHUGA sewer system improvements constructed by a developer and the county.

"Available" and "availability" means that the PHUGA sewer system is available to a property as described in chapter 13.04.010 JCC.

JCC 13.04.010 is amended as shown below.

13.04.010 Connection-when required or permitted.

(1) This section concerns areas within the Port Hadlock UGA where the PHUGA sewer system is "available" as described in JCC 13.04.010, where individual properties within those areas are required or permitted to connect to the PHUGA sewer system.

(2) The following Table 4-1 is intended to add clarification to when properties within the PHUGA are required to connect to the sewer system.

Use	"Adequate"(1) On-Site Sewage System?	Sewer System "Available"(2) ?	Connection Required?
Sewer Not "Available"(2)			
Existing structure	N/A	No	No
Major modification of existing structure	No	No	No
New structure	N/A	No	No
"Available"(2)			
Existing single-family residence or duplex	No	Yes	Yes

Use	"Adequate"(1) On-Site Sewage System?	Sewer System "Available"(2) ?	Connection Required?
Major modification of a single-family residence or duplex	No	Yes	Yes
Modification of a single-family residence or duplex	Yes	Yes	No
New single-family residence or duplex	N/A	Yes	Yes
New Accessory Dwelling Unit (ADU)	N/A	Yes	Yes(4)
Garage or addition to structure without plumbing	Yes	Yes	No
Existing multifamily dwelling	N/A	Yes	Yes
Major modification to a multifamily dwelling	No	Yes	Yes
New multifamily dwelling	N/A	Yes	Yes
Existing non-residential structure with less than 1 ERU per month average water use	Yes	Yes	No(3)
Existing non-residential structure with less than 1 ERU per month average water use	No	Yes	Yes
Existing non-residential structure with equal to or greater than 1 ERU per month average water use	N/A	Yes	Yes
New non-residential structure	N/A	Yes	Yes
Major modification to a non-residential structure	No	Yes	Yes

"Adequate" means that the on-site sewage system ("OSS") has a current inspection, is not failing or in need of significant repairs or replacement, and existing flows or proposed flows resulting from a building remodel or change of use will not trigger the need for modification to the OSS as determined by the Director of the Jefferson County Department of Environmental Health. If the Director of the Jefferson County Department of Environmental Health determines that a major modification, remodel, or change of use would require modification to or expansion of an OSS, then a sewer connection is required if the PHUGA sewer system is "available."

If there is any question whether the on-site sewage system is "adequate," consult with Jefferson County Environmental Health Department. See JCC 18.19.120 and chapter 8.15 JCC.

"Available" is as described in this section. When sewers are "available," urban growth area standards in chapter 18.18 JCC apply.

Subject to No Protest Agreement or other binding agreement requiring connection to sewer when "available" per JCC 18.19.120(3).

When connecting a new detached ADU to the sewer system, all other structures with plumbing on the same property are required to connect to sewer at the same time.

Appendix A, Exhibit 5
Jefferson County Code
Title 13 UTILITIES

Appendix A / Exhibit 6

The following changes to title 15 JCC are made to be consistent with the amendment made to tile 18 JCC (Appendix A):

New Section 15.05.047 Automatic fire-extinguishing systems.

(1) An automatic fire-extinguishing system shall be installed in all structures as set forth in this section, and as described in chapter 9 of the currently adopted editions of both the International Fire Code and the International Building Code as amended and adopted by the state of Washington. For the purposes of this section, fire barriers and fire walls of any type do not constitute separate buildings.

(a) In all newly constructed residential buildings (R occupancies), located within any Urban Growth Area (UGA) in unincorporated Jefferson County, with a gross floor area of five thousand (5,000) or greater square feet, regardless of type or use, as well as zero lot line townhouses with an aggregate area of all connected townhouses five thousand (5,000) square feet or greater;

(b) In all newly constructed buildings, located within any UGA in unincorporated Jefferson County, other than R occupancies with a gross floor area of ten thousand (10,000) or greater square feet; unless prior authorized by the fire code official.

18.10.060 F definitions.

"Facility and service provider" means the department, district, agency or private entity responsible for providing a specific concurrency facility.

"Family" means any number of persons living together as a single housekeeping unit and doing their cooking on the premises as distinguished from a group occupying a boarding house or rooming house or motel.

"Farm assistance agencies" means federal, state, or local agencies with expertise in the design, implementation, and evaluation of conservation practices including but not limited to the federal Natural Resources Conservation Service, the Washington Department of Agriculture, or the Jefferson County conservation district.

"Farm equipment" for all chapters in this title, except chapter 18.22 JCC, includes, but is not limited to, tractors, trailers, combines, tillage implements, balers, and other equipment, including attachments and accessories that are used in the planting, cultivating, irrigation, harvesting, and marketing of agricultural, horticultural, or livestock products. "Farm equipment" for purposes of chapter 18.22 JCC is governed by the definition of "agricultural activities."

"Farm plan" means a conservation plan developed by a farm assistance agency and a landowner outlining a series of actions developed to meet a landowner's goals while protecting water quality and the natural resources within and around the farm property. Many things are considered in a farm plan including farm size, soil types, slope of the land, proximity to streams, wetlands or water bodies, type and numbers of livestock or crops, resources such as machinery or buildings and finances available. The terms "conservation plan" and "farm plan" are interchangeable in this context.

"Farm worker housing" means a place, area, or piece of land where sleeping places or housing sites are provided by an agricultural employer for agricultural employees.

"Farmed wetland" means wet meadow, grazed or tilled; an emergent wetland that has grasses, sedges, rushes or other herbaceous vegetation as its predominant vegetation and has been previously converted to agricultural activities.

"Feasible alternative" means an alternative that:

(a) Meets the requirements of federal, state, and local laws and regulations;

(b) Attains most or all of the basic objectives of the project;

(c) Is technically and technologically possible;

(d) Can be accomplished at a reasonable cost;

(e) Can be accomplished in a reasonable amount of time; and

(f) Adverse environmental, health, and safety effects are no greater than those of the original proposal.

A determination of what is reasonable or feasible is made by the decision-making body on a case-by-case basis, taking into account the:

(i) Probable intensity, severity, and cumulative impacts of the original proposal and alternative approaches, and opportunity for the avoidance or reduction in the number, intensity, or severity of significant impacts, or of the aggregate adverse impact;

(ii) Risk of "upset conditions" (i.e., the risk that the control and mitigation measures will fail, be overwhelmed, or exceed allowed limits) and the potential severity of the impact should control or mitigation measures be ineffective or fail;

(iii) Capital and operating costs;

(iv) Period of time to accomplish, costs of additional time or delay, and time constraints for completion; and

(v) Location and site-specific factors, such as seasonal or topographic constraints, critical areas and habitats, site accessibility, and local community concerns.

"Federal candidate species" means formally proposed endangered or threatened species and candidate species for which the U.S. Fish and Wildlife Service has information to indicate biological vulnerability and threat.

"Federal endangered species" means species in danger of extinction according to the U.S. Fish and Wildlife Service official listing.

"Federal sensitive species" means species that are considered a sensitive species by the U.S. Fish and Wildlife Service.

"Federal threatened species" means species likely to become endangered within the foreseeable future according to the U.S. Fish and Wildlife Service official listing.

"Field Office Technical Guide (FOTG)" means a USDA Natural Resources Conservation Service manual that contains information for use in technical assistance to decision-makers for resource management.

Filing. (See "Recording.")

"Fill" means any sand, gravel, earth, or other materials of any composition whatsoever placed or deposited by humans.

"Final plat" means the final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in chapter 18.35 JCC and all other applicable codes and ordinances.

"Firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder. The definition of "firearm" includes the terms "pistol," "rifle," "short-barreled rifle," "shotgun," "short-barreled shotgun," "machine gun," and "antique firearm" as those terms are defined in RCW 9.41.010. The term "firearm" shall not include: (a) devices, including but not limited to "nail guns," which are used as tools in the construction or building industries and which would otherwise fall within this definition; or (b) a "destructive device" as defined in 18 U.S.C. Section 921(a)(2).

"Firing line" means a line parallel to the targets from which firearms are discharged.

"Firing point" means a location from which one individual fires at an associated target located down range.

"Fish and wildlife habitat conservation areas" has the same meaning as in WAC 365-190-030(6).

"Flood Insurance Rate Map (FIRM)" means the official map issued by the Federal Emergency Management Agency that delineates both the special hazard areas and the risk premium zones applicable to Jefferson County.

"Flood or flooding" means the temporary inundation of normally dry land areas from the overflow of inland or tidal waters or from the unusual and rapid accumulation or runoff of surface waters.

"Forest land" has the same meaning as in WAC 365-190-030(7).

"Forest management" means forest practices pertaining to protecting, producing, and harvesting timber for economic use.

"Forest practice" means any activity conducted on or directly pertaining to forest land and relating to growing or harvesting of timber, or the processing of timber on a harvest site for less than 30 days per calendar year, including but not limited to: road and trail construction and maintenance; harvest, final and intermediate; precommercial thinning; reforestation; fertilization; prevention and suppression of diseases and insects; salvage of trees; and brush control.

"Forest practice, conversion" means the conversion of land to an active use incompatible with timber growing and where future nonforest uses will be located on currently forested land.

"Forest practice, conversion option harvest plan (COHP)" means a voluntary plan developed by the landowner and approved by the county that indicates the limits and types of harvest areas, road locations, and open space. This jointly agreed plan is submitted to the Washington Department of Natural Resources (WDNR) as part of a Class II, III, or IV special forest practice permit application, and is attached to and becomes part of the conditions of the permit approved by the WDNR.

"Forest resource lands" means lands primarily devoted to growing trees for long-term commercial production on land that can be economically and practically managed for such production (RCW 36.70A.030(8)).

"Frequently flooded areas" has the same meaning as in WAC 365-190-030(8). [Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.10.030 C definitions.

"Calendar day" means any day of the week, including weekends and holidays. When used for computing time, the day shall begin with the first day following the act or event initiating such period of time occurred. When the last day of the period so computed is a Saturday, Sunday, or a county, national, or state holiday, the period shall run until the end of the following business day.

"Campground and camping facilities" means a facility in which sites are offered for persons using tents or other personal, portable overnight shelters.

"Capital facilities" means physical structures or facilities owned or operated by a government entity which provides or supports a public service.

"Capital improvements" means improvements to land, structures, initial furnishings, and selected equipment.

"Caretaker residence" means a residence located on a premises with a main nonresidential use and occupied only by a caretaker, and his/her immediate family, or guard employed on the premises.

"CC&Rs" means covenants, conditions and restrictions by which the declarant or other party or parties executing the CC&Rs impose contractual obligations upon the present and future owners and assignees of real property. CC&Rs are connected with land or other real property, and run with the land, so that the grantee of such land is invested with and bound by the CC&Rs. CC&Rs include but are not limited to "declarations" for condominiums in accordance with chapters 64.32 and 64.34 RCW. CC&Rs are not enforced by the county.

"Certificate of occupancy or use" means a document issued by the Jefferson County building official as the final approval acknowledging that all conditions and requirements have been met and that the occupancy or use of a development is allowed.

"Certified feed lot" means any place, establishment, or facility commonly known as a commercial feed lot, or the like, which complies with all of the requirements of chapter 16.58 RCW and associated rules and which holds a valid license from the state.

"Channel migration zone" (or CMZ) means an area within the lateral extent of likely stream channel movement that is subject to risk due to stream bank destabilization, rapid stream incision, stream bank erosion and shifts in the location of stream channels. "Channel migration zone" means the historic channel migration zone (which is the footprint of the active channel documented through historical photographs and maps), the avulsion hazard zone (which is an area with the potential for movement of the main river channel into a new location), and the erosion hazard area (which is an area outside the historic channel migration zone and the avulsion hazard zone, and includes an erosion setback for a 100-year period of time and a geotechnical setback to account for slope retreat to a stable angle of repose). "Channel migration zone" does not include disconnected migration areas, which are areas that have been disconnected from the river by legally existing artificial structure(s) that restrain

channel migration (such as levees and transportation facilities built above or constructed to remain intact through the 100-year flood elevation), that are no longer available for migration by the river. "Channel migration zone" may exclude areas that lie behind a lawfully established flood protection facility that is likely to be maintained by existing programs for public maintenance consistent with designation and classification criteria specified by public rule. When a natural geologic feature affects channel migration, the channel migration zone width will consider such natural constraints. "High channel migration hazard" (or high risk CMZ) for the Big Quilcene, Little Quilcene, Dosewallips, Duckabush, and Lower Hoh Rivers means those nondisconnected portions of the channel that are likely to migrate within a 50-year time frame. For the Big Quilcene, Little Quilcene, Dosewallips, and Duckabush Rivers, "moderate channel migration hazard" (or moderate risk CMZ) means those nondisconnected portions of the channel that are likely to migrate within a 50- to 100-year time frame; and, "low channel migration hazard" (or low risk CMZ) means those nondisconnected portions of the channel that are likely to migrate beyond a 100-year time frame. For the Lower Hoh River, "moderately high hazard" (or moderately high risk CMZ) means those nondisconnected portions of the channel that are likely to migrate within a 50- to 100-year time frame, "moderate hazard" means those nondisconnected portions of the channel that are likely to migrate beyond a 100-year time frame, and "low hazard" means the nondisconnected portions of the channel that are less likely to be affected by channel migration, but are still at risk due to their location on the valley floor. Rivers that have not been evaluated or mapped for CMZs include: Thorndyke Creek, Shine Creek, Chimacum Creek, Snow Creek, Salmon Creek, Upper Hoh River, Bogachiel River, Clearwater River, and Quinault River.

"Clearing" means the destruction or removal, by hand or with mechanical means, of vegetative ground cover or trees including, but not limited to, root material or topsoil material.

"Cluster development" means a development design technique that groups or "clusters" buildings in specific areas on a site rather than spread evenly throughout the parcel as in a conventional lot-by-lot development. The remaining land is to remain undeveloped in perpetuity and used for recreation, common open space, and/or preservation of critical areas.

"Co-housing (intentional communities)" means single-family residential developments, subject to the underlying land use district density, which may contain lots or structures in common ownership subject to meeting all other applicable provisions of this UDC and if approved under the requirements of Article VI-M of chapter 18.15 JCC, Planned Rural Residential Developments (PRRDs), where applicable.

"Commercial communication towers" means towers, dishes, or antennas established for the sending or receiving of signals for commercial purposes.

"Commercial kennel" has the same meaning as in JCC 6.07.020, as it exists now or may be amended in the future.

"Commercial recreational facility" means a place designed and equipped for the conduct of sports and leisure-time activities that is operated as a business and open to the public for a fee.

"Commercial shooting facility" means an indoor shooting facility or outdoor shooting facility designed and specifically designated for safe shooting practice with firearms, whether open

to the public, open only to private membership, or any combination of the above that for the use of the commercial shooting facility requires a contract, charges a fee or other compensation, or requires membership. In addition, where property is used primarily for lawful shooting practice for guests of the owner, and where the other uses of the property either facilitate shooting practice or are incidental, intermittent or occasional and whether or not payment is received, it is presumed that the property used for lawful shooting practices is a commercial shooting facility. The term "commercial shooting facility" does not include:

(a) Shooting facilities that are both owned and operated by any instrumentality of the United States, the state of Washington, or any political subdivision of the state of Washington; or

(b) Any portion of a privately owned property used for lawful shooting practice solely by its owner or the owner's guests without payment of any compensation to the owner of the privately owned property or to any other person, except where the property is presumed to be a commercial shooting facility, as described above.

"Commercial sign" means any object, device, display or structure that is used for attracting attention to any commercial use, product, service, or activity.

"Commercial use" means a business use or activity at a scale greater than a home business or cottage industry involving retail or wholesale marketing of goods and services. Examples of commercial uses include offices and retail shops.

"Common area" means any area contained within the boundaries of a proposed land division or within a multifamily residential development and owned by the lot owners as tenants-in-common, joint tenancy, or through an association or nonprofit association, and provided specifically for the common use of the residents.

"Common open space" means a parcel or parcels of land or an area of water or a combination of land and water within the site designated for a subdivision and designed and intended for the use or enjoyment of the public. Common open space may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the residents of the subdivision.

"Community structure" means a structure which is intended for the common use of the residents of a particular subdivision or community.

"Compatible" means uses or activities capable of existing together or in the vicinity of one another without disharmony or without generating effects or impacts which are disruptive to the normal use and enjoyment of surrounding property.

"Comprehensive Plan" means the Jefferson County Comprehensive Plan and all of its goals, objectives, policies, documents, and maps which is a generalized coordinated land use policy statement of the Jefferson County board of commissioners, adopted pursuant to chapter 36.70A RCW.

Concentrated Animal Feeding Operation (CAFO). (See "Animal feeding operation, concentrated (CAFO).")

"Concurrency" means a condition in which an adequate capacity of capital and transportation facilities and services is available to support development at the time that the impacts of development occur. (See also "Adequate capacity (adequate capital or public facilities)," "Available capital facilities (available capacity)," and "Level of service (LOS).")

"Conditional use" means a use that, owing to some special characteristics attendant to its operation or installation (e.g., potential danger, traffic, smoke or noise impact), is permitted in a district, subject to approval and special requirements, different from those usual requirements for the district in which the conditional use may be located.

"Conditional use permit" means a permit issued by Jefferson County stating that the land uses and activities meet all criteria set forth in this code, and all conditions of approval in accordance with the procedural requirements of this code.

"Condominium" means real property, portions of which are designed for separate ownership and the remainder of which is designated for common ownership solely by owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in unit owners, and unless a declaration and a survey map and plans have been recorded in accordance with chapters 64.32 and 64.34 RCW. Condominiums are not confined to residential units, such as apartments, but also include offices and other types of space in commercial buildings.

"Congregate Living Facilities (nontransient)" means a building or part thereof that does not contain more than two dwelling units, with 16 or fewer nontransient occupants, and contains sleeping units where residents share bathroom or kitchen facilities, or both, as regulated under 310.4 Residential Group R-3, Washington State Building Code.

"Conservation district" means a "special purpose district," like a fire district or school district, organized in accordance with Chapter 89.08 RCW for the purpose of providing assistance to landowners for the conservation of renewable resources.

"Construction/contractor yards and offices" means service establishments primarily engaged in general contracting or subcontracting in the building construction trades. These include administrative offices, workshops and the indoor or outdoor storage of tools, equipment, materials, and vehicles.

Contract Purchaser. (See "Applicant.")

"Convenience store" means any retail establishment offering for sale prepackaged food products, household items, and other goods commonly associated with the same and having a gross floor area of less than 5,000 square feet.

"Cottage industry" means a commercial or manufacturing activity conducted in whole or in part in either the resident's single-family dwelling unit or in an accessory building, but is of a scale larger than a home occupation or home business. A cottage industry is a limited, small-scale commercial or industrial activity, including fabrication, with limited retail sales, that can be conducted without substantial adverse impact on the residential character in the vicinity.

"County" means Jefferson County, Washington, its board, commissions, and departments.

"Critical aquifer recharge areas" has the same meaning as in WAC 365-190-030(3).

"Critical area buffer" means any buffer required by Chapter 18.22 JCC.

"Critical areas" has the same meaning as in WAC 365-190-030(4).

"Critical habitat" means an area or type of environment that may be of crucial importance to the perpetuation of an organism or biological population which normally lives or occurs there.

"Cul-de-sac" means a road closed at one end by an area of sufficient size for turning vehicles around.

"Current use" means the use of land or improvements at the time of permit application.

"Custom meat facility" means a facility operated by a person licensed to prepare uninspected meat for the owner of the uninspected meat.

"Custom slaughtering establishment" means a facility operated by a person licensed to slaughter meat food animals for the owner of the animal at a fixed location. [Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 12-19 § 4 (Appx. C); Ord. 14-18 § 4 (Exh. B); Ord. 6-09 § 1 (Exh. B); Ord. 3-08 § 1 (Exh. C); Ord. 8-06 § 1]

	Resource Lands		Rural Residential			Rural Commercial				Ru
	Agricultural – Prime and Local	Forest – Commercial, Rural and Inholding	1 DU/5 Acres	1 DU/10 Acres	1 DU/20 Acres	Rural Village Center	Convenience Crossroad	Neighborhood/Visitor Crossroad	General Crossroad	Res Bas Ind
Specific Land Use	**AG**	**CF/RF/IF**	**RR 1:5**	**RR 1:10**	**RR 1:20**	**RVC**	**CC**	**NC**	**GC**	**RB**
Residential Uses										
Single-Family Housing										
Accessory dwellings units	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No
Caretaker residence (public parks)	No	No	No	No	No	No	No	No	No	No
Co-housing/intentional communities (subject to PRRD overlay in RR districts)	Yes	No	Yes	Yes	Yes	Yes	No	No	No	No
Congregate Living Facilities—nontransient	Yes	No	Yes	Yes	Yes	Yes	No	Yes	Yes	No

	Resource Lands		Rural Residential			Rural Commercial				Ru
	Agricultural – Prime and Local	Forest – Commercial, Rural and Inholding	1 DU/5 Acres	1 DU/10 Acres	1 DU/20 Acres	Rural Village Center	Convenience Crossroad	Neighborhood/Visitor Crossroad	General Crossroad	Res Bas Ind
Specific Land Use	**AG**	**CF/RF/IF**	**RR 1:5**	**RR 1:10**	**RR 1:20**	**RVC**	**CC**	**NC**	**GC**	**RB**
Manufactured/mobile home parks (subject to PRRD overlay in RR districts)	No	No	Yes	Yes	Yes	Yes	No	Yes	Yes	No
Single-family residences	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No
Transient rental of residence or accessory dwelling unit	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No
Duplexes (subject to meeting underlying density requirements)	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No
Farm worker housing	See JCC 18.20.030	No	No	No	No	No	No	No	No	No
Multifamily Housing										

	Resource Lands		Rural Residential			Rural Commercial				Ru
	Agricultural – Prime and Local	Forest – Commercial, Rural and Inholding	1 DU/5 Acres	1 DU/10 Acres	1 DU/20 Acres	Rural Village Center	Convenience Crossroad	Neighborhood/Visitor Crossroad	General Crossroad	Res Bas Ind
Specific Land Use	**AG**	**CF/RF/IF**	**RR 1:5**	**RR 1:10**	**RR 1:20**	**RVC**	**CC**	**NC**	**GC**	**RB**
Multifamily residential units (3+ units)	No	No	No	No	No	Yes	No	Yes	Yes	No
Residential care facilities with up to 5 persons	No	No	Yes	Yes	Yes	Yes	No	No	Yes	No
Residential care facilities with 6 to 20 persons	No	No	C	C	C	Yes	No	No	No	No
Nursing/convalescent/assisted living facilities	No	No	C	C	C	Yes	No	Yes	Yes	No
Unnamed residential uses	No	No	D	D	D	D	No	D	D	No

Planned Rural Residential (PRRD) Amendment

18.15.485 Minimum and maximum land area – Dwelling unit cap and cluster cap.

The permissible number of dwelling units within a PRRD shall be calculated based upon the dwelling unit density of the underlying land use district. For the purposes of this chapter, dwelling units and accessory dwelling units are considered equivalent and may be combined when calculating dwelling unit density of the underlying land use district, so that the yield of permissible units is the sum of primary units plus accessory units.

(1) The minimum land area required for PRRD proposals shall be as follows:

(a) RR 1:5 district – 10 gross acres;

(b) RR 1:10 district – 20 gross acres; and

(c) RR 1:20 and agricultural (AP-20 and AL-20) districts – 40 gross acres.

(2) The maximum land area that may be included in a PRRD proposal shall be as follows:

(a) RR 1:5 district – 225 gross acres;

(b) RR 1:10 district – 450 gross acres; and

(c) RR 1:20 and agricultural (AP-20 and AL-20) districts – 900 gross acres.

(3) The maximum number of dwelling units that may be permitted in a PRRD proposal shall be limited to 45, contained within dwelling unit clusters of not more than 20 dwelling units each; except, that where a density bonus is requested under JCC 18.15.520, the proposal may include up to a total of 54 dwelling units, contained within dwelling unit clusters of not more than 22 dwelling units each.

(4) Dwelling unit clusters within PRRD proposals shall be sufficiently separated to provide visual relief and maintain rural character. Where feasible, clusters shall be separated by the natural topographical features of the site, including, but not limited to, critical areas, watercourses, and ridge lines. However, in no case shall dwelling unit clusters be located closer than 600 lineal feet from one another. These requirements regarding separation of dwelling unit clusters shall also be applied to circumstances where the adjoining property or properties have previously been developed through the PRRD process as set forth in this Article VI-M. [Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

Appendix D, Exhibit 1
Proposed Amendments to CP and Ch. 18.15 JCC

AIRPORT OVERLAY AMENDMENTS

Comprehensive Plan

Page 1-20

JCIA LI/M Overlay III

Page 1-83:

Exhibit /-20 will require modification to accurately depict the new geographic extent of the JC IA LI/M Overlay III

[NOTE- SEE REQUEST CYRUS/ATWELL TO PRODUCE ANOTHER MAP WHICH EXCISES SETON, FIRE DISTRICT AND THE PARCELS ON EITHER SIDE OF THE A. OWEN PARCEL]
[INSERT MODIFIED/DOWNSCOPED MAP EXHIBIT HERE]

Page 1-91:

The map depicting the extent of the Jefferson County International Airport Non-AviationRelated Light Industrial/Manufacturing Rural Light Industrial Area will require modification to accurately depict the new geographic extent of the land use designation; no amendment to the text accompanying the map is *required.*

Page 6-7
First paragraph:
Ancillary uses of the facility which attracts public interest and increases use in the airport includes businesses and organizations such as an aero museum, flight instruction school, airplane mechanics, airplane restoration school, restaurant, and areas designated for non-aviation-related light industrial/manufacturing development.
Page 7-20:

Second to fourth and fifth paragraphs:
Industrial sites in Jefferson County include the Port of Port Townsend, Port Townsend Industrial Park (which has become a commercial and business park), Glen Cove, Eastview, Quilcene Industrial Area, the Irondale/Port Hadlock UGA, the Port Townsend Paper Company, 24 acres at a Light Industrial/Manufacturing area at the Jefferson County International Airport, and Resource Based Industrial zoned sites.

In addition to the industrial sites described above, the light industrial manufacturing park at the Jefferson County International Airport, also known as the Airport Light Industrial Park also allows non- aviation related industrial and manufacturing uses. Development of the Airport Light Industrial Park will require Binding Site Plan approval(s) and clearing and installation of infrastructure before business operations may commence.

Unified Development Code Proposed Amendatory Language:
18.15.1110 Designated.

The Jefferson County International Airport (JCIA) is a general purpose, public aviation airport that provides recreational, business, flight training, charter and air taxi services and other uses. The airport essential public facility district designation (see the official Jefferson County Comprehensive Plan land use designations map) shall apply to the following:

(1) Parcels designated as an airport essential public facility on the official Jefferson County Comprehensive Plan land use designations map;

(2) Any parcel or parcels (a) subsequently acquired by the Port depicted on the Airport Layout Plan (ALP) Map of the FAA-approved Airport Master Plan or (b) currently owned by the Port, which are approved for inclusion in the airport essential public facility district through the Jefferson County Comprehensive Plan text and land use amendment process, or any other applicable process.

18.15.453 Airport Overlay III.

(1) Purpose. The purpose of the Airport Overlay III is to provide a limited opportunity for rural scale non- aviation-related industrial uses that contribute to the long-term financial viability of the AEPF and to enhance the economic vitality and quality of life for the citizens of Jefferson County.

(2) Overlay Map. Jefferson County will prepare and maintain an Airport Overlay III map that identifies the parcels located within the overlay.

(3) Other Regulations. Any parcel considered part of the JCIA-III overlay is still subject to the FAA established Building Restriction Line and all applicable regulations.

RED LINE VERSION

STATE OF WASHINGTON
COUNTY OF JEFFERSON

An Ordinance Approving Amendments to the County's Comprehensive Plan; and Amendments to Title 18 JCC, Title 15 JCC and Title 13 JCC

ORDINANCE NO. _____

WHEREAS, the Board of Jefferson County Commissioners ("BoCC"), as required by the Growth Management Act ("GMA"), chapter 36.70A Revised Code of Washington ("RCW"), annually creates and implements a process by which citizens and entities can propose amendments to the Jefferson County's Comprehensive Plan (2018) ("Comprehensive Plan") and title 18 of the Jefferson County Code ("JCC") also known as the Unified Development Code ("UDC"), the Comprehensive Plan having been originally adopted via Resolution No. 72-98 on August 28, 1998 and as subsequently amended, and the UDC, adopted by Ordinance No. 11-1218-00, effective January 16, 2001, and as subsequently amended; and

WHEREAS, RCW 36.70A.130(2)(a) requires Jefferson County to allow interested persons to suggest amendments to the Comprehensive Plan or its development regulations (RCW 36.70A.470(2)) during annual amendment cycles; and

WHEREAS, RCW 36.70A.130(2)(a), codified in JCC 18.45.010(1), requires that revisions of the comprehensive plan are considered together, generally no more frequently than once every year; and

WHEREAS, the UDC contains a process for annual amendments in chapter 18.45 JCC; and

WHEREAS, as mandated by the GMA, the BoCC has reviewed and voted upon the proposed amendments to the County's Comprehensive Plan that composed the 2024 Comprehensive Plan Amendment Docket ("the Docket"); and

WHEREAS, by the annual submittal deadline of March 1, 2024, the preliminary docket for the 2024 Comprehensive Plan and UDC amendment cycle was established for site-specific and suggested amendments, consisting of five suggested amendment proposals: amendments in titles 18, 15, and 13 JCC to coordinate implementation of sewer with Irondale and Port Hadlock Urban Growth Area ("UGA") development; Port Townsend UGA boundary revision proposal; Planning Commission UDC amendment proposals for additional rural housing opportunities; DCD-sponsored suggested text amendments to address code housekeeping; and the Port of Port Townsend proposal to review Jefferson County Airport Essential Public Facility ("AEPF"), and expand Airport Overlay III; and

WHEREAS, the Planning Commission re-submitted housing proposals for a series of rural housing amendments, carried forward from 2023, and was timely re-submitted March 1, 2024; and

WHEREAS, the County timely submitted proposals for UDC amendments March 1, 2024 for amendments to the titles 18, 15, and 13 JCC necessary to implement regulations in concert with development of sewer code and housing projects dependent on sewer; and

WHEREAS, the County timely submitted on March 1, 2024, a UDC Housekeeping suggested amendment proposal to address minor UDC housekeeping amendments to be brought forward during the 2024 amendment cycle; and

WHEREAS, Jefferson County timely submitted a proposal to expand the Port Townsend UGA boundary to include publicly-owned parcels for public purpose use, including the Caswell-Brown Village (CBV) for housing services; and

WHEREAS, on April 9, 2024, the Jefferson County Department of Community Development ("Community Development") decided to add to the 2024 annual amendment cycle, a Port of Port Townsend proposal to review possible expansion of Airport Overlay III, responding to emergency timing so work can proceed with light industrial proponents on a new location for operations, as well as substantive design on the light industrial park on the existing JCIA III overlay (APN 001331005), with the application being received August 1, 2024; and

WHEREAS, the Jefferson County Planning Commission ("Planning Commission") reviewed the 2024 preliminary docket proposals in their regular meetings on March 20, 2024, and April 17, 2024; and

WHEREAS, on March 15, 2024, Community Development prepared a formal Preliminary Docket of proposed amendments per JCC 18.45.050; and

WHEREAS, on March 20, 2024, Community Development transmitted the Department of Community Development report on the 2024 amendment proposals received; and

WHEREAS, on April 17, 2024, Community Development presented the Preliminary Docket to the Planning Commission and briefed them on the annual Comprehensive Plan Amendment cycle and the docket process; and

WHEREAS, on April 25, 2024, Community Development distributed the "Department of Community Development's Review and Recommendation for the 2024 Comprehensive Plan Amendment Cycle Final Docket" to the BoCC, the Planning Commission, and the general public, including a recommendation that the DCD proposal for a UDC housekeeping amendment be removed from the work in 2024, in light of the added Port of Port Townsend proposal and 2025 Periodic Update work also underway, providing another opportunity to update UDC items; and

WHEREAS, on May 1, 2024, the Planning Commission held a public hearing on the preliminary docket regarding which proposals should be on the 2024 amendment cycle final docket; and

WHEREAS, on May 1, 2024, the Planning Commission deliberated on the 2024 amendment proposals and recommended that the BoCC place all proposals, not including a UDC housekeeping proposal, on the Final Docket by a vote 7-0-1; and

WHEREAS, on May 2, 2024, the Planning Commission transmitted "Jefferson County Planning Commission's Report and Recommendations for the 2024 Comprehensive Plan Amendment Final Docket" to the BoCC; and

WHEREAS, on May 13, 2024, the BoCC adopted the recommendation brought forward by Community Development and Planning Commission, without amendment and thereby setting the final docket as the same without public hearing pursuant to JCC 18.45.060(4)(a); and

WHEREAS, due to scheduling issues with the regularly-scheduled Planning Commission meetings in August, the County cancelled the August 7 and August 21 regular meetings and held a Special Meeting on August 14, 2024 to review Community Development's draft analysis of the 2024 amendment docket; and

WHEREAS, on September 4, 2024, Community Development published a combined Notice of Intent to Amend the CP and UDC, a 60-Day Notice to the Washington Department of Commerce, notice of comment period and September 18, 2024 hearing date with the Planning commission, and publication notice of the *2024 Comprehensive Plan Amendment Docket, Combined Staff Report and SEPA Addendum*, an integrated Growth Management Act and State Environmental Policy Act (SEPA) document; and

WHEREAS, the integrated staff report analyzes the proposals on the Final Docket, offers preliminary recommendations for each amendment proposed, and provides a SEPA analysis; and

WHEREAS, at the September 4, 2024 regular Planning Commission meeting, a review of the Staff analysis and report was made by the Planning Commission and public; and

WHEREAS, on September 18, 2024, the Planning Commission held a duly noticed public hearing to receive testimony on the merits of the 2024 amendment proposals; and

WHEREAS, on September 18, 2024, the Planning Commission deliberated on the testimony and record for the amendment proposals and recommended approval of each suggested amendment; and

WHEREAS, on October 10, 2024, Community Development submitted the 2024 Supplemental Staff Report ("October 10 Supplemental Staff Report") and SEPA Addendum, and a Notice of Intent to Adopt Amendment to the Washington Department of Commerce; and

WHEREAS, the supplemental staff report provides additional analysis to the Port Townsend UGA boundary expansion and the AEPF/Airport Overlay III proposals; and

WHEREAS, at the October 16, 2024 regular Planning Commission meeting and upon consideration of the October 10 Supplemental Staff Report, the Planning Commission confirmed consistency between the proposal as described in the October 10 Supplemental Staff Report and the Planning Commission's recommendation on the Docket from the September 18, 2024 Planning Commission meeting; and

WHEREAS, on November 6, 2024, the Planning Commission transmitted their *Report and Recommendation for the Final 2024 Comprehensive Plan Amendment Docket* to Community Development; and

WHEREAS, on November 18, 2024, the BoCC held a workshop with Community Development to discuss the amendment docket and consider the Planning Commission's recommendation, and

WHEREAS, on November 18, 2024, the BoCC chose to hold their own hearing on the amendments, as recommended by the Planning Commission; and

WHEREAS, the BoCC held their own hearing on December 9, 2024 and after applying the required growth factors and findings, the BoCC accepted the Planning Commission's recommendation to approve all of the forwarded 2024 amendment proposals; and

WHEREAS, the 2024 amendment proposals have gone through the complete public participation process required by the Growth Management Act ("GMA") and JCC 18.45.090; and

WHEREAS, all amendments are found to be compliant with GMA and JCC; and

WHEREAS, for all amendment proposals considered in the 2024 Final Docket, the BoCC finds the 2024 amendments serve to benefit the health, welfare, safety, and lifestyle of the residents of Jefferson County; and

WHEREAS, the BoCC finds that the 2024 Docket amendments as summarized in **Attachment 1** referenced hereto and thereby incorporated in this ordinance, and reflected in **Appendices A, B, C,** and **D,** are consistent with the Countywide Planning Policies and consistent with the Growth Management Act; and

WHEREAS, JCC 18.45.080(2)(c) requires that BoCC analyze the 2024 amendments and make the following findings on the full and complete record:

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;

WHEREAS, the BoCC finds that the growth rate is consistent with the Comprehensive Plan. The unadjusted population growth rate over the last year was approximately 0.80%, somewhat slower than the previous year, when the state's population grew by 1.1%. The 2024 population estimate for Jefferson County is 33,700, a net increase of 723 people since 2020. Migration is the driving factor in Jefferson County population; and

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

WHEREAS, 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 and Port Hadlock Urban Growth Area ("PHUGA") with urban services, specifically sanitary sewer service and stormwater management. Construction of the Port Hadlock Wastewater Facility has begun, with service connections anticipated in Summer of 2025, and will enable planned densities within the UGA to come to fruition; and

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

WHEREAS, the BoCC finds that there is sufficient urban land designated to meet projected demand. For the unincorporated Irondale and Port Hadlock UGA, an analysis of vacant lands within the proposed UGA and a build-out analysis were 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%. With a theoretical carrying capacity of over 30,000 people, the Port Townsend UGA also appears to be adequately sized to accommodate anticipated future urban growth. However, following analysis, the City of Port Townsend has informed Jefferson County via an email message dated August 22, 2024 that there are no suitable sites within the existing Port Townsend UGA to accommodate continuum-of-care special purpose housing. The City of Port Townsend provided a letter with supplemental findings dated November 18, 2024, supporting the limited expansion of the Port Townsend UGA. The City of Port Townsend will finalize an assessment of available land in the Port Townsend UGA during the 2025 Periodic Update; and

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

WHEREAS, 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; and

(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;

WHEREAS, 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 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; and

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

WHEREAS, the BoCC finds that changing circumstances since adoption of the 2018 Comprehensive Plan include the Covid Pandemic, growing issues surrounding affordable housing, and climate change. 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; and

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

WHEREAS, 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 2018 Comprehensive Plan; and

Required Findings, 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.

WHEREAS, the BoCC finds that generally, the circumstances and planning assumptions have not changed since the 2018 Comprehensive Plan Periodic Review. New circumstances became present when emergency ordinances were initiated in response to the Covid pandemic, creating urgency for regulations to allow temporary housing facilities. County work now turns toward workforce housing and to address housing affordability; and

(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.

WHEREAS, the BoCC finds that there is no indication that assumptions upon which the Comp Plan is based are no longer valid. The Comprehensive Plan documents goals and policies that support the amendment proposals; and

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

WHEREAS, 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 housing, the BoCC finds there are a large number of organizations and a significant amount of

County resources dedicated to addressing housing. The proposed amendments reflect a widely held value of the County' s residents; and

WHEREAS, adopting Ordinance is required to formalize the BoCC's legislative action, and;

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, STATE OF WASHINGTON, AS FOLLOWS:

Section 1. Findings of Fact. the BoCC adopts the recitals above ("WHEREAS clauses"), the Planning Commission findings, and Community Development findings as their own findings of fact for this ordinance.

Section 2. Purpose. The purpose of this ordinance is to complete the 2024 Comprehensive Plan Cycle pursuant to chapter 18.45 JCC.

Section 3. UDC Proposals Adopted. UDC proposals are adopted as the shown in **Appendix A, Exhibits 1-6**.

Section 4. Port Townsend UGA Boundary Amendment. Port Townsend UGA expansion proposal to include public purpose land and Caswell-Brown Village is adopted as shown in **Appendix B**.

Section 5. UDC Amendments Regarding Rural Housing Proposals. UDC amendments regarding rural housing proposals are adopted as shown in **Appendix C, Exhibits 1-4**.

