

**JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA REQUEST

TO: Board of County Commissioners (BoCC)
Mark McCauley, County Administrator

FROM: Josh D. Peters, AICP, Community Development Director

DATE: February 5, 2024

RE: Resolution to Defer Consideration of Site-Specific and Suggested
Amendments to the Comprehensive Plan and the Unified Development Code
Received by the Department of Community Development After March 1,
2024 Until the 2026 Annual Amendment Cycle

STATEMENT OF ISSUE:

At the January 20, 2024 joint meeting of the Planning Commission and Board of County Commissioners (Board), Department of Community Development (DCD) staff presented a project update for the mandated 2025 Comprehensive Plan (Comp Plan) and Unified Development Code (UDC) Periodic Review. The workplan includes intensive effort from now through (at least) June 2025. DCD has factored the 2024 annual Comp Plan amendment cycle into the workplan and requests foregoing the 2025 annual Comp Plan amendment cycle in order to focus on successful completion of the 2025 Periodic Review, for which the Growth Management Act (GMA) sets a June 30, 2025 deadline.

Attached is a proposed Resolution—based on Resolution 06-17 adopted in 2017 for the last mandated Periodic Review under GMA—that would confirm the 2025 Comp Plan Periodic Review workplan, including deferral of consideration of site-specific and suggested Amendments to the Comp Plan and UDC received by the DCD after March 1, 2024 until the 2026 annual amendment cycle.

ANALYSIS:

This Resolution serves to establish an 18-month work plan from January 2024 through June 2025 to complete the GMA-mandated Comp Plan Periodic Review. DCD sees that a critical aspect of a successful Periodic Review is staff availability in light of other day-to-day department responsibilities. In order to ensure sufficient capability at the time of highest need, staff requests deferral of consideration of formal site-specific Comp Plan amendment proposals in 2024. In this scenario, site-specific Comp Plan amendments would be considered this year (with an application deadline of March 1, 2024) and in calendar year 2026 (with an application deadline of March 1, 2026).

Section 18.45 of the Jefferson County Code (JCC) outlines the annual Comp Plan (and UDC) amendment cycle. The 18-month workplan for 2025 Periodic Review effectively adjusts the annual Comp Plan amendment cycle pattern so that the state-mandated Periodic Review can be successfully completed and adopted on or by the statutory deadline of June 30, 2025. Without respite in 2025 from the annual Comp Plan amendment cycle, the comprehensive and cumulative effects analyses required for the 2025 Periodic Review would be compromised due to the time and effort required to process site-specific Comp Plan amendment proposals in 2025, considering the intensive docketing process required in the first half of a given calendar year in conjunction with an annual amendment cycle.

DCD wishes to provide the public with advance warning that the 2025 amendment cycle will be unavailable, and emphasize the opportunity to submit proposals for consideration during the 2024 amendment cycle by submitting applications on or before March 1, 2024. Adoption of the proposed resolution today would leave approximately four weeks for applicants to prepare and submit applications for site-specific Comp Plan amendment proposals to be considered in 2024; the next opportunity for individual “re-zones” would be in 2026.

Note, however, that DCD plans to review land use designations and development regulations in the Port Hadlock Urban Growth Area (UGA) in 2024 as part of the “UGA Zoning” project to modernize the county’s urban development regulations in light of the schedule for mid-2025 sewer availability in the core area of the UGA. Therefore, parcels within the UGA could be rezoned in 2024 as part of a broad policy approach (rather than through site-specific Comp Plan amendment proposals). Additionally, a focus of the UGA Zoning project is to enable construction of a variety of housing types, including “Missing Middle” and housing intended for lower income bands. For this reason, DCD does not see 2025 deferral of the annual Comp Plan amendment cycle as having a negative impact on affordable housing initiatives in the Port Hadlock UGA.