Section 6. Comprehensive Plan Amendment. Comprehensive Plan is amended to reflect text changes to Airport Overlay III as shown in **Appendix D, Exhibit 1.**

Section 7. Airport Overlay III amendments to the Chapter 18.15 JCC. Airport Overlay III amendments to the chapter 18.15 JCC is adopted as shown in **Appendix D, Exhibit 1.**

Section 8. Map in Appendix D, Exhibit 1Adopted and Incorporated by Reference. The Map included in **Appendix D, Exhibit 1** is incorporated hereto by reference with this ordinance showing Land Use Map expansion of the adopted Airport Overlay III extent is hereby adopted.

Section 9. Severability. If any section of the ordinance is deemed either non-compliant or invalid pursuant to the Growth Management Act, such a finding of non-compliance or invalidity shall not nullify or invalidate any other section of this ordinance.

Section 10. SEPA Compliance. A table showing SEPA compliance steps is below.

Year	State Environmental Policy Act Document Description
1997-1998	**Draft and Final Environmental Impact Statements (DEIS/FEIS)** and addenda prepared in anticipation of adoption of the Comprehensive Plan in

	1998. The DEIS and FEIS are dated February 24, 1997 and May 27, 1998, respectively, and examined the potential cumulative environmental impacts of adopting alternative versions of the Comprehensive Plan.
6/30/1999 *8/18/1999*	Draft Supplemental EIS (DSEIS)--Comprehensive Plan 1999 Amendments (Task III of Tri-Area/Glen Cove Special Study) Final Supplemental Environmental Impact Statement. Jefferson County Comprehensive Plan 1999 Amendments. Tri-Area/Glen Cove Special Study Task IV.
6/11/2001	Glen Cove/Tri-Area Special Study **Supplemental EIS** Final Decision Document, June 11, 2001.
2002	Integrated Growth Management Act/State Environmental Policy Act Document Environmental Review of a Non-Project Action: Draft Supplemental EIS August 21, 2002, to Supplement the Comprehensive Plan Draft and Final EIS (1997) and Comprehensive Plan 1999 Amendments Draft and Final SEIS. November 25, 2002 Integrated FSEIS 2002 Amendment Docket. This FSEIS was appealed before the Western Washington Growth Management Hearings Board (WWGMHB) of which the WWGMHB issued a Final Decision and Order (FDO) and remanded it back to the Department for additional environmental review. The county hired Wheeler Consulting, to prepare additional environmental review based on the FDO. A **DSEIS to the 2002 CPA SEIS was issued on March 3, 2004**. A **FSEIS to the 2002 CPA SEIS was issued on May 12, 2004** as part of the review and in consideration of MLA02-00235.
2003	Staff Recommendation and Environmental Analysis with Regard to the Adoption of Four Proposed Site-Specific Amendments to the 1998 Jefferson County Comprehensive Plan. SEPA **Addendum** August 6, 2003. Sept. 17, 2003 SEPA **Addendum** for Suggested Amendments.
2004	2004 Staff Report and SEPA **Addendum** to 1998 EIS for UGA Amendments to the Comprehensive Plan issued May 19, 2004.
2004	2004 Comprehensive Plan Amendment Docket Department of Community Development Integrated Staff Report and SEPA **Addendum** issued September 22, 2004.
2005	Integrated GMA/SEPA **Addendum** Staff Report, August 3, 2005. Incorporated by reference: 1998 DEIS/FEIS and 2004 Addendum.
2006	Integrated GMA/SEPA **Addendum** Staff Rpt., July 19, 2006.

2007	SEPA **Addendum,** adopting by reference 2004 Staff Report and SEPA Addendum for UGA Amendments to the Comprehensive Plan issued May 19, 2004 and 2004 Comprehensive Plan Amendment Docket Department of Community Development Integrated Staff Report and SEPA Addendum issued September 22, 2004.
2008	Integrated GMA/SEPA **Addendum** Staff Report, September 3, 2008. Adopted by reference: 1998 DEIS/FEIS, and environmental documents from 2004, 2005, 2006, and 2007 environmental review.
2009	Port Hadlock UGA Sewer Facility Plan (2008) ("Sewer Plan") incorporated into the County's Comprehensive Plan Capital Facilities Element ("CFE") to comply with the Growth Board's decision finding noncompliance with the County's Urban Growth Area ("UGA") and GMA capital facilities planning. Ordinance No. 03-0323-09 (Re: MLA09-00024, UGA Final Compliance Action).
2009	Integrated GMA/SEPA **Addendum** Staff Report, September 2, 2009. Adopted by legal notice: 1998 DEIS/FEIS, September 22nd Staff Report 2004, 2005, 2006, 2007, 2008, "and all supplementary information…supporting record, analyses, materials."
2010	Integrated GMA/SEPA **Addendum** Staff Report, September 2010.
2013	Integrated GMA/SEPA **Addendum,** Staff Report September 4, 2013. Adopted by reference all previous SEPA documents.
2015	Staff Report & SEPA Environmental Review, Proposal to Amend Unified Development Code, JCC 18.30.150 Sign Code, October 29, 2015. Integrated Growth Management Act/State Environmental Policy Act Analysis, Environmental Review of a Non-Project Action.
2018	Jefferson County Comprehensive Plan Update 2018 SEPA **Addendum** to 1998 Draft and Final Jefferson County Comprehensive Plan Environmental Impact Statements and subsequent Supplemental EISs and Addenda. April 4, 2018.
2021	SEPA Addendum on February 28, 2021. The SEPA Addendum and supporting SEPA Environmental Checklists provide additional information relating to the Jefferson County Final Environmental Impact Statement ("Final EIS"), May 27, 1998 and associated SEPA documents. These SEPA documents were adopted and the additional information was determined not to involve significant new impacts. A Determination of Significance and Notice of Adoption was published on February 28, 2021.
2021	Port Hadlock UGA Sewer Facility Plan Update and Appendices (Feb. 2021). The revisions to the Sewer Plan mostly related to funding, engineering specifications (low pressure system with grinders), and minor modifications to

	the core service area. The revisions allowed the County to implement sewering the core service area within six years. A Comprehensive Plan Amendment (MLA20-00102) was adopted for the updated Sewer Plan in Ordinance No. 01-0426-21, when the 2020 Comprehensive Plan Docket was approved. Ordinance No. 01-0426-21 included a SEPA review through a staff issued Addendum to the 1998 Draft and Final Jefferson County Comprehensive Plan Environmental Impact Statements ("EIS") and subsequent Supplement EISs, and a SEPA Checklist and Addendum that addressed the 2020 Docket items, including the proposed revisions to the Comprehensive Plan.
2022	Staff Report & SEPA Environmental Review to establish regulations for the siting, establishment, and operation of temporary housing facilities for unhoused people needing emergency housing services. Proposal to Amend Unified Development Code chapter 18.20 JCC Performance & Use-Specific Standards, chapter 18.10 JCC Definitions. Integrated Growth Management Act/State Environmental Policy Act **Addendum.** April 20, 2022.
2022	Staff Report & Environmental Review, Proposal to Amend Unified Development Code (UDC) Jefferson County Code (JCC) 18.12: 'Legal Lot of Record Determination and Lot Consolidation' and Amendments to chapters 18.10 and 18.35 JCC. Integrated Growth Management Act (GMA)/State Environmental Policy Act (SEPA) **Addendum.** August 24, 2022.
2023	2023 Comprehensive Plan Amendment Docket, Staff Report and SEPA Addendum. Integrated Growth Management Act/State Environmental Policy Act Document, Environmental Review of a Non-Project Action: Addendum to Existing Environmental Documents. October 11, 2023.

An agency may use previously prepared environmental documents to evaluate proposed actions, alternatives, or environmental impacts. The proposals may be the same as or different than those analyzed in the existing documents (WAC 197-11-600(2)). This ordinance is within the scope of the previously prepared environmental documents.

Section 11. Effective Date: Except as provided in (a) of this section, this ordinance shall take effect immediately upon adoption.

(a) Port Townsend UGA boundary amendment as adopted in Appendix B shall take effect 60 days after the date of publication notice of adoption.

(SIGNATURES FOLLOW ON NEXT PAGE)

APPROVED and ADOPTED this ____ day of _____ 2024.

SEAL:

JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS

_____
Kate Dean, Chair

_____
Greg Brotherton, Member

_____
Heidi Eisenhour, Member

ATTEST:

_____
Carolyn Gallaway, CMC Date

APPROVED AS TO FORM:

_____
Philip C. Hunsucker, Date
Chief Civil Deputy Prosecuting Attorney

ATTACHMENT 1--Summary of Title 18 JCC 2024 Amendments

	UDC Amendment Proposals for 2024 Annual Amendment Cycle	
Item	**Code Section**	**Description**
Appendix A—Exhibit 1	Ch. 18.19 JCC	Adds specificity on application of urban standards and transitional standards by referring to official maps and reference to sewer code in Title 13 JCC; outlines conditions and process for development of on-site septic system; and when sewer connection is required.
Appendix A—Exhibit 2	Ch. 18.35 JCC	New unit lot subdivision code.
Appendix A—Exhibit 3	Ch. 18.10 JCC	Definitions for "emergency housing", "emergency shelter", "permanent supportive housing", "townhouse", "transitional housing", "unit lot subdivision", and "zero lot line".
Appendix A—Exhibit 4	Ch. 18.18 JCC	Updates CP references, adds multifamily housing uses, setback amendment, sewer phasing language, Administrator discretion with parking standards.
Appendix A—Exhibit 5	Title 13 JCC	Amendments for consistency with chapter 18.18 JCC, when connection is required.
Appendix A—Exhibit 6	JC 15.05.047	Adds new section for automatic fire-extinguishing systems, when required.
Appendix C—Exhibit 1	JCC 18.10.060	Updates definition of "Family"
Appendix C—Exhibit 2	Chapter 18.10 JCC.	New definition "Congregate Living Facilities (nontransient)"
Appendix C—Exhibit 3	JCC 18.15.040	Adds congregate living facilities to use table 3-1.
Appendix C—Exhibit 4	JCC 18.15.485	Clarifies calculation of dwelling unit density to add accessory dwelling unit yield.
Appendix D—Exhibit 1	CP and Ch. 18.15 JCC	Adds new and updated language for expanded Airport Overlay III.

Appendices: UDC Amendments

Chapter 18.19
TRANSITIONAL RURAL DEVELOPMENT STANDARDS OF THE IRONDALE AND ~~/~~PORT HADLOCK URBAN GROWTH AREA[1]

Sections:

18.19.100 Purpose.
18.19.110 Applicability.
18.19.120 Interim on-site septic systems.
18.19.130 Rural development standards.
18.19.140 Mini-storage facilities prohibited.
18.19.150 Submittal of development and land use applications for approval of urban development with sewer connection under ~~Chapter~~chapter 18.18 JCC in the Phase 1 area prior to initial startup of the PHUGA sewer system.

18.19.100 Purpose.

The purpose of this chapter is to provide clarity to which zoning designation and development standards are applied during the transitional period of providing sewer facilities to the Irondale and Port Hadlock Urban Growth Area (PHUGA). Sewer service availability is the determinative factor of whether urban development standards or transitional rural development standards will apply. [Ord. 9-09 § 2 (Exh. B)]

18.19.110 Applicability.

(1) Effective as of March 23, 2009, the effective date of ~~adoption of~~ Ordinance No. 03-0323-09, ~~March 23, 2009,~~ Jefferson County shall ~~will~~ apply transitional rural zoning in the Irondale and ~~/~~Port Hadlock Urban Growth Area for parcels that do not yet have sewer available. The transitional rural zoning is depicted on the map Irondale and Port Hadlock UGA Transitional Rural Zoning, found in the UGA Element, ~~Figure 2-1a~~Exhibit 1-21, Jefferson County Comprehensive Plan (2018).

(2) Jefferson County maintains a Geographic Information Systems (GIS) database, which is updated periodically. Official Maps are updated by the department of community development and filed with the Jefferson County Auditor's Office, as required by JCC 18.05.100. No later than 30 days after the department of community development files any update of the Official Maps with the Jefferson County Auditor's Office, the director shall cause the Official Maps to be updated in the GIS database.

~~(1)~~(3) The allowable uses are specified in ~~Chapter~~chapter 18.15 JCC and JCC 18.15.40, Table 3-1 or in JCC 18.18.040, Table 3A-1. ~~[Ord. 9-09 § 2 (Exh. B)]~~

18.19.120 Interim on-site septic systems.

(1) ~~(1)~~ If the proposed use or major modification is located within the Irondale and Port Hadlock Urban Growth Area where sewers are not available as described in title 13 JCC, ~~outside of a phased sewer service area where sewers are available,~~ then

transitional rural development standards in this chapter apply. For any n~~N~~ew development or redevelopment where sewers are not available as described in title 13 JCC, ~~using an existing (as of date of adoption of Chapter 18.18 JCC) approved on-site or community/group system may be allowed; provided, that no expansion of the capacity of on-site system is needed to serve the redevelopment; and provided, that the public sewer system is not yet available to the property, as defined in subsection (4) of this section. T~~the property owner shall install ~~must construct~~ an on-site septic system consistent with the requirements of ~~Chapter~~chapter 8.15 JCC. For system within ~~, development within identified~~ critical aquifer recharge areas, as identified in Article III of ~~Chapter~~chapter 18.22 JCC, the property owner ~~and~~ shall satisfy all of ~~also meet~~ the requirements of JCC 18.30.180, ~~O~~on-site sewage disposal best management practices in critical aquifer recharge areas.

~~(1)~~ ~~(2)~~ Conditions to Interim On-Site Septic Systems and Connection to Future Sewer Service. If an on-site sewage~~septic~~ system is proposed for placement in the Irondale and Port Hadlock Urban Growth Area ~~planned and adopted 20-year sewer service area,~~ for interim use prior to sewer availability, the property owner shall sign an agreement with the operator of the Port Hadlock UGA sewer utility (see JCC 13.01.070) agreeing that the property shall be connected to the PHUGA sewer system ~~county shall issue any approval for the septic system with a condition that it be decommissioned and the property connected to the sewer system~~ within one year of sewer availability as described in JCC 18.18.060(4)(a) and JCC 13.04.010. Concurrently with the connection of the property to the PHUGA sewer system, but no later than 90 days after connection of the property to the PHUGA sewer system, the on-site sewage system shall be decommissioned in accordance with WAC 246-272A-0300.~~, defined as when the sewer extension is within 200 feet of the closest property line. Such on-site septic systems shall be professionally sited, designed, installed, monitored and maintained according to the following criteria:~~

~~(a) Meeting the requirements of the Jefferson County health department, Washington State Department of Health, or Washington State Department of Ecology, as appropriate.~~

~~(b) Consider advanced forms of pretreatment prior to discharge into the soil.~~

~~(c) Consider proprietary pretreatment devices to refine high strength commercial wastes prior to soil treatment and disposal.~~

~~(d) Disinfection prior to disposal into more sensitive environments.~~

(2) ~~(e) System maintenance and monitoring by certified professionals under a program managed by the Jefferson County health department~~ The agreement shall be recorded ~~.~~ with the Jefferson County Auditor' Office.

(3) ~~(3)~~ No Protest Agreement. In addition, as a condition of development approval and for all property owned by the same owner in a local improvement district (LID), the owner shall sign an agreement not to protest a future LID or other pro rata sharing of costs to construct and extend public sewer to the property within the next 20 years, as part of the urban level of service phasing plan in the capital facilities plan for the PHUGA.

(4) ~~(4)~~ Interpretations. Within this section, "new development" and "major modification" means any development that requires wastewater/sanitary sewer provisions which cannot be met with an existing system. ~~Nothing in this section shall be construed as~~

~~prohibiting the placement of an on-site septic system in the UGA, unless the property is located within 200 feet of an existing sewer service area which has capacity to accommodate the proposed development. [Ord. 9-09 § 2 (Exh. B)]~~

18.19.130 Rural development standards.

For rural development allowed in this chapter, development shall be consistent with the following Uniform Development Code chapters:

18.05 Introductory Provisions

18.10 Definitions

18.15 Land Use Districts (except as specified in JCC 18.19.140)

18.20 Performance and Use-Specific Standards

18.22 Critical Areas

18.25 Shoreline Master Program

18.30 Development Standards

18.35 Land Divisions

18.40 Permit Application and Review Procedures/SEPA Implementation

18.45 Comprehensive Plan and GMA Implementing Regulations Amendment Process

[Ord. 9-20 § 2 (Appx. B); Ord. 9-09 § 2 (Exh. B)]

18.19.140 Mini-storage facilities prohibited.

(1) Mini-storage facilities shall not be allowed in rural commercial areas within UGA planning area, except as allowed below. Mini-storage facilities are not allowed in order to prevent land uses in those rural commercial areas which are, by their nature, inconsistent with the goals of the future UGA that are to promote employment, affordable housing, retail choices, better water management, public health, and environmental protection that are made possible by developing urban sewer service. For the purposes of this chapter, Table 3-1, JCC 18.15.040, allowable and prohibited uses for mini-storage facilities shall be as follows, to show that whereas they may be allowed in other similarly-designated rural commercial areas in the county, mini-storage facilities are not allowed in the rural commercial areas found within the planning area for the Irondale and Hadlock UGA:

	Resource Lands		Rural Residential			Rural Commercial				Rural Industrial					Public	UGA
	Agricultural – Prime and Local	Forest – Commercial, Rural and Inholding	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	Irondale and Port Hadlock Urban Growth Area
Specific Land Use	**AG**	**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**
Mini-storage facilities	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	See Chapter 18.18 JCC

(2) Exception. Expansion of existing mini-storage facilities may be allowed if:

(a) They are consistent with the requirements of this title including Table 3-1 found at JCC 18.15.040.

(b) Mini-storage infill may only be allowed on parcels that contain the existing mini-storage.

(c) Boundary line adjustments are not allowed to increase the size of the existing parcel to accommodate expansions of mini-storage proposals.

(d) This exception applies only to lands containing existing mini-storage as they exist on the effective date of this control. [Ord. 9-09 § 2 (Exh. B)]

18.19.150 Submittal of development and land use applications for approval of urban development with sewer connection under ~~Chapter~~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 ~~JCC Title~~ title 15 JCC or this title 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~~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 this title 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

(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 subsection (2)(a) of this section; and

(ii) An agreement any time period set in this title, including but not limited to the 120-day time period and JCC 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~~chapter 18.18 JCC are in effect on the land and a fully complete application is on file with DCD. [Ord. 11-23 § 8 (Att. A)]

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[1] Note: When sewer service is available, refer to ~~Chapter~~chapter 18.18 JCC. Effective as of the date of adoption of Ordinance No. 03-0323-09, March 23, 2009, Jefferson County will apply urban standards to parcels where sewer is available. The applicable map for Irondale and Port Hadlock UGA Zoning is found in the UGA Element, Exhibit 1-22~~Figure 2-1~~, Jefferson County Comprehensive Plan (2018) and the applicable density standards and development requirements when sewer is available are found in ~~Chapter~~chapter 18.18 JCC.

Chapter 18.35
LAND DIVISIONS

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Article I. General Provisions

18.35.010 General authority.
This chapter of the Jefferson County Unified Development Code is adopted under the authority of ~~Chapter~~chapter 58.17 RCW. [Ord. 8-06 § 1]

18.35.020 Purpose.
The purpose of this chapter is to regulate the division of land lying within Jefferson County, and to promote the public health, safety, and general welfare in accordance with the standards established by the state of Washington and Jefferson County, and to:

(1) Prevent the overcrowding of land;

(2) Lessen congestion and promote safe and convenient travel by the public on sidewalks, pathways, streets and highways;

(3) Promote the efficient use of land;

(4) Facilitate adequate provision for water supply, sewage disposal, drainage, streets, schools, parks, recreational areas, fire protection and other capital requirements;

(5) Require uniform monumentation and conveyancing of lots, tracts and parcels by accurate legal description;

(6) Facilitate the expeditious processing of development applications through the adoption of clear, predictable and uniformly applied land division regulations; and

(7) Implement the goals, policies and substantive requirements of the Washington State Growth Management Act (~~Chapter~~chapter 36.70A RCW) and the Jefferson County Comprehensive Plan. [Ord. 8-06 § 1]

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 resubdivision, 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 ~~Chapter~~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. 11-23 § 8 (Att. A); Ord. 8-06 § 1]

18.35.040 Exemptions.
This chapter does not apply to the following:

(1) Divisions of land into lots, tracts or parcels each one of which is one-sixteenth of a section of land or larger, or 40 acres or larger if the land is not capable of description as a fraction of a section of land; provided, that for purposes of computing the size of a lot that borders on a street or road, the lot size shall be expanded to include that area that would be bounded by the center line of the street or road and the side lot lines of the lot running perpendicular to such center line; and provided further, that within the commercial forest district (i.e., CF-80), each lot, tract or parcel shall be at least 80 acres in size;

(2) Cemeteries and burial plots while used for that purpose;

(3) Divisions of land made by testamentary provisions or the laws of descent; provided, that this exemption shall not be construed to permit inter vivos transfers, and provided further, that any structure or use on the property must comply with all other applicable county regulations; and

(4) Divisions of land relating to the acquisition of a fee simple interest in land by public agencies, including, but not limited to, divisions made for road or public right-of-way conveyance or widening purposes. This exemption shall not be construed to include acquisitions of easements. [Ord. 8-06 § 1]

(5) Boundary line agreement to resolve any dispute between two or more parcels of real property where the boundaries cannot be identified from the existing public record, monuments, and landmarks, provided such agreement shall be executed in conformance with RCW 58.04.007.

18.35.050 Violations – Penalties.
(1) Criminal Penalties and Liability. Any person, firm, corporation, or association or any agent of any person, firm, corporation or association who sells, offers for sale, leases, or transfers any lot, tract, or parcel of land prior to compliance with this chapter is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed $1,000 or by imprisonment in jail for a term not exceeding 90 days, or by both such fine and imprisonment. Each violation or each sale, offer for sale, lease, or transfer of each separate lot, tract, or parcel of land in violation of any provision of this chapter is deemed a separate and distinct offense. If performance of an offer of agreement to sell, lease or otherwise transfer a lot, tract or parcel

of land following preliminary approval of a short plat or long plat, but prior to final plat approval, is expressly conditioned on the recording of the final plat containing the lot, tract or parcel under this chapter, the offer or agreement does not violate any provision of this chapter. All payments on account of an offer or agreement conditioned as provided in this chapter shall be deposited in an escrow account and no disbursements to sellers are permitted until the final plat is recorded. This prohibition of property transfers prior to compliance with this chapter shall apply equally to transfers prior to completion of short subdivisions, long subdivisions and binding site plans.

(2) ~~JCC Title~~ title 19 JCC Applicable. In addition to the penalties provided in this section, all violations of any provision of this chapter or any incorporated standards, or conditions of any permit issued hereunder, are subject to the provisions of ~~JCC Title~~ title 19 JCC. The administrator is authorized to enforce the provisions of this chapter in accordance with ~~JCC Title~~ title 19 JCC.

(3) Other Enforcement Action. In the event an applicant for a short subdivision, long subdivision, or binding site plan fails and refuses to install required improvements in the time required by any preliminary or final approval, the county may withhold further building or other development permits, make demand against any bonds, collect monies deposited in escrow to secure installation of improvements, initiate a local improvement district, or take such other action as may be necessary to cause the improvements to be made. [Ord. 9-20 § 2 (Appx. B); Ord. 8-06 § 1]

Article II. Boundary Line Adjustments

18.35.060 Purpose, scope and limitations.

(1) Purpose and Scope. The purpose of this article is to provide procedures and criteria for the review and approval of adjustments to boundary lines between platted or unplatted lots, tracts or parcels, or both in order to:

(a) Allow the enlargement or merging of lots, tracts or parcels to improve or qualify as a buildable lot or for any other lawful purpose;

(b) Rectify defects in legal descriptions;

(c) Achieve increased setbacks from property lines or critical areas;

(d) Correct situations wherein an established use is located across a lot line; or

(e) For other similar purposes.

This article is also intended to ensure compliance with the Survey Recording Act, ~~Chapter~~chapter 58.09 RCW and ~~Chapter~~chapter 332-130 WAC.

(2) Prohibited Boundary Changes. This article shall not apply to boundary changes that would:

(a) Result in the creation of an additional lot, tract, parcel, site within a binding site plan or division as defined in ~~Chapter~~chapter 18.10 JCC;

(b) Result in a lot, tract or parcel or site within a binding site plan that does not qualify as a buildable lot as defined in ~~Chapter~~chapter 18.10 JCC;

(c) An adjustment that crosses zoning district boundaries. Adjustments may be allowed across different rural residential densities;

(d) Be inconsistent with any restrictions or conditions of approval for a recorded short plat or long plat; or circumvent the short subdivision or long subdivision procedures set forth in this chapter.

(3) Lot Consolidation. The consolidation of two or more lots, tracts or parcels for the purpose of creating a single lot, tract or parcel that meets the requirements for a buildable lot shall in all cases be considered a minor adjustment of boundary lines and shall not be subject to the short subdivision or long subdivision provisions of this chapter. Lot consolidations shall not require a survey or soil evaluation.

(4) Adjustments to Binding Site Plans. Recognized lots in an approved binding site plan shall be considered a single site and no lot lines on the site may be altered by a boundary line adjustment to separate lots to another property not included in the original site plan of the subject development.

(5) Rectifying legal defects, such as an established use located across a lot line, and the adjustment of boundary lines to match water bodies, roads, or fence lines, shall be considered minor adjustments and shall not require a soil evaluation.

(6) Time Limitations. If more than two lots, tracts or parcels have been subject to a boundary line adjustment process, those lots shall not be permitted to use the boundary line adjustment process again for five years with the exception of lot consolidations, testamentary divisions, civil cases, court orders, rectifying legal defects, or the adjustment of one line between two or more property owners for the purpose of settling a dispute. [Ord. 9-22 § 4 (Appx. C); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.35.070 Application submittal and contents.

To be considered complete, applications for boundary line adjustments shall include the following:

(1) Applications for boundary line adjustments shall be made on forms provided by the Jefferson County department of community development and shall be submitted to the department of community development, along with the appropriate fees established under the Jefferson County fee ordinance;

(a) A single application may be submitted for multiple BLAs for adjacent parcels, lots, tracts or sites within a binding site plan. However, standard application fee(s) shall apply to each BLA after the first two per additional parcel, lot, tract or site;

(b) In instances of lot consolidation, standard application fee(s) shall apply based on the number of resulting parcels or lots;

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

(3) A digital copy of a clean and legible drawing suitable for recording showing the following:

(a) The proposed lines for all affected lots, tracts or parcels, indicated by bold solid lines;

(b) The existing lot, tract or parcel lines proposed to be changed, indicated by light broken lines;

(c) The location and dimensions of all structures/improvements existing upon the affected lots, tracts or parcels and the distance between each such structure/improvement and the proposed boundary lines, with structures proposed to be removed from the site depicted with broken lines and structures to remain on the site depicted with solid lines;

(d) A north arrow indication and scale;

(e) All assessor's tax parcel numbers for the affected lots, tracts or parcels;

(f) The location of the property as to quarter/quarter section;

(g) The location and dimensions of any easements within or adjacent to any affected lots, tracts or parcels;

(h) The location, right-of-way widths, pavement widths and names of all existing or platted streets or roads, whether public or private, and other public ways within or adjacent to the affected lots, tracts or parcels;

(i) The area and dimensions of each lot prior to and following the proposed adjustment;

(j) The existing on-site sewage system components and reserve areas and the proposed location for on-site sewage systems and soil test pits for all affected lots that are not currently served by an on-site sewage system or other approved wastewater treatment system;

(k) The location of all existing and proposed water and storm drainage facilities; and

(l) The approximate location and extent of any critical areas identified in ~~Chapter~~chapter 18.22 JCC. The following notice will be recorded on the drawing when the parcels that are part of the boundary line adjustment include, or are adjacent to, critical areas:

> Notice to Public: Current Jefferson County geographic information systems (GIS) maps identify the presence of a critical area such as stream, wetland, flood, landslide hazard, erosion, aquifer recharge area, fish and wildlife habitat, shoreline, etc., lying within and/or adjacent to the revised parcels encompassed by this Boundary Line Adjustment. Prior to any land disturbing activity or construction activity, applicant/owner shall contact the Jefferson County department of community development regarding compliance for such critical areas. Approval of this Boundary Line Adjustment does not guarantee a buildable site within said parcel(s). Such determination is dependent on

approvals of water, septic, bulk and dimensional setbacks, and critical area requirements.

(4) The original legal description of the entire property together with new separate legal descriptions for each lot, tract or parcel, labeling them each as existing parcel A, existing parcel B, revised parcel A, revised parcel B, etc. The drawing shall be attached to or include on the face a formal legal declaration of the boundary line adjustment, signed and notarized by all legal owners of the subject properties. In cases where the property has not been surveyed, the following disclaimer shall be recorded on the drawing:

> DISCLAIMER LANGUAGE FOR BLA STATEMENT OF INTENT: Your request for a Boundary Line Adjustment (BLA) has been approved. Since no survey was submitted as part of your BLA application, the County accepts no liability for what facts a survey might have revealed. A survey might have revealed that a structure or improvement believed to be on the applicant's property is, in fact, located wholly or partially upon someone else's property or upon property that is not the subject of this BLA. But in the absence of a survey, the applicant bears sole responsibility if such a problem arises.

(5) A copy of any covenants, conditions and restrictions (CC&Rs), deed restrictions, or planned rural residential development (PRRD) agreements pertaining to or affecting the property; and

(6) If applicable, the applicant shall provide written verification from the Jefferson County department of environmental health that the lots, tracts, parcels or sites, as each would exist after the boundary line adjustment, are adequate to accommodate an on-site sewage disposal system. The location of soil logs must be shown on the drawing to show land area sufficient to meet environmental health requirements for each resultant lot, tract, or parcel that does not contain a dwelling.

This requirement shall be waived for resultant parcels that have limited the use of the resultant parcel to agriculture, forestry, or open space through conservation easements, restrictive covenant, or similar legal arrangement. The open space tax program shall not be used to fulfill this requirement;

(7) The application shall be accompanied by a current (i.e., within 30 days) title company certification of the following:

(a) The legal description of the total parcels sought to be adjusted;

(b) Those individuals or corporations holding an ownership interest and any security interest (such as deeds of trust or mortgages) or any other encumbrances affecting the title of said parcels. Such individuals or corporations shall sign and approve the final survey prior to final approval;

(c) Any lands to be dedicated shall be confirmed as being owned in fee title by the owner(s) signing the dedication certificate;

(d) Any easements or restrictions affecting the properties to be adjusted with a description of purpose and referenced by the auditor's file number and/or recording number; and

(e) If lands are to be dedicated or conveyed to the county as part of the subdivision, an American Land Title Association (A.L.T.A.) policy may be required by the director of the department of public works. [Ord. 9-22 § 4 (Appx. C); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.35.080 Review process and criteria.

(1) Prior to approval, a proposed boundary line adjustment shall be reviewed by the Jefferson County assessor.

(2) Based on any comments solicited and received from the department of public works, the department of environmental health or other applicable departments and agencies, the administrator shall approve the proposed boundary line adjustment only upon finding that the adjustment would not:

(a) Create any additional lot, tract, parcel, or site within a binding site plan or division or relocate any lot, tract, parcel, or site within a binding site plan or division to another parent parcel;

(b) Result in the creation of a lot which is not a buildable lot, unless such lot is restricted by recorded instrument acknowledging the lot is for the purpose of conservation, open space, or other similar purpose;

(c) Result in a lot, tract, parcel, site within a binding site plan or division that results in insufficient area or dimension to meet water availability and the minimum requirements for area and dimension as set forth in ~~Chapter~~chapter 18.15 JCC and state and local health codes and regulations;

(d) Diminish or impair drainage, water supply, existing sewage disposal, and access or easement for vehicles or pedestrians, utilities, and fire protection for any lot, tract, parcel, site (i.e., within an approved binding site plan), or division;

(e) Diminish or impair any public or private utility easement or deprive any parcel of access or utilities;

(f) Diminish or impair the functions and values of critical areas designated under ~~Chapter~~chapter 18.22 JCC, or create an unsafe or hazardous environmental condition;

(g) Create unreasonably restrictive or hazardous access to the property;

(h) Create a nonconforming lot, tract, or parcel or increase the nonconforming aspects of an existing lot, tract or parcel relative to ~~Chapter~~chapter 18.15 JCC;

(i) Replat or vacate a short plat or long plat, or revise, amend, or violate any of the conditions of approval for any short or long subdivision; or

(j) Create a lot, tract, or parcel that crosses zoning district boundaries, with the exception of an adjustment across rural residential densities.

(3) Following approval by the administrator, a final record of survey document shall be prepared by a licensed land surveyor in accordance with ~~Chapter~~chapter 58.09 RCW and ~~Chapter~~ chapter 332-130 WAC. The document shall contain a land surveyor's certificate and a recording certificate. The final page of the record of survey document shall contain the following signature blocks:

(a) The Jefferson County assessor's office, to be signed by the Jefferson County assessor or their designee; and

(b) The department of community development, to be signed by the administrator.

(4) Upon approval the following statement of intent shall be recorded by the auditor and referenced by auditor file number on the final survey:

THIS RECORDING IS FOR THE PURPOSE OF ASSISTING WITH A BOUNDARY LINE ADJUSTMENT PURSUANT TO RCW 58.17.040(6). IT DOES NOT CREATE ANY ADDITIONAL LOTS, TRACTS, PARCELS, OR A DIVISION AS THE LAND DESCRIBED HEREON SHALL MERGE OR BE INTEGRATED INTO ABUTTING PROPERTY PRESENTLY OWNED BY THE PROPONENTS. NOR DOES THE BOUNDARY LINE ADJUSTMENT RESULT IN ANY LOTS, TRACTS, PARCELS OR DIVISION WHICH CONTAIN INSUFFICIENT AREA AND DIMENSION TO MEET MINIMUM COUNTY AND SANITATION REQUIREMENTS FOR WIDTH AND AREA FOR A BUILDING SITE.

(5) Pursuant to RCW 84.56.345, current year and any delinquent taxes shall be paid before approval of any boundary line adjustment.

(6) Applications for boundary line adjustments shall be processed according to the procedures for Type I land use decisions established in Chapter 18.40 JCC. [Ord. 9-22 § 4 (Appx. C); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

Article III. Short Subdivisions

18.35.090 Scope.

Any land being divided into four or fewer lots, tracts or parcels that has not been divided through a short subdivision within the previous five years shall meet the requirements of this article. Land within an approved short subdivision may not be further divided in any manner within a period of five years without the filing of a long plat. However, when a short plat contains fewer than four parcels, the owner of the short plat may file an alteration within the five-year period to create up to four lots within the boundaries of the original short plat; provided, that the parcel is not held in common ownership with a contiguous parcel which has been subdivided within the preceding five years. [Ord. 8-06 § 1]

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~~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~~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~~chapter 18.22 JCC (Critical Areas);

(7) A preliminary drainage plan prepared in a manner consistent with the requirements of ~~Chapter~~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. 11-23 § 8 (Att. A); Ord. 8-06 § 1]

18.35.110 Preliminary short plat preparation.
The preliminary short plat shall be prepared in accordance with the following requirements:

(1) The preliminary short plat shall be prepared by a Washington State licensed engineer or land surveyor registered or licensed by the state of Washington. The preparer shall certify on the short plat that it is a true and correct representation of the land actually surveyed. The preparation of the plat shall comply with the Survey Recording Act, ~~Chapter~~chapter 58.09 RCW and ~~Chapter~~chapter 332-130 WAC as now adopted or hereafter amended. Upon surveying the property, the surveyor shall place temporary stakes on the property to enable the county to locate and assess features of the short plat in the field. The datum to be used for all surveying and mapping shall be as follows: The projection name is the state plane; the projection spheroid is GRS 1980; the coordinate system is Washington State Plane North Zone; and the horizontal datum is NAD 83.

(2) All geographic information portrayed by the preliminary short plat shall be accurate, legible and drawn to a horizontal scale of 50 feet or fewer to the inch, except that the location sketch and typical roadway cross-sections may be drawn to any other appropriate scale.

(3) A preliminary short plat shall be 18 by 24 inches in size, allowing one-half inch borders, and if more than one sheet is needed, each sheet shall be numbered consecutively and an index sheet showing the entire property and orienting the other sheets, at any appropriate scale, shall be provided. In addition to other map submittals, the applicant shall submit one copy of each sheet reduced to 8-1/2 inches by 11-1/2 inches in size. If more than one sheet is required, an index sheet showing the entire subdivision with road and highway names and block numbers (if any) shall be provided. Each sheet, including the index sheet, shall be of the above specified size.

(4) The area of each proposed lot, tract or parcel on the short plat map shall accurately show that each lot, tract or parcel contains sufficient area to satisfy minimum zoning requirements. The area of land contained in access easements, access panhandles or pipestem configurations shall not be included in the area computations. [Ord. 8-06 § 1]

18.35.120 Preliminary short plat contents.

(1) A preliminary short plat shall be submitted on one or more sheets and shall provide the information described below. All specifications for required improvements shall conform to the development standards contained in ~~Chapter~~chapter 18.30 JCC.

(a) The name of the proposed subdivisions together with the words "Preliminary Short Plat";

(b) The name and address of the applicant;

(c) The name, address, stamp and signature of the professional engineer or professional land surveyor who prepared the preliminary plat;

(d) Numeric scale (50 feet or fewer to the inch), graphic scale, true north point, and date of preparation;

(e) Identification of all land intended to be cleared, and the location of the proposed access to the site for clearing and grading during site development or construction; and

(f) A form for the endorsement of the administrator, as follows:

APPROVED BY JEFFERSON COUNTY

_____ _____

Department of Community Development Administrator Date

(2) The preliminary plat shall contain a vicinity sketch sufficient to define the location and boundaries of the proposed subdivision with respect to surrounding property, roads, and other major constructed and natural features.

(3) Except as otherwise specified in this chapter, the preliminary short plat shall contain the following existing geographic features, drawn lightly in relation to proposed geographic features:

(a) The boundaries of the property to be subdivided, and the boundaries of any adjacent property under the same ownership as the land to be subdivided, to be indicated by bold lines;

(b) The names of all adjoining property owners, or names of adjoining developers;

(c) All existing property lines lying within the proposed subdivision, including lot lines for lots of record which are to be vacated, and all existing property lines for any property adjacent to the subject property which is under the same ownership as the property to be subdivided (as described in JCC 18.35.110(3)) shall be shown in broken lines;

(d) The location, right-of-way widths, pavement widths and names of all existing or platted roads, whether public or private, and other public ways within 200 feet of the property to be divided;

(e) The location, widths and purposes of any existing easements lying within or adjacent to the proposed subdivision;

(f) The location, size and invert elevation of sanitary sewer lines and stormwater management facilities lying within or adjacent to the proposed subdivision or those that will be connected to the subdivision as part of the proposal (if applicable);

(g) The location and size of existing water system facilities including all fire hydrants lying within or adjacent to the proposed subdivision or those which will be connected to as part of the proposed subdivision (if applicable);

(h) The location, size and description of any other underground and overhead facilities lying within or adjacent to the proposed subdivision (if applicable);

(i) The location of any critical areas as described in ~~Chapter~~chapter 18.22 JCC;

(j) The location of existing sections and municipal corporation boundary lines lying within or adjacent to the proposed subdivision;

(k) The location of any well and associated setbacks existing within the proposed subdivision;

(l) The location of any individual or on-site sewage disposal system existing within the proposed subdivision;

(m) Existing contour lines at intervals of five feet, labeled at intervals not to exceed 20 feet;

(n) The location of any existing structures lying within the proposed subdivision; existing structures to be removed shall be indicated by broken lines, and existing structures not to be removed shall be indicated by solid lines.

(4) The preliminary plat shall show the following proposed geographic features:

(a) The boundaries in bold solid lines of any proposed lots, tracts or parcels, the area and dimensions of each proposed lot, tract or parcel, and the proposed identifying number or letter to be assigned to each lot, tract or parcel, and block (if applicable);

(b) The right-of-way location and width, the proposed name of each road, street or other public way to be created and the estimated tentative grades of such roads; where roadways may exceed the maximum allowable grade or alignment, the director of the department of public works may require sufficient data, including centerline profiles and cross-sections, if necessary, to determine the feasibility of said roadway;

(c) The location, width and purpose of each easement to be created;

(d) The boundaries, dimensions and area of public and common park and open space areas;

(e) Identification of all areas proposed to be dedicated for public use, together with the purpose and any condition of dedication;

(f) Proposed final contour lines at intervals of five feet; final contour lines shall be indicated by solid lines; contour lines shall be labeled in intervals not to exceed 20 feet;

(g) The building envelope, as defined in JCC 18.10.020, shall be indicated for each lot;

(h) Proposed monumentation;

(i) Proposed location and description of all individual or community wells, or water system improvements, including fire hydrants (if applicable);

(j) Proposed location and description of all sewage disposal improvements, including (if applicable) profiles and all pump stations and their connections to the existing system;

(k) Proposed location and description of all stormwater management improvements;

(l) Proposed road cross-sections, showing bicycle and pedestrian pathways, trails and sidewalks (if applicable);

(m) Proposed type and location of road lighting (if applicable);

(n) Proposed type and location of landscaping (if applicable);

(o) Proposed location and description of transit stops and shelters (if applicable);

(p) Proposed covenants, conditions and restrictions (CC&Rs) on development (if applicable).

(5) Upon review of an application, the administrator may require additional pertinent information, as deemed necessary, to satisfy any other regulatory requirements. The administrator may also waive specific submittal requirements determined to be unnecessary

for review of an application. In such event, the administrator shall document the waiver in the project file or log. [Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.35.130 Short plat approval criteria.

In addition to the review criteria provided in ~~Chapter~~chapter 18.40 JCC, the following criteria are the minimum measures by which each proposed short subdivision will be considered:

(1) Short subdivisions shall be given preliminary approval, including preliminary approval subject to conditions, upon finding by the administrator that all of the following have been satisfied:

(a) The proposed subdivision conforms to all applicable county, state and federal zoning, land use, environmental and health regulations and plans, including but not limited to the following:

(i) The Jefferson County Comprehensive Plan; and

(ii) The provisions of this code, including any incorporated standards;

(b) Utilities and other public services necessary to serve the needs of the proposed subdivision shall be made available, including open spaces, drainage ways, roads, streets and other public ways, potable water, transit facilities, sewage disposal, parks, playgrounds, schools, sidewalks and other improvements to assure safe walking conditions for students who walk to and from school;

(c) Approving the proposed short subdivision will serve the public use and interest and adequate provision has been made for the public health, safety and general welfare.

(2) Notwithstanding the approval criteria set forth in subsection (1) of this section, in accordance with RCW 58.17.120, as now adopted and hereafter amended, a proposed subdivision may be denied because of flood, inundation or swamp conditions. Where any portion of the proposed short subdivision lies within both a flood control zone, as specified by ~~Chapter~~chapter 86.16 RCW, and either the 100-year floodplain or the regulatory floodway, the county shall not approve the preliminary short plat unless:

(a) The applicant has demonstrated to the satisfaction of the administrator that no feasible alternative exists to locating lots and building envelopes within the 100-year floodplain; and

(b) It imposes a condition requiring the applicant to comply with Article VI-F of ~~Chapter~~chapter 18.15 JCC and any written recommendations of the Washington State Department of Ecology. In such cases, the county shall issue no development permit associated with the proposed short subdivision until flood control problems have been resolved. ~~[Ord. 8-06 § 1]~~

18.35.140 Short plat review process.

(1) An application for a short subdivision shall be processed according to the procedures for Type II land use decisions established in ~~Chapter~~chapter 18.40 JCC.

(2) The administrator shall solicit comments from the director of the department of public works, the chief of the fire district in which the proposal is located, local utility providers, sheriff, building official, school district in which the proposal is located, adjacent jurisdictions if the proposal is within one mile of a city or other jurisdiction, Washington State Department of Transportation if the proposal is adjacent to a state highway, and any other local, state or federal officials as may be necessary.

(3) Based on comments from county departments, applicable agencies and other information, the administrator shall review the proposal subject to the criteria contained in JCC 18.35.130. A proposed short plat shall only be approved when consistent with all the provisions of JCC 18.35.130.

(4) An applicant for a short subdivision may request that certain requirements established or referenced by this chapter be modified. Such requests shall be processed according to the procedures for variances in ~~Chapter~~chapter 18.40 JCC, and shall satisfy the criteria contained in Article IV of ~~Chapter~~chapter 18.40 JCC, Variances.

(5) Pursuant to RCW 84.56.345, current year and any delinquent taxes must be paid before the approval of a short subdivision. [Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.35.150 Modifications to an approved preliminary short plat.

(1) Minor modifications to a previously approved preliminary short plat may be requested by the applicant and approved by the administrator subject to the provisions for Type I decisions in ~~Chapter~~chapter 18.40 JCC; provided, that the modification does not involve any of the following:

(a) The location or relocation of a road or street;

(b) The creation of an additional lot, tract or parcel;

(c) The creation of a lot, tract or parcel that does not qualify as a buildable lot pursuant to this code;

(d) The relocation of an entire lot, tract or parcel from one parent parcel into another parent parcel.

(2) Before approving such an amendment, the administrator shall make written findings and conclusions documenting the following conditions:

(a) The modification will not be inconsistent or cause the short subdivision to be inconsistent with the decision of the county preliminarily approving the application;

(b) The modification will not violate the intent of the original conditions of application approval; and

(c) The modification will not cause the short subdivision to violate any applicable county policy or regulation.

(3) Modifications that involve the circumstances described in subsection (1) of this section, or exceed the criteria set forth in subsection (2) of this section, shall be processed as a new preliminary short plat application. [Ord. 8-06 § 1]

18.35.160 Surety.

Subdivision applicants may be required to post a surety guaranteeing completion of subdivision improvements within one year of final plat approval. The surety shall be for 200 percent of the cost of construction of those improvements estimated by a licensed engineer. Surety shall be in a form acceptable to Jefferson County. In the event that the applicant does not complete construction within one year, Jefferson County shall be authorized to complete the construction and pay for the work from the surety account. Surety shall not be accepted for developing potable water sources. Surety may only be released only after inspection by Jefferson County. [Ord. 8-06 § 1]

18.35.170 Director of the department of public works certificate of improvements.

No permit for the construction of improvements within an approved subdivision shall be issued by the county until the improvement method report, all construction drawings, proposed performance guarantees, and other submittals in conformance with the development standards contained in ~~Chapter~~chapter 18.30 JCC and any incorporated standards have been received and approved by the director of the department of public works. All construction of improvements shall be inspected and approved in conformance with the development standards contained in ~~Chapter~~chapter 18.30 JCC and any incorporated standards. After completion of all required improvements or the guarantee of the construction of all required improvements, the director of the department of public works shall submit a certificate in triplicate to the administrator stating the required improvements or guarantees are in accordance with the provisions of this chapter, the preliminary short plat, including the county's decision approving the short plat, and in accordance with the development standards contained in ~~Chapter~~chapter 18.30 JCC and any incorporated standards. The administrator shall transmit one copy of the certification to the subdivider, together with a notice advising the subdivider to prepare a final plat for the proposed short subdivision. The administrator shall retain one copy of the certificate. [Ord. 8-06 § 1]

18.35.180 Final short plat requirements.

The applicant must submit a reproducible copy, plus five paper copies of the proposed final short plat to the administrator. The reproducible copy of the approved final short plat will contain the elements as described in JCC 18.35.120 and shall include certifications and other requirements as provided in JCC 18.35.370 for long plats. [Ord. 8-06 § 1]

18.35.190 Accompanying documents – Final short plat.

(1) In cases where any restrictive deed covenants or CC&Rs will apply to lots or parcels within a subdivision, a type written copy of such covenants, bearing all necessary signatures, shall be submitted along with the final plat. Where the recordation of specific deed restrictions or CC&R provisions have been required as a condition of preliminary plat approval, the administrator shall approve and sign the deed restriction or CC&Rs prior to final plat approval.

(2) The final plat shall be accompanied by a current (i.e., within 30 days) title company certification of the following:

(a) The legal description of the total parcel sought to be subdivided;

(b) Those individuals or corporations holding an ownership interest and any security interest (such as deeds or trust or mortgages) or any other encumbrances affecting the title of said parcel. Such individuals or corporations shall sign and approve the final plat prior to final approval;

(c) Any lands to be dedicated shall be confirmed as being owned in fee title by the owner(s) signing the dedication certificate;

(d) Any easements or restrictions affecting the property to be subdivided with a description of purpose and referenced by the auditor's file number and/or recording number; and

(e) If lands are to be dedicated or conveyed to the county as part of the subdivision, an American Land Title Association (A.L.T.A.) policy may be required by the director of the department of public works.

(3) All maintenance, performance and guarantee bonds or other guarantees as may be required by the director of the department of public works and the approved improvement method report to guarantee the acceptability and/or performance of all required improvements. [Ord. 8-06 § 1]

18.35.200 Final short plat approval.
The final short plat shall be approved by the administrator upon satisfaction of all conditions of approval and all requirements as provided in this article and Article VI of this chapter. Final approval of short plats by the Jefferson County board of county commissioners shall be required. All final short plats shall be approved, disapproved or returned to the applicant within 30 days of their filing, unless the applicant consents to an extension of time in writing. [Ord. 8-06 § 1]

18.35.210 Time limitation on final short plat submittal.
Approval of a preliminary short plat shall expire unless the applicant submits a proposed final plat in proper form for final approval within three years after preliminary approval. The department of community development shall not be responsible for notifying the applicant of an impending expiration. [Ord. 8-06 § 1]

18.35.220 Effect of an approved final short plat – Valid land use.
Any lots, tracts or parcels in a final short plat filed for record shall be a valid land use notwithstanding any change in zoning for a period of five years from the date of filing. A short subdivision shall be governed by the terms of approval of the final short plat, and the statutes, ordinances and regulations in effect on the date of preliminary plat approval for a period of five years after final short plat approval unless the Jefferson County board of commissioners finds that a change in conditions creates a serious threat to the public health or safety of residents within or outside the short subdivision. [Ord. 8-06 § 1]

18.35.230 Distribution of copies and filing of final short plat.
The administrator shall distribute the original and copies of the approved final short plat as follows:

(1) The original shall be returned to the applicant after it has been forwarded to the county auditor for recording; and

(2) One recorded paper copy shall be retained in the files of the department of community development. [Ord. 8-06 § 1]

18.35.240 Transfer of ownership following short plat approval.
Whenever any parcel of land lying within the county is divided under the provisions of this article relating to short subdivisions, no person, firm, or corporation shall sell or transfer any such lot, tract or parcel without having first received final approval of the short plat and having recorded the final short plat with the Jefferson County auditor. It is the responsibility of the applicant to ensure that a final short plat is fully certified and filed for record with the Jefferson County auditor prior to transferring ownership of any land. [Ord. 8-06 § 1]

18.35.250 Building and occupancy permits – Issuance after final short plat approval.
(1) No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved short subdivision prior to a determination by the relevant fire district chief or designee that adequate fire protection and access for construction needs exists.

(2) No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved short subdivision until the applicant complies with the improvement method report, all requirements of the department of public works certificate of improvements, and all requirements of the final plat approval.

(3) No occupancy permit for a structure other than a temporary contractor's office or other approved temporary building shall be issued for a structure on a lot or parcel within an approved subdivision prior to final inspection and approval of all required improvements which will serve such lot or parcel to the satisfaction of the director of the department of public works and county building official. [Ord. 8-06 § 1]

18.35.260 Accumulative short plats.
Accumulative short plats are not permitted. The short subdivision process may not be used to apply for a series of short plats within two years from any application, thereby circumventing the long subdivision procedures. [Ord. 8-06 § 1]

Article IV. Long Subdivisions

18.35.270 Scope.
Long subdivisions, as processed under this article, shall include all divisions of land into five or more lots, and shall require improvements so that any development will be in compliance with this code and any other codes or ordinances which may apply. [Ord. 8-06 § 1]

18.35.280 Application submittal and contents.
To be considered complete, the application for a long subdivision shall include the following information:

(1) The application for approval of a long subdivision shall be submitted to the department of community development on forms to be provided by the department along with the appropriate fees established by the Jefferson County fee ordinance;

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

(3) The area and dimensions 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~~chapter 18.15 JCC. The area of land contained in access easements, access panhandles or pipestem configurations shall not be included in the area computations;

(4) Five paper copies of a preliminary plat meeting the standards and requirements of JCC 18.35.290 and 18.35.300~~JCC 18.35.290 and 18.35.300~~;

(5) Where applicable, any special reports or studies required under ~~Chapter~~chapter 18.15 JCC, prepared in accordance with the requirements of Article VI-K of ~~Chapter~~chapter 18.15 JCC;

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

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

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

18.35.290 Preliminary plat – Preparation.
The preliminary plat shall be prepared in accordance with the following requirements:

(1) The preliminary plat shall be prepared by a Washington State licensed engineer or land surveyor registered or licensed by the state of Washington. The preparer shall certify on the plat that it is a true and correct representation of the lands actually surveyed. The preparation of the plat shall comply with the Survey Recording Act, ~~Chapter~~chapter 58.09 RCW and Chapter 332-130 WAC as now adopted or hereafter amended. Upon surveying the property, the surveyor shall place temporary stakes on the property to enable the county to locate and assess features of the long plat in the field. The datum to be used for all surveying and mapping shall be as follows: The projection name is the state plane; the projection spheroid is GRS 1980; the coordinate system is the Washington State Plane North Zone; and the horizontal datum is NAD 83.

(2) All geographic information portrayed by the preliminary plat shall be accurate, legible and drawn to a horizontal scale of 50 feet or fewer to the inch, except that the location sketch and typical roadway cross-sections may be drawn to any other appropriate scale.

(3) A preliminary plat shall be 18 inches by 24 inches in size, allowing one-half-inch borders, and if more than one sheet is needed, each sheet shall be numbered consecutively and an index sheet showing the entire property and orienting the other sheets, at any appropriate scale, shall

be provided. In addition to other map submittals, the applicant shall submit one copy of each sheet reduced to 8-1/2 inches by 11-1/2 inches in size. If more than one sheet is required, an index sheet showing the entire subdivision with road and highway names and block number (if any) shall be provided. Each sheet, including the index sheet, shall be of the above-specified size.

(4) The area of each proposed lot or parcel depicted on the long plat map shall accurately show that each lot, tract or parcel contains sufficient area to satisfy minimum zoning requirements. The area of land contained in access easements, access panhandles or pipestem configurations shall not be included in the lot size computations. [Ord. 8-06 § 1]

18.35.300 Preliminary plat – Contents.

(1) A preliminary plat shall be submitted on one or more sheets and shall provide the following information. All specifications for public improvements shall conform to the standards contained in ~~Chapter~~chapter 18.30 JCC, including any standards incorporated therein:

(a) The name of the proposed subdivision together with the words "Preliminary Plat";

(b) The name and address of the applicant;

(c) The name, address, stamp and signature of the professional engineer or professional land surveyor who prepared the preliminary plat;

(d) Numeric scale 50 feet or fewer to the inch), graphic scale, true north point, and date of preparation;

(e) Identification of all land intended to be cleared, and the location of the proposed access to the site for clearing and grading during site development and construction; and

(f) A form for the endorsement of the administrator of the department of community development, as follows:

APPROVED BY JEFFERSON COUNTY

_____ _____

Department of Community Development Administrator — Date

(2) The preliminary plat shall contain a vicinity sketch sufficient to define the location and boundaries of the proposed subdivision with respect to surrounding property, roads, and other major constructed and natural features.

(3) Except as otherwise specified in this chapter, the preliminary plat shall contain the following existing geographic features, drawn lightly in relation to proposed geographic features:

(a) The boundaries of the property to be subdivided, and the boundaries of any adjacent property under the same ownership as the land to be subdivided, to be indicated by bold lines;

(b) The names of all adjoining property owners, or names of adjoining developers;

(c) All existing property lines lying within the proposed subdivision, including lot lines for lot of record which are to be vacated, and all existing property lines for any property lying adjacent to the subject property which is under the same ownership as the property to be subdivided (as described in JCC 18.35.290(3)) shall be shown in broken lines;

(d) The location, right-of-way widths, pavement widths and names of all existing or platted roads, whether public or private, and other public ways within 200 feet of the property to be subdivided;

(e) The location, widths and purposes of any existing easements lying within or adjacent to the proposed subdivision;

(f) The location, size and invert elevation of sanitary sewer lines and stormwater management facilities lying within or adjacent to the proposed subdivision or those that will be connected to as part of the proposed subdivision (if applicable);

(g) The location and size of existing water system facilities including all fire hydrants lying within or adjacent to the proposed subdivision or those which will be connected to as part of the proposed subdivision (if applicable);

(h) The location, size and description of any other underground and overhead facilities lying within or adjacent to the proposed subdivision (if applicable);

(i) The location of any critical areas as described in ~~Chapter~~ chapter 18.22 JCC;

(j) The location of existing sections and municipal corporation boundary lines lying within or adjacent to the proposed subdivision;

(k) The location of any well existing within the proposed subdivision;

(l) The location of any individual or on-site sewage disposal system existing within the proposed subdivision;

(m) Existing contour lines at intervals of five feet labeled at intervals not to exceed 20 feet;

(n) The location of any existing structures lying within the proposed subdivision; existing structures to be removed shall be indicated by broken lines, and existing structures not to be removed shall be indicated by solid lines.

(4) The preliminary plat shall show the following proposed geographic features:

(a) The boundaries in bold solid lines of all proposed lots, the area and dimensions of each proposed lot, and the proposed identifying number or letter to be assigned to each lot and/or block;

(b) The right-of-way location and width, the proposed name of each road, street, alley, or other public way to be created and the estimated tentative grades of such streets; where roadways may exceed the maximum allowable grade or alignment, the director of the

department of public works may require sufficient data, including centerline profiles and cross-sections if necessary, to determine the feasibility of said roadway;

(c) The location, width and purpose of each easement created;

(d) The boundaries, dimensions and area of public and common park and open space areas;

(e) Identification of all areas proposed to be dedicated for public use, together with the purpose and any condition of dedication;

(f) Proposed final contour lines at intervals of five feet; final contour lines shall be indicated by solid lines; contour lines shall be labeled in intervals not to exceed 20 feet;

(g) The building envelopes, as defined in JCC 18.10.020, shall be indicated for each lot;

(h) Proposed monumentation;

(i) Proposed location and description of all individual or community wells, or water system improvements, including all proposed fire hydrants (if applicable);

(j) Proposed location and description of all sewage disposal improvements, including (if applicable) profiles, and, if needed, all pump stations and their connections to the existing system;

(k) Proposed location and description of all stormwater management system improvements;

(l) Proposed road cross-sections, showing proposed bicycle and pedestrian pathways, trails and sidewalks (if applicable);

(m) Proposed type and location of road lighting (if applicable);

(n) Proposed type and location of landscaping (if applicable);

(o) Proposed location and description of transit stops and shelters (if applicable);

(p) Proposed covenants, conditions and restrictions (CC&Rs) on development (if applicable).

(5) Upon review of an application, the administrator may require additional pertinent information as needed to satisfy any other regulatory requirements. The administrator may also waive specific submittal requirements determined to be unnecessary for review of an application. In such event, the administrator shall document the waiver in the project file or log. [Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.35.310 Approval criteria.

In addition to the review criteria provided ~~Chapter~~ chapter 18.40 JCC, the following criteria are the minimum measures by which each proposed subdivision will be considered:

(1) Long subdivisions shall be given preliminary approval, including preliminary approval subject to conditions, upon finding by the county that all of the following have been satisfied:

(a) The proposed subdivision conforms to all applicable county, state and federal zoning, land use, environmental and health regulations and plans, including, but not limited to, the following:

(i) The Jefferson County Comprehensive Plan; and

(ii) The provisions of this code, including any incorporated standards;

(b) Utilities and other public services necessary to serve the needs of the proposed subdivision shall be made available, including open spaces, drainage ways, roads, streets, other public ways, potable water, transit facilities, sewage disposal, parks, playgrounds, schools, sidewalks and other improvements that assure safe walking conditions for students who walk to and from school;

(c) The probable significant adverse environmental impacts of the proposed subdivision, together with any practical means of mitigating adverse impacts, have been considered such that the proposal will not have an unacceptable adverse effect upon the quality of the environment, in accordance with the State Environmental Policy Act (SEPA) implementing provisions contained within ~~Chapter~~ chapter 18.40 JCC and ~~Chapter~~ chapter 43.21C RCW;

(d) Approving the proposed subdivision will serve the public use and interest and adequate provision has been made for the public health, safety, and general welfare.

(2) Notwithstanding approval criteria set forth in subsection (1) of this section, in accordance with RCW 58.17.120, as now adopted and hereafter amended, a proposed subdivision may be denied because of flood, inundation or swamp conditions. Where any portion of the proposed subdivision lies within both a flood control zone, as specified by ~~Chapter~~chapter 86.16 RCW, and either the 100-year floodplain or the regulatory floodway, the county shall not approve the preliminary plat unless:

(a) The applicant has demonstrated to the satisfaction of the hearing examiner that no feasible alternative exists to locating lots and building envelopes within the 100-year floodplain; and

(b) It imposes a condition requiring the applicant to comply with Article VI-F of ~~Chapter~~chapter 18.15 JCC and any written recommendations of the Washington State Department of Ecology. In such cases, the county shall issue no development permit associated with the proposed short subdivision until flood control problems have been resolved.

(3) Pursuant to RCW 84.56.345 current year and any delinquent taxes must be paid before approval of any subdivision. [Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.35.320 Preliminary long plat review process.

(1) An application for a full subdivision shall be processed according to the procedures for Type III land use decisions established in ~~Chapter~~chapter 18.40 JCC.

(2) The administrator shall solicit comments from the director of the department of public works, the chief of the fire district in which the proposal is located, local utility providers, sheriff, building official, school district in which the proposal is located, adjacent jurisdictions if the proposal is located within one mile of a city or other jurisdiction, Washington State Department of Transportation, if the proposal is adjacent to a state highway, and any other state, local or federal officials as may be necessary.

(3) Based on comments from county departments, applicable agencies and other information, the administrator shall review the proposal subject to the criteria contained in JCC 18.35.310~~JCC 18.35.310~~. A proposed long subdivision shall only be approved when consistent with all the provisions of JCC 18.35.310~~JCC 18.35.310~~.

(4) An applicant for a long subdivision may request that certain requirements established or referenced by this chapter be modified. Such requests shall be processed according to the procedures for variances in ~~Chapter~~chapter 18.40 JCC, and shall satisfy the criteria contained in Article IV of ~~Chapter~~chapter 18.40 JCC, Variances. [Ord. 8-06 § 1]

18.35.330 Preliminary plat approval – Phased development.

Where subdivision development is proposed in distinct phases, preliminary plat approval must be granted for the entire subdivision. The plat map must delineate the separate divisions or phases that are to be developed in increments. The preliminary approval is conditional upon completion of the proposed phases in a particular sequence and may specify a completion date for each phase. Final plat approval is granted for each separate phase of the preliminary plat. Any changes in the development after preliminary approval will require approval in accordance with JCC 18.35.320. [Ord. 8-06 § 1]

18.35.340 Modifications to an approved preliminary plat.

(1) Minor modifications to a previously approved preliminary long plat may be requested by the applicant and approved by the administrator subject to the provisions for Type I decisions in ~~Chapter~~chapter 18.40 JCC; provided, that the modification does involve any of the following:

(a) The location or relocation of a road or street;

(b) The creation of an additional lot, tract or parcel;

(c) The creation of a lot, tract or parcel that does not qualify as a buildable lot pursuant to this code;

(d) The relocation of an entire lot, tract or parcel from one parent parcel into another parent parcel.

(2) Before approving such an amendment, the administrator shall make written findings and conclusions documenting the following conditions:

(a) The modification will not be inconsistent or cause the long subdivision to be inconsistent with the decision of the county preliminarily approving the application;

(b) The modification will not violate the intent of the original conditions of application approval; and

(c) The modification will not cause the long subdivision to violate any applicable county policy or regulation.

(3) Modifications that involve the circumstances described in subsection (1) of this section, or exceed the criteria set forth in subsection (2) of this section, shall be processed as a new preliminary long plat application. [Ord. 8-06 § 1]

18.35.350 Surety.
Subdivision applicants may be required to post a surety guaranteeing completion of subdivision improvements within one year of final plat approval. The surety shall be for 200 percent of the cost of construction of those improvements estimated by a licensed engineer. Surety shall be in a form acceptable to Jefferson County. In the event that the applicant does not complete construction within one year Jefferson County shall be authorized to complete the construction and pay for the work from the surety account. Surety shall not be accepted for developing potable water sources. Surety may only be released only after inspection by Jefferson County. [Ord. 8-06 § 1]

18.35.360 Director of public works certificate of improvements.
No permit for the construction of improvements within an approved subdivision shall be issued by the county until the improvement method report, all construction drawings, proposed performance guarantees, and other submittals in conformance with ~~Chapter~~chapter 18.30 JCC and any incorporated standards have been received and approved by the director of the department of public works. All construction of improvements shall be inspected and approved in conformance with development standards contained in ~~Chapter~~chapter 18.30 JCC and any incorporated standards. After completion of all required improvements or the guarantee of the construction of all required improvements, the director of the department of public works shall submit a certificate in triplicate to the administrator stating the required improvements or guarantees are in accordance with the provisions of this chapter, the preliminary plat, including the county's decision approving the plat, and in accordance with the development standards contained in ~~Chapter~~chapter 18.30 JCC and any incorporated standards. The administrator shall submit one copy of the certification to the subdivider, together with a notice advising the subdivider to prepare a final plat for the proposed subdivision. One copy of the certificate shall be retained by the administrator. [Ord. 8-06 § 1]

18.35.370 Preparation of a final long plat.
The final long plat shall be prepared in accordance with the following requirements:

(1) The final plat shall be prepared by a land surveyor licensed by the state of Washington or a Washington state licensed engineer.

(2) Six paper copies of the final long plat shall be submitted, measuring 18 inches by 24 inches in size, allowing one-half inch for border.

(3) A final long plat shall contain the following information:

(a) The name of the subdivision;

(b) Legal description of the property being subdivided;

(c) Numeric scale, graphic scale, true north point and date of preparation of the final plat;

(d) The lot line of the plat, referenced to county (USC&GS) datum and based on an accurate traverse, with angular and linear dimensions and bearings;

(e) The exact location, width and name of all roads, streets, alleys and other public ways within and adjacent to the subdivision;

(f) The exact location, width and purpose of all easements and dedications for rights-of-way provided for public and private services and utilities;

(g) True courses and distances to the nearest established road lines, or sections or quarter section corner monuments which shall accurately locate the subdivision;

(h) Section lines accurately tied to the lines of the plat by distances and courses;

(i) All lot and block numbers (if applicable) and lines, with accurate dimensions in feet and hundredths of feet;

(j) All house address numbers as assigned by the county;

(k) Delineation of the building envelope of each lot;

(l) The radii, internal angles, points of curvature, tangent bearings and lengths of arc;

(m) The accurate location of each permanent control monument;

(n) All plat meander lines or reference lines along bodies of water shall be established as above, but not farther than 20 feet from the high water line of such body;

(o) Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purpose of such dedication or reservation and any limitations indicated thereon and in dedication;

(p) Accurate outlines of any area to be reserved by the deed covenant for common use of owners of property within the subdivision, together with the purposes of such reservation;

(q) Any restrictions or conditions on the lots or tracts within the subdivision, as required by the county or at the discretion of the property owner, including, but not limited to, critical area buffers;

(r) The auditor's file number of all documents and conveyances recorded with the Jefferson County auditor associated with preliminary or final plat approval;

(s) The name and seal of the Washington State licensed land surveyor or Washington State licensed engineer responsible preparation of the final plat, and a signed certification on

the plat by said surveyor to the effect that it is a true and correct representation of the land actually surveyed by him or her, that the existing monuments shown thereon exist as located and that all dimensional and geodetic details are correct;

(t) A signed, notarized certification stating that the subdivision has been made with the free consent and in accordance with the desires of the all persons with ownership and/or security interests in the property. If the plat includes a dedication, the certificate or a separate written instrument shall contain the dedication of all roads and other areas to the public, any individual or individuals, or to any corporation, public or private, as shown on the plat. Such certificate or instrument shall be signed and acknowledged before a notary public by all parties having any interest in the land subdivided. The owner shall waive all claims against the county, on behalf of the owner and the owner's successors and assigns, which may be occasioned by the establishment and/or construction of any roads, streets, storm drainage improvements or other improvements;

(u) An offer of dedication may include a waiver of right of direct access to any road from any property. Such waiver may be required by the director of the department of public works as a condition of approval. Any dedication, donation or grant as shown on the face of the plat shall be considered as a quit claim deed to the said donee or grantee for use for the purpose intended by the donation or grant;

(v) Signature blocks for the appropriate certification of the county auditor, director of the department of public works, director of the public health department, and DCD administrator, as follows:

DIRECTOR OF PUBLIC WORKS CERTIFICATE

I hereby certify to the best of my knowledge that this final plat is in compliance with the certificate of improvements issued pursuant to the Jefferson County Unified Development Code and is consistent with all applicable county improvement standards and requirements in force on the date of preliminary plat approval, this ____ day of _____, 20__.

_____
Director, Jefferson County Department
of Public Works or Designee

DEPARTMENT OF COMMUNITY DEVELOPMENT
~~ADMINISTRATOR'S~~ DIRECTOR'S CERTIFICATE

I hereby certify that on this _____ day of _____, 20__, that this final plat is in substantial conformance with the preliminary plat and any conditions attached thereto, which preliminary plat was approved by Jefferson County on the _____ day of _____, 20____.

_____
~~Administrator~~Director, Jefferson County
Community Development Department or Designee

JEFFERSON COUNTY PUBLIC HEALTH DIRECTOR CERTIFICATE

Approved by public health department on this _____ day of _____, 20__.

_____
Director, Jefferson County Public Health Dept.

JEFFERSON COUNTY TREASURER'S CERTIFICATE

All taxes and/or assessments due are paid in full on this ____ day of _____, 20__.

_____
Jefferson County Treasurer or Designee

(w) A form of the approval of the county assessor, as follows:

JEFFERSON COUNTY ASSESSOR'S CERTIFICATE~~ASSESSOR'S APPROVAL~~

Examined and approved this _____ day of _____, 20___.

_____
Jefferson County Assessor or Designee

Attest:

_____
Deputy Jefferson County Assessor

(x) A form for the certificate of the Jefferson County recorder, as follows:

RECORDING CERTIFICATE

Filed for record at the request of Jefferson County this _____ day of _____, 20 ____, at _____ minutes past __M., and recorded in Volume _____ of Plats, page _____ Records of Jefferson County, Washington.

Jefferson County Recording Number ___.

_____
~~Manager~~Jefferson County Auditor or Designee

_____
Superintendent of Records

(y) Any additional pertinent information as required at the discretion of the director of the department of public works or the DCD administrator.

(4) All signatures or certifications appearing on a final plat shall in be reproducible black ink. [Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.35.380 Accompanying documents – Final long plat.

(1) In cases where any deed covenants or restrictions, including any CC&Rs, will apply to lots or parcels within a subdivision, a typewritten copy of such covenants bearing all necessary signatures shall be submitted along with the final plat.

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(2) The final plat shall be accompanied by a complete survey of the section or sections in which the plat or replat is located, or as much thereof as may be necessary to properly orient the plat within such section or sections. The plat and section survey shall be submitted with complete field and computation notes, showing the original or re-established corners, with the description of the same, and the actual traverse showing error or closure and method of balancing. A sketch showing all distances, angles and calculations required to determine corners and distances of the plat shall accompany this data. The allowable error of closure shall not exceed one foot in 10,000 feet.

(3) The final plat shall be accompanied by a current (within 30 days) title company certification of:

(a) The legal description of the total parcel sought to be subdivided;

(b) Those individuals or corporations holding an ownership interest and any security interest (such as deed of trust or mortgages) or any other encumbrances affecting the title of said parcel. Such individuals or corporations shall sign and approve the final plat prior to final approval;

(c) Any lands to be dedicated shall be confirmed as being owned in fee title by the owner(s) signing the dedication certificate;

(d) Any easements or restrictions affecting the property to be subdivided with a description of purpose and referenced by the auditor's file number and/or recording number; and

(e) If lands are to be dedicated or conveyed to the county as part of the subdivision, an American Land Title Association (A.L.T.A.) title policy may be required by the director of the department of public works.

(4) The applicant shall provide the director of the department of public works with a computer disk containing a complete set of the final plat maps and as-built drawings on CADD(c) or other GIS-compatible software as acceptable to the director of the department of public works.

(5) All documents submitted under this section shall contain the name of the subdivision and the name and address of the subdivider.

(6) All maintenance, performance and guarantee bonds or other guarantees as may be required by the director of the department of public works and the improvement method report to guarantee the acceptability and/or performance of all improvements. For all improvements constructed after final plat approval, reproducible as-built drawing and CADD(c) files shall be submitted within 15 days of completion of construction. [Ord. 8-06 § 1]

18.35.390 Final long plat application.

(1) Applications for final long plat approval shall be made on forms provided by the department along with the fee established in the Jefferson County fee ordinance.

(2) Applications for final plat approval shall be processed according to the procedures for Type IV land use decisions established in ~~Chapter~~chapter 18.40 JCC, and shall be approved,

disapproved, or returned to the applicant within 30 days of their filing, unless the applicant consents to an extension of time in writing.

(3) Applications for final plat approval shall be submitted within five years of the date of the preliminary plat approval.

(4) The final plat map shall be prepared in accordance with JCC 18.35.300~~18.35.300~~ and 18.35.320~~18.35.320~~.

(5) Prior to final approval, with the exception of the recording certificate, the applicant shall obtain all signatures and certifications on the face of the plat in accordance with JCC 18.35.370. [Ord. 8-06 § 1]

18.35.400 Time limitation on final long plat submittal.
(1) Approval of a preliminary long plat shall be valid as follows:

(a) For preliminary long plats approved on or after January 1, 2015, the original and three copies of a final long plat meeting all requirements of ~~Chapter~~chapter 58.17 RCW shall be transmitted by the administrator to the board of county commissioners within five years of the date of the preliminary long plat approval.

(b) For preliminary long plats approved on or before December 31, 2014, the original and three copies of the final long plat meeting all requirements of ~~Chapter~~chapter 58.17 RCW shall be transmitted by the administrator to the board of county commissioners within seven years of the date of the preliminary long plat approval.

(c) For preliminary long plats approved on or before December 31, 2007, and not located within shoreline jurisdiction, subject to ~~Chapter~~chapter 90.58 RCW, the original and three copies of a final long plat meeting all requirements of ~~Chapter~~chapter 58.17 RCW shall be transmitted by the administrator to the board of county commissioners within 10 years of the date of the preliminary long plat approval.

(2) No extensions shall be granted. A plat granted preliminary approval but filed for final long plat approval following the applicable time period shall be null and void. The department of community development shall not be responsible for notifying the applicant of an impending preliminary long plat expiration. [Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.35.410 Effect of an approved final long plat – Valid land use.
(1) Any lots in a final long plat filed for record on or after January 1, 2015, shall be a valid land use notwithstanding any change in zoning laws for a period of five years from the date of filing.

(2) Any lots in a final long plat filed for record on or before December 31, 2014, shall be a valid land use notwithstanding any change in zoning laws for a period of seven years from the date of filing.

(3) Any lots in a final long plat filed for record on or before December 31, 2007, and not located within shoreline jurisdiction, subject to ~~Chapter~~chapter 90.58 RCW, shall be a valid land use notwithstanding any change in zoning laws for 10 years from the date of filing.

(4) A long subdivision shall be governed by the terms of approval of the final long plat, and the statutes, ordinances and regulations in effect on the date of preliminary long plat approval for a period after final long plat approval as provided in subsections (1), (2) and (3) of this section unless the board of county commissioners finds that a change in conditions creates a serious threat to the public health or safety of residents within or outside the subdivision. [Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.35.420 Distribution of copies and filing of final long plat.
The administrator shall distribute the original and copies of the approved final long plat as follows:

(1) The original shall be returned to the applicant after it has been forwarded to the county auditor for recording;

(2) Prior to the issuance of any building permits, one recorded reproducible copy shall be transmitted to the director of the department of public works;

(3) One recorded paper copy shall be retained in the files of the department of community development; and

(4) One recorded paper copy shall be provided to the building official for assignment of addresses. [Ord. 8-06 § 1]

18.35.430 Transfer of ownership following final long plat approval.
Whenever any parcel of land lying within the county is divided under the provisions of this article relating to long subdivisions, no person, firm, or corporation shall sell or transfer or advertise for sale or transfer any such lot, tract or parcel without having first received final approval of the long plat and having recorded the final long plat with the Jefferson County auditor. It is the responsibility of the applicant to ensure that a final long plat is fully certified and filed for record with the Jefferson County auditor prior to transferring ownership of any land. [Ord. 8-06 § 1]

18.35.440 Building and occupancy permits – Issuance after final long plat approval.
(1) No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved long subdivision prior to a determination by the relevant fire district chief or designee that adequate fire protection and access for construction needs exists.

(2) No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved long subdivision until the applicant complies with the improvement method report, all requirements of the department of public works certificate of improvements, and all requirements of the final plat approval.

(3) No occupancy permit for a structure other than a temporary contractor's office or other approved temporary building shall be issued for a structure on a lot or parcel within an approved long subdivision prior to final inspection and approval of all required improvements which will serve such lot or parcel to the satisfaction of the director of the department of public works and county building official. [Ord. 8-06 § 1]

Article V. Binding Site Plans

18.35.450 Purpose.

The purpose of this article is to clearly delineate the criteria used by the county to review and approve binding site plans. A binding site plan is intended to provide an alternative means of dividing land. The binding site plan process provides a means for certain types of land division applications to be processed administratively based upon the development standards and regulations contained within this code and any other applicable ordinances and regulations. Binding site plans tie a future development to an approved set of conditions and site layout. [Ord. 8-06 § 1]

18.35.460 Scope.

This article shall only apply to one or more of the following:

(1) The use of a binding site plan to divisions of land for sale or lease of mixed use, commercial or industrial zoned property where the applicant proposes a unified scheme of development;

(2) Divisions of property for residential, commercial or industrial condominium development as provided for in JCC 18.35.470; and

(3) Planned rural residential developments (PRRDs) proposed under Article VI-M of ~~Chapter~~chapter 18.15 JCC where full short or long subdivision of the land into separate, legally segregated lots, tracts or parcels is not required. [Ord. 8-06 § 1]

18.35.470 Condominiums.

For the purpose of approval of condominium developments, the provisions of this chapter regarding short subdivision and long subdivision shall not apply if:

(1) A land division is proposed as a condominium and does not result in the subdivision of land into separately owned lots in accordance with the definition for short or long subdivisions, but subjects a portion of a lot, tract or parcel to ~~Chapter~~chapter 64.34 RCW (the "Condominium Act") subsequent to the recording of a binding site plan for all such land;

(2) The improvements constructed or to be constructed thereon are required by the provisions of the binding site plan proposed for a condominium project;

(3) Jefferson County has approved a binding site plan for all such land; and

(4) The binding site plan contains the following statement:

> All development and use of the land described herein shall be in accordance with this binding site plan, as it may be amended with the approval of Jefferson County, and in accordance with such other government permits, approvals, regulations, requirements, and restrictions that may be imposed upon such land and the development and use thereof. Upon completion, the improvements on the land shall be included in one (1) or more condominiums or owned by an association or other legal entity in which the

owners' associations have a membership or other legal or beneficial interest. This binding site plan shall be binding upon all persons, businesses, corporations, partnerships or other entities now or hereafter having any interest in the land described herein.