Finally, this proposal to defer the annual Comp Plan amendment cycle during the year in which Periodic Review is due per GMA mirrors what was done last time Jefferson County needed to complete mandated Periodic Review, except that in early 2017, the Board’s resolution (06-17) canceled both the 2017 and 2018 annual Comp Plan amendment cycles in order to complete the work due, for that Periodic Review, on June 30, 2018. Thus, this DCD recommendation is based on relatively recent experience with the effort needed to complete the Periodic Review and is consistent with precedent; the difference is that DCD’s assumption—based on early discussion on this topic—for this 2025 Periodic Review is that the Board would not necessarily look favorably upon the idea of canceling *both* the 2024 and 2025 annual Comp Plan amendment cycles. DCD has chosen to request foregoing the 2025 annual Comp Plan amendment cycle only.

FISCAL IMPACT:

Adoption of this resolution provides for the County to focus limited time and staff resources to the state-mandated 2025 Periodic Update. Jefferson County is required to review and revise, if necessary, the Comp Plan and implementing development regulations by June 30, 2025. Pursuant to RCW 36.70A.040, only those counties complying with the deadlines required under RCW 36.70A.130 shall be considered meeting the requirements of planning under GMA. Failure to stay in compliance with GMA affects the county’s ability to access state grant funds.

RECOMMENDATION:

Adopt the proposed Resolution.

REVIEWED BY:


Mark McCauley, County Administrator

2/1/24
Date

STATE OF WASHINGTON

County of Jefferson

A Resolution to Defer Consideration of Site-Specific and Suggested Amendments to the Comprehensive Plan and the Unified Development Code Received by the Department of Community Development After March 1, 2024 Until the 2026 Annual Amendment Cycle, to Allow Staff Time to Complete the 2025 Periodic Review and Update of the Comprehensive Plan and Development Regulations by June 30, 2025, as Required by RCW 36.70A.130(5)(b)

RESOLUTION NO. _____

WHEREAS, Jefferson County plans under the Growth Management Act (“GMA”), Chapter 36.70A of the Revised Code of Washington (“RCW”), and is required to conform with all the requirements therein; and

WHEREAS, RCW 36.70A.130(4) and (5) requires Jefferson County to periodically review and, if necessary, take legislative action to revise its comprehensive plan and development regulations to ensure the plan and regulations comply with the requirements of GMA (“periodic update”); and

WHEREAS, GMA at RCW 36.70A.130 establishes a schedule for the periodic update and specifies that Jefferson County must complete its periodic update by June 30, 2025; and

WHEREAS, only those counties complying with the deadlines required under RCW 36.70A.130 shall be considered as meeting the “requirements of GMA planning” under the terms of RCW 36.70A.040(1); and only those counties and cities that meet the deadlines of GMA may receive grants, loans, pledges, or financial guarantees from certain state programs affecting transportation, economic development and environmental protection; and

WHEREAS, Chapter 18.45 of the Jefferson County Code (“JCC”) establishes annual timelines for site-specific and suggested amendments to the Jefferson County Comprehensive Plan and development regulations, including amendment of plan text and the land use map (“annual amendment cycle”); and

WHEREAS, the project scope and mandated deadline of the periodic update necessitates a multi-year commitment of Department of Community Development (“DCD”) staff resources to meet the June 30, 2025 completion date; and

WHEREAS, on January 20, 2024, during a joint meeting of the Board of County Commissioners and the Planning Commission, DCD staff presented a Comprehensive Plan periodic update project work plan; and

WHEREAS, DCD simply does not have sufficient staff to complete the comprehensive review and cumulative effects analyses required for the 2025 periodic update, while at the same time processing the annual amendment cycle in 2025; and

WHEREAS, Jefferson County wishes to provide the public with advance warning that the 2025 amendment cycle will be deferred until 2026, and emphasize the opportunity to submit proposals for consideration during the 2024 amendment cycle by submitting applications on or before March 1, 2024; and

WHEREAS, this resolution serves to defer the 2025 annual amendment cycle to the 2026 annual amendment cycle; and to acknowledge that the purpose for deferral is for Jefferson County to meet the statutory deadline for the mandated 2025 periodic update; and

WHEREAS, the annual amendment cycle will resume in 2026, in accordance with Chapter 18.45 JCC.