[Ord. 8-06 § 1]

18.35.480 Application submittal and contents.

To be considered complete, applications for binding site plan approval shall include the following information:

(1) Applications for binding site plans shall be made on forms provided by the Jefferson County department of community development and shall be submitted to the department of community development, 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~~chapter 18.40 JCC;

(3) Mixed Use, Commercial and Industrial Binding Site Plans. In addition to materials required pursuant to subsections (1) and (2) of this section, a binding site plan application for mixed use, commercial or industrial proposals shall contain the same elements and information as a preliminary long plat, in accordance with JCC 18.35.280, 18.35.290 and 18.35.300;

(4) Binding Site Plan for Residential Condominiums. In addition the materials required pursuant to subsections (1) and (2) of this section, a binding site plan for residential condominiums shall conform to the requirements of ~~Chapter~~chapter 64.34 RCW, the "Condominium Act." The applicant shall submit a sworn declaration from a registered land surveyor licensed in the state of Washington that all requirements of RCW 64.34.232, as now adopted and hereafter amended, have been satisfied. The county shall not be responsible for verification that the proposal complies with ~~Chapter~~chapter 64.34 RCW, but may rely upon the representation of the licensed surveyor. The applicant shall submit five copies of the binding site plan map for review. The site plan shall have dimensions of 18 inches by 24 inches and must be prepared by a registered surveyor licensed in the state of Washington. In addition to the requirements of ~~Chapter~~chapter 64.34 RCW, the binding site plan map must include the following information:

(a) The name of the condominium project;

(b) Legal description of the entire parcel;

(c) The date, scale, and north arrow;

(d) Boundary lines, rights-of-way for roads, streets, easements, and property lines of lots, the location of all open spaces, utilities, and other improvements with accurate bearings, dimensions of angles and arcs, and of all curve data describing the location of all improvements;

(e) Names and right-of-way widths of all roads or streets within the parcel and immediately adjacent to the parcel. Street names shall be consistent with the names of existing adjacent streets;

(f) Number of each lot and each block or division;

(g) Location, dimensions and purpose of any easements, noting if the easements are public or private;

(h) Location and description of monuments, boundary corners set, and all lot corners set and found;

(i) Datum elevations and primary control points approved by the department of public works. Descriptions and ties to all control points will be shown with dimensions, angles, and bearings;

(j) A dedicatory statement acknowledging public and private dedications and grants;

(k) The statement required by JCC 18.35.470(4) must be on the face of the final binding site plan; and

(l) Other restrictions, conditions, and requirements as deemed necessary by the county, including all applicable development standards contained in ~~Chapter~~chapter 18.30 JCC and any standards incorporated therein. [Ord. 8-06 § 1]

18.35.490 Binding site plan approval criteria.

(1) Binding site plans shall be approved upon showing that all of the following have been satisfied:

(a) The proposed binding site plan conforms to all applicable county, state and federal zoning, land use, environmental and health regulations and plans, including but not limited to the following:

(i) The Jefferson County Comprehensive Plan; and

(ii) The provisions of this code, including any incorporated standards;

(b) Utilities and other public services necessary to serve the needs of the proposed binding site plan shall be made available, including open spaces, drainage ways, roads, streets and other public ways, potable water, transit facilities, sewage disposal, parks, playgrounds, schools, sidewalks and other improvements to assure safe walking conditions for students who walk to and from school;

(c) The probable significant adverse environmental impacts of the proposed binding site plan, together with any practical means of mitigating adverse impacts, have been considered such that the proposal will not have an unacceptable adverse effect upon the quality of the environment, in accordance with the State Environmental Policy Act (SEPA) implementing provisions contained within ~~Chapter~~chapter 18.40 JCC and ~~Chapter~~chapter 43.21C RCW;

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(d) Approving the proposed binding site plan will serve the public use and interest and adequate provision has been made for the public health, safety and general welfare.

(2) Notwithstanding the approval criteria set forth in subsection (1) of this section, a proposed binding site plan may be denied because of flood, inundation or swamp conditions. Where any portion of the proposed binding site plan lies within both a flood control zone, as specified by ~~Chapter~~chapter 86.16 RCW, and either the 100-year floodplain or the regulatory floodway, the county shall not approve the binding site plan unless:

(a) The applicant has demonstrated to the satisfaction of the administrator that no feasible alternative exists to locating lots and building envelopes within the 100-year floodplain; and

(b) It imposes a condition requiring the applicant to comply with Article VI-F of ~~Chapter~~chapter 18.15 JCC and any written recommendations of the Washington State Department of Ecology. In such cases, the county shall issue no development permit associated with the proposed binding site plan until flood control problems have been resolved. [Ord. 8-06 § 1]

18.35.500 Binding site plan review process.

(1) An application for a binding site plan approval shall be processed according to the procedures for Type III land use decisions established in ~~Chapter~~chapter 18.40 JCC.

(2) The administrator shall solicit comments from the director of the department of public works, the chief of the fire district in which the proposal is located, local utility providers, sheriff, building official, school district in which the proposal is located, adjacent jurisdictions if the proposal is within one mile of a city or other jurisdiction, Washington State Department of Transportation if the proposal is adjacent to a state highway, and any other local, state or federal officials as may be necessary.

(3) Based upon comments from county departments and applicable agencies, and other information, the administrator shall review the proposal subject to the criteria of JCC 18.35.490. A proposed binding site plan shall only be approved when consistent with all the provisions of JCC 18.35.490. Binding site plan approval may be based upon certain delineated conditions. The county shall make written finding and conclusions documenting compliance with all approval criteria. A binding site plan shall be granted preliminary approval only, until all improvements are installed or the county has received adequate guarantees or assurances of future installation of improvements.

(4) Upon satisfying all conditions of approval, if any, and satisfying all requirements of ~~Chapter~~chapter 18.30 JCC and any incorporated standards for the installation of all improvements, the administrator shall administratively approve the final binding site plan for filing with the Jefferson County assessor. The final binding site plan shall conform to the requirements of JCC 18.35.370 and 18.35.380, as applicable.

(5) For all condominium projects, prior to final approval, the applicant shall obtain the written approval from the Jefferson County assessor of the condominium CC&Rs. [Ord. 8-06 § 1]

18.35.510 Binding site plan development standards.
Binding site plans shall conform to the development standards contained in Article VI of this chapter. [Ord. 8-06 § 1]

18.35.520 Modifications and vacations.
Binding site plans may be modified or vacated subject to the following:

(1) Binding site plans may be modified only if the modification is minor in nature and the original intent of the recorded binding site plan is not changed and if the modification does not adversely impact public health and safety, the environment, or the delivery of services to the site. The proposed modification must be clearly shown and be accompanied by a letter of explanation and application for a plat alteration. Upon administrative approval of such modification, the modifications shall become part of the binding site plan. If the proposed modification constitutes a substantial modification, the proposal shall be processed as a new binding site plan application.

(2) Prior to issuance of any building permit or other site development permits, including, but not limited to, clearing and grading permits, a binding site plan may be vacated as a whole only. Vacating a binding site plan releases all conditions and obligations on the parcel associated with such plan. A binding site plan may be vacated with the submission to DCD of a letter of intent to vacate the binding site plan. The letter shall become binding upon its acceptance by the administrator. If the binding site plan has been recorded with the Jefferson County auditor, notice of the vacation shall be recorded on forms acceptable to the Jefferson County auditor.

(3) After issuance of any building or other site development permits, including, but not limited to, clearing and grading permits, the process for vacation of all or part of a binding site plan is identical to the process for initial binding site plan approval. [Ord. 8-06 § 1]

18.35.530 Distribution of copies and filing.
(1) Upon approval, a binding site plan shall follow the procedures of JCC 18.35.420.

(2) After approval of the general binding site plan for commercial or industrial divisions, the approval for improvements and finalization of specific individual commercial and industrial lots shall be done by administrative approval. [Ord. 8-06 § 1]

18.35.540 Time limit.
The applicant or owner of the property subject to a binding site plan shall obtain all permits for the development of a site within five years of its recording under JCC 18.35.530. If the applicant fails to obtain all permits within five years, no site development permits shall be issued until the applicant files a new application and obtains binding site plan approval in accordance with this article. [Ord. 8-06 § 1]

18.35.550 Extinguishment of binding site plans with preliminary approval prior to UDC adoption.
The applicant or owner of a property subject to a binding site plan having preliminary approval prior to the initial adoption date of this Unified Development Code (UDC) shall obtain final approval of the binding site plan within two years of the initial adoption of this code. If the applicant fails to obtain final binding site plan approval within two years, no site development

permits shall be issued until the applicant files a new application and obtains binding site plan approval in accordance with this article. [Ord. 8-06 § 1]

18.35.560 Effect of final binding site plan approval.
(1) All provisions, conditions, and requirements of the binding site plan shall be legally enforceable on the purchaser of any other person acquiring a lease or other legal or property interest of any lot, tract, or parcel created pursuant to the binding site plan.

(2) Any sale, transfer, or lease of any lot, tract or parcel created pursuant to the binding site plan, that does not conform to the requirements of the binding site plan, or without binding site plan approval, shall be considered a violation of this article. [Ord. 8-06 § 1]

Article VI. Subdivision Development Standards

18.35.570 Requirements for improvements.
All improvements shall be designed and constructed in conformance with the development standards contained in this article, as well as ~~Chapter~~chapter 18.30 JCC and any standards incorporated therein. Prior to construction of any improvements, as approved upon the preliminary plat or binding site plan, the subdivider shall furnish construction plans. These plans must be prepared, signed, dated and stamped by a Washington State licensed civil engineer and shall be in accordance with the standards contained in ~~Chapter~~chapter 18.30 JCC. The construction plans must be reviewed and approved by the county prior to construction. [Ord. 8-06 § 1]

18.35.580 Transportation and drainage standards.
(1) Transportation Standards – Generally. All divisions of land covered by this chapter shall be served by appropriate transportation facilities, including roads and facilities for transit, pedestrians, and bicycles. Transportation facilities shall be adequate both the serve the division of land and to avoid adverse effects to the existing transportation system. If transportation facilities are inadequate, the applicant shall be required to make provision for all necessary improvements. Transportation facilities shall be deemed adequate if necessary improvements are planned and designated funding is secured in the Six-Year Transportation Improvement Program.

(2) Road and Drainage Design and Construction Standards.

(a) All roads serving two or more lots shall comply with the road design and construction standards specified in JCC 18.30.080;

(b) A drainage analysis shall be performed in conformance with JCC 18.30.070, and drainage systems shall be designed to the standards set forth in JCC 18.30.060(2) and 18.30.070. [Ord. 8-06 § 1]

18.35.590 Responsibility for road improvements.
Where reasonably necessary to mitigate the direct impacts of the proposed division of land and/or to meet safety requirements, off-site road improvements may be required as a condition of approval under this chapter. When required, the applicant shall bear the sole responsibility to make such off-site road improvements. [Ord. 8-06 § 1]

18.35.600 Health standards.
The following health standards apply to all divisions of land governed by this chapter:

(1) Water. All divisions of land shall comply with the requirements established by the Jefferson County department of health for the provision of water;

(2) Wastewater Disposal. All divisions of land shall comply with the requirements established by the Jefferson County department of health for wastewater disposal; and

(3) Storm Drainage. Stormwater flows from land divisions shall not adversely affect critical aquifer recharge areas. All divisions of land shall meet the regulations for critical aquifer recharge areas contained in Article VI-E of ~~Chapter~~chapter 18.15 JCC. [Ord. 8-06 § 1]

18.35.610 Fire and utility standards.
All divisions of land governed by this chapter shall meet the fire protection and improvement standards adopted by Jefferson County. [Ord. 8-06 § 1]

18.35.620 Plan review, inspection and fees.
The department of community development and department of public works are responsible for reviewing all engineering drawings and for the supervision, inspection and acceptance of all subdivision improvements, and shall charge the subdivider the applicable fees as set forth in the Jefferson County fee ordinance. [Ord. 8-06 § 1]

18.35.630 Release of improvement guarantee.
If an improvement bond or other guarantee has been submitted, such guarantee shall be released in accordance with the development standards contained in ~~Chapter~~chapter 18.30 JCC. [Ord. 8-06 § 1]

18.35.640 Floods and flood control.
The county may disapprove a proposed subdivision because of flood, inundation or regulated wetlands if the county finds that such condition poses a threat to the public health, safety or general welfare. Where any portion of the proposed subdivision lies within both a flood control zone, as specified by ~~Chapter~~chapter 86.16 RCW, and either the 100-year floodplain or the regulatory floodway, the county shall impose a condition on the preliminary plat requiring the subdivider to conform to the Federal Emergency Management Agency (FEMA) flood hazard requirements. In such cases, no development permit associated with the proposed subdivision shall be issued by the county until said FEMA requirements have been met. Where feasible, the county may require that all lots and/or building envelopes be located outside the 100-year floodplain. The county may also require dedication of land to any public body and/or the construction of improvements and may impose other conditions necessary to protect against flooding or inundation. [Ord. 8-06 § 1]

18.35.650 Additional requirements.
The standards or requirements established in this chapter and ~~Chapter~~chapter 18.30 JCC are minimum requirements. These standards may be increased and additional requirements may be imposed for the purpose of mitigating identified probable significant adverse environmental impacts pursuant to the State Environmental Policy Act (SEPA), ~~Chapter~~chapter 43.21C RCW, as now established or hereafter amended. Such additional requirements may include, but are not limited to, off-site improvements to any public facility,

the dedication and/or improvement of parks and open spaces, and contributions to any county fund established to finance the provision of public services required by subdivision. [Ord. 8-06 § 1]

18.35.660 Phased subdivision.
Preliminary plat approval must be granted for the entire subdivision and must delineate the separate divisions that are to be developed in phased increments. Where the preliminary plat approval is conditioned upon completion of the proposed phases in a particular sequence, the preliminary plat approval shall specify a completion date for each phase. Final plat approval may be granted for each separate phase of the preliminary plat. Any changes at the preliminary plat stage will require approval in accordance with JCC 18.35.340. [Ord. 8-06 § 1]

Article VII. Plat Alteration

18.35.670 Purpose.
(1) To allow modifications to approved short plats, binding site plans, and subdivisions including:

(a) The creation of additional lots within an existing subdivision or short plat resulting in four or fewer lots within five years of final approval;

(b) Revision of lot lines, notes, notice to purchasers, or easements established in a recorded plat;

(c) Vacation, in whole or in part, of a subdivision, binding site plan, mobile home park, RV park, short subdivision, or large lot subdivision.

(2) This section does not apply to alteration or replatting of any plat of state-granted tide or shore lands. [Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.35.680 Application submittal and contents.
To be considered complete, applications for plat alterations shall include the following:

(1) Applications for plat alterations shall be made on forms provided by the Jefferson County department of community development and shall be submitted to the department of community development, 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~~chapter 18.40 JCC;

(3) Current title company certification/plat certificate.

(a) For a plat vacation, signatures of all parties having an ownership interest, including deeds of trust, in that portion of the short plat, long plat, or binding site plan subject to the proposed vacation; or

(b) For a plat alteration or replat, signatures of a majority of those parties having an ownership interest, including deeds of trust, of the lots, tracts, parcels, sites or divisions in the subject short plat, long plat or binding site plan, or portion to be altered; or

(c) For a plat alteration affecting open space, easements, or public or private rights-of-way signatures of all parties that make use of the portion being altered;

(4) A copy of any covenants, conditions, and restrictions (CC&Rs), deed restrictions, easements, planned rural residential development (PRRD) agreements, or other encumbrances restricting the use of the property;

(5) Five paper copies of the plat map and any surveys of record, with proposed alteration(s) or vacation(s) depicted in red ink. [Ord. 8-06 § 1]

18.35.690 Review process and criteria.

(1) An application for a plat amendment shall be processed according to the procedures for Type II land use decisions established in ~~Chapter~~chapter 18.40 JCC and the criteria listed in RCW 58.17.215;

(2) Notice shall be given to the affected parties, a public hearing may be requested by a person receiving notice within 14 days of receipt of notice. When a public hearing is requested the application shall be processed according to the procedures for Type III decisions established in ~~Chapter~~chapter 18.40 JCC and the criteria listed in RCW 58.17.215;

(3) The administrator shall solicit comments from the director of the department of public works, the chief of the fire district in which the proposal is located, local utility providers, sheriff, building official, school district in which the proposal is located, adjacent jurisdictions if the proposal is within one mile of a city or other jurisdiction, Washington State Department of Transportation if the proposal is adjacent to a state highway, and any other local, state or federal officials as may be necessary;

(4) Based on comments from county departments, applicable agencies and other information, the administrator shall review the proposal subject to the criteria contained in this section. A proposed plat amendment shall only be approved when consistent with all the provisions of JCC 18.35.690 and RCW 58.17.215. [Ord. 8-06 § 1]

~~**Article VIII. Boundary Line Agreements**~~

~~**18.35.700 Purpose.**~~

~~(1) Purpose and Scope. The purpose of this article is to provide procedures and criteria for the review and approval of adjustments to boundary lines through agreement whenever a point or line determining the boundary between two or more parcels of real property cannot be identified from the existing public record, monuments, and landmarks, or is in dispute. Landowners affected by the determination of the point or line may resolve any dispute and fix the boundary point or line by the procedure in this article, in conformance with RCW 58.04.007.~~

~~(2) This article is not intended to conflict with applicable state laws or regulations. If any portion of this article conflicts with applicable state law or regulation, the state law or regulation shall control over this article. [Ord. 14-18 § 4 (Exh. B)]~~

~~18.35.710 Application submittal and contents.~~

~~If a point or line determining the boundary between two or more parcels of real property cannot be identified from the existing public record, monuments, and landmarks, or is in dispute, all of the affected landowners may agree to a description and marking of a point or line determining a boundary. To apply for a boundary line agreement, the affected property owners shall submit an application for a boundary line agreement. To be considered a complete application it must include the following:~~

~~(1) Applications for boundary line agreements shall be made on forms provided by the Jefferson County department of community development and shall be submitted to the department of community development, along with the appropriate fees established under the Jefferson County fee ordinance. The application shall include the signature of all affected property owners;~~

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

~~(3) Three copies of a proposed written instrument for the boundary line agreement, including appropriate legal descriptions and a survey;~~

~~(4) Three copies of a clean and legible survey drawing, consistent with the Survey Recording Act, Chapter 58.09 RCW and Chapter 332-130 WAC, suitable for recording; and~~

~~(5) Three copies of the existing and proposed legal descriptions. [Ord. 14-18 § 4 (Exh. B)]~~

~~18.35.720 Review process and criteria.~~

~~(1) The Jefferson County department of community development and other appropriate county offices shall review the proposed boundary line agreement application. This review may include, but is not limited to, a review of the application, proposed legal descriptions, survey(s), written instrument, and compliance with this article and applicable local and state laws or rules.~~

~~(2) Upon review and approval, the agreement shall be recorded with the Jefferson County auditor in accordance with Chapterchapter 58.09 RCW.~~

~~(3) An application for a boundary line agreement shall be processed according to the procedures for Type I land use decisions established in Chapterchapter 18.40 JCC. [Ord. 14-18 § 4 (Exh. B)]~~

Article VIII. Boundary Line Agreements

(Repealed)

Article IX Unit Lot Subdivisions

18.35.800 Purpose and Applicability.

1. Purpose.

The primary purpose of these provisions is to establish a process which allows greater flexibility in the development of single-family detached and attached housing on lots which do not strictly conform to the development standards of chapters 18.18 and this title. For single-family attached and townhouse dwellings, the intent is to apply only those site development standards applicable to the parent site as a whole, rather than individual lot standards. For single-family detached dwellings, these standards are intended to provide an alternative to the traditional method of land division for creating sellable lots for townhouse, and cottage housing developments

2. Scope.

The provisions of this chapter apply exclusively to the unit lot subdivision of land for single-family attached and detached housing in the Irondale and Port Hadlock Urban Growth Area (PHUGA) where such uses are allowed.

3. Applicability.

41. Single -Family Attached and Townhouse Unit Lot Development. The provisions of this chapter apply to the division of land for single-family attached dwelling developments in zones that allow this use. To use this process, a development shall have a minimum of two single-family attached units.

42. Single-Family Detached and Cottage Housing. This process may be used as an alternative to a conventional subdivision or short subdivision and shall be permitted in any residential zone allowing for the development of single-family detached dwellings. To use this process, developments shall contain at least two single-family detached dwellings.

4. Approval Process.

Unit lot subdivisions of four or fewer lots shall be processed in the same manner as short plats, as a Type II permit pursuant to ~~Chapter~~chapter 18.35 Article III. Unit lot subdivisions of five or more lots shall be processed as long subdivisions, as a Type III permit pursuant to ~~Chapter~~chapter 18.35 Article IV.

5. Site Development Plan Approval Required.

All developments using the unit lot subdivision process are required to submit a site development plan for review and approval as part of the land division application. The site plan must demonstrate compliance with the applicable regulations of chapters 18.18 and this title.

18.35.810 Unit lot subdivision standards applicable to all developments.

All applications for unit lot subdivisions or short subdivisions shall be considered under the following standards of chapters 18.18, this title, and where applicable:

- ~~Chapter~~chapter 18.05 – Introductory Provisions;
- ~~Chapter~~chapter 18.10 – Definitions;

- ~~Chapter~~chapter 18.15 – Land Use Districts;
- ~~Chapter~~chapter 18.19 – Transitional Rural Development Standards of the Irondale/Port Hadlock Urban Growth Area;
- ~~Chapter~~chapter 18.20 – Performance and Use-Specific Standards;
- ~~Chapter~~chapter 18.22 – Critical Areas;
- ~~Chapter~~chapter 18.25 – Shoreline Master Program;
- ~~Chapter~~chapter 18.30 – Development Standards;
- ~~Chapter~~chapter 18.35 – Land Divisions
- ~~Chapter~~chapter 18.40 – Permit Application and Review Procedures/SEPA Implementation
- Comprehensive Plan and GMA Implementing Regulations Amendment Process.

18.35.820 Unit lot subdivision standards – single-family attached and townhouse.

A. Development on individual unit lots within the unit lot subdivision need not conform to the minimum lot area or dimensional standards of ~~Chapter~~chapter 18.18, provided that overall development of the parent site meets the development and design standards of the underlying zoning and the requirements of this section. There shall be no minimum required lot area for individual lots for attached dwellings, provided the area of the unit lot shall be large enough to contain the dwelling unit and any accessory structures, decks, fences, garages, driveways, private yard areas, parking, landscaping or other improvements that are accessory to the dwelling unit; provided further, so long as conforming to the approved site development plan, such accessory improvements may encroach upon or be located in an adjoining unit lot or common area pursuant to an appropriate easement.

B. Overall development of the parent site shall meet the development and design standards of the underlying land use district.

C. Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions (CC&Rs) identifying the rights and responsibilities of property owners and/or the homeowners' association must be executed for use and maintenance of common garage, parking and vehicle access areas, underground utilities, stormwater treatment and/or detention facilities, common open space, exterior building facades and roofs, and other similar features, and must be recorded with the Jefferson County auditor.

18.35.830 Ownership of common areas.

Portions of the parent site not subdivided for individual unit lots or not dedicated to the county as public streets or public utility systems shall be owned in common by the owners of the individual lots within the subdivision, by a homeowners' association comprised of the owners

of the individual unit lots within the subdivision or by a qualified organization managing the development.

18.35.840 Building Setbacks.

Building setbacks shall be as required for the zone as applied to the underlying parent site as a whole. There shall be no setback required from unit lot lines which are interior to the perimeter of the parent site; provided, however, that any structure located upon a unit lot created hereunder shall comply with the setbacks applicable to the approved site development plan.

18.35.850 Building and occupancy permits – Issuance after final unit lot plat approval.

39. No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved unit lot subdivision until the applicant complies with all requirements of the final plat approval.

40. No occupancy permit for a structure other than a temporary contractor's office or other approved temporary building shall be issued for a structure on a lot or parcel within an approved unit lot subdivision prior to final inspection and approval of all required improvements which will serve such lot or parcel, to the satisfaction of the public works director and county building official.

18.35.860 Transfer of ownership following final unit lot plat approval.

Whenever any parcel of land lying within the county is divided under the provisions of this chapter, no person, firm, or corporation shall sell or transfer, or offer or advertise for sale or transfer, any such lot, tract or parcel without having first had an approved final plat for such subdivision or short plat filed for record. It is the responsibility of the applicant to ensure that a final plat is fully certified and filed for record with the Jefferson County auditor prior to transferring ownership of any land.

RED LINE VERSION

Chapter 18.10
DEFINITIONS

Sections:

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18.10.260 Z definitions.

18.10.001 Scope.
This chapter contains definitions of technical and procedural terms used throughout this code. [Ord. 8-06 § 1]

18.10.005 Interpretations.
(1) For the purpose of this code, all words shall have their normal and customary meanings, unless specifically defined otherwise in this chapter. In general, words used in the present tense shall include the future; the singular shall include the plural; and the plural the singular. The words "shall," "must," "will," "may not," and "no... may" are always mandatory. The word "should" indicates that which is recommended but not required. The word "may" indicates a use of discretion in making a decision. The word "used" includes "designed,

intended, or arranged" to be used. The masculine gender includes the feminine and vice versa. References to "distance" means distance as measured horizontally unless otherwise specified.

(2) All definitions which reference the Revised Code of Washington (RCW), Washington Administrative Code (WAC), and International Building Code (ICODE) are intended to mirror the definitions in these codes at the effective date of the ordinance codified in the Unified Development Code (this code) or as amended. If the definition in this code conflicts with a definition under state law or regulation, the state definition shall control over this definition.

(3) These definitions are not intended to establish regulations. [Ord. 8-06 § 1]

18.10.010 A definitions.

"Abandon" means to terminate the use of a structure by an affirmative act, such as changing to a new use; or to cease, terminate, or vacate a use or structure through nonaction. Except for ongoing agricultural activities, there shall be a presumption that a use has been abandoned if it is not undertaken, utilized, implemented or performed for a period of two years.

"Abutting" means adjoining with a common boundary line or any portion thereof.

"Accessory dwelling unit" means an additional dwelling unit either in or added to an existing single-family detached dwelling, or in a separate accessory structure on the same lot as the main structure, for use as a complete, independent living facility with provisions within the accessory dwelling unit for cooking, eating, sanitation and sleeping. Such a dwelling shall be considered an accessory use to the main dwelling and be clearly subordinate to the main dwelling.

"Accessory use" means use of land or of a building or portion thereof incidental and subordinate to the principal use or building and located on the same lot with the principal use.

"Accessory uses (to agriculture)" mean uses accessory to agriculture that support, promote, or sustain agricultural operations and production, as provided in JCC 18.20.030.

"Accumulative short subdivision" means multiple short subdivision of contiguous land under common ownership. "Ownership," for purposes of ~~Chapter~~chapter 18.35 JCC, means ownership as established at the date of the initial short subdivision approval. Ownership by persons related by blood or marriage where an interfamily land conveyance has occurred within two years of making application for short subdivision approval shall be construed to be common ownership.

"Acre" means a unit of measure of land area which consists of 43,560 square feet.

"Adequate" means acceptable but not excessive.

"Adequate capacity (adequate capital or public facilities)" means capital facilities and services that have the capacity available to serve development at the time of occupancy or use without decreasing levels of service (LOS) below the standards set forth in the Comprehensive Plan. "Adequate capacity" also includes a financial commitment that is in place to complete the improvements, or noncapital strategies, necessary to provide a specific level of service within

six years. (See also "Available capital facilities (available capacity)," "Concurrency," "Level of service (LOS).")

"Adjacent" means (in addition to abutting) that which is near or close; for example, an industrial district across the road or highway from a commercial district shall be considered as "adjacent."

"Adjacent lands, shoreline" means lands adjacent to the shorelines of the state (outside of shoreline jurisdiction). See RCW 90.58.340.

"Administrator" means the Jefferson County department of community development director or a designated representative.

"Adverse" means contrary to one's interest or welfare; harmful or unfavorable circumstances.

"Adverse impacts" means a condition that creates, imposes, aggravates, or leads to inadequate, impractical, unsafe, or unhealthy conditions on a site proposed for development or on off-site property or facilities or on wildlife or wildlife habitat.

"Affordable housing" means those housing units available for purchase or rent to individuals or families with a gross income between the federally recognized poverty level and the median income for working families in Jefferson County; and whose costs, including utilities, would not exceed 30 percent of gross income.

"Aggrieved person" means a party of record who can demonstrate the following:

(a) The land use decision will prejudice the person;

(b) The asserted interests are among those the county is required by county code, federal or state law or regulation to consider in making a land use decision;

(c) The person is a party of record, as defined in JCC 18.10.160; and

(d) A decision on appeal in favor of the person would substantially eliminate or redress the prejudice alleged to be caused by the land use decision.

"Agricultural activities" has the same meaning as in RCW 90.58.065(2)(a), as it may be modified in the future, and currently reads "agricultural uses and practices including, but not limited to: Producing, breeding, or increasing agricultural products; rotating and changing agricultural crops; allowing land used for agricultural activities to lie fallow in which it is plowed and tilled but left unseeded; allowing land used for agricultural activities to lie dormant as a result of adverse agricultural market conditions; allowing land used for agricultural activities to lie dormant because the land is enrolled in a local, state, or federal conservation program, or the land is subject to a conservation easement; conducting agricultural operations; maintaining, repairing, and replacing agricultural equipment; maintaining, repairing, and replacing agricultural facilities, provided that the replacement facility is no closer to the shoreline than the original facility; and maintaining agricultural lands under production or cultivation."

"Agricultural best management practices (BMPs)" means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce pollution of waters or degradation of wetlands and fish and wildlife habitat areas.

"Agricultural checklist" means the checklist required by JCC 18.22.830(1).

"Agricultural land" has the same meaning as in WAC 365-190-030(1).

"Agricultural land of local importance" means land in addition to designated prime agricultural land that is of local importance for the production of food, fiber, forage, or oilseed crops. Generally, additional farmlands of local importance include those that are nearly prime farmland and that economically produce high yields of crops when treated or managed according to acceptable farming methods. Such farmlands may include areas of commercial aquaculture.

"Agricultural product or commodity" is defined as follows, except for ~~Chapter~~chapter 18.22 JCC. For all other chapters, "agricultural product or commodity" means any plant or part of a plant, or animal, or animal product, produced by a producer primarily for sale, consumption, propagation, or other use by people or animals. For ~~Chapter~~chapter 18.22 JCC "agricultural products" are defined in RCW 90.58.065(2)(b).

"Agricultural resource lands (agricultural lands)" means lands that are primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, or Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, finfish in upland hatcheries, or livestock, and that have long-term commercial significance for agricultural production (RCW 36.70A.030(2)). Agricultural resource lands are divided into two land use designations, prime (AP-20) and local (AL-20), in the Comprehensive Plan.

"Agricultural warehouse (public warehouse)" means any elevator, mill, subterminal grain warehouse, terminal warehouse, country warehouse, or other structure or enclosure that is used or usable for the storage of agricultural products, and in which commodities are received from the public for storage, handling, conditioning, or shipment for compensation. The term does not include any warehouse storing or handling fresh fruits or vegetables, any warehouse used exclusively for cold storage, or any warehouse that conditions yearly less than 300 tons of an agricultural commodity for compensation.

"Agriculture" means the science, art, and business of producing crops, or raising livestock; farming.

"Agriculture, existing and ongoing" is defined as follows, except for ~~Chapter~~chapter 18.22 JCC which is governed by the definition of "agricultural activities." For all other chapters, "agriculture, existing and ongoing" means any agricultural activity conducted on an ongoing basis on lands enrolled in the open space tax program for agriculture or designated as agricultural lands of long-term commercial significance on the official map of Comprehensive Plan land use designations; provided, agricultural activities were conducted on those lands at any time during the five-year period preceding April 28, 2003. Agricultural use ceases when the area on which it is conducted is converted to a nonagricultural use.

"Agriculture, new" is defined as follows, except for ~~Chapter~~chapter 18.22 JCC which is governed by the definition of "agricultural activities." For all other chapters, "agriculture, new" means agricultural activities proposed or conducted after April 28, 2003, and that do not meet the definition of "existing and ongoing agriculture."

"Agritourism" means agriculturally related accessory uses designed to bring the public to the farm on a temporary or continuous basis, such as U-Pick farm sales, retail sales of farm products, farm mazes, pumpkin patch sales, farm animal viewing and petting, wagon rides, farm tours, horticultural nurseries and associated display gardens, cider pressing, wine or cheese tasting, etc.

"Airport" means an area of land or facility publicly owned and open to general public use for aircraft operations, except any airfield or airstrip as defined herein. An airport may include related services and facilities.

"Airstrip" means a privately owned area of land, closed to the public, and restricted to use by the owner primarily for noncommercial aircraft operations and, on an occasional basis, invited guests of the owner or for emergency purposes.

"Allowable outright use" means land uses and activities which are exempt from the provisions of this Unified Development Code.

"Allowed use ("Yes" use)" means uses allowed subject to the provisions of this code, including meeting applicable performance and development standards; if a building, or other development permit (e.g., stormwater permit) is required, the use is subject to the project review and approval process.

"Alteration, nonconforming structures" means any change or rearrangement in the supporting members of existing buildings, such as bearing walls, columns, beams, girders, or interior partitions, as well as any changes in doors, windows, means of egress or ingress or any enlargement to or diminution of a building or structure, horizontally or vertically, or the moving of a building from one location to another. This definition excludes normal repair and maintenance, such as painting or roof replacement, but includes more substantial changes.

"Alteration, nonconforming use" means the expansion, modification or intensification of a use that does not conform to the land use regulations of the UDC.

"Animal feeding operation (AFO)" means agricultural enterprises where animals are kept and raised in confined situations. AFOs congregate animals, feed, manure and urine, dead animals and production operations on a small land area. Feed is brought to the animals rather than the animals grazing or otherwise seeking feed in pastures, fields, or on rangeland. The formal definition in federal regulations is "a lot or facility (other than an aquatic animal production facility) where the following conditions are met: (1) animals (other than aquatic animals) have been, are or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period, and (2) crops, vegetation, forage, growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility." (40 CFR 122.23(b)(1))

"Animal feeding operation, concentrated (CAFO)" means an AFO that is defined as a "large CAFO" or as a "medium CAFO" according to federal regulations or that is designated as a CAFO by the permitting authority. Two or more AFOs under common ownership are considered to be a single AFO for the purposes of determining the number of animals at an operation, if they adjoin each other or if they use a common area or system for the disposal of wastes. (40 CFR 122.23(b)(2))

"Large CAFO" means an AFO that meets or exceeds one of the following thresholds: 700 mature dairy cows; 1,000 beef cattle or heifers; 2,500 swine (each 55 pounds or more); 10,000 swine (each under 55 pounds); 1,000 veal calves; 500 horses; 10,000 sheep or lambs; 55,000 turkeys; 30,000 ducks (other than liquid manure handling systems); 5,000 ducks (liquid manure handling systems); 30,000 chickens (liquid manure handling systems); 125,000 chickens, except laying hens (other than liquid manure handling systems); 82,000 laying hens (other than liquid manure handling systems).

"Medium CAFO" means an AFO where either a manmade ditch or pipe carries manure or wastewater from the operation to surface water or animals come into contact with surface water running through the area where they are confined; and the operation meets or exceeds the following thresholds: 200 mature dairy cows; 300 beef cattle or heifers; 750 swine (each 55 pounds or more); 3,000 swine (each under 55 pounds); 300 veal calves; 150 horses; 3,000 sheep or lambs; 16,500 turkeys; 10,000 ducks (other than liquid manure handling systems); 1,500 ducks (liquid manure handling systems); 9,000 chickens (liquid manure handling systems); 37,500 chickens, except laying hens (other than liquid manure handling systems); 25,000 laying hens (other than liquid manure handling systems).

"Animal commercial kennel or cattery" means a kennel where five or more adult dogs or cats are boarded, bred or trained for compensation. Commercial kennels exceed the number of animals allowed by a hobby kennel, regardless if compensation is received for services. Commercial kennels or catteries do not including a small animal hospital or clinic, pet shop or shelter. (See also "Animal shelter" and "Animal hobby kennel.")

"Animal hobby kennel" means a noncommercial kennel at or adjoining a private residence where five or more adult dogs, cats or combination thereof are kept for purposes other than breeding as a primary interest, such as for hunting or organized field trials, obedience or confirmation competition. Hobby kennels exceeding 10 dogs, cats or combination thereof shall be subject to the provisions of a commercial kennel.

"Animal shelter" means a facility which is used to house or contain stray, homeless, abandoned or unwanted animals. Shelters are owned, operated or maintained by a public body, established humane society, animal welfare society, society for the prevention or cruelty to animals or other nonprofit organization devoted to the welfare, protection and humane treatment of animals. Shelters also include facilities for the rehabilitation of wildlife.

"Appeal" means a request by an applicant or citizen that a decision made pursuant to this UDC be reviewed for its correctness and legality by another person, agency or court of law having jurisdiction to hear such an appeal.

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Appeal, Open Record. (See "Open record hearing.")

"Applicant" means the owner or owners of record of the property subject to a project permit application under this code, or authorized representative thereof.

"Application" means the forms, plans and accompanying documents required for any project permit approval under this code.

"Approving authority" means either the administrator, as defined in this UDC, the Jefferson County hearing examiner or the Jefferson County board of commissioners, depending on the type of permit process or decision specified in the applicable portion of this UDC.

"Aquaculture" means the farming or culturing of aquatic organisms.

"Aquifer" means a body of permeable saturated rock material or soil capable of conducting groundwater.

"Aquifer recharge areas" means lands through which precipitation and surface water infiltrate the soil and are transmitted through rocks and soil to create groundwater storage.

"Archaeological" means having to do with the scientific study of material remains of past human life and activities.

"Archaeological site" means an area of ancestral human use such as middens, burial grounds, and earthworks.

"Area" means the size of a parcel of land, as expressed in square feet or acres to two decimal places. When a public road right-of-way lies within a tract of land otherwise in contiguous ownership, area within the right-of-way may be included in gross area for the purpose of calculating maximum allowable density. When public road right-of-way abuts a tract of land, area to the centerline may not be included in the gross area of the parcel for this purpose.

"Area, nominal" means the approximate area of a parcel of land, such as the aliquot part or the land area in the assessor's records.

"Area of special flood hazard" means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year, as indicated on the flood insurance rate maps (FIRMs).

"Assembly facility" means a facility designed and used for the gathering of people, or in which they may come together in a body, such as a meeting hall, community club or center, church, etc. (See also "Community structure" and "Religious assembly facility.")

"Assessor's parcel number" means a geocoding number assigned by the assessor's office for property tax assessment purposes only.

"Automobile service station and repair" means any building, land area, or other premises used for the retail dispensing or sales of vehicular fuels and the servicing or repair of automobiles.

"Automobile wrecking and salvage yards" means an outdoor area used for the wrecking, storage, and recycling/salvage of vehicles for scrap metal and/or parts. (See "Junk yard.")

"Available capital facilities (available capacity)" means capital facilities or services that are in place ("existing capacity"), or for which a financial commitment is in place to provide the facilities or services within a specified time ("planned capacity"). "Available capacity" consists of existing plus planned capacity. (See also "Adequate capacity (adequate capital or public facilities)," "Concurrency," and "Level of service (LOS).")

"Average vehicular trips" means the average number of all vehicles entering or leaving a site during a defined period. [Ord. 5-20 § 3 (Appx. A); Ord. 12-19 § 4 (Appx. C); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.10.020 B definitions.

"Backstop" means a barrier that stops or redirects bullets fired on a shooting range, usually directly behind the target line.

"Baffles" means barriers constructed to contain bullets or to reduce, redirect or suppress sound waves.

"Base flood" means the flood having a one percent chance of being equaled or exceeded in any given year; also known as the "100-year flood," as shown on the FIRM maps.

"Base flood elevation" means the elevation for which there is a one percent chance in any given year that flood levels will equal or exceed it.

"Bed and breakfast inn" means a hospitality commercial use containing four to six lodging units without cooking facilities, which provides overnight accommodation and meals in a proprietor-occupied or owner-occupied existing single-family residence and additional legal structures or up to 10 lodging units in an existing historic structure.

"Bed and breakfast residence" means a hospitality commercial use containing one to three lodging units without cooking facilities, which provides overnight accommodation and meals in an owner-occupied existing single-family residence.

"Berm" means an embankment used for restricting bullets to a given area, as a protective or dividing wall between shooting areas, or for noise abatement.

"Best available science" means with regard to designating and protecting critical areas, best available science refers to the utilization of the most current, widely accepted scientific data, research, studies and/or reports in making land use and policy decisions. (See WAC 365-195-900.)

"Best management practices (BMP)" means systems of practices, schedules of activities, prohibitions, maintenance procedures, and management measures that prevent or minimize adverse impacts to the environment.

Best Management Practices, Agricultural. (See "Agricultural best management practices (BMPs).")

"Binding site plan" means a drawing to appropriate scale that:

(a) Identifies and shows the areas and locations of all roads, improvements, utilities, open space, and any other matters specified by local regulations;

(b) Contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by Jefferson County; and

(c) Contains provisions requiring that any development be in conformity with the site plan.

"Block" means a group of lots, tracts or parcels within well-defined and fixed boundaries.

"Board (BOCC)" means the board of county commissioners for Jefferson County. Also referenced as board of commissioners or county commissioners.

"Boat building and repair, commercial" means a commercial establishment where boats are constructed, dismantled, stored, serviced, or repaired, including maintenance work thereon.

"Boundary line adjustment" means the relocation or other adjustment of the boundaries of a lot, tract or parcel, in which the relocation neither results in the creation of any additional lot, tract or parcel nor results in creation of any lot, tract or parcel which is more nonconforming or insufficient in area or dimension.

"Buffer" means an area that is intended to protect the functions and values of critical areas. Protecting these functions and values includes the preservation of existing native and nonnative vegetation where it exists, unless otherwise required to be replaced with native vegetation through mitigation or voluntarily enhanced or restored.

"Buffer zone, strip, or area" means an area designed to separate incompatible uses or activities.

Buildable Lot. (See "Lot, buildable.")

"Building envelope" means:

(a) A three-dimensional space in which a building or structure may be built;

(b) A plat restriction for the purpose of defining building coverage areas for individual lot, or for describing shoreline building setbacks;

(c) The buildable area of a lot, tract or parcel after applicable setbacks, easements and other restrictions on the lot, tract or parcel are taken into account.

"Bulk plant or terminal facility" means that portion of a property where flammable or combustible liquids are received by tank vessel, pipelines, tank car or tank vehicle and are stored or blended in bulk for the purpose of distributing such liquids by tank vessel, pipeline, tank car, tank vehicle, portable tank or container (cf. International Fire Code).

"Bullet" means a single projectile fired from a firearm. [Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.10.030 C definitions.

"Calendar day" means any day of the week, including weekends and holidays. When used for computing time, the day shall begin with the first day following the act or event initiating such period of time occurred. When the last day of the period so computed is a Saturday, Sunday, or a county, national, or state holiday, the period shall run until the end of the following business day.

"Campground and camping facilities" means a facility in which sites are offered for persons using tents or other personal, portable overnight shelters.

"Capital facilities" means physical structures or facilities owned or operated by a government entity which provides or supports a public service.

"Capital improvements" means improvements to land, structures, initial furnishings, and selected equipment.

"Caretaker residence" means a residence located on a premises with a main nonresidential use and occupied only by a caretaker, and his/her immediate family, or guard employed on the premises.

"CC&Rs" means covenants, conditions and restrictions by which the declarant or other party or parties executing the CC&Rs impose contractual obligations upon the present and future owners and assignees of real property. CC&Rs are connected with land or other real property, and run with the land, so that the grantee of such land is invested with and bound by the CC&Rs. CC&Rs include but are not limited to "declarations" for condominiums in accordance with ~~Chapter~~chapters 64.32 and 64.34 RCW. CC&Rs are not enforced by the county.

"Certificate of occupancy or use" means a document issued by the Jefferson County building official as the final approval acknowledging that all conditions and requirements have been met and that the occupancy or use of a development is allowed.

"Certified feed lot" means any place, establishment, or facility commonly known as a commercial feed lot, or the like, which complies with all of the requirements of ~~Chapter~~chapter 16.58 RCW and associated rules and which holds a valid license from the state.

"Channel migration zone" (or CMZ) means an area within the lateral extent of likely stream channel movement that is subject to risk due to stream bank destabilization, rapid stream incision, stream bank erosion and shifts in the location of stream channels. "Channel migration zone" means the historic channel migration zone (which is the footprint of the active channel documented through historical photographs and maps), the avulsion hazard zone (which is an area with the potential for movement of the main river channel into a new location), and the erosion hazard area (which is an area outside the historic channel migration zone and the avulsion hazard zone, and includes an erosion setback for a 100-year period of time and a geotechnical setback to account for slope retreat to a stable angle of repose). "Channel migration zone" does not include disconnected migration areas, which are areas that have been disconnected from the river by legally existing artificial structure(s) that restrain channel migration (such as levees and transportation facilities built above or constructed to

remain intact through the 100-year flood elevation), that are no longer available for migration by the river. "Channel migration zone" may exclude areas that lie behind a lawfully established flood protection facility that is likely to be maintained by existing programs for public maintenance consistent with designation and classification criteria specified by public rule. When a natural geologic feature affects channel migration, the channel migration zone width will consider such natural constraints. "High channel migration hazard" (or high risk CMZ) for the Big Quilcene, Little Quilcene, Dosewallips, Duckabush, and Lower Hoh Rivers means those nondisconnected portions of the channel that are likely to migrate within a 50-year time frame. For the Big Quilcene, Little Quilcene, Dosewallips, and Duckabush Rivers, "moderate channel migration hazard" (or moderate risk CMZ) means those nondisconnected portions of the channel that are likely to migrate within a 50- to 100-year time frame; and, "low channel migration hazard" (or low risk CMZ) means those nondisconnected portions of the channel that are likely to migrate beyond a 100-year time frame. For the Lower Hoh River, "moderately high hazard" (or moderately high risk CMZ) means those nondisconnected portions of the channel that are likely to migrate within a 50- to 100-year time frame, "moderate hazard" means those nondisconnected portions of the channel that are likely to migrate beyond a 100-year time frame, and "low hazard" means the nondisconnected portions of the channel that are less likely to be affected by channel migration, but are still at risk due to their location on the valley floor. Rivers that have not been evaluated or mapped for CMZs include: Thorndyke Creek, Shine Creek, Chimacum Creek, Snow Creek, Salmon Creek, Upper Hoh River, Bogachiel River, Clearwater River, and Quinault River.

"Clearing" means the destruction or removal, by hand or with mechanical means, of vegetative ground cover or trees including, but not limited to, root material or topsoil material.

"Cluster development" means a development design technique that groups or "clusters" buildings in specific areas on a site rather than spread evenly throughout the parcel as in a conventional lot-by-lot development. The remaining land is to remain undeveloped in perpetuity and used for recreation, common open space, and/or preservation of critical areas.

"Co-housing (intentional communities)" means single-family residential developments, subject to the underlying land use district density, which may contain lots or structures in common ownership subject to meeting all other applicable provisions of this UDC and if approved under the requirements of Article VI-M of ~~Chapter~~chapter 18.15 JCC, Planned Rural Residential Developments (PRRDs), where applicable.

"Commercial communication towers" means towers, dishes, or antennas established for the sending or receiving of signals for commercial purposes.

"Commercial kennel" has the same meaning as in JCC 6.07.020, as it exists now or may be amended in the future.

"Commercial recreational facility" means a place designed and equipped for the conduct of sports and leisure-time activities that is operated as a business and open to the public for a fee.

"Commercial shooting facility" means an indoor shooting facility or outdoor shooting facility designed and specifically designated for safe shooting practice with firearms, whether open to the public, open only to private membership, or any combination of the above that for the

use of the commercial shooting facility requires a contract, charges a fee or other compensation, or requires membership. In addition, where property is used primarily for lawful shooting practice for guests of the owner, and where the other uses of the property either facilitate shooting practice or are incidental, intermittent or occasional and whether or not payment is received, it is presumed that the property used for lawful shooting practices is a commercial shooting facility. The term "commercial shooting facility" does not include:

(a) Shooting facilities that are both owned and operated by any instrumentality of the United States, the state of Washington, or any political subdivision of the state of Washington; or

(b) Any portion of a privately owned property used for lawful shooting practice solely by its owner or the owner's guests without payment of any compensation to the owner of the privately owned property or to any other person, except where the property is presumed to be a commercial shooting facility, as described above.

"Commercial sign" means any object, device, display or structure that is used for attracting attention to any commercial use, product, service, or activity.

"Commercial use" means a business use or activity at a scale greater than a home business or cottage industry involving retail or wholesale marketing of goods and services. Examples of commercial uses include offices and retail shops.

"Common area" means any area contained within the boundaries of a proposed land division or within a multifamily residential development and owned by the lot owners as tenants-in-common, joint tenancy, or through an association or nonprofit association, and provided specifically for the common use of the residents.

"Common open space" means a parcel or parcels of land or an area of water or a combination of land and water within the site designated for a subdivision and designed and intended for the use or enjoyment of the public. Common open space may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the residents of the subdivision.

"Community structure" means a structure which is intended for the common use of the residents of a particular subdivision or community.

"Compatible" means uses or activities capable of existing together or in the vicinity of one another without disharmony or without generating effects or impacts which are disruptive to the normal use and enjoyment of surrounding property.

"Comprehensive Plan" means the Jefferson County Comprehensive Plan and all of its goals, objectives, policies, documents, and maps which is a generalized coordinated land use policy statement of the Jefferson County board of commissioners, adopted pursuant to ~~Chapter~~chapter 36.70A RCW.

Concentrated Animal Feeding Operation (CAFO). (See "Animal feeding operation, concentrated (CAFO).")

"Concurrency" means a condition in which an adequate capacity of capital and transportation facilities and services is available to support development at the time that the impacts of development occur. (See also "Adequate capacity (adequate capital or public facilities)," "Available capital facilities (available capacity)," and "Level of service (LOS).")

"Conditional use" means a use that, owing to some special characteristics attendant to its operation or installation (e.g., potential danger, traffic, smoke or noise impact), is permitted in a district, subject to approval and special requirements, different from those usual requirements for the district in which the conditional use may be located.

"Conditional use permit" means a permit issued by Jefferson County stating that the land uses and activities meet all criteria set forth in this code, and all conditions of approval in accordance with the procedural requirements of this code.

"Condominium" means real property, portions of which are designed for separate ownership and the remainder of which is designated for common ownership solely by owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in unit owners, and unless a declaration and a survey map and plans have been recorded in accordance with ~~Chapter~~chapters 64.32 and 64.34 RCW. Condominiums are not confined to residential units, such as apartments, but also include offices and other types of space in commercial buildings.

"Conservation district" means a "special purpose district," like a fire district or school district, organized in accordance with ~~Chapter~~chapter 89.08 RCW for the purpose of providing assistance to landowners for the conservation of renewable resources.

"Construction/contractor yards and offices" means service establishments primarily engaged in general contracting or subcontracting in the building construction trades. These include administrative offices, workshops and the indoor or outdoor storage of tools, equipment, materials, and vehicles.

Contract Purchaser. (See "Applicant.")

"Convenience store" means any retail establishment offering for sale prepackaged food products, household items, and other goods commonly associated with the same and having a gross floor area of less than 5,000 square feet.

"Cottage Housing" means residential units on a lot with a common open space that is owned in common.

"Cottage industry" means a commercial or manufacturing activity conducted in whole or in part in either the resident's single-family dwelling unit or in an accessory building, but is of a scale larger than a home occupation or home business. A cottage industry is a limited, small-scale commercial or industrial activity, including fabrication, with limited retail sales, that can be conducted without substantial adverse impact on the residential character in the vicinity.

"County" means Jefferson County, Washington, its board, commissions, and departments.

"Critical aquifer recharge areas" has the same meaning as in WAC 365-190-030(3).

"Critical area buffer" means any buffer required by ~~Chapter~~chapter 18.22 JCC.

"Critical areas" has the same meaning as in WAC 365-190-030(4).

"Critical habitat" means an area or type of environment that may be of crucial importance to the perpetuation of an organism or biological population which normally lives or occurs there.

"Cul-de-sac" means a road closed at one end by an area of sufficient size for turning vehicles around.

"Current use" means the use of land or improvements at the time of permit application.

"Custom meat facility" means a facility operated by a person licensed to prepare uninspected meat for the owner of the uninspected meat.

"Custom slaughtering establishment" means a facility operated by a person licensed to slaughter meat food animals for the owner of the animal at a fixed location. [Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 12-19 § 4 (Appx. C); Ord. 14-18 § 4 (Exh. B); Ord. 6-09 § 1 (Exh. B); Ord. 3-08 § 1 (Exh. C); Ord. 8-06 § 1]

18.10.040 D definitions.

"Day care, commercial" means a person or agency that provides care for 13 or more children during part of the 24-hour day (RCW 74.15.020).

(1) "Home day care provider" means a state-licensed day care provider who regularly provides day care for not more than 12 children in the provider's home in the family living quarters (RCW 74.15.020).

(2) "Child day care center" means a person or agency providing care during part of the 24-hour day to 12 or fewer children in a facility other than the family abode of the person or persons under whose direct care the children are placed (RCW 35.63.170).

"Days, calendar" means so many days computed according to the course of the calendar. In computing comment and appeal periods under this code, if the last day so computed is a Saturday, Sunday or legal holiday, the comment or appeal period shall run to the next business day.

"DCD" means the Jefferson County department of community development.

"Dedicate" means to set aside a piece of real property, a structure, or a facility for public or private use or ownership.

"Dedication" means a deliberate appropriation of land by its owners for any general and public uses, reserving to the owner/dedicator no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

"Degrade" means to scale down in desirability or salability, to impair in respect to some physical property or to reduce in structure or function, in terms of Jefferson County standards and environment.

"Density" means the quantity per unit area, such as the number of dwelling units per acre.

RED LINE VERSION

"Design capacity" means the theoretical or calculated maximum ability of a system or device to handle the duty for which it is to be used.

"Developable area" means the area of land which is not constrained from development by land use restrictions.

"Development" means the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any grading, excavation, mining, landfill; or any extension of the use of land; dredging, drilling, dumping, filling, earth movement, clearing or removal of vegetation, forest practice activities that are being conducted as a part of a conversion from forestry to non-forestry use, storage of materials or equipment in a designated floodway, or other site disturbance, which either requires a permit, approval, review, or authorization from the county or is proposed by a public agency.

"Development application" means an application for a development permit.

"Development envelope" means the portion of a lot which may be used for development. A development envelope must include space for utilities, driveways, and any other improvements necessary to complete development. As applied to a buildable lot for residential purposes, the development envelope is the portion of a lot that may contain a dwelling(s) and accessory structures.

"Development permit" means any permit issued by Jefferson County allowing development.

"Development regulation or regulations" means the controls placed on development or land use activities, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances, together with any amendments thereto. A development regulation does not include a decision to approve a project permit or project permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in a resolution or ordinance of the legislative body of the county (RCW 36.70A.030(7)). However, for the avoidance of doubt, a development regulation does not include ordinances or regulations that address administrative processes and procedures related to land use planning, interim or emergency ordinances, moratorium ordinances, or remand actions from state administrative boards or courts of law.

"Development right" means the right to develop property subject to federal, state, and local restrictions and regulations.

"Director" means, unless otherwise specified, the director of the county's department of community development (DCD) or the director's designee.

"Discretionary use" means all unnamed and certain named uses in Table 3-1 in JCC 18.15.040 which, subject to the administrative review and classification criteria set out in ~~Chapter~~chapter 18.15 JCC, may be classified by the administrator as an allowed outright "Yes" use, a conditional "C" use or a prohibited "No" use in the applicable district for which the use is proposed.

"District" means a part, zone, or geographic area within Jefferson County within which certain development regulations apply.

"Disturbed area" means any place where activities clearly in preparation for, or during, surface mining have physically disrupted, covered, compacted, moved, or otherwise altered the characteristics of soil, bedrock, vegetation, or topography that existed prior to such activity. Disturbed areas may include but are not limited to: working faces, water bodies created by mine-related excavation, pit floors, the land beneath processing plant and stock pile sites, spoil pile sites, and equipment staging areas. Disturbed areas shall also include aboveground waste rock sites and tailing facilities, and other surface manifestations of underground mines. Disturbed areas do not include surface mine access roads in mineral resource land designations unless these have characteristics of topography, drainage, slope stability, or ownership that, in the opinion of the department of natural resources, make reclamation necessary, lands that have been reclaimed to all standards outlined in this chapter, rules of the department of natural resources, any applicable SEPA document, and the approved reclamation plan, and subsurface aspects of underground mines, such as portals, tunnels, shafts, pillars, and stopes.

"Division of land" means the creation of any new lot or lots for the purpose of sale, lease, or transfer of ownership (see ~~Chapter~~chapter 18.35 JCC).

DOT. (See "WADOT" or "WSDOT.")

"Drainage" means surface water runoff; the removal of surface water or groundwater from land by drains, grading, or other means, which include runoff controls to minimize erosion and sedimentation during and after construction or development.

"Drainageway" means any natural or artificial watercourse, trench, ditch, swale, or similar depression into which surface water flows.

"Dredging" means the removal of earth from the bottom of a stream, river, lake, bay, or other water body.

"Drinking establishment (lounge)" means a business primarily engaged in the retail sale of alcoholic beverages for consumption on the premises. A restaurant operated as part of a lounge is considered to be accessory to the lounge.

"Drive-thru window service" means businesses where patrons may carry on business on the premises while in a motor vehicle (see also "Mobile food unit").

"Driveway" means a strip of land which provides vehicular access to one or two lots.

Duplex. (See "Dwelling unit, two-family.")

"Dwelling unit" means one or more rooms or structures designed for occupancy by an individual or family for living and sleeping purposes, containing kitchen facilities and rooms with internal accessibility, for use solely by the dwelling's occupants.

"Dwelling unit, multiple-family" means one or more structures containing three or more dwelling units.

"Dwelling unit, two-family" (duplex) means a single structure containing two dwelling units. [Ord. 9-22 § 2 (Appx. A); Ord. 4-19 § 1 (Exh. A); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.10.050 E definitions.

"Eating establishment (restaurant)" means a business primarily engaged in the retail sale of food for consumption on the premises. A lounge operated as part of a restaurant is considered to be accessory to the restaurant.

"Emergency housing" means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

"Emergency shelter" means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

"Ecology (WDOE)" means the state of Washington Department of Ecology.

"Endangered species" means a species which is in danger of extinction throughout all or a significant portion of its range, as classified by the Washington Department of Fish and Wildlife, WAC 232-12-014 and the Washington Department of Natural Resources, Washington Natural Heritage Plan.

"Environmental checklist" means a form prescribed by the administrator and the state of Washington to identify the potential environmental impacts of a given proposal.

"Environmental impact statement (EIS)" means a draft, final, or supplemental written document that reviews the likely significant and nonsignificant adverse and positive impacts of a proposal, ways to avoid, minimize or lessen the adverse impacts, and alternatives to the proposal.

"Equestrian center" means uncovered and covered facilities for commercial boarding, training, teaching, breeding and rental of horses including facilities for shows and competitive events, and riding trails. This shall not include stables used solely for the private personal use of the property owner or stables used solely for boarding or breeding of horses.

"Erosion" means the detachment and movement of soil or rock by water, wind, ice, or gravity.

"Erosion hazard areas" has the same meaning as in WAC 365-190-030(5).

"Essential public facilities" means those important and necessary facilities which provide essential services that are typically difficult to site, such as airports, state educational facilities, state or regional transportation facilities, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance-abuse facilities, mental health facilities, and group homes (RCW 36.70A.200). They do not necessarily include all public facilities or services; they may be, but are not necessarily, publicly owned. Essential public facilities in Jefferson County include airports, large-scale transportation facilities, solid waste

handling and disposal facilities, correctional facilities, in-patient treatment facilities including substance-abuse facilities, and mental health facilities, state-owned educational facilities, and wastewater treatment plants.

"Excavation" means the mechanical removal of earth.

Exemption (Exception). Reserved.

"Existing use" means the use of a lot or structure or improvements at the time of the enactment of the Unified Development Code (this code), unless otherwise specified.

Expansion, Nonconforming Use. (See "Intensification, nonconforming use.")

"Extraction" means the commercial removal of naturally occurring materials from the earth, excluding water. [Ord. 5-20 § 3 (Appx. A); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.10.060 F definitions.

"Facility and service provider" means the department, district, agency or private entity responsible for providing a specific concurrency facility.

"Family" means an individual or two or more persons related by blood or marriage or a group of not more than five persons living together as a single housekeeping unit and doing their cooking on the premises as distinguished from a group occupying a boarding house or rooming house or motel.

"Farm assistance agencies" means federal, state, or local agencies with expertise in the design, implementation, and evaluation of conservation practices including but not limited to the federal Natural Resources Conservation Service, the Washington Department of Agriculture, or the Jefferson County conservation district.

"Farm equipment" for all chapters in this title, except ~~Chapter~~chapter 18.22 JCC, includes, but is not limited to, tractors, trailers, combines, tillage implements, balers, and other equipment, including attachments and accessories that are used in the planting, cultivating, irrigation, harvesting, and marketing of agricultural, horticultural, or livestock products. "Farm equipment" for purposes of ~~Chapter~~chapter 18.22 JCC is governed by the definition of "agricultural activities."

"Farm plan" means a conservation plan developed by a farm assistance agency and a landowner outlining a series of actions developed to meet a landowner's goals while protecting water quality and the natural resources within and around the farm property. Many things are considered in a farm plan including farm size, soil types, slope of the land, proximity to streams, wetlands or water bodies, type and numbers of livestock or crops, resources such as machinery or buildings and finances available. The terms "conservation plan" and "farm plan" are interchangeable in this context.

"Farm worker housing" means a place, area, or piece of land where sleeping places or housing sites are provided by an agricultural employer for agricultural employees.

"Farmed wetland" means wet meadow, grazed or tilled; an emergent wetland that has grasses, sedges, rushes or other herbaceous vegetation as its predominant vegetation and has been previously converted to agricultural activities.

"Feasible alternative" means an alternative that:

(a) Meets the requirements of federal, state, and local laws and regulations;

(b) Attains most or all of the basic objectives of the project;

(c) Is technically and technologically possible;

(d) Can be accomplished at a reasonable cost;

(e) Can be accomplished in a reasonable amount of time; and

(f) Adverse environmental, health, and safety effects are no greater than those of the original proposal.

A determination of what is reasonable or feasible is made by the decision-making body on a case-by-case basis, taking into account the:

(i) Probable intensity, severity, and cumulative impacts of the original proposal and alternative approaches, and opportunity for the avoidance or reduction in the number, intensity, or severity of significant impacts, or of the aggregate adverse impact;

(ii) Risk of "upset conditions" (i.e., the risk that the control and mitigation measures will fail, be overwhelmed, or exceed allowed limits) and the potential severity of the impact should control or mitigation measures be ineffective or fail;

(iii) Capital and operating costs;

(iv) Period of time to accomplish, costs of additional time or delay, and time constraints for completion; and

(v) Location and site-specific factors, such as seasonal or topographic constraints, critical areas and habitats, site accessibility, and local community concerns.

"Federal candidate species" means formally proposed endangered or threatened species and candidate species for which the U.S. Fish and Wildlife Service has information to indicate biological vulnerability and threat.

"Federal endangered species" means species in danger of extinction according to the U.S. Fish and Wildlife Service official listing.

"Federal sensitive species" means species that are considered a sensitive species by the U.S. Fish and Wildlife Service.

"Federal threatened species" means species likely to become endangered within the foreseeable future according to the U.S. Fish and Wildlife Service official listing.

"Field Office Technical Guide (FOTG)" means a USDA Natural Resources Conservation Service manual that contains information for use in technical assistance to decision-makers for resource management.

Filing. (See "Recording.")

"Fill" means any sand, gravel, earth, or other materials of any composition whatsoever placed or deposited by humans.

"Final plat" means the final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in ~~Chapter~~chapter 18.35 JCC and all other applicable codes and ordinances.

"Firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder. The definition of "firearm" includes the terms "pistol," "rifle," "short-barreled rifle," "shotgun," "short-barreled shotgun," "machine gun," and "antique firearm" as those terms are defined in RCW 9.41.010. The term "firearm" shall not include: (a) devices, including but not limited to "nail guns," which are used as tools in the construction or building industries and which would otherwise fall within this definition; or (b) a "destructive device" as defined in 18 U.S.C. Section 921(a)(2).

"Firing line" means a line parallel to the targets from which firearms are discharged.

"Firing point" means a location from which one individual fires at an associated target located down range.

"Fish and wildlife habitat conservation areas" has the same meaning as in WAC 365-190-030(6).

"Flood Insurance Rate Map (FIRM)" means the official map issued by the Federal Emergency Management Agency that delineates both the special hazard areas and the risk premium zones applicable to Jefferson County.

"Flood or flooding" means the temporary inundation of normally dry land areas from the overflow of inland or tidal waters or from the unusual and rapid accumulation or runoff of surface waters.

"Forest land" has the same meaning as in WAC 365-190-030(7).

"Forest management" means forest practices pertaining to protecting, producing, and harvesting timber for economic use.

"Forest practice" means any activity conducted on or directly pertaining to forest land and relating to growing or harvesting of timber, or the processing of timber on a harvest site for less than 30 days per calendar year, including but not limited to: road and trail construction and maintenance; harvest, final and intermediate; precommercial thinning; reforestation; fertilization; prevention and suppression of diseases and insects; salvage of trees; and brush control.

"Forest practice, conversion" means the conversion of land to an active use incompatible with timber growing and where future nonforest uses will be located on currently forested land.

"Forest practice, conversion option harvest plan (COHP)" means a voluntary plan developed by the landowner and approved by the county that indicates the limits and types of harvest areas, road locations, and open space. This jointly agreed plan is submitted to the Washington Department of Natural Resources (WDNR) as part of a Class II, III, or IV special forest practice permit application, and is attached to and becomes part of the conditions of the permit approved by the WDNR.

"Forest resource lands" means lands primarily devoted to growing trees for long-term commercial production on land that can be economically and practically managed for such production (RCW 36.70A.030(8)).

"Frequently flooded areas" has the same meaning as in WAC 365-190-030(8). [Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.10.070 G definitions.

"Geologically hazardous areas" has the same meaning as in WAC 365-190-030(9).

"Geotechnical professional" means a person with experience and training in analyzing, evaluating, and mitigating any of the following: landslide, erosion, seismic, or mine hazards, or hydrogeology, fluvial geomorphology, and river dynamics. A geotechnical professional shall be licensed in the state of Washington as an engineering geologist, hydrogeologist, or professional engineer. In accordance with WAC 196-27-020 and 308-15-140, licensed engineering geologists, hydrogeologists, and professional engineers shall affix their signatures or seals only to plans or documents dealing with subject matter in which they are qualified by training or experience.

"Grade, existing" means the elevation of the ground or site prior to any work being done or any changes being made to the ground or site.

"Grade, finished" means the final elevation of the ground level after development.

"Grade plane" means a reference plane representing the average of the finished ground level adjoining the building at all exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet from the building between the structure and a point six feet from the building.

"Grading" means stripping, cutting, filling, or stock-piling land including the land in its cut or filled condition to create new grade.

Grandfathered Uses and Structures. (See "Nonconforming," "Nonconforming lot," "Nonconforming structure," "Nonconforming use," "Alteration, nonconforming structures," and "Alteration, nonconforming use.")

"Grocery store" means a commercial establishment selling primarily packaged food products typically in combination with household products and sundries.

"Gross area" means the total area included within the boundaries of any parcel including land area up to any abutting public road right-of-way.

Groundwater. (See "Water, ground.")

"Group home" means a residential occupancy that exceeds the definition of "family" in a single-family residence.

"Group housing" means a residential dwelling that exceeds the definition of a single-family residence and which is not a multifamily dwelling.

"Growth Management Act (GMA)" means the State of Washington Growth Management Act, ~~Chapter~~chapter 36.70A RCW, as amended. [Ord. 5-20 § 3 (Appx. A); Ord. 8-06 § 1]

18.10.080 H definitions.

"Habitat" means the place or type of site where a plant or animal naturally or normally lives and grows.

"Hangars" means covered areas and enclosed structures for housing and repairing aircraft.

"Hazardous substance" means hazardous substance as defined in RCW 70.105D.020(13), as it exists now or may be amended in the future.

"Hazardous waste" means those solid wastes designated by 40 CFR Part 261 and regulated as hazardous or mixed waste by the United States EPA.

"Hearing examiner" has the same meaning as "examiner" in JCC 2.30.030(8).

"Hearing Examiner Rules of Procedure" means the Hearing Examiner Rules of Procedure adopted pursuant to JCC 2.30.070.

"Heavy equipment sales or rental services" means the use of any internal or external space for the sale, rental and display of construction or other heavy equipment, machinery or vehicles or parts thereof.

"Height, building" means the vertical distance from grade plane to the average height of the highest roof surface (cf. International Building Code).

"Height, story" means 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 joists or, where there is not a ceiling, to the top of the roof rafters (cf. International Building Code).

"Historic site, structure or landmark" means a site, structure, building, district, or object of archaeological, architectural, historical or cultural significance. This is shown by its listing, or its determination of eligibility for listing, in the National Register of Historic Places, the Washington Heritage Register, or determined to be contributing to the character and/or historical significance of a district for which the State Historic Preservation Officer has made a determination of eligibility pursuant to Section 106 of the National Historic Preservation Act. This definition also applies to a site, structure, building, district, or object of

archaeological, architectural, historical or cultural significance shown by its designation, or determination of eligibility for designation, by a local jurisdiction, or its inclusion in the Washington State Inventory of Cultural Resources as administered by the Department of Archaeology and Historic Preservation.

"Hobby kennel" means a kennel, as now defined in JCC 6.07.020, as it exists now or may be amended in the future, which is not a commercial kennel at or adjacent to a private residence.

Home Business. Home-based businesses are secondary and incidental to the primary residential use of the structure, provide supplemental income for a family, consist of limited-scale service or fabrication, and limited retail sales.

"Homeowners association" means an incorporated nonprofit organization operating under recorded land agreements, including, but not limited to, CC&Rs, through which:

(a) Each lot owner is automatically a member;

(b) Each lot is automatically subject to a proportionate share of the expenses for the organization's activities, such as maintaining commonly owner property; and

(c) A charge, if unpaid, becomes a lien against the real property.

"Hotel" (or "lodge") means a commercial building in which lodging is provided and offered to the public for compensation, and which is open to transient guests, and is not a motel or bed and breakfast inn as otherwise defined in this code.

"Household" means one or more related or unrelated persons occupying a dwelling unit.

"Hydrogeologist" means a person who is qualified to engage in the practice of hydrogeology, has met the qualifications in hydrogeology established under ~~Chapter~~chapter 18.220 RCW, and has been issued a license in hydrogeology by the Washington State Geologist Licensing Board. In accordance with WAC 196-27-020 and 308-15-140, licensed hydrogeologists shall affix their signatures or seals only to plans or documents dealing with subject matter in which they are qualified by training or experience. [Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 12-19 § 4 (Appx. C); Ord. 14-18 § 4 (Exh. B); Ord. 13-12 § 1; Ord. 8-06 § 1]

18.10.090 I definitions.

"Illegal use" means any use of land or a structure which is inconsistent with current codes or was inconsistent with previous codes in effect when the use or structure was established. An illegal use is different than a "nonconforming use." (See also "Nonconforming.")

"Impact area" means the area in a backstop or bullet trap directly behind the target where bullets are expected to impact or the area downrange where bullets will impact if not captured by a backstop or bullet trap.

"Impervious surface" means a hard surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways,

parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces for purposes of determining whether the thresholds for application of minimum requirements are exceeded. Open, uncovered retention/detention facilities shall be considered impervious surfaces for purposes of runoff modeling.

"Improvements" means the facilities and infrastructure of a land development, including, but not limited to, the roads, sidewalks, street lights, stormwater facilities, sewage disposal facilities, domestic water facilities, and other utilities and facilities required by chapter 18.35 JCC to be constructed in conjunction with any particular land division, as approved by the necessary county departments.

"Incidental" means subordinate to, minor in significance, and bearing a reasonable relationship with the primary use.

"Incompatible" means uses and activities that are not compatible. (See "Compatible.")

"Indoor entertainment or recreational facilities" means places designed and equipped for the conduct of sports and leisure-time activities, including, but not limited to, physical fitness clubs, bowling alleys, theaters, playhouses, and billiard rooms.

"Indoor shooting facility" means a commercial shooting facility within a fully enclosed structure, including lawful incidental sales of firearms, ammunition, component parts and accessories.

"Industrial use, heavy or resource-based" means a use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials or natural resources; a use engaged in storage of or manufacturing processes using flammable, hazardous or explosive materials; or manufacturing processes that potentially involve hazardous or commonly recognized adverse conditions.

"Infrastructure" means existing installed facilities and services including capital facilities such as water supply, sewage disposal, and storm drainage systems, and transportation facilities such as public roads.

"Inoperable (or unlicensed) vehicle" means any motor vehicle (excluding farm machinery or implements), trailer, or semitrailer which is inoperable and which, by virtue of its condition, cannot be economically restored to operable condition; provided, that such vehicle, trailer, or semitrailer shall be presumed to be an inoperable or unlicensed vehicle if no license plates are displayed or if the license plates displayed have been invalid for more than three years.

"Institutional facilities or development" means structures and related activity areas used by organizations providing educational, social, or noncommercial recreational services to the community, including performance halls, government service offices, facilities for assembly, colleges, primary and secondary schools, museums, and libraries.

"In-stream resources" means features, properties, or other beneficial assets which exist within a stream corridor, such as fish and wildlife habitat, recreation, and scenic beauty.

"Intensification of nonconforming use" means any increase or expansion in the quality or quantity of products, goods, services, structures or adverse impacts upon parcels within the vicinity of the nonconforming use produced, generated, served, created or performed at the site of the legal nonconforming use by the owner or occupant of that legal nonconforming use.

"Intensive" means highly concentrated, very large, or considerable, in terms of Jefferson County standards and environment.

"International Building Code" means the building code officially adopted by Jefferson County.

"Inter vivos" means a transfer or conveyance of property during the life of the owner, as distinguished from testamentary transfers where the property passes at death. [Ord. 3-20 § 1 (Appx. A); Ord. 8-06 § 1]

18.10.100 J definitions.

"Junk vehicle" means a vehicle certified under RCW 46.55.230 as meeting at least three of the following requirements: (a) three years or older; (b) extensively damaged, such damage including, but not limited to, the following: a broken window or windshield, missing seats, wheels, tires, motor, or transmission; (c) apparently inoperable; and/or (d) has approximate fair market value equal only to the approximate value of the scrap in it.

"Junk yard" means a primary or accessory use of structures or land for storage, recycling, dismantling or selling of cast-off, unused, scrap, or salvage material of any sort. [Ord. 8-06 § 1]

18.10.110 K definitions.

"Kennel" has the same meaning as in JCC 6.07.020, as it exists now or may be amended in the future.

"Kitchen" means a room used for cooking or preparing food. [Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.10.120 L definitions.

"Land disturbing activity" means any activity that results in movement of earth, or a change in the existing soil cover (both vegetative and nonvegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to, clearing, grading, filling, and excavation. Compaction that is associated with stabilization of structures and road construction shall also be considered a land disturbing activity. Vegetation maintenance practices are not considered land-disturbing activity.

Land Division. (See "Division of land.")

"Land use decision" means a final determination by the county's hearing body or officer with the highest level of authority to make the determination, including those with authority to hear appeals, on:

(a) An application for a project permit or other governmental approval required by law before real property may be improved, developed, modified, sold, transferred, or used, but excluding applications for permits or approvals to use, vacate, or transfer streets, parks, and similar types of public property; excluding applications for legislative approvals such as area-wide rezones and annexations; and excluding applications for business licenses;

(b) An interpretative or declaratory decision regarding the application to a specific property of zoning or other ordinances or rules regulating the improvement, development, modification, maintenance, or use of real property; and

(c) The enforcement by the county of regulations governing the improvement, development, modification, maintenance, or use of real property.

"Landslide hazard areas" has the same meaning as in WAC 365-190-030(10).

"Landward" means to or toward the land.

"Legal lot of record" means any lot that is determined to be a legal lot of record pursuant to ~~Chapter~~chapter 18.12 JCC and satisfies the "legal lot of record" requirement in WAC 246-272A-0320.

"Level of service (LOS)" means the number of units of capacity per unit of demand (e.g., trips, population, school-age residents) or other appropriate measure of need sufficient to meet the standards for adequate service set forth in the Comprehensive Plan. (See also "Adequate capacity (adequate capital or public facilities)," "Available capital facilities (available capacity)," and "Concurrency.")

"Light industrial" means a use involving: (a) basic processing and manufacturing of materials or products predominantly from previously prepared materials; or (b) finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic processing of raw materials except food products.

"Livestock" means horses, mules, donkeys, cattle, bison, sheep, goats, swine, rabbits, llamas, alpacas, ratites, poultry, waterfowl, game birds, and other species so designated by statute. Livestock does not mean free-ranging wildlife as defined in RCW Title 77.

"Livestock management" includes breeding, birthing, feeding, care, processing and sales of animals and animal products, birds, honey bees, fish and shellfish.

"Logging" means activities related to and conducted for purposes of harvesting or processing timber.

"Long-term commercial significance" has the same meaning as in WAC 365-190-030(11).

"Lot" means a contiguous quantity of land in possession of, owned by or recorded as the property of a person or entity. A lot also shall include any individually numbered or separately designated parcels of property in an approved subdivision or development.

"Lot, buildable means: (a) a lot that is a legal lot of record, consistent with ~~Chapter~~chapter 18.12 JCC and applicable law, and (b) has site development review approval pursuant to JCC 18.40.420 et seq. A guaranteed right to development of a lot can only be established once a development permit application or building permit application vests pursuant to JCC 18.40.320.

"Lot, corner" means a lot situated at the intersection of two roads, by which the interior angle does not exceed 135 degrees.

"Lot coverage" means the surface area of a lot or lots within a single development which is occupied by buildings, excluding roof overhangs and covered porches not used for sales, storage, or service.

"Lot, frontage" means the boundary of a lot that is along an existing or dedicated public road, or where no public road exists, along a private road, easement or access way. On an interior lot, it is the lot line abutting a road; or, on a pipestem (i.e., flag) lot it is the interior lot line most parallel to the nearest road from which access is obtained.

"Lot of record" means a lot or parcel of land that was created by a metes and bounds description or through platting or other means, and met all applicable zoning and subdivision requirements in effect at the time of lot creation. A lot of record is not necessarily developable or buildable, but may be conveyed pursuant to ~~Chapter~~chapter 58.17 RCW.

"Lot, pipestem" means a lot not meeting minimum frontage requirements and where access to the public road is by a narrow private right-of-way or driveway. The term is synonymous with "flag lot."

"Lot, substandard" means a lot or parcel of land that has less than the required minimum area or width as established by the land use district in which it is located or as defined in any other section of the code.

"Lot, through" means a lot that has both ends fronting on a road or street; both ends shall be deemed front.

"Lumber mill, portable" means portable equipment to mill, split, or otherwise process forest products.