NOW, THEREFORE, BE IT RESOLVED:

1. Findings of fact. The “Whereas” clauses listed above are adopted as findings of fact.
2. Deferral of 2025 Annual Amendment Cycle. The BoCC adopts the following revisions to timelines for the 2025 annual amendment cycle:
 - a. If submitted by March 1, 2024, Jefferson County will process formal applications for site-specific and suggested amendments to the Comprehensive Plan or Unified Development Code during the 2024 amendment cycle, pursuant to Chapter 18.45 JCC.
 - b. If submitted after March 1, 2024, the County will defer processing of formal applications for site-specific and suggested amendments to the Comprehensive Plan or Unified Development Code until the 2026 amendment cycle, while completing the 2025 periodic update mandated by GMA.
 - c. Jefferson County will resume the annual amendment cycle in 2026 pursuant to Chapter 18.45 JCC.
3. Severability. If any section, subsection, sentence, clause, phrase or section of this resolution or its application to any person or circumstance is held invalid, the remainder of this resolution or its application to other persons or circumstances shall be fully valid and shall not be affected.
4. Effective Date. This resolution shall take effect upon adoption by the Board of County Commissioners.
5. Section 7. SEPA Categorical Exemption. This resolution is categorically exempt from the State Environmental Policy Act under WAC 197-11-800 (19).

ADOPTED this _____ day of _____, 2024.

JEFFERSON COUNTY BOARD OF
COMMISSIONERS

Kate Dean, Chair

Greg Brotherton, Member

Heidi Eisenhour, Member

SEAL:

ATTEST:

Carolyn Gallaway, CMC Date
Clerk of the Board

Approved as to form only:

Barbara D. Ehrlichman Date
Civil Deputy Prosecuting Attorney

CC. DCD 2.13.17

STATE OF WASHINGTON

County of Jefferson

**IN THE MATTER OF ESTABLISHING
A WORK PLAN FOR THE JEFFERSON
COUNTY COMPREHENSIVE PLAN
PERIODIC REVIEW AND TO DEFER
THE PUBLIC ANNUAL DOCKET AND
TO RESUME ANNUAL
AMENDMENT CYCLE IN 2019**

RESOLUTION NO. 06-17

WHEREAS, Jefferson County is fully planning under the Growth Management Act or "GMA" and is required to conform with all the requirements of Chapter 36.70A RCW.

WHEREAS, GMA requires that each comprehensive plan and development regulations shall be subject to continuing review and evaluation by counties, and that counties shall take legislative action to review and, if necessary, revise its comprehensive plan and development regulations to ensure the plan and regulations comply with the requirements of GMA; and GMA establishes a schedule for each jurisdiction for updating their comprehensive plans in accordance with RCW 36.70A.130.

WHEREAS, in 2010 and again in 2011, the state legislature amended RCW 36.70A.130 to provide fiscal relief to local jurisdictions and extend the deadline for review and evaluation of comprehensive plans and development regulations.

WHEREAS, Jefferson County meets the criteria described under RCW 36.70A.130 (6)(e) which, combined with the legislative amendments extending comprehensive plan update cycles and deadlines, results in a periodic review deadline to be on June 30, 2018.

WHEREAS, only those counties complying with the deadlines required under RCW 36.70A.130 shall be considered as meeting the "requirements of GMA planning" under the terms of RCW 36.70A.040(1) and only those counties and cities that meet the deadlines of GMA may receive grants, loans, pledges, or financial guarantees from certain state programs affecting transportation, economic development and environmental protection.

WHEREAS, Chapter 18.45 Jefferson County Code (JCC) establishes timelines for annual Comprehensive Plan amendments and further establishes that Comprehensive Plan amendments pursuant to RCW 36.70A.130, occur no more than once per year.

WHEREAS, the project scope and mandated deadline of the periodic review necessitates an 18-month commitment of DCD staff resources in order to meet the June 30, 2018 completion date.