"Lumber mill, stationary" means a permanently located facility or equipment used to process forest products. [Ord. 9-22 § 2 (Appx. A); Ord. 5-20 § 3 (Appx. A); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.10.130 M definitions.

"Maintenance agreement" means a written agreement between parties to physically maintain a facility for common use in a manner which conforms to standards of adequacy specified in such an agreement.

"Major industrial development" means a master planned location for a specific manufacturing, industrial, or commercial business that (a) requires a parcel of land so large that no suitable parcels are available within an urban growth area; or (b) is a natural resource-

based industry requiring a location near agricultural land, forest land, or mineral resource land upon which it is dependent. A major industrial development shall not be for the purpose of retail commercial development or multi-tenant office parks. (cf. RCW 36.70A.365(1).)

"Managing agency" means an individual or organization applying to permit a temporary housing facility under JCC 18.20.385(2)(a). Managing agencies are limited to religious organizations and nonprofit agencies. A "managing agency" may be the same entity as the sponsor.

"Manufactured home" means a single-family dwelling built according to the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act, which is a national, preemptive building code. A manufactured home also: (a) includes plumbing, heating, air conditioning, and electrical systems; and (b) is built on a permanent chassis; and (c) can be transported in one or more sections with each section at least eight feet wide and 40 feet long when transported; or when installed on the site is 320 square feet or greater. (See also "Mobile home.")

Manufactured Housing. (See "Manufactured home" and "Mobile home.")

"Manufacturing" means the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials, such as lubricating oils, plastics, resins, or liquors.

"Market value" means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus.

"Master planned resort" means a self-contained and fully integrated planned unit development in a setting of significant natural amenities, with primary focus on destination resort facilities consisting of short-term visitor accommodations associated with a range of on-site indoor or outdoor recreational facilities. A master planned resort may include other residential uses within its boundaries, but only if the residential uses are integrated into and support the on-site recreational nature of the resort. (cf. RCW 36.70A.360.)

"Material change" means a measurable change that has significance for existing or proposed development or for the existing environment.

"Meander line" means a line along a body of water intended to be used solely as a reference for surveying.

"Mine hazard areas" has the same meaning as in WAC 365-190-030(12).

"Mineral extraction" means the removal of naturally occurring materials from the earth for economic use. Extraction materials include nonmetallic minerals such as sand, gravel, clay, coal, and various types of stone. This shall not include the following:

(a) Excavation and grading at building construction sites where such construction is authorized by a valid building permit; or

(b) Excavation and grading in public rights-of-way for the purpose of on-site road construction, or in private rights-of-way for the same purpose if authorized by the county; or

(c) Excavation and grading for the purpose of developing ponds or manure lagoons for agricultural purposes; or

(d) Excavation and grading in connection with and at the site of any creek, river, or flood-control or storm drainage channel for the purpose of enlarging hydraulic capacity or changing the location or constructing a new channel or storm drain where such work has been approved by the county; or

(e) Excavation and grading where the excavated material will be used on the same property or on property contiguous to and under the same ownership as the excavation.

"Mineral processing" means activities accessory to mineral extraction that include material washing, sorting, crushing or more intensive modification or alteration through mechanical or chemical means to a mineral resource after it has been removed from the earth. This does not include asphalt or concrete batch plants.

"Mineral resource lands" has the same meaning as in WAC 365-190-030(13).

"Minerals" has the same meaning as in WAC 365-190-030(14).

"Mini storage" means a structure or structures containing separate, individual, and private storage spaces leased or rented individually for varying periods of time.

"Minimal demands on existing infrastructure" means demands that do not cause the need for additional infrastructure, including but not limited to roads, fire protection, water, wastewater disposal or stormwater control, that is not provided by the applicant.

"Minimal impacts" means impacts that do not cause adverse impacts on the human or natural environments that cannot be mitigated by conditions of approval.

"Mitigation" means measures prescribed and implemented to avoid, minimize, lessen, or compensate for adverse impacts.

"Mobile food unit" means a readily movable food and/or beverage establishment. (See also JCC 18.20.182, Food and beverage stands.)

"Mobile home" means a factory-built dwelling built prior to June 15, 1976, to the standards other than the HUD Code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile homes have not been built since the introduction of the HUD Manufactured Home Construction and Safety Standards Act. (See also "Manufactured home" and "Manufactured housing.")

"Mobile home park" means a development with two or more improved pads or spaces with required improvements and utilities designed to accommodate mobile homes, according to RCW 59.20.030 (4).

"Motel" means a commercial building or group of buildings in which lodging is provided to transient guests, offered to the public for compensation, and in which access to and from each room or unit is through an exterior door.

"Motor home" means a motor vehicle originally designed, reconstructed, or permanently altered to provide facilities for human habitation, which include lodging, cooking, and sewage disposal, and enclosed within a solid body shell with the vehicle, but excluding a camper or similar unit constructed separately and affixed to a motor vehicle (RCW 46.04.305).

Multifamily Dwelling. (See "Dwelling unit, multiple-family.") [Ord. 5-22 § 3 (Appx. A(1)); Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 8-06 § 1]

18.10.140 N definitions.

"National Pollutant Discharge Elimination System (NPDES)" means a joint federal and state permitting system for the control, monitoring, and reduction of point-sources of pollution, established under the Federal Water Pollution Control Act (Clean Water Act) (Public Law 92-500).

"National Register of Historic Places" means the official federal list, established by the National Historic Preservation Act, of sites, districts, buildings, structures and objects significant in the nation's history and prehistory, or whose artistic or architectural value is unique.

"Native vegetation" means plant species that are indigenous to Jefferson County.

"Natural or existing topography" means the topography of the lot, parcel, or tract of real property immediately prior to any site preparation or grading, including excavation or filling.

"Natural resource lands" has the same meaning as in WAC 365-190-030(15).

"Natural Resources Conservation Service" is a U.S. Department of Agriculture division that provides technical assistance to decision-makers to protect, maintain and improve soil, water, air, plant, and animal resources and related human considerations.

"Noise" means any sound not occurring in the natural environment which causes or tends to cause an adverse psychological or physiological effect on humans. This includes sounds arising from the amplification of noises generated by expected or permitted uses of a lot or structure.

"Nonconforming" means a use, structure, site, or lot which conformed to the applicable codes in effect on the date of its creation but which no longer complies because of changes in code requirements. Nonconformity is different than and not to be confused with illegality (see "Illegal use"). Legal nonconforming lots, structures, and uses are commonly referred to as "grandfathered."

"Nonconforming lot" means a lot of record in existence prior to the effective date of the ordinance codified in this Unified Development Code and any amendments thereto, which does not meet the minimum lot size and other requirements as set forth in this code.

"Nonconforming structure" means a structure which does not conform to the dimensional regulations, including but not limited to setback, height, lot coverage, density, and building configuration regulations of the land use district in which it is located due to changes in code requirements. (See also "Alteration, nonconforming structures.")

"Nonconforming use" means a use of a structure or of land which does not conform to the regulations of the land use district in which the use exists due to changes in code requirements. (See also "Alteration, nonconforming use.")

"Nonconsumptive use" means a use which does not permanently deplete, degrade, or destroy the resource involved.

"Nonpoint source" means the release of waste or other flows which occurs over a broad or undefined area. Releases which can be described as confined to a small area, such as discharges from a pipe or conduit, are referred to as "point-source discharges." (See also "Point-source discharge.")

"NRA Range Source Book" means the 2012 version of the NRA Range Source Book published by the National Rifle Association.

"Nursery" means lands or greenhouses used to raise flowers, shrubs, and plants for commercial purposes.

"Nursing/convalescent/assisted living facility" means a facility or residence that provides health or long-term care services to residents, including nursing or other supportive or restorative health services on a 24-hour basis (RCW 43.190.020). [Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 8-06 § 1]

18.10.150 O definitions.

"Off-street parking" means an area of land located outside of any public right-of-way or private roadway and used for vehicular parking.

"Office" means a commercial use which provides business, professional, or personal services to customers.

"Official maps" means the maps identified in the Jefferson County Comprehensive Plan as the "official maps." These maps show the applicable land use designation(s), overlays, and maximum allowable density for all property in the county.

"On-site waste disposal" means any one of several means for disposal of sanitary waste on the property from which it is generated (e.g., septic tank and drainfield).

"Open record hearing" means a hearing, conducted by a single hearing body or officer that creates the record through testimony and submission of evidence and information, under procedures prescribed by ordinance or resolution. An open record hearing may be held prior to the decision on a project permit to be known as an "open record predecision hearing." An open record hearing may be held on an appeal, to be known as an "open record appeal hearing," if no open record predecision hearing has been held on the project permit.

"Open space" means lands committed to farming and forestry uses and any parcel, lot, or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment.

"Open space tax program" means a county program associated with property taxation. Land being used for agriculture may be enrolled in the tax program through the county assessor. The tax program is independent of land use designation (i.e., zoning) and these development regulations, except in the context of identifying "existing and ongoing agriculture," as defined and regulated in this code.

"Operating entity" for purposes of the temporary housing facility regulations in JCC 18.20.385 means the sponsor, managing agency, and individuals or organizations determined by the administrator to be qualified under JCC 18.20.385(2)(a) to operate a temporary housing facility.

"Operator" means any person who is in actual physical or electronic control of a powered watercraft, motor vehicle, aircraft, off-highway vehicle, or any other engine driven vehicle.

"Outdoor commercial amusement facility" means permanent developments containing single or multiple outdoor amusements such as batting cages, go-cart tracks, bumper cars, amusement rides, or games of chance. This shall not include casinos or theme parks.

"Outdoor shooting facility" means a commercial shooting facility that is not an indoor shooting facility.

Outdoor Storage Yards. (See "Storage yard, outdoor.")

"Overlay district" means a district that provides policies and regulations in addition to those of other sections in this code for certain land areas and for uses which warrant specific recognition and management. Except as otherwise provided, 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.

"Owner" means an individual, firm, business entity, trust, association, syndicate, partnership, or corporation having sufficient property interest to seek development of land.

"Owner-occupied" means the residential occupancy of a building or property by the owner. [Ord. 5-22 § 3 (Appx. A(2)); Ord. 3-20 § 1 (Appx. A); Ord. 8-06 § 1]

18.10.160 P definitions.

"Panhandle" means an irregular extension or protrusion of a lot created for the purpose of providing such lot with frontage on a public or private road, street or access way.

Parcel. (See "Lot.")

"Parent parcel" means each existing lot that is located within the perimeter of a proposed boundary line adjustment application.

"Park" means a tract of land designated and used by the public for recreation.

"Parking lot" means an off-street, ground level open area, usually improved, for the temporary storage of motor vehicles.

"Parties of record" means persons or entities who wish to receive a copy of the hearing examiner's decision and notice of upcoming hearings. "Parties of record" includes the applicant, appellant, petitioner, respondent, their agents and representatives, the county, and persons or entities who: indicate on a sign-up sheet, at a public hearing, that they wish to become a party of record; or for public hearings specifically advised the examiner's office by individual written letter or electronic mail of their desire to become a party of record. Persons who only signed petitions or mechanically produced form letters may be excluded as parties of record.

"Performance standard" means a set of criteria or limits relating to certain characteristics that a particular use or process may not exceed.

"Permanent supportive housing" is subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.

"Permit center" means the Jefferson County department of community development.

"Permit exemption statement" means a written statement of administrative finding and conclusions that a land use or development is consistent with applicable regulations and is not subject to permit requirements of this code.

"Permit review" means the process of reviewing applications for project permits for consistency with the requirements of this code.

"Permittee" means the entity to whom a permit is granted.

"Person" means any individual, owner, contractor, tenant, partnership, corporation, business entity, association, organization, cooperative, public or municipal corporation, agency of a state or local governmental unit however designated, public or private institution, or an employee or agent of any of the forgoing entities.

"Personal and professional services" means, for the purposes of this code, establishments primarily engaged in providing assistance, as opposed to products, to individuals, business, industry, government, and other enterprises, not listed specifically in this code as a distinct use for regulatory purposes, such as laundry and dry cleaning services; barber shops and

beauty salons; locksmiths, banks, legal, engineering, architectural, design, financial and accounting services, and the like.

"Pervious surface" means a surface that absorbs water.

"Physical containment" with respect to a commercial shooting facility means the use of physical barriers that are sufficient to contain the projectile from the highest power firearm used on a shooting range when the shooting range is used in accordance with its operating permit. Physical containment may include but is not limited to baffles, sidewalls, backstops and berms of adequate design, quantity, and location to ensure that projectiles cannot escape the commercial shooting facility.

"Planned rural residential development (PRRD)" means development characterized by a unified site design, clustered residential units, and areas of common open space pursuant to Article VI-M of ~~Chapter~~chapter 18.15 JCC.

"Planning department" means the Jefferson County department of community development.

"Plat" means a map or representation of a subdivision or short subdivision of land showing the division of a parcel of land into lots, roads, dedications, common areas, restrictions and easements, as regulated by ~~Chapter~~chapter 58.17 RCW and this code.

Plat Alteration. (See "Subdivision, alteration of.")

Plat, Long. (See "Subdivision, long.")

Plat, Short. (See "Subdivision, short.")

Plat Vacation. (See "Subdivision, vacation of.")

"Playing field" means a land area designed and used for outdoor games, such as baseball, football, soccer, track events and tennis. It includes public outdoor swimming pools.

"Point-source discharge" means the release of waste or other flows which can be described as confined to a small area, such as discharges from a pipe or conduit. Releases occurring over a broad or undefined area are referred to as "nonpoint sources." (See also "Nonpoint source.")

"Predecision hearing, open record" means a hearing, conducted by the hearing examiner, that creates the county's record through testimony and submittal of evidence and information, under procedures prescribed by the county by ordinance or resolution. An "open record predecision hearing" may be held prior to the county's decision on a project permit (RCW 36.70B.020).

"Preliminary approval" means the final action of the county granting approval to a short or long subdivision, subject to applicable conditions that must be fully satisfied prior to final plat approval.

"Preliminary plat" means a neat and approximate drawing of a proposed subdivision showing the general layout of streets, lots, blocks (if applicable) and other elements of a subdivision consistent with the provisions of this code.

"Primary use" means the principal use of a property.

"Prime farmland soil" means land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber and oilseed crops and is available for these uses. (See Part 603.05, National Soils Handbook, Department of Agriculture, Soil Conservation Service.) (WAC 365-190-030(1)(a).)

"Priority species" means all state and federal endangered, threatened, and sensitive species, and all federal candidate species; and all species of local concern as defined in this chapter.

"Private road" or "private street" means an approved road or street that is not dedicated to the county and is used for access to secondary lots that have no direct access to a public way.

"Producer" means a person engaged in agricultural activities, including but not limited to farmers, ranchers, vineyardists, plant propagators, Christmas tree growers, aquaculturists, floriculturists, orchardists, foresters, or another comparable person.

"Prohibited uses" means any use or activity which is not specifically enumerated or interpreted as allowable in the applicable land use district.

"Project permit" or "project permit application" means any land use or environmental permit or license required from the county for a project action.

"Projectile" means an object fired from a firearm.

"Proof of ownership" means a photocopy of a recorded deed to property and/or a current title insurance policy insuring the status of an applicant as the owner in fee title to real property.

"Proprietor-occupied" means the residential occupancy by the owner of a building or property.

"Provision" means any written language contained in this code, including without limitation any definition, policy, goal, regulation, requirement, standard, authorization, or prohibition.

"Public access areas" means ways or means of approach to provide the general public with a physical entrance to a property.

"Public facilities" has the same meaning as in WAC 365-190-030(16).

"Public livestock market" means any place, establishment or facility commonly known as a "public livestock market," "livestock auction market," "livestock sales ring," yards selling on commission, or the like, conducted or operated for compensation or profit as a public livestock market, consisting of pens and other enclosures, and their appurtenances in which livestock is received, held, sold, or kept for sale or shipment. The term does not include the operation of a person licensed under ~~Chapter~~chapter 16.65 RCW to operate a special open consignment horse sale.

"Public meeting" means an informal meeting, hearing, workshop, or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to a decision. A public meeting may include, but is not limited to, a community

association meeting or a scoping meeting on a draft environmental impact statement (DEIS). A public meeting does not include an open record hearing. The proceeding at a public meeting may be recorded and a report or recommendation may be included in the county's project permit application file.

"Public purpose facilities" means lands and facilities needed to provide the full range of services to the public provided by government, substantially funded by government, contracted for by government, or provided by private entities to meet public service obligations.

"Public road or public street" means an approved road or street, whether improved or unimproved, held in public ownership or control (i.e., either through deed or easement conveyance) and intended to be open as a matter of right to public vehicular travel.

"Public schools" means a building (and grounds) or part thereof designed, constructed, or used for publicly operated education and/or instruction.

"Public services" has the same meaning as in WAC 365-190-030(17).

"Public transportation systems" means public facilities for air, water, or land transportation.

"Public way" means any publicly owned land set aside for utilities, surface transportation purposes, including motorized vehicular and nonmotorized (e.g., bicycle and pedestrian) transportation, whether improved or unimproved. [Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 12-19 § 4 (Appx. C); Ord. 8-06 § 1]

18.10.170 Q definitions.

"Qualified shooting range evaluator" means a person who has been an NRA range technical team advisor or who is a professional engineer with expertise in the design of shooting ranges.

"Qualified wetlands consultant" means a person who has the qualifications to conduct wetland studies and make recommendations for wetland mitigation. These qualifications include specialization in wetland biology, botany, and hydrology, with appropriate education and experience. [Ord. 3-20 § 1 (Appx. A); Ord. 8-06 § 1]

18.10.180 R definitions.

"Rare, endangered, threatened and sensitive species" means plant and animal species identified and listed by the Washington State Department of Natural Resources, Washington Natural Heritage Program, Washington State Department of Fish and Wildlife, or the U.S. Fish and Wildlife Service, as being severely limited or threatened with extinction within their native ranges.

"RCW" means the Revised Code of Washington, as it now exists or may be amended in the future.

"Reclamation" means rehabilitation for the appropriate future use of disturbed areas resulting from surface mining including areas under associated mineral processing equipment, areas under stockpiled materials, and aboveground waste rock and tailing facilities, and all other surface disturbances associated with underground mines. Although both the need for and the

practicability of reclamation will control the type and degree of reclamation in any specific surface mine, the basic objective shall be to reestablish on a perpetual basis the vegetative cover, soil stability, and water conditions appropriate to the approved subsequent use of the surface mine and to prevent or mitigate future environmental degradation.

"Reclamation setbacks" include those lands along the margins of surface mines wherein minerals and overburden shall be preserved in sufficient volumes to accomplish reclamation according to the approved plan and the minimum reclamation standards. Maintenance of reclamation setbacks may not preclude other mine-related activities within the reclamation setback.

"Recording" means the filing of a document(s) for recordation with the county auditor.

"Recreational development" means parks and facilities for camping, indoor and outdoor sports, and similar developments.

"Recreational park trailer" means a trailer-type unit that is primarily designed to provide temporary living quarters for recreational, camping or seasonal use, that meets the following criteria: (a) built on a single chassis, mounted on wheels; (b) having a gross trailer not exceeding 400 square feet in the set-up mode; (c) certified by the manufacturer as complying with ANSI A119.5.

"Recreational uses" means those activities of a voluntary and leisure time nature that aid in promoting entertainment, pleasure, play, relaxation, or instruction.

"Recreational vehicle (RV)" means a vehicle designed primarily for recreational camping or travel use that has its own motive power or is mounted on or towed by another vehicle, including travel trailers, fifth-wheel trailers, folding camping trailers, truck campers, and motor homes, but not mobile homes (RCW 43.22.335).

"Recreational vehicle park" means a commercially developed tract of land in which two or more recreational vehicle sites are established as the principal use of the land.

"Recycling" means the process of segregating solid waste for sale, processing, and beneficial use. Materials which can be removed through recycling include but are not limited to newsprint, cardboard, aluminum, glass, plastics, and ferrous metal. Recycling does not include combustion of solid waste or preparation of a fuel from solid waste.

"Recycling center" means an area, with or without buildings, upon which used materials are separated and processed for shipment.

"Recycling collection facilities" means neighborhood facilities for the drop-off and temporary storage of recyclables but without waste processing.

"Regulated substance" means:

> Any substance defined in Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 (but not including any substance regulated as a hazardous waste under Subtitle C of the Federal Solid Waste

Disposal Act, or a mixture of such hazardous waste and any other regulated substances); and

Petroleum, including crude oil or any fraction thereof that is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute). The term "regulated substance" includes but is not limited to petroleum and petroleum-based substances comprised of a complex blend of hydrocarbons derived from crude oil through processes of separation, conversion, upgrading and finishing, such as motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, petroleum solvents, and used oils. The term "regulated substance" does not include propane or asphalt or any other petroleum product which is not liquid at standard conditions of temperature and pressure (WAC 173-360-120).

"Religious assembly facility" means a facility designed and used primarily for ceremonies, rituals, and education pertaining to a particular system of spiritual beliefs (e.g., a church).

"Residential care facility" means a facility that provides room, board and care with 24-hour supervision for persons who, by reason of circumstance or condition, require care. This may include care for the aged or functionally disabled persons but shall not include correctional facilities, inpatient substance abuse or inpatient mental health facilities that are otherwise identified as essential public facilities by the Comprehensive Plan and regulated under JCC 18.15.110.

"Residential development" means development of land with dwelling units for nontransient occupancy. For the purposes of this code, accessory dwelling units, garages, and other similar structures accessory to a dwelling unit shall also be considered residential development unless regulated otherwise by this code or subarea plans. (See also "Dwelling unit" and "Accessory dwelling unit.")

"Resource-based industrial" means a forest resource-based industrial land use designation that recognizes existing, active sawmills and related activities.

"Resource lands" means agricultural, forest, and mineral lands that have long-term commercial significance.

"Resource management system" means a conservation system that meets or exceeds the quality criteria in the NRCS FOTG for resource sustainability for all identified resource concerns for soil, water, air, plants and animals.

"Restoration" means to return to an original or like condition.

"Restriction" means a limitation placed upon the use of parcel(s) of land.

"Retail sales and services" means establishments engaged in retail sales of goods, including, but not limited to, the retail sale of merchandise not specifically listed under another use classification in Table 3-1 in JCC 18.15.040. This classification includes, but is not limited to, department stores, clothing stores, shoe stores, jewelry stores, hardware stores, furniture stores, antique stores, pharmacies, appliance stores, agricultural feed and supply stores, stationary stores, office supply stores and other similar uses; and establishments engaged in

the sale of services directly to the consumer including, but not limited to, small equipment repair, plumbing and electrical repair services, and other similar uses.

Right-of-Way. (See "Public way.")

"Right-to-farm provisions" means provisions intended to enhance and encourage agricultural operations by recognizing agricultural activities as essential rural activities that do not constitute a nuisance.

"Right-to-forestry provisions" means provisions intended to enhance and encourage sustainable forestry operations by recognizing forestry activities as essential rural activities that do not constitute a nuisance.

"Road" means an improved and maintained public or private right-of-way which provides vehicular access to abutting properties, and which may also include provision for public utilities, pedestrian access, cut and fill slopes, and drainage.

"Road, access" means a road that functions solely to provide access to two or more properties.

"Road, arterial" means roads designated as arterial roads in the Transportation Element of the Comprehensive Plan.

"Road, collector" means:

(a) Roads designated as collector roads in the Transportation Element of the Comprehensive Plan.

(b) A street or road whose principal function is to carry traffic between access and arterial roads and streets.

"Road end" means:

(a) A road closed at one end that may be designed for future road extensions.

(b) The point at which a public road meets the tidelands or a body of water.

"Road, primary" means any existing or proposed road designated as an arterial or collector road in the Transportation Element of the Comprehensive Plan or so designated by the Jefferson County engineer.

"Roadway" means that portion of an approved road or street intended for the accommodation of vehicular traffic, generally between curb lines on an improved surface.

"Rules and regulations" with reference to a commercial shooting facility means requirements used for the safe operation of a commercial shooting facility.

"Runoff" means water originating from rainfall and other precipitation that is found in drainage facilities, rivers, streams, springs, seeps, ponds, lakes and wetlands as well as shallow groundwater. In addition, that portion of rainfall or other precipitation that becomes surface flow and interflow.

"Runway" means the defined area at an airport, airfield, or airstrip indicated for landing and takeoff of aircraft along its length.

"Rural character" means a quality of the landscape dominated by pastoral, agricultural, forested, and natural areas interspersed with single-family homes, limited economic development, and farm structures. Rural character refers to the patterns of land use and development established by the Comprehensive Plan:

(a) In which open space, the natural landscape, and vegetation predominate over the built environment;

(b) That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;

(c) That provide visual landscapes that are traditionally found in rural areas and communities;

(d) That are compatible with the use of the land by wildlife and for fish and wildlife habitat;

(e) That reduce the inappropriate conversion of undeveloped land into sprawling, low density development;

(f) That generally do not require the extension of urban governmental services; and

(g) That are consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas. (cf. RCW 36.70A.030(14).)

"Rural commercial designation" means the land use designation of the Comprehensive Plan designed to provide opportunities for some commercial uses to be located in rural areas.

"Rural commercial uses" means the use of land or the use or construction of structures or facilities involving the retail sale of goods or services which is either unsuitable for a rural village center or rural crossroad or is better suited to rural lands and that does not require urban governmental services.

"Rural crossroads" means those areas established by virtue of historic transportation patterns and characterized by existing concentrations of small-scale commercial uses fronting on, or in close proximity to, major transportation routes and intersections. The following three types of commercial rural crossroads exist in Jefferson County: neighborhood/visitor crossroads, convenience crossroads, and general crossroads:

(1) Convenience Crossroads (CC). Those crossroads that provide a limited selection of basic retail goods and services, and serve a lower intensity population base and the traveling public. Convenience crossroads are characterized by a single convenience/general store. There are three convenience crossroads in Jefferson County: Nordland, Beaver Valley and Wawa Point.

(2) Neighborhood/Visitor Crossroads (NC). Those crossroads which provide multiple uses and services serving both the local community and the traveling public. There are five

neighborhood/visitor crossroads identified in Jefferson County: Mats Mats, Discovery Bay, Four Corners, Chimacum and Gardiner.

(3) General Crossroads (GC). Similar to neighborhood crossroads, general crossroads serve a higher local population base and offer a wider variety of goods and services. There are three general crossroads identified in Jefferson County: Ness' Corner, Irondale Corner and SR 19/20 Intersection.

"Rural governmental services" means those public services provided to rural areas at a scale consistent with the rural character of the area.

"Rural lands" means the class of land use designations which are intended to preserve the rural character of the county. Rural land designations include the following: rural residential, rural commercial, and rural industrial.

"Rural recreational lodging or cabins" means a rural commercial establishment consisting of tourist lodging facilities such as cabins and/or motel, hotel, inn or lodge units that provide for overnight sleeping accommodations and may also provide limited small-scale conference or retreat facilities consistent with the standards set forth in JCC 18.20.350.

"Rural residential designation" means the land use designation in the Comprehensive Plan designed to recognize existing residential development patterns of the rural landscape and provide for a variety of residential living opportunities at densities which maintain the primarily rural residential character of an area.

"Rural village center" means small, unincorporated commercial and residential community centers that provide a rural level of services and which serve as a focal point for the local population. In Jefferson County these centers include: Quilcene and Brinnon. [Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.10.190 S definitions.

"Sale" means the conveyance for consideration of legal or beneficial ownership.

"Salt water intrusion" means the underground flow of salt water into wells and aquifers.

"Screening" means a method of visually shielding or obscuring a structure or use from view by fencing, walls, trees, or densely planted vegetation.

"Seaward" means to or toward the sea.

Seawater Intrusion. (See "Salt water intrusion.")

"Seawater intrusion protection zone (SIPZ)" means aquifers and land overlying aquifers with some degree of vulnerability to seawater intrusion.

"Sedimentation" means the process by which material is transported and deposited by water or wind.

"Seiche and landslide generated wave hazard areas" means lake and marine shoreline areas susceptible to flooding, inundation, debris impact, or mass wasting as the result of a seiche or

landslide generated waves. No known best available science is currently available to characterize potential seiche hazards in Jefferson County.

"Seismic hazard areas" has the same meaning as in WAC 365-190-030(18).

"Sensitive areas" associated with JCC 18.20.345, Sexually oriented businesses, include: schools, day care facilities, libraries, off-road public trails and paths, public indoor recreational facilities, hospitals, parks and playgrounds, places of worship (i.e., churches), community centers, senior citizen centers, cemeteries, residential neighborhoods, master planned resorts.

"Sensitive species" means species that could become threatened as classified by the State of Washington Department of Fish and Wildlife, Nongame Program, and the Department of Natural Resources, Washington Natural Heritage Plan.

"Service area" means a geographic area defined by a county or intergovernmental agreement in which a defined set of public facilities provides service to development within the area (e.g., an area identified by a public water system that includes the ability to provide a water tap).

"Setback" means the distance a structure is placed behind a specified line or topographic feature.

"Sewerage treatment facilities" means the management, storage, collection, transportation, treatment, utilization, and processing of sewage from a municipal or community sewage treatment plant, not including community drain fields.

"Sexually oriented business" means:

(1) Any exhibition, performance or dance conducted in an sexually oriented business facility where such exhibition, performance or dance is distinguished or characterized by a predominant emphasis on matters depicting, describing, or simulating any specified sexual activities or any specified anatomical areas; or

(2) Any exhibition, performance or dance intended to sexually stimulate any patron and conducted in a sexually oriented business facility where such exhibition, performance or dance is performed for, arranged with, or engaged in with fewer than all patrons in the sexually oriented business facility at that time, with separate consideration paid, either directly or indirectly, for such performance, exhibition or dance. For purposes of example and not limitation, such exhibitions, performances or dances are commonly referred to as table dancing, couch dancing, taxi dancing, lap dancing, private dancing or straddle dancing; or

(3) Sexually oriented retail store, meaning an enclosed building, or any portion thereof, which, for money or any other form of consideration, devotes a significant or substantial portion of stock in trade to the sale, exchange, rental, loan, trade, transfer or viewing of sexually oriented materials. For purposes of this definition, a retail store devotes a significant or substantial portion of its stock in trade to sexually oriented materials if the sale, exchange, rental, loan, trade, transfer or viewing of such sexually oriented materials is clearly material to the economic viability of the business. It is rebuttably presumed that such sexually oriented

materials are clearly material to the viability of the business if sexually oriented materials account for:

(a) Twenty-five percent or more of the retail dollar value of gross sales over any quarterly period;

(b) Twenty-five percent or more of the floor area of the store open to the public;

(c) Twenty-five percent or more of the retail dollar value of all merchandise displayed in the store;

(d) Twenty-five percent or more of the store's inventory (whether measured by retail dollar value or number of items); or

(e) Twenty-five percent or more of the store's stock in trade.

In no event shall a retailer whose transactions only incidentally or marginally relate to sexually oriented materials be considered a sexually oriented retail store.

(4) Also see JCC 5.10.030 for a more complete list of definitions.

"Shooting range" consists of a firing line or firing points, and an impact area.

"Shoreline Management Act" means the Shoreline Management Act of 1971 (~~Chapter~~chapter 90.58 RCW), as amended.

"Shoreline Master Program (SMP)" means the Jefferson County Shoreline Master Program.

"Short plat" means a neat and accurate drawing of a short subdivision, prepared for filing for record with the county auditor, and containing all elements and requirements set forth in ~~Chapter~~chapter 18.35 JCC.

"Sign" means any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images. Excluded from this definition are signs required by law, such as handicapped parking signs, and the flags of national and state governments.

"Sign, commercial" means a sign that directs attention to a business or profession, to a commodity or service sold, offered, or manufactured, or to an entertainment offered on the premises where the sign is located.

"Sign, freestanding" means a sign not attached to a structure.

"Silviculture" means the study and practice of controlling the establishment, composition, constitution, health, growth, and quality of forest stands.

"Single-family residence" means a dwelling unit designed for and occupied by no more than one family.

"SIPZ" means seawater intrusion protection zones.

"Site evaluation checklist" means all the information described in JCC 18.22.945(3)(d).

"Small equipment repair, sales and rental services" means commercial establishments engaged primarily in the repair, and/or rental and sale of small equipment, including, but not limited to, tools, watches, appliances, televisions and other electronic devices, computers, lawnmowers, bicycles and similar items.

"Small-scale" means of a size or intensity which has minimal impacts on the surrounding area and which makes minimal demands on the existing infrastructure.

"Small-scale recreation or tourist uses" means recreational uses or tourist uses that are reliant upon a rural setting or location; do not include any new residential development beyond that allowed in the underlying land use district; and otherwise meet the performance standards in JCC 18.20.350.

"Soil log" means the excavation and written record of soil septic suitability as per health department written guidelines and requirements.

"Solid waste" means all putrescible and nonputrescible solid and semi-solid wastes, except wastes identified in WAC 173-304-015, including, but not limited to, junk vehicles, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities, but excluding agricultural wastes and crop residues returned to the soil at agronomic rates. This includes all liquid, solid and semi-solid materials which are not the primary products of public, private, industrial, commercial, mining and agricultural operations. Solid waste includes but is not limited to sludge from wastewater treatment plants and septage from septic tanks, wood waste, dangerous waste, and problem wastes. Unrecovered residues from recycling operations shall be considered solid waste.

"Solid waste disposal" means the act or process of disposing of rubbish and garbage.

"Sound" means an oscillation in pressure, particle displacement, particle velocity, or other physical parameter in a medium with internal forces that causes compression and rarefaction of that medium, including any characteristics of sound, such as duration, intensity, and frequency.

"Source of contamination" means a facility or disposal or storage site for material that impairs the quality of groundwater to a degree that creates a potential hazard to the environment, public health, or interferes with a beneficial use; or in reference to well drilling, a specific area or source as defined in WAC 173-160-171.

"Special flood hazard" means land in the floodplain subject to a one percent or greater chance of flooding in any given year.

"Special report" means a technical report or study containing certain site analyses or project evaluations or a plan describing mitigation or monitoring recommendations.

"Species of local importance" has the same meaning as in WAC 365-190-030(19).

"Sponsor" for purposes of the temporary housing facility regulations in JCC 18.20.385 means an organization that is:

(a) A state of Washington registered not-for-profit corporation and federally recognized tax exempt 501(c)(3) organization that invites a temporary housing facility to reside on land it owns or leases; or

(b) Recognized by the Internal Revenue Service as exempt from federal income taxes as a religious organization, which expresses its religious mission, in part, by organizing living accommodations for those experiencing homelessness.

"Sprawl, low density" means scattered, poorly planned low density development that occurs particularly in urban fringe and rural areas and frequently invades land important for environmental and natural resource protection. Sprawl typically manifests itself in one or more of the following patterns:

(a) Leap frog development: when new development of urban or suburban character is sited away from an existing developed urban or suburban area, bypassing vacant parcels located in or closer to the developed area that are suitable for development;

(b) Strip development: when large amounts of commercial, retail, or other nonresidential development are located in a linear pattern along one or both sides of a major arterial or collector and, typically, accessing directly onto the arterial or collector; and

(c) Large expanses of low density, single-family dwelling development, outside of urban areas, rural village centers, or master planned resorts, that are located in relatively close proximity to one another.

"State endangered species" means a species native to the state of Washington that is seriously threatened with extinction throughout all or a significant portion of its range within the state. Endangered species are legally designated in WAC 232-12-014.

"State sensitive species" means a species, native to the state of Washington, that is vulnerable or declining and is likely to become endangered or threatened in a significant portion of its range within the state without cooperative management or the removal of threats. Sensitive species are legally designated in WAC 232-12-011.

"State threatened species" means a species, native to the state of Washington, that is likely to become endangered in the foreseeable future throughout a significant portion of its range within the state without cooperative management or the removal of threats. Threatened species are legally designated in WAC 232-12-011.

"Stockyard" means any place, establishment, or facility commonly known as a stockyard consisting of pens or other enclosures and their appurtenances in which livestock services such as feeding, watering, weighing, sorting, receiving and shipping are offered to the public; provided, that "stockyard" shall not include any facilities where livestock is offered for sale at public auction, feed lots, or quarantined registered feed lots.

"Storage yard, outdoor" means an outdoor area used for the storage of equipment, vehicles or materials for periods exceeding 72 hours.

"Street" means a public or private thoroughfare or easement that affords primary means of access. For the purposes of ~~Chapter~~chapter 18.35 JCC, the definition of street includes all public and private utilities such as communication lines, cable television lines, electrical lines and equipment, gas distribution lines, stormwater, sidewalks, and other similar facilities commonly found in street rights-of-way.

"Street or road frontage" means the length along a street which a structure, business, or lot abuts or fronts.

"Structure" means a permanent or temporary edifice or building or any piece of work artificially built up or composed of parts joined together in some definite manner, whether installed on, above, or below the surface of the ground or water, except for vessels (WAC 173-27-030).

"Subarea plan" means a detailed plan consistent with but more specific than this code or the Comprehensive Plan. It may be a detailed land use plan for a specific geographic area, or a functional long-range plan for a land use or resource issue of county-wide concern.

"Subdivision" means the division or redivision of land into lots, tracts, parcels sites or divisions for the purpose of sale, lease or transfer of ownership.

"Subdivision, alteration of" means the alteration of lots or changes in dedications or restrictions or easements shown on the face of a plat of a subdivision or short subdivision; except as provided by RCW 58.17.040(6) for boundary line adjustments.

"Subdivision development standards" means the county's engineering, design and construction standards and specifications contained in ~~Chapter~~chapter 18.30 JCC, including any incorporated standards, governing the construction of public and private improvements serving new divisions of land. The county's subdivision development standards include the adopted public works standards for design and construction of transportation facilities and standards for clearing and grading, erosion control, stormwater facilities, and water and sewage disposal improvements.

"Subdivision, long" means the division or redivision of land into five or more lots, tracts, parcels or sites or divisions for the purpose of sale, lease, or transfer of ownership.

"Subdivision, phased" means a subdivision that is developed in increments over a period of time.

"Subdivision, short" means the division or redivision of land into four or fewer lots, tracts, parcels or sites or divisions for the purpose of sale, lease, or transfer of ownership.

"Subdivision, vacation of" means the removal of lots, boundaries, roads, dedications, restrictions, or easements of a recorded subdivision or short subdivision.

"Surface mine" means any area or areas in close proximity to each other, as determined by the department, where extraction of minerals results: (a) in more than three acres of disturbed

area, (b) surface-mined slopes greater than 30 feet high and steeper than one foot horizontal to one foot vertical, (c) more than one acre of disturbed area within an eight-acre area; when the disturbed area results from mineral prospecting or exploration activities. Surface mines include areas where mineral extraction from the surface or subsurface occurs by the auger method or by reworking mine refuse or tailings, when the disturbed area exceeds the size or height thresholds listed in of this definition. Surface mining occurs when operations have created or are intended to create a surface mine as defined by this subsection. Surface mining shall exclude excavations or grading used primarily for on-site construction, on-site road maintenance, or on-site landfill construction, for the purpose of public safety or restoring the land following a natural disaster, for the purpose of removing stockpiles, for forest or farm road construction or maintenance on site or on contiguous lands, primarily for public works projects if the mines are owned or primarily operated by counties with 1993 populations of less than 20,000 persons, and if each mine has less than seven acres of disturbed area, and for sand authorized by RCW 79A.05.630.

Surrounding (Area or Property). A lot of record shall be considered to be a "surrounding" property with respect to the subject parcel or parcels if any portion of that lot of record is within 300 feet of any boundary of the subject parcel(s) when the subject parcel(s) is/are designated on the land use map as rural, residential, resource area, or parks preserve and recreation and shall be considered surrounding if any portion of the lot of record is within 100 feet of any boundary of the subject parcel(s) when the subject parcel(s) is/are designated as urban growth area or rural commercial. For industrial the criteria for "surrounding" property shall be 600 feet.

"Sustainable" means actions or activities which preserve and enhance resources for future generations. [Ord. 5-22 § 3 (Appx. A(3)); Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 14-18 § 4 (Exh. B); Ord. 3-12 § 1 (Exh. H); Ord. 8-06 § 1]

18.10.200 T definitions.

"Target" means a mark to shoot at.

"Target line" means the line where targets are placed.

"Temporary housing facility" means a facility providing temporary housing accommodations pursuant to JCC 18.20.385. Temporary housing facilities include temporary structures as defined in this section and may also include a safe parking area and common use structures.

"Temporary structures" includes tents, RVs, tiny shelters, and any other structure designed to provide personal and private shelter to an individual or family.

"Temporary tent facility" means a temporary housing facility for unhoused people that is composed of tents or other temporary structures, as approved pursuant to JCC 18.20.385.

"Temporary tiny shelter village" means a temporary housing facility for unhoused people that is composed of purpose-built tiny structures, as approved by the administrator, on a site permitted by the department pursuant to JCC 18.20.385. Temporary tiny structures for unhoused people are typically less than 200 square feet and easily constructed and moved to various locations. For the purposes of JCC 18.20.385, temporary tiny structures are not dwelling units for purposes of ~~Chapter~~chapter 15.05 JCC.

"Threatened species" means a species that is likely to become an endangered species within the foreseeable future, as classified by the Washington Department of Fish and Wildlife, Wildlife Policy No. 602, and the Department of Natural Resources, Washington Natural Heritage Program.

"Threshold determination" means the decision by the responsible official under the State Environmental Policy Act (SEPA) regarding the likelihood that a project or other "action" (WAC 197-11-704) will have a probable significant adverse impact on an element of the environment.

"Timber land" means land supporting or capable of supporting a stand of merchantable timber and which is not being developed or used for an activity which is incompatible with timber production.

"Tourist uses" means used by persons traveling for pleasure or culture.

"Townhouses" means buildings that contain three or more attached single-family dwelling units that extend from foundation to roof and that have a yard or public way on not less than two sides.

Tract. (See "Lot.")

"Trailer" means a structure standing on wheels, towed or hauled by another vehicle, and used for short-term human occupancy, carrying of materials, goods, or objects, or as a temporary office.

"Transfer of development rights (TDR)" means the transfer of the right to develop or build, expressed in dwelling units per acre, from land in one land use designation to land in another designation or from one property owner to another, where such a transfer is permitted.

"Transient accommodations" means a commercial use involving the rental of any structure or portion thereof for the purpose of providing lodging for periods less than 30 days.

"Transient residence or transient ADU" means a single-family residential unit or ADU used for short-term transient occupancy (for periods less than 30 days).

"Transitional housing" means a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living.

"Transportation facilities" means roads, trails, airports, airfields, public docks, ferries and related terminals, and parking areas.

"Tree line" means the line created by existing trees, at the trunk line, growing in a generally continuous line, as opposed to a line drawn between a few isolated trees.

"Tsunami hazard areas" means coastal areas susceptible to flooding, inundation, debris impact, or mass wasting as the result of a tsunami generated by seismic events. [Ord. 5-22 § 3 (Appx. A(4)); Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 8-06 § 1]

18.10.210 U definitions.

"Unimproved, dormant platted land" means land within the limits of a plat recorded prior to 1937 that, as of the date of the initial adoption of the ordinance codified in this Unified Development Code, does not contain a building that is or has been used as a dwelling unit or as a viable business facility.

"Unit Lot Subdivision" means a land division of a parent site into separately owned unit lots.

"Uplands" means lands outside of the jurisdiction of the Shoreline Master Program.

"Urban growth" has the same meaning as in WAC 365-190-030(20).

"Urban growth area" means an area designated by the county within which urban growth is to be encouraged and outside of which growth is not intended to be urban in nature. (cf. ~~Chapter~~chapter 36.70A RCW.)

Urban Services. Pursuant to RCW 36.70A.030 (19), urban services are those public services and public facilities at an intensity historically and typically provided in cities, specifically including storm and sanitary sewer systems, municipal water systems, street cleaning services, fire and police protection services, public transit services, street improvements such as sidewalks, curbs and gutters and other public utilities associated with urban areas and normally not associated with rural.

"U.S.C." means the United States Code, as it now exists or is later amended.

"Use" means the purpose that land or building or structures now serve or for which they are or may be occupied, maintained, arranged, designed, or intended.

"Utilities" means facilities serving the public through a network of wires or pipes, and ancillary structures thereto, including systems for the delivery of natural gas, electricity, and telecommunications services.

"Utility distribution lines" means pipes, wires, and associated structural supports.

"Utility facilities" means facilities directly used for the distribution or transmission of services to an area, excluding utility service offices.

"Utility substations" means the intermediate substations used for the transmission of utilities. (See "Utility facilities.")

"Utility transmission lines" means pipes, wires and associated structural supports. [Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 8-06 § 1]

18.10.220 V definitions.

"Vacation, roads and streets" means a statutory procedure by which the county may relinquish its interest in streets, alleys, or easements.

"Variance" means the means by which an adjustment is made in the application of the specific bulk, dimensional, or performance standards set forth in this code to a particular piece of property, which property, because of special circumstances applicable to it is deprived of

privileges commonly enjoyed by other properties in the same land use designation or vicinity and which adjustment remedies disparity in privileges. Variances shall not be used to vary from the allowable, conditional and prohibited uses set forth in Table 3-1 in JCC 18.15.040.

"Variance, major" means all variances other than those meeting the definition of a minor variance.

"Variance, minor" means variances that would permit expansion of an existing building that would extend no more than 10 percent beyond the dimensional, area and bulk requirements specified by this code. Minor variances also include variances to allow expansion of an existing building that is nonconforming as to setback or lot coverage requirements when the proposed expansion would not:

(a) Increase the nonconformity of the building; and

(b) Result in any portion of the building or expansion being located closer to the nearest abutting property line than does the existing building at its nearest point to the property line.

"Vicinity" means, in rural and resource lands, the area generally within one mile of the exterior boundary of a given parcel. [Ord. 8-06 § 1]

18.10.230 W definitions.

"WAC" means the Washington Administrative Code, as it now exists or may be amended in the future.

WADOT. (See "WSDOT" or "DOT.")

"Warehouse (or wholesale distribution center)" means a building, establishment or place of business used primarily for the storage of goods and materials for commercial or industrial purposes. Retail sales from such establishments shall be incidental to the primary use and limited to that allowed by JCC 18.20.220, Industrial uses – Standards for site development.

Warehouse, Agricultural. (See "Agricultural warehouse (public warehouse).")

"Water conservation" means a reduction in the amount of water used to carry out a beneficial water use without a reduction in the value of service the water provides.

"Water, ground" means all waters that exist beneath the land surface or beneath the bed of any stream, lake or reservoir, or any other body of water within the boundaries of the state, as defined in RCW 90.44.035.

"Water, potable" means water suitable for human consumption.

"Water purveyor" means any agency or subdivision of the state or any municipal corporation, firm, company, mutual or cooperative association, institution, partnership, or person or any other entity that owns or operates a public water system. Includes the authorized agents of any such entities.

"Water storage tanks" means tanks or reservoirs used for the storage of water.

"Water supply plans" means a design sketch showing proposed source and lots to be served or detailed engineering plans and specifications.

"Water system, alternative" means any source of water for an individual single-family use other than a legally constructed well that produces more than 400 gallons per day, or an approved public water system that can provide adequate water for the intended use of a structure.

"Water system, approved" means any water source approved by the county health department and Washington Department of Health, including but not limited to wells, ponds, roof collection systems, treated systems, and public water supplies.

"Water system, individual (residential)" means any water supply system which is not subject to the State Board of Health drinking water regulations, ~~Chapter~~chapter 246-290 WAC. An individual water supply system generally provides water to one single-family residence and no more than one accessory dwelling unit, or in the case of family farms, four or fewer connections on the same farm.

"Water system, public" means any water system subject to the State Board of Health drinking water regulations, ~~Chapter~~chapter 246-290 WAC, excluding a system serving only one single-family residence or a system with four or fewer connections all of which serve residences on the same farm, providing piped water for human consumption, including (a) any collection, treatment, storage or distribution facilities which are under control of the purveyor and used primarily in connection with a system, and (b) any collection of pretreatment storage facilities which are not under the control of the purveyor but are primarily used in connection with the system.

"WDFW" means Washington Department of Fish and Wildlife.

"WDOE" means the Washington Department of Ecology. (See "Ecology (WDOE).")

"Well testing" means acquiring data directly from a constructed well in order to determine characteristics of the well, the water found in the well, or the geologic formations through which the well has passed. The well test may include pump testing, water quality testing, or geophysical testing.

"Wetland" or "wetlands" has the same meaning as in WAC 365-190-030(22).

"Wetland alteration" means any human-induced action which impacts the existing condition of a wetland or its buffer. Alterations include but are not limited to: grading; filling; dredging; draining; channelizing; installing drainage tiles; cutting, pruning, limbing or topping, clearing, relocating, planting or removing vegetation; applying herbicides or pesticides or any hazardous or toxic substance; discharging pollutants excepting stormwater; grazing domestic animals; paving, construction, application of gravel; modifying for surface water management purposes; or any other human activity that impacts the existing vegetation, hydrology, wildlife or wildlife habitat. Alteration does not include walking, passive recreation, fishing, or other similar activities.

"Wetland buffer" means the area immediately adjoining and contiguous with a wetland.

"Wetland creation" means the action performed to intentionally establish a wetland or a portion of a wetland where one did not formerly exist.

"Wetland delineation" means the technical process of determining the edge of the wetland in the field and ascertaining its classification and value.

"Wetland edge" means the boundary of a wetland as identified using the required wetland delineation procedure.

"Wetland, emergent" means a regulated wetland, or portion thereof, with at least 30 percent of the surface area covered by erect, rooted, herbaceous vegetation as the uppermost vegetative strata.

"Wetland enhancement" means alteration of an existing wetland or habitat to improve or increase its characteristics and processes without degrading other existing functions. Enhancements are to be distinguished from wetland or habitat creation or restoration projects.

"Wetland, forested" means a regulated wetland, or portion thereof, with at least 20 percent of the surface area covered by woody vegetation greater than 20 feet in height.

"Wetland functions and values" means the beneficial roles performed by wetlands include but are not limited to: water quality protection and enhancement; fish and wildlife habitat; food chain support; flood storage, conveyance and attenuation; groundwater recharge and discharge; erosion control; wave attenuation; historical and archaeological and aesthetic value; and recreation.

"Wetland, isolated" means those regulated wetlands which:

(a) Are outside of and not contiguous to any 100-year floodplain of a lake, river, or stream;

(b) Have no contiguous hydric soil or hydrophytic vegetation between the wetland and any surface water; and

(c) Have no surface water connection to a lake, river, or stream during any part of the year.

"Wetland, maintenance and repair" means activities that change the size or scope of a use or structure beyond its original nature; or which drain, dredge, fill, flood, or otherwise alter additional regulated critical areas.

"Wetland, regulated" means a wetland that meets the standards of this code. However, a wetland that does not meet these standards may still be regulated under the federal Clean Water Act.

"Wetland restoration" means the actions performed to re-establish a wetland in an area which was historically wetland but which does not now provide or contain the necessary functional characteristics.

"Wetland, scrub-shrub" means a regulated wetland with at least 30 percent of its surface area covered by woody vegetation less than 20 feet in height as the uppermost strata.

"Wetland specialist" means a person with experience and training in wetlands issues and with experience in performing delineations, analyzing wetland functions and values, analyzing wetland impacts, and recommending wetland mitigation and restoration. Qualifications include: (a) Bachelor of Science or Bachelor of Arts or equivalent degree in biology, botany, environmental studies, fisheries, soil science, wildlife, agriculture, or related field, and two years of related work experience, including a minimum of one year experience delineating wetlands and preparing wetland reports and mitigation plans using the following manuals and guidelines: Federal Manual for Identifying and Delineating Jurisdictional Wetlands, Corps of Engineers Wetlands Delineation Manual 1987 Edition and corresponding guidance letters, March 1997 Washington State Wetlands Identification and Delineation Manual, Washington State Wetlands Rating System for Western Washington, as now or hereafter amended. Additional education may substitute for one year of related work experience; or (b) four years of related work experience and training, with a minimum of two years' experience delineating wetlands using the manuals cited above and preparing wetland reports and mitigation plans. The person should be familiar with the Pierce County Site Development Regulations, Pierce County Wetland Management Policies, Ordinance Nos. 88-182 and 89-162, and the requirements of this title.

"Wildlife biologist" means a person with experience and training within the last 10 years in the principles of wildlife management and with practical knowledge in the habits, distribution, and environmental management of wildlife. Qualifications include:

(a) Certification as professional wildlife biologist through the Wildlife Society;

(b) Bachelor of Science or Bachelor of Arts degree in wildlife management, wildlife biology, ecology, zoology, or a related field from an accredited institution and two years of professional field experience; or

(c) Five or more years of experience as a practicing wildlife biologist with a minimum of three years of practical field experience.

"Wildlife (wildlife species)" includes both plant and animal species for the purposes of this code.

"WSDOT" means Washington State Department of Transportation. (See also "WADOT" or "DOT.") [Ord. 5-20 § 3 (Appx. A); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.10.240 X definitions.
"Xeriscaping" means a water-conserving method of landscaping that utilizes native or other plants that are drought-tolerant. [Ord. 8-06 § 1]

18.10.250 Y definitions.
Reserved. [Ord. 8-06 § 1]

18.10.260 Z definitions.
~~Reserved. [Ord. 8-06 § 1]~~"Zero Lot Line" means a common lot line on which a shared wall of structure may be constructed.

Chapter 18.18
IRONDALE AND PORT HADLOCK UGA DEVELOPMENT REGULATION IMPLEMENTATION

Sections:

18.18.005 General applicability.
18.18.010 Purpose.
18.18.020 Establishment of urban growth area (UGA) land use and zoning districts.
18.18.030 Purpose of UGA land use and zoning districts.
18.18.040 Use tables.
18.18.050 Density, dimension and open space standards.
18.18.060 Development requirements and performance standards.
18.18.070 Landscaping.
18.18.080 Parking and pedestrian circulation.
18.18.090 Lighting.
18.18.100 Signs.
18.18.110 Design standards.
18.18.120 Site plan approval required in the Irondale and Port Hadlock UGA.
18.18.130 Development standards in this title.

18.18.005 General applicability.

The land use regulations in this chapter implement the Comprehensive Plan and ensure urban development is accompanied by urban infrastructure and services, in compliance with the State Growth Management Act. The availability of sewer facilities is a precondition to developing inside the UGA at urban densities or standards. Jefferson County will apply urban standards to parcels where sewer is available. When sewer service is available, refer to this chapter. [Ord. 9-09 § 2 (Exh. B)]

18.18.010 Purpose.

The purpose of this chapter is to establish land use controls and regulations for the unincorporated Irondale and Port Hadlock Uurban Ggrowth Aarea ("PHUGA") consistent with the adopted Jefferson County Comprehensive Plan.

Zoning designations are depicted on the map Irondale and Port Hadlock ~~UGA~~ Urban Zoning, found in the UGA Element, Exhibit 1-22, Jefferson County Comprehensive Plan (2018)~~as Figure 2-1 in the Urban Growth Area Element of the Comprehensive Plan~~.

This chapter's development regulations shall be used for urban development that has urban services available. Urban development will not be allowed before the availability of urban services, namely, sewer availability. Development in those areas in the UGA that do not yet have sewer available shall be consistent with ~~Chapter~~chapter 18.19 JCC. See JCC 18.18.060, Development requirements and performance standards, for specific information about sewer availability and when urban development standards will apply. If there is conflict between development regulations in this chapter and elsewhere in this title, then this chapter prevails. [Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.020 Establishment of urban growth area (UGA) land use and zoning districts.

Urban Growth Area (UGA)	
Land Use Districts	**Zoning Districts**
Urban Residential	Urban low density residential (ULDR) Urban moderate density residential (UMDR) Urban high density residential (UHDR)
Urban Commercial	Urban commercial (UC) Visitor-oriented commercial (VOC)
Urban Industrial	Urban light industrial (ULI)
Public	Public (P)

[Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.030 Purpose of UGA land use and zoning districts.
The purposes of the land use and zoning districts are as follows:

(1) Urban Commercial (UC). The purpose of the urban commercial designation is to provide for a wide range of commercial activities and uses compatible with the expressed needs of the community that will provide goods and services for the UGA, nearby residents and serve the traveling public;

(2) Visitor-Oriented Commercial (VOC). The purpose of this designation is to recognize the unique area of the Old Alcohol Plant and allow commercial uses and for visitor-oriented lodging, goods and services that supplement the historical and tourism-related character of this area;

(3) Urban Low Density Residential (ULDR). The purpose of the ULDR district is to provide for areas of single-family urban residential development that are separate from commercial and industrial uses and activities;

(4) Urban Moderate Density Residential (UMDR). The purpose of the UMDR district is to provide for areas of mixed single-family and moderate density multifamily urban residential development;

(5) Urban High Density Residential (UHDR). The purpose of the UHDR district is to provide for areas of high density multifamily residential development;

(6) Urban Light Industrial (ULI). The purpose of the ULI designation is to allow for low intensity and low nuisance potential industrial uses;

(7) Public (P). The purpose of the P designation is to provide for the siting of important public facilities and services compatible. [Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.040 Use tables.

This section establishes whether a specific use is allowed, prohibited, conditional or otherwise designated.

Table 3A-1. Allowable and Prohibited Uses

How To Use This Table
Table 3A-1 displays the classifications of uses for UGA zoning districts. The allowability and classification of uses as represented in the table are further modified by the following: • The location may have a multiple designation. This would be true of the Shoreline Master Program, a subarea plan, or an overlay district applied to the location. The Shoreline Master Program (SMP) should be consulted if the location of interest is subject to the SMP jurisdiction. See also Notes 1 to 3 to this table. • All regulations in this code apply to the uses in these tables. To determine whether a particular use or activity can occur in a particular land use district and location, all relevant regulations must also be consulted in addition to this table. • A development proposal within 200 feet of the ordinary high water mark of a regulated shoreline is within the jurisdiction of the Shoreline Master Program, and is subject to the applicable provisions of the SMP in this title. • Overlay districts provide policies and regulations in addition to those of the underlying land use districts for certain land areas and for uses that warrant specific recognition and management. For any land use or development proposed to be located entirely or partly within an overlay district, or within the jurisdiction of a subarea plan, the applicable provisions of the overlay district or subarea plan as provided in Articles VI and VII of ~~Chapter~~chapter 18.15 JCC shall prevail over any conflicting provisions of the UDC.

Categories of Uses		
Yes	=	Uses allowed subject to the provisions of this code, including meeting applicable performance standards (~~Chapter~~chapter 18.20 JCC) and development standards (~~Chapter~~chapter 18.30 JCC); if a building or other

		development permit is required, this use is also subject to project permit approval; see ~~Chapter~~chapter 18.40 JCC.
D	=	Discretionary uses are certain named and all unnamed uses which may be allowed subject to administrative approval and consistency with the UDC, unless the administrator prohibits the use or requires a conditional use permit based on project impacts; see JCC 18.15.045 and ~~Chapter~~chapter 18.40 JCC.
C	=	Conditional uses, subject to criteria, public notice, written public comment and public hearing procedure; see JCC 18.40.080.
C(a)	=	Conditional uses, subject to criteria, public notice, written public comment, and an administrative approval procedure, but not a public hearing; see JCC 18.40.080.
C(d)	=	Conditional uses, subject to criteria, public notice, written public comment and, at the discretion of the administrator, a public hearing procedure, if warranted, based on the project's potential impacts, size or complexity, according to criteria in JCC 18.40.550; see JCC 18.40.080.
No	=	Prohibited use.

Table 3A-1 Allowable and Prohibited Uses	Irondale and Port Hadlock Urban Growth Area (UGA) Zoning Districts						
	Commercial		Residential			Industrial	Public
	Urban Commercial	Visitor-Oriented Commercial	Urban Low Density Residential	Urban Moderate Density Residential	Urban High Density Residential	Urban Light Industrial	Public
Specific Land Use	**UC**	**VOC**	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
Residential Uses							
Single-Family Housing							
Single-family residences	Existing only	Existing only	Yes	Yes	No	No	No
Duplexes ~~(subject to meeting underlying density requirements)~~	Existing only	Existing only	Yes	Yes	No	No	No
Manufactured/mobile home parks	Existing only	No	Yes	Existing only	Yes	No	No
Multifamily Housing							
Multifamily residential units (3+ units)	~~Existing only~~D	Existing only	No	Yes	Yes	No	No
Residential adult care facilities	Yes	No	Yes	Yes	Yes	No	No
Nursing/convalescent/assisted living facilities	Yes	No	Yes	Yes	Yes	No	No
Emergency housing/emergency shelters	Yes	No	No	No	No	No	No
Permanent supportive housing/transitional housing	Yes	No	No	No	No	No	No

Table 3A-1 Allowable and Prohibited Uses	Irondale and Port Hadlock Urban Growth Area (UGA) Zoning Districts						
	Commercial		Residential			Industrial	Public
	Urban Commercial	Visitor-Oriented Commercial	Urban Low Density Residential	Urban Moderate Density Residential	Urban High Density Residential	Urban Light Industrial	Public
Specific Land Use	**UC**	**VOC**	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
Accessory Uses							
Accessory dwelling units	Existing only	Existing only	Yes	Yes	Yes	No	No
Home businesses[1]	Yes	Yes	Yes	Yes	Yes	No	No
Cottage industries[1]	Yes	Yes	No	No	No	No	No
Commercial Uses							
Animal shelters and kennels, commercial	C(a)	C(a)	No	No	No	No	No
Aquaculture	Yes	Yes	No	No	No	Yes	No
Automobile service station	Yes	Yes	No	No	No	No	No
Automobile repair and/or restoration	Yes	Yes	No	No	No	Yes	No
Automobile (car) wash	Yes	Yes	No	No	No	No	No
Automobile sales	Yes	No	No	No	No	No	No
Bakery	Yes	Yes	No	No	No	No	No
Banks and credit unions	Yes	Yes	No	No	No	No	No

RED LINE VERSION

Table 3A-1
Allowable and Prohibited Uses

	Irondale and Port Hadlock Urban Growth Area (UGA) Zoning Districts						
	Commercial		Residential			Industrial	Public
	Urban Commercial	Visitor-Oriented Commercial	Urban Low Density Residential	Urban Moderate Density Residential	Urban High Density Residential	Urban Light Industrial	Public
Specific Land Use	**UC**	**VOC**	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
Bed and breakfast residence	Yes	Yes	Yes	Yes	Yes	No	No
Billiard parlor	Yes	Yes	No	No	No	No	No
Blueprinting and photostatting	Yes	No	No	No	No	Yes	No
Boat building and repair	Yes	Yes	No	No	No	Yes	No
Boat sales	Yes	Yes	No	No	No	Yes	No
Bowling alley	Yes	Yes	No	No	No	No	No
Building supply and hardware store	Yes	No	No	No	No	No	No
Child day care, commercial	Yes	Yes	Yes	Yes	Yes	No	No
Clinics (medical, dental, and vision) and veterinary clinics and hospitals	Yes	Yes	No	No	No	No	No
Commercial indoor shooting facility	D	D	No	No	No	D	No
Commercial outdoor shooting facility[5]	No	No	No	No	No	No	No
Convenience store	Yes	Yes	No	No	No	No	No

Table 3A-1 Allowable and Prohibited Uses	Irondale and Port Hadlock Urban Growth Area (UGA) Zoning Districts						
	Commercial		Residential			Industrial	Public
	Urban Commercial	Visitor-Oriented Commercial	Urban Low Density Residential	Urban Moderate Density Residential	Urban High Density Residential	Urban Light Industrial	Public
Specific Land Use	**UC**	**VOC**	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
Contractor yards (commercial excavating)	Yes	No	No	No	No	Yes	No
Drinking establishment	Yes	Yes	No	No	No	No	Yes
Eating establishment	Yes	Yes	No	No	No	Yes[2]	Yes
Entertainment facility, indoor	Yes	Yes	No	No	No	No	Yes
Entertainment facility, outdoor	Yes	Yes	No	No	No	No	Yes
Grocery store	Yes	Yes	No	No	No	No	No
Gift shop	Yes	Yes	No	No	No	No	No
Liquor store	Yes	Yes	No	No	No	No	No
Lodging facilities (incl. motel/hotel)[3]	Yes	Yes	No	No	No	No	No
Lumber yard	Yes	No	No	No	No	No	No
Marijuana recreational retailer	Yes	No	No	No	No	Yes	No
Mini-storage facilities	No	No	No	No	No	Yes	No
Personal and professional services	Yes	Yes	No	No	No	No	No

RED LINE VERSION

Table 3A-1 Allowable and Prohibited Uses	**Irondale and Port Hadlock Urban Growth Area (UGA) Zoning Districts**						
	Commercial		**Residential**			**Industrial**	**Public**
	Urban Commercial	**Visitor-Oriented Commercial**	**Urban Low Density Residential**	**Urban Moderate Density Residential**	**Urban High Density Residential**	**Urban Light Industrial**	**Public**
Specific Land Use	**UC**	**VOC**	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
Retail sales and services (not including recreational marijuana)[6]	Yes	Yes	No	No	No	No	No
Sexually oriented businesses[4]	C	C	No	No	No	C	No
Unnamed commercial uses	D	D	No	No	No	No	No
Industrial Uses							
Asphalt batch plants	No	No	No	No	No	No	No
Boat storage	No	No	No	No	No	Yes	No
Concrete batch plants	No	No	No	No	No	Yes	No
Bulk fuel storage facilities	No	No	No	No	No	C	No
Feed lots	No	No	No	No	No	No	No
Heavy equipment sales and rental services	Yes	No	No	No	No	Yes	No
Heavy industry	No	No	No	No	No	No	No
Light industry (not including recreational marijuana)	No	No	No	No	No	Yes	No
Outdoor storage yards	Yes	No	No	No	No	Yes	No

Table 3A-1 Allowable and Prohibited Uses	Irondale and Port Hadlock Urban Growth Area (UGA) Zoning Districts						
	Commercial		Residential			Industrial	Public
	Urban Commercial	Visitor-Oriented Commercial	Urban Low Density Residential	Urban Moderate Density Residential	Urban High Density Residential	Urban Light Industrial	Public
Specific Land Use	**UC**	**VOC**	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
Resource processing, accessory to extraction operations	No	No	No	No	No	Yes	No
Marijuana recreational processor	No	No	No	No	No	Yes	No
Mining and mineral extraction activities	No	No	No	No	No	Yes	No
Recycling center	C	No	No	No	No	Yes	Yes
Warehouse/moving storage	No	No	No	No	No	Yes	No
Warehouse/wholesale distribution center	C(a)	No	No	No	No	Yes	No
(Automobile) wrecking and salvage yards	No	No	No	No	No	Yes	No
Unnamed industrial uses	No	No	No	No	No	D	No
Institutional Uses							
Essential public facilities	See JCC 18.15.110						
Public Purpose Facilities							
• College or technical school	Yes	C	No	No	No	Yes	Yes

RED LINE VERSION

Table 3A-1
Allowable and Prohibited Uses

	Irondale and Port Hadlock Urban Growth Area (UGA) Zoning Districts						
	Commercial		Residential			Industrial	Public
	Urban Commercial	Visitor-Oriented Commercial	Urban Low Density Residential	Urban Moderate Density Residential	Urban High Density Residential	Urban Light Industrial	Public
Specific Land Use	**UC**	**VOC**	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
• Emergency services (fire, police, EMS)	Yes	Yes	C	C	C	Yes	Yes
• Government offices	Yes	Yes	No	No	No	No	Yes
• Library/museum/post office	Yes	Yes	No	No	No	No	Yes
• Parks	No	Yes	Yes	Yes	Yes	No	Yes
• Public works maintenance/equipment storage shops	Yes	No	No	No	No	Yes	Yes
• Recycling collection facilities	Yes	Yes	C(a)	C(a)	C(a)	Yes	Yes
• School, primary and secondary	Yes	Yes	C	C	C	No	Yes
• Visitor/community center	Yes	Yes	C(d)	C(d)	C(d)	No	Yes
• Water and wastewater treatment facilities	Yes	Yes	C(d)	C(d)	C(d)	Yes	Yes
Cemeteries	No	No	C(d)	C(d)	C(d)	No	Yes
Church	C(d)	C(d)	Yes	Yes	Yes	No	No
Nonprofit club or lodge, private	Yes	Yes	C(d)	C(d)	Yes	No	No
Unnamed institutional facilities	D	D	D	D	D	D	D

Table 3A-1 Allowable and Prohibited Uses	Irondale and Port Hadlock Urban Growth Area (UGA) Zoning Districts						
	Commercial		Residential			Industrial	Public
	Urban Commercial	Visitor-Oriented Commercial	Urban Low Density Residential	Urban Moderate Density Residential	Urban High Density Residential	Urban Light Industrial	Public
Specific Land Use	**UC**	**VOC**	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
Transportation Uses							
Park and ride lots/transit facilities	Yes	Yes	C(d)	C(d)	C(d)	Yes	Yes
Trails and paths, public or private	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Unnamed transportation uses	D	D	D	D	D	D	D
Utility Uses							
Commercial communication facilities	See JCC 18.20.130						
Utility developments, major	C	C	C	C	C	C	C
Utility developments, minor	C(a)	C(a)	C(a)	C(a)	C(a)	C(a)	C(a)
Unnamed utility uses	D	D	D	D	D	D	D
Agricultural and Forestry Uses							
Agricultural uses and activities	No	No	Existing only	No	No	Yes	No
Agricultural processing, heavy	No	No	No	No	No	Yes	No
Aquatic plant and animal processing and storage	No	No	No	No	No	Yes	No

RED LINE VERSION

Table 3A-1
Allowable and Prohibited Uses

	Irondale and Port Hadlock Urban Growth Area (UGA) Zoning Districts						
	Commercial		Residential			Industrial	Public
	Urban Commercial	Visitor-Oriented Commercial	Urban Low Density Residential	Urban Moderate Density Residential	Urban High Density Residential	Urban Light Industrial	Public
Specific Land Use	**UC**	**VOC**	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
Lumber mill, stationary	No	No	No	No	No	No	No
Marijuana recreational producer	No	No	No	No	No	Yes	No
Nurseries	Yes	No	No	No	No	No	No
Unnamed agricultural and forestry uses	D	D	D	D	D	D	D

[1] Home businesses and cottage industries are allowed in existing residential structures within commercial and visitor-oriented commercial zones.
[2] Maximum building size of 800 square feet.
[3] Hotel/motel rooms are not dwelling units and shall not be subject to residential density requirement.
[4] See JCC 18.20.345 for performance standards.
[5] Outdoor commercial shooting facility shall be a prohibited use in all zoning districts, including for small-scale tourist and recreation uses.
[6] Lawful incidental sales of firearms, ammunition, component parts and accessories for indoor shooting facilities shall be allowed. However, in industrial zones, JCC 18.20.220(1)(c)(i), (ii) and (iii) shall apply, but (iv) shall not.

[Ord. 3-20 § 1 (Appx. A); Ord. 4-15 § 3 (Att. B); Ord. 3-12 § 1 (Exh. H); Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

RED LINE VERSION

18.18.050 Density, dimension and open space standards.

This section establishes specific density and dimensional standards for new urban development within the UGA.

NOTES TO TABLE 3A-2:

1. Fences are exempt from setback requirements, except in the jurisdiction of the Shoreline Master Program (SMP) or when impairing safe sight lines, as determined by the county engineer.

2. 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 communication devices (such as antennas, satellite dishes) shall be located in the front setback area unless approved by the administrator. The administrator may reduce the minimum front road setbacks provided the proposed structures or required plantings do not interfere with sight distances and the~~if~~ reduced sight lines for vehicular traffic do not create a public safety concern.~~the strict application of such setback would render a legal lot of record unbuildable under the provisions of this code.~~

3. 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, and spires associated with places of worship are exempt from height requirements.

4. Structures used for the storage of materials for agricultural activities are exempt from the maximum building height requirements.

5. Approved subarea plans may establish different bulk and dimensional requirements for those areas.

6. "N/A" = Not applicable.

7. Road Classifications. To clarify the setbacks for urban development activities within the UGA consistent with the requirements of this section, the following road designations shall apply:

- Principal arterials. None classified in the UGA.
- Minor arterials. SR 19 (Rhody Drive).
- Major collectors. SR 116 (Ness' Corner Road, Oak Bay Road to Flagler Road and Flagler Road), Chimacum Road, Irondale Road.
- Minor collectors.
- Local access roads.
- Alleys.
- Private roads.

8. The special side and rear setbacks provided in Table 3A-2 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.

Table 3A-2
Density and Dimensional Standards

	Irondale and Port Hadlock Urban Growth Area (UGA)					
	Commercial	**Residential**			**Industrial**	**Public**
Development Standard	**Urban Commercial/Visitor-Oriented Commercial**	**Urban Low Density Residential**	**Urban Moderate Density Residential**	**Urban High Density Residential**	**Urban Light Industrial**	**Public**
	UC/VOC	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
Allowed Residential Density	N/A	4 – 6 units/acre	7 – 12 units/acre	13 – 18 units/acre	N/A	N/A
Note: Standard densities apply to development with connection required to sanitary sewer system. On-site sewer code allows minimum 12,500 sq. ft. lot for on-site septic systems with waivers possible to approximately minimum 7,500 sq. ft. However, the code does not allow waivers less than 12,500 sq. ft. for lots within critical aquifer recharge areas (CARAs). Therefore standard density in the ULDR zone (inside CARAs and outside of phased sewer service areas where sewer service is available) is approximately 3.5 DUs/acre. Standard density of 4 DUs/acre in the ULDR zone (outside CARAs and outside of phased sewer service areas where sewer is available) may be achieved only by compliance with the waiver provisions of the on-site septic code. Maximum density of 6 DUs/acre in the ULDR is only achievable by connection to sanitary sewer.						
Minimum Lot Area	None specified. Lot sizes shall be sufficient to meet the public health and environmental protection standards contained in the Jefferson County regulations. Ability to subdivide is regulated by the permitted development density.					
Minimum Front or Street Setbacks	Note: The administrator may alter the local access road setback requirements for subdivisions; provided, that pedestrian facilities are constructed and that reduced sight lines for vehicular traffic do not create a public safety concern.					
Local Access Roads	20	20	20	20	20	20
• Alleys	0	0	0	0	0	0
• Private roads	10	10	10	10	10	10
Minor Collector	20	20	20	20	20	20

Table 3A-2
Density and Dimensional Standards

	Irondale and Port Hadlock Urban Growth Area (UGA)					
	Commercial	Residential			Industrial	Public
Development Standard	**Urban Commercial/Visitor-Oriented Commercial**	**Urban Low Density Residential**	**Urban Moderate Density Residential**	**Urban High Density Residential**	**Urban Light Industrial**	**Public**
	UC/VOC	**ULDR**	**UMDR**	**UHDR**	**ULI**	**P**
Major Collector	15	30	30	30	30	30
Minor Arterial	30	30	30	30	30	30
Principal Arterial	35	35	35	35	35	35
Minimum Rear and Side Yard Setbacks (See Key Notes)[1]	5	5	5	5	10	20
Maximum Building Dimensions	Note: Maximum building height recommended for increase from 35 feet to 70 feet in all commercial/industrial zones and in urban residential high density zones to allow for and accommodate increased densities.					
Building Height (feet)	70	35	35	70	70	70
Lot Coverage, Buildings Only (%)	No maximum[2]	60	70	70	No maximum[2]	
Total Building Size (sq. ft.)	None specified					

[1] Special rear and side setbacks:

- Wherever a light industrial use is proposed to abut a commercial or residential use or zone, the setback shall be 25 feet, unless otherwise specified in this code.
- Wherever a commercial use is proposed to abut a residential use or zone, the setback shall be 10 feet, unless otherwise specified in this code.

RED LINE VERSION

[2] Adequate space must be provided for required parking, setbacks, landscaping, utilities, septic system (if no sewer available) and stormwater management facilities, as applicable.

[Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

RED LINE VERSION

18.18.060 Development requirements and performance standards.

The following development requirements and performance standards apply to all property proposed for development within the Irondale and Port Hadlock urban growth area (PHUGA). No development approval shall be given, and no building permit shall be issued, unless the proposed development is in compliance with the provisions of this section and ~~Chapter~~chapter 18.30 JCC, Development Standards.

Development within the Irondale and Port Hadlock UGA shall be governed by the following level of service standards:

(1) Street Standards. As a condition of any development approval within the Irondale and Port Hadlock UGA, the property owner shall construct ~~streets~~ roads which the county determines are consistent with the adopted urban street standards in JCC 18.30.080.

(2) Water Service. As a condition of any development approval within the Irondale and Port Hadlock UGA, the property owner shall obtain a certificate of water availability for the proposed use from Jefferson PUD No. 1 and connect to the PUD No. 1 water system. Fire flow requirements shall be as specified by the Jefferson County fire marshal.

(3) Storm Drainage. As a condition of any development approval, the property owner shall construct surface and stormwater management improvements as determined by the county to be consistent with the surface water management standards adopted in the Jefferson County stormwater management plan (adopted November 27, 2006, Resolution No. 74-06).

(4) Sanitary Sewer Service.

(a) Sewer Service Area. The sewer service area is the same as the 20-year planning boundary of the Irondale and Port Hadlock urban growth area~~UGA~~. No development approval shall be given, and no building permit issued, unless the proposed development complies with the provisions of this chapter. For development under this chapter, as a condition of any new development approval or major modification to an existing commercial, industrial, or ~~multifamily~~ residential use located within a sanitary sewer service area, as identified in the adopted general sewer plan for the Irondale and Port Hadlock urban growth area, as amended, the property owner must obtain confirmation of sewer availability from the PHUGA sewer system operator prior~~agency provider prior~~ to development approval ~~and must be~~ available. ~~connect to the existing sewer line.~~ Sewers ~~will~~ shall be considered to be available for the purposes of turning off the transitional rural zoning in ~~Chapter~~chapter 18.19 JCC for the Irondale and Port Hadlock urban growth area as described in title 13 JCC. ~~to the phased implementation area when sewer infrastructure enters a sewer phase area, according to the phased areas outlined in the Port Hadlock Sewer Facility Plan, September 2008.~~

(b) Areas with Sewer Not Yet Available – Interim On-Site Septic Systems. If the proposed use or major modification is located within the Irondale and Port Hadlock urban growth area but outside of areas ~~a phased sewer service area~~ where sewer is ~~s are~~ available, then transitional rural development standards in ~~Chapter~~chapter 18.19 JCC apply.

(5) Other Facilities and Services. Reserved.

(6) Credit for Prior Contributions and Infrastructure Improvements. All of the agreements not to protest formation of local improvement districts or other pro rata cost sharing arrangements described in this section shall include credit for any contributions or facility construction already made or completed by the individual property owners (or their predecessor) for the particular urban public facility or service contemplated by the capital facilities plan. [Ord. 14-18 § 4 (Exh. B); Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.070 Landscaping.

Landscaping for urban commercial, industrial, mixed use, and multifamily developments in the UGA shall comply with the following standards and shall be exempt from the rural provisions of JCC 18.30.130, Landscaping/screening:

(1) Landscaping Definitions.

(a) "Visual screen" means evergreen and deciduous trees (no more than 50 percent deciduous) planted 20 feet on center, two shrubs planted between each pair of trees, and ground cover.

(b) "Visual buffer" means evergreen and deciduous trees (no more than 75 percent deciduous) planted 30 feet on center, two shrubs planted between each pair of trees, and ground cover.

(2) Plant Standards.

(a) Deciduous trees must be one and one-half inches diameter at chest height (four and one-half feet from ground level) and must have a survivability rate of 100 percent after one year and 80 percent after two years of planting.