WHEREAS, on December 19, 2016, during the regular agenda session of the Board of County Commissioners, the Department of Community Development (DCD) staff provided the Board with a

Comprehensive Plan and Unified Development Code Periodic Review project update, during which a work plan was proposed;

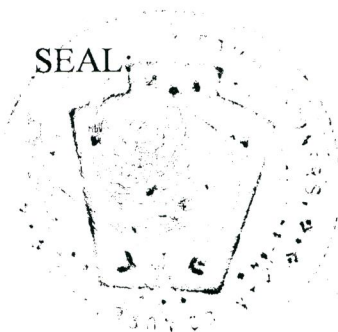
WHEREAS, this resolution serves to suspend the public annual docket during the Comprehensive Plan Periodic Review; to acknowledge that in order to successfully meet the statutory deadline, substantial work is required to review the comprehensive plan in accordance with GMA requirements and

WHEREAS, the public annual docket cycle can resume in accordance with Chapter 18.45 JCC will resume in 2019.

NOW, THEREFORE, BE IT RESOLVED:

1. The County will defer formal applications for site specific amendments to the Comprehensive-Plan or Unified Development Code during the 2017-2018 Comprehensive Plan Periodic Review.
2. The County will resume the annual amendment cycle in 2019 pursuant to Chapter 18.45 JCC.

Adopted this 13th day of February, 2017.



Jefferson County
Board of Commissioners

Kathleen Kler
Kathleen Kler, Chair

David Sullivan
David Sullivan, Member

K. Dean
Kate Dean, Member

ATTEST:

Carolyn Avery
Carolyn Avery
Deputy Clerk of the Board

**JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA REQUEST

TO: Board of Commissioners

FROM: Patty Charnas, DCD Director
DCD Planning Staff

DATE: February 13, 2017

RE: Resolution establishing a work plan for the Comprehensive Plan (CP) Periodic Review; to defer the public annual docket and to resume the annual CP amendment cycle in 2019

STATEMENT OF ISSUE:

On December 19, 2016, during the regular agenda session of the Board of County Commissioners, the Department of Community Development (DCD) staff provided the Board with a *Comprehensive Plan and Unified Development Code Periodic Review* project update. During this briefing, an 18-month work plan was proposed.

The Board of County Commissioners supported the concept of the 18-month work plan. The purpose of this request is to provide the draft resolution establishing the schedules for the Comprehensive Plan Periodic Review and the subsequent Comprehensive Plan Annual Amendment cycle for Board consideration and formal action.

ANALYSIS:

This resolution serves to establish an 18-month work plan during the Comprehensive Plan Periodic Review and to suspend formal site specific Comprehensive Plan amendment proposals during this timeframe; and, to resume the annual amendment cycle in 2019 pursuant to Chapter 18.45 JCC.

The 18-month work plan is a one-time modification from the County's annual amendment cycle so that the state-mandated periodic review of the Comprehensive Plan and development regulations [Unified Development Code (UDC) Jefferson County Code Title 18] can be successfully completed and adopted on or by the statutory deadline of June 30, 2018.

FISCAL IMPACT:

Adoption of this resolution provides for the County to focus limited time and staff resources to the state-mandated periodic update. Jefferson County is required to review and revise if necessary the CP and implementing development regulations (UDC) by June 30, 2018. Pursuant to RCW 36.70A.040, only those counties complying with the deadlines required under RCW 36.70A.130 shall be considered meeting the requirements of planning under GMA

under the terms of RCW 36.70A.040(1). Only those counties and cities that meet the deadlines established in the Washington Growth Management Act (GMA) may receive grants, loans, pledges, or financial guarantees from certain state programs affecting transportation, economic development and environmental protection.

RECOMMENDATION:

DCD recommends that the Board receive a briefing and move to adopt the attached resolution.

DEPARTMENT CONTACT:

Joel Peterson, Associate Planner 379-4457

REVIEWED BY:

for *Eric Hurdgren*
County Administrator

02/09/17
Date