(b) Evergreen trees must be four feet in height and must have a survivability rate of 100 percent after one year and 80 percent after two years of planting.

(c) Ground cover is low evergreen or deciduous plantings at three-foot spacing in all directions.

(d) Shrubs must be a minimum of 30 inches in height or four gallons and must have a survivability rate of 100 percent after one year and 80 percent after two years of planting.

(e) The retention of existing natural vegetation in place of new plants is encouraged and allowed. The use of existing native and/or drought-tolerant landscape materials shall be utilized whenever possible, and may be used in lieu or in combination with existing plantings to demonstrate substantial consistency with the requirements of this section.

(3) Screening Standards.

(a) New or expanding commercial or industrial land uses within commercial or industrial zones shall provide a five-foot visual buffer along all street frontages between the street and on-site parking areas and a 10-foot visual screen along any property line abutting a residential zoning district to minimize aesthetic impacts to residential properties.

(b) New multifamily dwellings over four dwelling units in residential zones shall provide a five-foot visual buffer along all street frontages.

(4) Alternative Designs. Alternative designs may be allowed if, upon review by the administrator, they are determined to provide landscaping substantially equivalent to the standards in this section. [Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.080 Parking and pedestrian circulation.

Unless as approved by the administrator, p~~P~~arking for all new development shall comply with JCC 18.30.100, Parking, and JCC 18.30.110, Off-street loading space requirements. Pedestrian facilities shall be provided in accordance with JCC 18.30.090, Pedestrian circulation. [Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.090 Lighting.

Lighting shall comply with the standards set forth in JCC 18.30.140, Lighting; shall not permit direct illumination of the sky (skyglow); and shall not provide more illumination into an adjoining property than is received from the adjoining property measured at a vertical plane at the property boundary (light trespass). [Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.100 Signs.

Signs shall comply with the standards set forth in JCC 18.30.150, Sign Code. No sign shall hereafter be erected or used for any purpose or in any manner in the urban growth area except as permitted by the regulations of this section. All signs subject to this section shall be subject to approval and issuance of a sign permit by the administrator according to a Type I permit approval process as specified in ~~Chapter~~chapter 18.40 JCC. The administrator may waive certain requirements of this section or require additional conditions for any sign permit, if deemed necessary to maintain consistency with the Comprehensive Plan.

(1) Prohibited Signs. The following signs are prohibited:

(a) Abandoned signs;

(b) Billboards;

(c) Flashing, revolving or moving signs, excepting clocks and electronic reader boards allowed within urban commercial zones;

(d) Off-site signs which advertise a business;

(e) Signs or sign structures, which by coloring, shape, working, or location resemble or conflict with traffic-control signs or devices;

(f) Signs which create a safety hazard for pedestrians or vehicular traffic; and

(g) Signs attached to utility poles or traffic signs.

(2) Exemptions. The following signs are exempt from the provisions of this section:

(a) Traffic and standardized public signs installed by a government entity;

(b) Window and merchandise displays, point of purchase advertising displays such as product dispensers and barber poles;

(c) National flags, flags of a political subdivision, and symbolic flags of an institution or business;

(d) Legal notices required by law;

(e) Historic site plaques and markers and gravestones;

(f) Personal signs displaying personal messages such as "yard sale" or "no trespassing" not to exceed eight square feet;

(g) Political signs safely displayed on private property;

(h) Structures intended for separate use, such as recycling containers and phone booths;

(i) Real estate signs; and

(j) Lettering painted on or magnetically flush-mounted onto a motor vehicle operating in the normal course of business.

(3) Design Standards. Signs regulated by this section include signs that are attached to the building (e.g., facade, projection or wall signs) and signs that are set apart from the building (e.g., freestanding or monument signs). All signs must meet the following standards:

(a) The following standards apply to the illumination and illustration of signs:

(i) The illumination of signs shall be shaded, shielded, or directed so the light intensity or brightness shall not adversely affect surrounding properties or public and private rights-of-way or create a hazard or nuisance to the traveling public, or to surrounding properties. Illumination of signs shall comply with JCC 18.18.090;

(ii) No sign or part thereof shall consist of rotating, revolving, or moving parts; consist of banners, streamers, or spinners; or involve flashing, blinking, or alternating lights. Two exceptions to this standard are (A) temporary signs associated with local festivals, fairs, parades, or special events pursuant to JCC 18.30.150(8)(b); and (B) electronic reader board signs or message boards which are only allowed within urban commercial districts and residential districts for public purpose facilities, subject to the requirements of this code and JCC 18.30.150(6).

(b) Sign size shall be regulated as follows:

(i) There is no maximum sign size for businesses in the commercial and industrial districts in the Irondale and Port Hadlock UGA except as specified in this section. Multitenant developments in urban commercial and industrial districts may have one freestanding sign, 64 square feet in size plus 15 square feet for each occupant, for each access point, commonly identifying the businesses within multitenant developments provided such signs total no more than 100 square feet in aggregate. The maximum

size for signs placed on a multitenant building identifying individual occupants shall be no larger than 15 square feet per occupant;

(ii) The square footage of signs shall be calculated by the outside dimensions necessary to frame the information displayed. No sign mounted on a building shall extend above or beyond the eaves, rake, or parapet of the wall on which it is mounted. Any sign projecting beyond six inches from a perpendicular wall shall be at least six feet eight inches above grade;

(iii) Directional, identification or advertising signs for any use located in any urban residential district shall not exceed 32 square feet, with the exception of institutional use signs, which shall not exceed 64 square feet;

(iv) Freestanding signs with reader boards for a single business shall be no larger than 128 square feet.

(c) Uses located in any urban commercial or industrial land use districts shall have no more than two on-premises signs, except as allowed in this section for multitenant developments.

(d) Signs attached to or painted against the structure to which they relate shall not be computed as a part of the overall total square footage, or number of signs allowed.

(e) All signs shall be continuously maintained. Signs that present a public hazard as determined by the Jefferson County building official or department of public works shall be subject to abatement.

(f) The design of freestanding signs shall include measures to restrict vehicles from passing beneath them, unless otherwise permitted by the Jefferson County department of public works. All freestanding pole signs or projecting signs shall provide pedestrian clearance to a minimum of eight feet, where applicable.

(g) Signs should be incorporated into the landscaping of the site when landscaping is provided.

(h) No signs, other than those related to water-dependent uses, such as a marina, are permitted to face seaward, excepting signs relating to safety concerns, such as cable-crossing, construction-dredging, fuel area, etc.

(i) No sign shall be placed in the public right-of-way or in the vision clearance triangle of intersections and curb cuts, unless otherwise approved by the Jefferson County department of public works.

(4) Specialty Signs. Specialty signs may be established when consistent with the standards set forth below:

(a) Signs and banners promoting public festivals, community or special events, and grand openings may be displayed up to 30 days prior to the event, and shall be removed no later

than seven days after the event. The sponsoring entity is responsible for sign removal. Event signs may be located off site.

(b) Signs which identify a recognized community or unincorporated place are permitted at each entrance to the community. Said signs are limited to one per entrance, and may not exceed 64 square feet or eight feet in height. Signs relating to clubs, societies, orders, fraternities and the like shall be permitted as part of the community sign.

(c) Businesses may erect temporary on-site sandwich board signs subject to the following criteria:

(i) No more than two sandwich board signs may be erected per business;

(ii) Sandwich board signs shall not exceed four feet in height or three feet in width;

(iii) Sandwich board signs shall be displayed during business hours only;

(iv) Sandwich board signs shall not be placed on sidewalks; and

(v) Sandwich board signs shall not be placed in public road rights-of-way unless approved by the Jefferson County department of public works.

(d) Off-site signs may only be allowed when they meet all of the following standards:

(i) Are directional in nature;

(ii) Located on private property along a major or minor arterial;

(iii) Located no more than 600 feet from an intersection;

(iv) No larger than 12 square feet.

(5) Nonconforming Signs. Legally established signs in place prior to the adoption of the ordinance codified in this chapter and not in conformance with these standards shall be considered legal, nonconforming signs, and may remain as provided below:

(a) Nonconforming off-premises signs shall be removed within five years of adoption of the ordinance codified in this chapter. Until then, such signs must be continually maintained, not relocated, and not structurally altered. Nonconforming off-premises signs may be replaced by off-site directional signs as allowed in this section;

(b) Nonconforming on-premises signs may remain provided they are continually maintained, not relocated, and not structurally altered;

(c) Billboards which are in place prior to the adoption of the ordinance codified in this chapter may remain provided they are continually maintained, not relocated, and not structurally altered. [Ord. 14-18 § 4 (Exh. B); Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.110 Design standards.
Reserved. [Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.120 Site plan approval required in the Irondale and Port Hadlock UGA.
In the Irondale and Port Hadlock UGA prior to the provision of public sewer or public water to a site, any approval for a commercial, industrial, mixed use, multifamily, high density residential, or single-family residential subdivision in the ULDR zone is required to include a site plan which:

(1) Complies with the applicable health regulations and other Jefferson County development and building regulations (e.g., critical areas, stormwater management, etc.);

(2) Provides for sanitary sewer connection and other utilities.

The site plan prepared under this section and reviewed and approved by the administrator shall address the following: buffers, landscaping, traffic access and parking standards, current septic and future sanitary sewer provisions, height and scale in relation to surrounding uses and future uses, vegetation removal, stormwater, potable water, and lot coverage.

Development of the site shall be consistent with the approved site plan. Minor modification to the site plan may be allowed by the administrator; provided, that all other regulations and conditions placed on the approval are met. [Ord. 9-09 § 2 (Exh. B); Ord. 3-09 § 5 (Exh. G)]

18.18.130 Development standards in this title.
In addition to this chapter, development and standards in the UGA shall also comply, where applicable, with the following chapters in the Unified Development Code:

18.05 Introductory Provisions
18.10 Definitions
18.15 Land Use Districts
18.19 Transitional Rural Development Standards of the Irondale/Port Hadlock Urban Growth Area
18.20 Performance and Use-Specific Standards
18.22 Critical Areas
18.25 Shoreline Master Program
18.30 Development Standards
18.35 Land Divisions
18.40 Permit Application and Review Procedures/SEPA Implementation

18.45 Comprehensive Plan and GMA Implementing Regulations Amendment Process

[Ord. 9-20 § 2 (Appx. B); Ord. 14-18 § 4 (Exh. B); Ord. 9-09 § 2 (Exh. B)]

APPENDIX A, Exhibit 5

The following sections in title 13 JCC shall be amended for consistency with the changes proposed for title 18 JCC in Appendix A.

JCC 13.02.010 is amended as shown below.

13.02.010 "A" definitions.

"Accessory dwelling unit" or "ADU" has the same meaning as in JCC 18.10.010.

"Aggrieved person" means a person who received an adverse decision by the director on decisions listed in JCC 13.07.060.

"Applicant" means a person who applies for a permit to connect to the PHUGA sewer system.

"Assessment" means a fee to be paid by the property owner for the cost of private construction of PHUGA sewer system improvements for property within an assessment reimbursement area.

"Assessment Reimbursement Area" means that area within the Port Hadlock UGA, which includes all parcels or real property likely to require connection to or service by PHUGA sewer system improvements constructed by a developer and the county.

"Available" and "availability" means that the PHUGA sewer system is available to a property as described in chapter 13.04.010 JCC.

JCC 13.04.010 is amended as shown below.

13.04.010 Connection-when required or permitted.

(1) This section concerns areas within the Port Hadlock UGA where the PHUGA sewer system is "available" as described in ~~chapter~~ JCC 13.04.010~~ JCC~~, where individual properties within those areas are required or permitted to connect to the PHUGA sewer system.

(2) The following Table 4-1 is intended to add clarification to when properties within the PHUGA are required to connect to the sewer system.

Use	"Adequate"(1) On-Site Sewage System?	Sewer System "Available"(2) ?	Connection Required?
Sewer Not "Available"(2)			
Existing structure	N/A	No	No
Major modification of existing structure	No	No	No
New structure	N/A	No	No
"Available"(2)			
Existing single-family residence or duplex	No	Yes	Yes

Use	"Adequate"(1) On-Site Sewage System?	Sewer System "Available"(2)?	Connection Required?
Major modification of a single-family residence or duplex	No	Yes	Yes
Modification of a single-family residence or duplex	Yes	Yes	No
New single-family residence or duplex	N/A	Yes	Yes
New Accessory Dwelling Unit (ADU)	N/A	Yes	Yes(4)
Garage or addition to structure without plumbing	Yes	Yes	No
Existing multifamily dwelling	N/A	Yes	Yes
Major modification to a multifamily dwelling	No	Yes	Yes
New multifamily dwelling	N/A	Yes	Yes
Existing non-residential structure with less than 1 ERU per month average water use	Yes	Yes	No(3)
Existing non-residential structure with less than 1 ERU per month average water use	No	Yes	Yes
Existing non-residential structure with equal to or greater than 1 ERU per month average water use	N/A	Yes	Yes
New non-residential structure	N/A	Yes	Yes
Major modification to a non-residential structure	No	Yes	Yes

"Adequate" means that the on-site sewage system ("OSS") has a current inspection, is not failing or in need of significant repairs or replacement, and existing flows or proposed flows resulting from a building remodel or change of use will not trigger the need for modification to the OSS as determined by the Director of the Jefferson County Department of Environmental Health. If the Director of the Jefferson County Department of Environmental Health determines that a major modification, remodel, or change of use would require modification to or expansion of an OSS, then a sewer connection is required if the PHUGA sewer system is "available."

If there is any question whether the on-site sewage system is "adequate," consult with Jefferson County Environmental Health Department. See JCC 18.19.120 and chapter 8.15 JCC.

"Available" is as described in this section. When sewers are "available," urban growth area standards in ~~Chapter~~chapter 18.18 JCC apply.

Subject to No Protest Agreement or other binding agreement requiring connection to sewer when "available" per JCC 18.19.120(3).

When connecting a new detached ADU to the sewer system, all other structures with plumbing on the same property are required to connect to sewer at the same time.

Appendix A / Exhibit 6

The following changes to title 15 JCC are made to be consistent with the amendment made to tile 18 JCC (Appendix A):

New Section 15.05.047 Automatic fire-extinguishing systems.

(1) An automatic fire-extinguishing system shall be installed in all structures as set forth in this section, and as described in ~~Chapter~~chapter 9 of the currently adopted editions of both the International Fire Code and the International Building Code as amended and adopted by the state of Washington. For the purposes of this section, fire barriers and fire walls of any type do not constitute separate buildings.

(a) In all newly constructed residential buildings (R occupancies), located within any Urban Growth Area (UGA) in unincorporated Jefferson County, with a gross floor area of five thousand (5,000) or greater square feet, regardless of type or use, as well as zero lot line townhouses with an aggregate area of all connected townhouses five thousand (5,000) square feet or greater;

(b) In all newly constructed buildings, located within any UGA in unincorporated Jefferson County, other than R occupancies with a gross floor area of ten thousand (10,000) or greater square feet; unless prior authorized by the fire code official.

18.10.060 F definitions.

"Facility and service provider" means the department, district, agency or private entity responsible for providing a specific concurrency facility.

"Family" means any number of ~~an individual or two or more~~ persons ~~related by blood or marriage or a group of not more than five persons~~ living together as a single housekeeping unit and doing their cooking on the premises as distinguished from a group occupying a boarding house or rooming house or motel.

"Farm assistance agencies" means federal, state, or local agencies with expertise in the design, implementation, and evaluation of conservation practices including but not limited to the federal Natural Resources Conservation Service, the Washington Department of Agriculture, or the Jefferson County conservation district.

"Farm equipment" for all chapters in this title, except ~~Chapter~~chapter 18.22 JCC, includes, but is not limited to, tractors, trailers, combines, tillage implements, balers, and other equipment, including attachments and accessories that are used in the planting, cultivating, irrigation, harvesting, and marketing of agricultural, horticultural, or livestock products. "Farm equipment" for purposes of ~~Chapter~~chapter 18.22 JCC is governed by the definition of "agricultural activities."

"Farm plan" means a conservation plan developed by a farm assistance agency and a landowner outlining a series of actions developed to meet a landowner's goals while protecting water quality and the natural resources within and around the farm property. Many things are considered in a farm plan including farm size, soil types, slope of the land, proximity to streams, wetlands or water bodies, type and numbers of livestock or crops, resources such as machinery or buildings and finances available. The terms "conservation plan" and "farm plan" are interchangeable in this context.

"Farm worker housing" means a place, area, or piece of land where sleeping places or housing sites are provided by an agricultural employer for agricultural employees.

"Farmed wetland" means wet meadow, grazed or tilled; an emergent wetland that has grasses, sedges, rushes or other herbaceous vegetation as its predominant vegetation and has been previously converted to agricultural activities.

"Feasible alternative" means an alternative that:

(a) Meets the requirements of federal, state, and local laws and regulations;

(b) Attains most or all of the basic objectives of the project;

(c) Is technically and technologically possible;

(d) Can be accomplished at a reasonable cost;

(e) Can be accomplished in a reasonable amount of time; and

(f) Adverse environmental, health, and safety effects are no greater than those of the original proposal.

A determination of what is reasonable or feasible is made by the decision-making body on a case-by-case basis, taking into account the:

(i) Probable intensity, severity, and cumulative impacts of the original proposal and alternative approaches, and opportunity for the avoidance or reduction in the number, intensity, or severity of significant impacts, or of the aggregate adverse impact;

(ii) Risk of "upset conditions" (i.e., the risk that the control and mitigation measures will fail, be overwhelmed, or exceed allowed limits) and the potential severity of the impact should control or mitigation measures be ineffective or fail;

(iii) Capital and operating costs;

(iv) Period of time to accomplish, costs of additional time or delay, and time constraints for completion; and

(v) Location and site-specific factors, such as seasonal or topographic constraints, critical areas and habitats, site accessibility, and local community concerns.

"Federal candidate species" means formally proposed endangered or threatened species and candidate species for which the U.S. Fish and Wildlife Service has information to indicate biological vulnerability and threat.

"Federal endangered species" means species in danger of extinction according to the U.S. Fish and Wildlife Service official listing.

"Federal sensitive species" means species that are considered a sensitive species by the U.S. Fish and Wildlife Service.

"Federal threatened species" means species likely to become endangered within the foreseeable future according to the U.S. Fish and Wildlife Service official listing.

"Field Office Technical Guide (FOTG)" means a USDA Natural Resources Conservation Service manual that contains information for use in technical assistance to decision-makers for resource management.

Filing. (See "Recording.")

"Fill" means any sand, gravel, earth, or other materials of any composition whatsoever placed or deposited by humans.

"Final plat" means the final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in ~~Chapter~~chapter 18.35 JCC and all other applicable codes and ordinances.

"Firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder. The definition of "firearm" includes the terms "pistol," "rifle," "short-barreled rifle," "shotgun," "short-barreled shotgun," "machine gun," and "antique firearm" as those terms are defined in RCW 9.41.010. The term "firearm" shall not include: (a) devices, including but not limited to "nail guns," which are used as tools in the construction or building industries and which would otherwise fall within this definition; or (b) a "destructive device" as defined in 18 U.S.C. Section 921(a)(2).

"Firing line" means a line parallel to the targets from which firearms are discharged.

"Firing point" means a location from which one individual fires at an associated target located down range.

"Fish and wildlife habitat conservation areas" has the same meaning as in WAC 365-190-030(6).

"Flood Insurance Rate Map (FIRM)" means the official map issued by the Federal Emergency Management Agency that delineates both the special hazard areas and the risk premium zones applicable to Jefferson County.

"Flood or flooding" means the temporary inundation of normally dry land areas from the overflow of inland or tidal waters or from the unusual and rapid accumulation or runoff of surface waters.

"Forest land" has the same meaning as in WAC 365-190-030(7).

"Forest management" means forest practices pertaining to protecting, producing, and harvesting timber for economic use.

"Forest practice" means any activity conducted on or directly pertaining to forest land and relating to growing or harvesting of timber, or the processing of timber on a harvest site for less than 30 days per calendar year, including but not limited to: road and trail construction and maintenance; harvest, final and intermediate; precommercial thinning; reforestation; fertilization; prevention and suppression of diseases and insects; salvage of trees; and brush control.

"Forest practice, conversion" means the conversion of land to an active use incompatible with timber growing and where future nonforest uses will be located on currently forested land.

"Forest practice, conversion option harvest plan (COHP)" means a voluntary plan developed by the landowner and approved by the county that indicates the limits and types of harvest areas, road locations, and open space. This jointly agreed plan is submitted to the Washington Department of Natural Resources (WDNR) as part of a Class II, III, or IV special forest practice permit application, and is attached to and becomes part of the conditions of the permit approved by the WDNR.

"Forest resource lands" means lands primarily devoted to growing trees for long-term commercial production on land that can be economically and practically managed for such production (RCW 36.70A.030(8)).

"Frequently flooded areas" has the same meaning as in WAC 365-190-030(8). [Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

18.10.030 C definitions.

"Calendar day" means any day of the week, including weekends and holidays. When used for computing time, the day shall begin with the first day following the act or event initiating such period of time occurred. When the last day of the period so computed is a Saturday, Sunday, or a county, national, or state holiday, the period shall run until the end of the following business day.

"Campground and camping facilities" means a facility in which sites are offered for persons using tents or other personal, portable overnight shelters.

"Capital facilities" means physical structures or facilities owned or operated by a government entity which provides or supports a public service.

"Capital improvements" means improvements to land, structures, initial furnishings, and selected equipment.

"Caretaker residence" means a residence located on a premises with a main nonresidential use and occupied only by a caretaker, and his/her immediate family, or guard employed on the premises.

"CC&Rs" means covenants, conditions and restrictions by which the declarant or other party or parties executing the CC&Rs impose contractual obligations upon the present and future owners and assignees of real property. CC&Rs are connected with land or other real property, and run with the land, so that the grantee of such land is invested with and bound by the CC&Rs. CC&Rs include but are not limited to "declarations" for condominiums in accordance with ~~Chapter~~chapters 64.32 and 64.34 RCW. CC&Rs are not enforced by the county.

"Certificate of occupancy or use" means a document issued by the Jefferson County building official as the final approval acknowledging that all conditions and requirements have been met and that the occupancy or use of a development is allowed.

"Certified feed lot" means any place, establishment, or facility commonly known as a commercial feed lot, or the like, which complies with all of the requirements of ~~Chapter~~chapter 16.58 RCW and associated rules and which holds a valid license from the state.

"Channel migration zone" (or CMZ) means an area within the lateral extent of likely stream channel movement that is subject to risk due to stream bank destabilization, rapid stream incision, stream bank erosion and shifts in the location of stream channels. "Channel migration zone" means the historic channel migration zone (which is the footprint of the active channel documented through historical photographs and maps), the avulsion hazard zone (which is an area with the potential for movement of the main river channel into a new location), and the erosion hazard area (which is an area outside the historic channel migration zone and the avulsion hazard zone, and includes an erosion setback for a 100-year period of time and a geotechnical setback to account for slope retreat to a stable angle of repose).

"Channel migration zone" does not include disconnected migration areas, which are areas that have been disconnected from the river by legally existing artificial structure(s) that restrain channel migration (such as levees and transportation facilities built above or constructed to remain intact through the 100-year flood elevation), that are no longer available for migration by the river. "Channel migration zone" may exclude areas that lie behind a lawfully established flood protection facility that is likely to be maintained by existing programs for public maintenance consistent with designation and classification criteria specified by public rule. When a natural geologic feature affects channel migration, the channel migration zone width will consider such natural constraints. "High channel migration hazard" (or high risk CMZ) for the Big Quilcene, Little Quilcene, Dosewallips, Duckabush, and Lower Hoh Rivers means those nondisconnected portions of the channel that are likely to migrate within a 50-year time frame. For the Big Quilcene, Little Quilcene, Dosewallips, and Duckabush Rivers, "moderate channel migration hazard" (or moderate risk CMZ) means those nondisconnected portions of the channel that are likely to migrate within a 50- to 100-year time frame; and, "low channel migration hazard" (or low risk CMZ) means those nondisconnected portions of the channel that are likely to migrate beyond a 100-year time frame. For the Lower Hoh River, "moderately high hazard" (or moderately high risk CMZ) means those nondisconnected portions of the channel that are likely to migrate within a 50- to 100-year time frame, "moderate hazard" means those nondisconnected portions of the channel that are likely to migrate beyond a 100-year time frame, and "low hazard" means the nondisconnected portions of the channel that are less likely to be affected by channel migration, but are still at risk due to their location on the valley floor. Rivers that have not been evaluated or mapped for CMZs include: Thorndyke Creek, Shine Creek, Chimacum Creek, Snow Creek, Salmon Creek, Upper Hoh River, Bogachiel River, Clearwater River, and Quinault River.

"Clearing" means the destruction or removal, by hand or with mechanical means, of vegetative ground cover or trees including, but not limited to, root material or topsoil material.

"Cluster development" means a development design technique that groups or "clusters" buildings in specific areas on a site rather than spread evenly throughout the parcel as in a conventional lot-by-lot development. The remaining land is to remain undeveloped in perpetuity and used for recreation, common open space, and/or preservation of critical areas.

"Co-housing (intentional communities)" means single-family residential developments, subject to the underlying land use district density, which may contain lots or structures in common ownership subject to meeting all other applicable provisions of this UDC and if approved under the requirements of Article VI-M of ~~Chapter~~chapter 18.15 JCC, Planned Rural Residential Developments (PRRDs), where applicable.

"Commercial communication towers" means towers, dishes, or antennas established for the sending or receiving of signals for commercial purposes.

"Commercial kennel" has the same meaning as in JCC 6.07.020, as it exists now or may be amended in the future.

"Commercial recreational facility" means a place designed and equipped for the conduct of sports and leisure-time activities that is operated as a business and open to the public for a fee.

"Commercial shooting facility" means an indoor shooting facility or outdoor shooting facility designed and specifically designated for safe shooting practice with firearms, whether open to the public, open only to private membership, or any combination of the above that for the use of the commercial shooting facility requires a contract, charges a fee or other compensation, or requires membership. In addition, where property is used primarily for lawful shooting practice for guests of the owner, and where the other uses of the property either facilitate shooting practice or are incidental, intermittent or occasional and whether or not payment is received, it is presumed that the property used for lawful shooting practices is a commercial shooting facility. The term "commercial shooting facility" does not include:

(a) Shooting facilities that are both owned and operated by any instrumentality of the United States, the state of Washington, or any political subdivision of the state of Washington; or

(b) Any portion of a privately owned property used for lawful shooting practice solely by its owner or the owner's guests without payment of any compensation to the owner of the privately owned property or to any other person, except where the property is presumed to be a commercial shooting facility, as described above.

"Commercial sign" means any object, device, display or structure that is used for attracting attention to any commercial use, product, service, or activity.

"Commercial use" means a business use or activity at a scale greater than a home business or cottage industry involving retail or wholesale marketing of goods and services. Examples of commercial uses include offices and retail shops.

"Common area" means any area contained within the boundaries of a proposed land division or within a multifamily residential development and owned by the lot owners as tenants-in-common, joint tenancy, or through an association or nonprofit association, and provided specifically for the common use of the residents.

"Common open space" means a parcel or parcels of land or an area of water or a combination of land and water within the site designated for a subdivision and designed and intended for the use or enjoyment of the public. Common open space may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the residents of the subdivision.

"Community structure" means a structure which is intended for the common use of the residents of a particular subdivision or community.

"Compatible" means uses or activities capable of existing together or in the vicinity of one another without disharmony or without generating effects or impacts which are disruptive to the normal use and enjoyment of surrounding property.

"Comprehensive Plan" means the Jefferson County Comprehensive Plan and all of its goals, objectives, policies, documents, and maps which is a generalized coordinated land use policy statement of the Jefferson County board of commissioners, adopted pursuant to ~~Chapter~~chapter 36.70A RCW.

Concentrated Animal Feeding Operation (CAFO). (See "Animal feeding operation, concentrated (CAFO).")

"Concurrency" means a condition in which an adequate capacity of capital and transportation facilities and services is available to support development at the time that the impacts of development occur. (See also "Adequate capacity (adequate capital or public facilities)," "Available capital facilities (available capacity)," and "Level of service (LOS).")

"Conditional use" means a use that, owing to some special characteristics attendant to its operation or installation (e.g., potential danger, traffic, smoke or noise impact), is permitted in a district, subject to approval and special requirements, different from those usual requirements for the district in which the conditional use may be located.

"Conditional use permit" means a permit issued by Jefferson County stating that the land uses and activities meet all criteria set forth in this code, and all conditions of approval in accordance with the procedural requirements of this code.

"Condominium" means real property, portions of which are designed for separate ownership and the remainder of which is designated for common ownership solely by owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in unit owners, and unless a declaration and a survey map and plans have been recorded in accordance with ~~Chapter~~chapters 64.32 and 64.34 RCW. Condominiums are not confined to residential units, such as apartments, but also include offices and other types of space in commercial buildings.

"Congregate Living Facilities (nontransient)" means a building or part thereof that does not contain more than two dwelling units, with 16 or fewer nontransient occupants, and contains sleeping units where residents share bathroom or kitchen facilities, or both, as regulated under 310.4 Residential Group R-3, Washington State Building Code.

"Conservation district" means a "special purpose district," like a fire district or school district, organized in accordance with Chapter 89.08 RCW for the purpose of providing assistance to landowners for the conservation of renewable resources.

"Construction/contractor yards and offices" means service establishments primarily engaged in general contracting or subcontracting in the building construction trades. These include administrative offices, workshops and the indoor or outdoor storage of tools, equipment, materials, and vehicles.

Contract Purchaser. (See "Applicant.")

"Convenience store" means any retail establishment offering for sale prepackaged food products, household items, and other goods commonly associated with the same and having a gross floor area of less than 5,000 square feet.

"Cottage industry" means a commercial or manufacturing activity conducted in whole or in part in either the resident's single-family dwelling unit or in an accessory building, but is of a scale larger than a home occupation or home business. A cottage industry is a limited, small-

scale commercial or industrial activity, including fabrication, with limited retail sales, that can be conducted without substantial adverse impact on the residential character in the vicinity.

"County" means Jefferson County, Washington, its board, commissions, and departments.

"Critical aquifer recharge areas" has the same meaning as in WAC 365-190-030(3).

"Critical area buffer" means any buffer required by Chapter 18.22 JCC.

"Critical areas" has the same meaning as in WAC 365-190-030(4).

"Critical habitat" means an area or type of environment that may be of crucial importance to the perpetuation of an organism or biological population which normally lives or occurs there.

"Cul-de-sac" means a road closed at one end by an area of sufficient size for turning vehicles around.

"Current use" means the use of land or improvements at the time of permit application.

"Custom meat facility" means a facility operated by a person licensed to prepare uninspected meat for the owner of the uninspected meat.

"Custom slaughtering establishment" means a facility operated by a person licensed to slaughter meat food animals for the owner of the animal at a fixed location. [Ord. 5-20 § 3 (Appx. A); Ord. 3-20 § 1 (Appx. A); Ord. 12-19 § 4 (Appx. C); Ord. 14-18 § 4 (Exh. B); Ord. 6-09 § 1 (Exh. B); Ord. 3-08 § 1 (Exh. C); Ord. 8-06 § 1]

	Resource Lands		Rural Residential			Rural Commercial				Ru
	Agricultural – Prime and Local	Forest – Commercial, Rural and Inholding	1 DU/5 Acres	1 DU/10 Acres	1 DU/20 Acres	Rural Village Center	Convenience Crossroad	Neighborhood/Visitor Crossroad	General Crossroad	Res Bas Ind
Specific Land Use	**AG**	**CF/RF/IF**	**RR 1:5**	**RR 1:10**	**RR 1:20**	**RVC**	**CC**	**NC**	**GC**	**RB**
Residential Uses										
Single-Family Housing										
Accessory dwellings units	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No
Caretaker residence (public parks)	No	No	No	No	No	No	No	No	No	No
Co-housing/intentional communities (subject to PRRD overlay in RR districts)	Yes	No	Yes	Yes	Yes	Yes	No	No	No	No
Congregate Living Facilities—nontransient	Yes	No	Yes	Yes	Yes	Yes	No	Yes	Yes	No

	Resource Lands		Rural Residential			Rural Commercial				Ru
	Agricultural – Prime and Local	Forest – Commercial, Rural and Inholding	1 DU/5 Acres	1 DU/10 Acres	1 DU/20 Acres	Rural Village Center	Convenience Crossroad	Neighborhood/Visitor Crossroad	General Crossroad	Res Bas Ind
Specific Land Use	**AG**	**CF/RF/IF**	**RR 1:5**	**RR 1:10**	**RR 1:20**	**RVC**	**CC**	**NC**	**GC**	**RB**
Manufactured/mobile home parks (subject to PRRD overlay in RR districts)	No	No	Yes	Yes	Yes	Yes	No	Yes	Yes	No
Single-family residences	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No
Transient rental of residence or accessory dwelling unit	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No
Duplexes (subject to meeting underlying density requirements)	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No
Farm worker housing	See JCC 18.20.030	No	No	No	No	No	No	No	No	No
Multifamily Housing										

RED LINE VERSION

	Resource Lands		Rural Residential			Rural Commercial				Ru
	Agricultural – Prime and Local	Forest – Commercial, Rural and Inholding	1 DU/5 Acres	1 DU/10 Acres	1 DU/20 Acres	Rural Village Center	Convenience Crossroad	Neighborhood/Visitor Crossroad	General Crossroad	Res Bas Ind
Specific Land Use	**AG**	**CF/RF/IF**	**RR 1:5**	**RR 1:10**	**RR 1:20**	**RVC**	**CC**	**NC**	**GC**	**RB**
Multifamily residential units (3+ units)	No	No	No	No	No	Yes	No	Yes	Yes	No
Residential care facilities with up to 5 persons	No	No	Yes	Yes	Yes	Yes	No	No	Yes	No
Residential care facilities with 6 to 20 persons	No	No	C	C	C	Yes	No	No	No	No
Nursing/convalescent/assisted living facilities	No	No	C	C	C	Yes	No	Yes	Yes	No
Unnamed residential uses	No	No	D	D	D	D	No	D	D	No

Planned Rural Residential (PRRD) Amendment

18.15.485 Minimum and maximum land area – Dwelling unit cap and cluster cap.

The permissible number of dwelling units within a PRRD shall be calculated based upon the dwelling unit density of the underlying land use district. For the purposes of this chapter, dwelling units and accessory dwelling units are considered equivalent and may be combined when calculating dwelling unit density of the underlying land use district, so that the yield of permissible units is the sum of primary units plus accessory units.

(1) The minimum land area required for PRRD proposals shall be as follows:

(a) RR 1:5 district – 10 gross acres;

(b) RR 1:10 district – 20 gross acres; and

(c) RR 1:20 and agricultural (AP-20 and AL-20) districts – 40 gross acres.

(2) The maximum land area that may be included in a PRRD proposal shall be as follows:

(a) RR 1:5 district – 225 gross acres;

(b) RR 1:10 district – 450 gross acres; and

(c) RR 1:20 and agricultural (AP-20 and AL-20) districts – 900 gross acres.

(3) The maximum number of dwelling units that may be permitted in a PRRD proposal shall be limited to 45, contained within dwelling unit clusters of not more than 20 dwelling units each; except, that where a density bonus is requested under JCC 18.15.520, the proposal may include up to a total of 54 dwelling units, contained within dwelling unit clusters of not more than 22 dwelling units each.

(4) Dwelling unit clusters within PRRD proposals shall be sufficiently separated to provide visual relief and maintain rural character. Where feasible, clusters shall be separated by the natural topographical features of the site, including, but not limited to, critical areas, watercourses, and ridge lines. However, in no case shall dwelling unit clusters be located closer than 600 lineal feet from one another. These requirements regarding separation of dwelling unit clusters shall also be applied to circumstances where the adjoining property or properties have previously been developed through the PRRD process as set forth in this Article VI-M. [Ord. 14-18 § 4 (Exh. B); Ord. 8-06 § 1]

Appendix D, Exhibit 1
Proposed Amendments to CP and Ch. 18.15 JCC

AIRPORT OVERLAY AMENDMENTS

Comprehensive Plan

Page 1-20

~~□ (~~JCIA LI/M Overlay III~~, consisting of 24 acres, Assessor's Parcel No. 001-331-005 in the AEPF~~

Page 1-~~93~~83: ~~Amending Exhibit 1-20 JCIA LI/M overlay geography~~

Exhibit /-20 will require modification to accurately depict the new geographic extent of the JC IA LI/M Overlay III

[NOTE- SEE REQUEST CYRUS/ATWELL TO PRODUCE ANOTHER MAP WHICH EXCISES SETON, FIRE DISTRICT AND THE PARCELS ON EITHER SIDE OF THE A. OWEN PARCEL]
[INSERT MODIFIED/DOWNSCOPED MAP EXHIBIT HERE]

Page 1-91: ~~amend with same map showing the extent of the Jefferson county International Airport Non-Aviation-Related Light industrial/Manufacturing rural Industrial Area.~~

The map depicting the extent of the Jefferson County International Airport Non-AviationRelated Light Industrial/Manufacturing Rural Light Industrial Area will require modification to accurately depict the new geographic extent of the land use designation; no amendment to the text accompanying the map is *required.*

Page 6-7
First paragraph:
Ancillary uses of the facility which attracts public interest and increases use in the airport includes businesses and organizations such as an aero museum, flight instruction school, airplane mechanics, airplane restoration school, restaurant, and ~~24 acres~~ areas designated ~~in 2009 (Ord. No. 11-1215-09)~~ for non-aviation-related light industrial/manufacturing development.
Page 7-20:

Second to fourth and fifth paragraphs:
Industrial sites in Jefferson County include the Port of Port Townsend, Port Townsend Industrial Park (which has become a commercial and business park), Glen Cove, Eastview, Quilcene Industrial Area, the Irondale/Port Hadlock UGA, the Port Townsend Paper Company, 24 acres at a Light Industrial/Manufacturing area at the Jefferson County International Airport, and Resource Based Industrial zoned sites.

In addition to the industrial sites described above, the light industrial manufacturing park at the Jefferson County International Airport, also known as the Airport Light Industrial Park also allows non- aviation related industrial and manufacturing uses. ~~In 2009, the County approved a rezone of 24 acres from rural residential to Airport Essential Public Facility capable of supporting up to ten small to medium sized lowimpact, non-aviation-related light industrial/manufacturing businesses. As of 2017 the site~~ Development of the Airport Light

RED LINE VERSION

Industrial Park will requires a Binding Site Plan approval(s) and, clearing and installation of infrastructure before any business operations may commence.

Unified Development Code Proposed Amendatory Language:

18.15.1110 Designated.

The Jefferson County International Airport (JCIA) is a general purpose, public aviation airport that provides recreational, business, flight training, charter and air taxi services and other uses. The airport essential public facility district designation (see the official Jefferson County Comprehensive Plan land use designations map) shall apply to the following:

(1) Parcels designated as an airport essential public facility on the official Jefferson County Comprehensive Plan land use designations map;

(2) Any parcel or parcels (a) subsequently acquired by the Port in accordance with the provisions of the approved JCIA master plan, depicted on the Airport Layout Plan (ALP) Map of the FAA-approved Airport Master Plan or (b) currently owned by the Port, which are approved for inclusion in the airport essential public facility district through the Jefferson County Comprehensive Plan text and land use amendment process, or any other applicable process. [Ord. 8-06 § 1]

18.15.453 Airport Overlay III.

(1) Purpose. The purpose of the Airport Overlay III is to provide a limited opportunity for rural scale non- aviation-related industrial uses that contribute to the long-term financial viability of the AEPF and to enhance the economic vitality and quality of life for the citizens of Jefferson County.

(2) Overlay Map. Jefferson County will prepare and maintain an Airport Overlay III map that identifies the parcels located within the overlay.

(3) Other Regulations. Any parcel considered part of the JCIA-III overlay is still subject to the FAA established Building Restriction Line and all applicable regulations.