

PROPOSED AMENDMENTS TO THE UDC:
Brinnon Subarea Plan 2004 growth management compliance

SECTION 3 LAND USE DISTRICTS

3.6 Overlay Districts

3.6.1 Purpose.

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

1. Mineral Resource Lands (MRL);
2. Environmentally Sensitive Areas (ESA);
3. Airport Essential Public Facility District (A);
4. Remote Rural (RR) overlay for West End Planning Area (WEPA) and Brinnon Planning Area (BRPA),
5. Planned Rural Residential Development (PRRD); ~~and~~
6. Small-scale Recreation & Tourist (SRT); ~~and~~
7. **Small-scale Business & Cottage Industry (SBCI)**

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3.6.12 Remote Rural Overlay Districts for the West End Planning Area and the Brinnon Planning Area.

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a. Home-Based Businesses...

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- (2) Home-based businesses in the BRPA RR overlay district shall be EXEMPT from the following provisions of Section 4...

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- iv. The expansion limitations of the home-based business as specified in Section 4.20. Instead, home-based businesses in the BRPA RR overlay may be permitted conditionally at a non-residential location under provisions of RCW 36.70A.070(5)(d)iii, which relate to the siting of isolated small-scale businesses.**

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b. Cottage Industries. In the RR overlay districts, cottage industries shall be regulated according to the following provisions.

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- (2) Cottage industries in the BRPA RR overlay shall be EXEMPT from the following provisions of Section 4, Performance and Use-Specific Standards:

- i. The number of non-resident employees permitted pursuant to the requirements of Section 4.17. Instead, the number of non-resident employees allowed is ~~four-eight~~ (8) and a number exceeding ~~four-eight~~ (8) may be allowed through a new or revised conditional use permit;

PROPOSED AMENDMENTS TO THE UDC:
Brinnon Subarea Plan 2004 growth management compliance

- ...
- vi. The restrictions on expansion of a cottage industry as specified in Section 4.17. Cottage industries in the BRPA RR overlay may be permitted conditionally **at non-residential locations** under provisions of RCW 36.70A.070(5)(d)iii, which relate to the siting of isolated cottage industries.

[Note: The proposed amendments to section 3.6.12 involve correction and consistency in association with sections under study as part of this compliance effort. The proposed amendment creating a subsection a(2)iv under "Home-Based Business" is to reflect statutory language at the cited section, in support of Brinnon Subarea Plan policy language. The amendments to the "Cottage Industries" section represent a numbers correction in subsection b(2)i and a consistency matter under b(2)vi, for the same reason as described above.]

[NEW SECTION 3.6.15]

3.6.15 Small-Scale Business and Cottage Industry (SBCI) Overlay District

- a. **Purpose.** The purpose of this Section 3.6.15 is to implement the *Brinnon Subarea Plan*, a chapter of the *Jefferson County Comprehensive Plan*, by establishing a small-scale business and cottage industry (SBCI) overlay district north of and adjacent to Dosewallips Road and west of and adjacent to US Highway 101. The intent of this section is to encourage small-scale business and cottage industry development consistent with the needs, scale and rural character of the Brinnon Planning Area and in compliance with the provisions of RCW 36.70A.070(5)(d)(iii). This Section provides for certain exemptions, review criteria and other requirements to encourage compatible rural economic development in the Dosewallips SBCI overlay. The provisions of this section allow for flexible application of small-scale business and cottage industry standards to recognize the unique economic development characteristics and needs of the area.
- b. **Applicability.** This Section 3.6.15 shall apply to all small-scale business and cottage industry uses identified in Table 3-1 of this UDC and subject to the performance standards identified in Section 3.6.12 (Remote Rural Overlay Districts for the West End Planning Area and the Brinnon Planning Area), 4.17 (Cottage Industry), and 4.20 (Home Business), infra, except as exempted and qualified by this Section 3.6.15. The Dosewallips SBCI Overlay District shall encompass those areas within the Brinnon Planning Area so identified on Figure BR-6EP (2004) of the Brinnon Subarea Plan. The provisions of this section constitute an overlay district (i.e., floating zone) over the underlying rural residential districts on the north side of the intersection of Dosewallips Road and US Highway 101. All other provisions of this UDC shall apply to such uses in the SBCI overlay unless otherwise exempted by this Section 3.6.15.

PROPOSED AMENDMENTS TO THE UDC:
Brinnon Subarea Plan 2004 growth management compliance

- c. Small-Scale Business and Cottage Industry Uses. In the Dosewallips SBCI overlay district, small-scale business and cottage industry uses shall be regulated according to Section 3.6.12—Remote Rural Overlay Districts for the West End Planning Area and the Brinnon Planning Area—with the following exemptions and qualifications:
- (1) A small-scale business or cottage industry land use approval application in the Dosewallips SBCI Overlay shall be reviewed as a Type I permit process under Section 8 of the UDC.
 - (2) The limit on the number of employees permitted in any given small-scale business or cottage industry in the Dosewallips SBCI Overlay shall be twenty-five (25); a proposal for a greater number of employees requires approval under a conditional use permit process, a Type III permit process under Section 8 of the UDC.
 - (3) Small-scale businesses and cottage industries in the Dosewallips SBCI Overlay shall be exempt from the limitation on total building area dedicated to the enterprise, as set forth in UDC 4.17.3.o for Cottage Industry and UDC 4.20.4.c for Home Business.

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3.7 Subarea Plans

- a. The Brinnon Subarea Plan is a chapter of the Jefferson County *Comprehensive Plan* that established policies and regulations specific to the Brinnon Planning Area (Planning Area #11). Unless modified by the Brinnon Subarea Plan, all other policies and regulations of the *Comprehensive Plan* and this Unified Development Code apply to project proposals in the Brinnon Planning Area. Brinnon Subarea Plan measures specific to the Brinnon Planning Area are incorporated into this Code in the following subsections:
- (1) 3.6 Overlay Districts
 - i. 3.6.12 Remote Rural Planning Area (provisions for Home Business and Cottage Industry)
 - ii. 3.6.14 Small-Scale Recreation and Tourist (SRT) Overlay District (provisions for SRT uses in the WaWa Point SRT overlay)
 - iii. 3.6.15 Small-scale Business and Cottage Industry (SBCI) Overlay District (provisions for SBCI uses in the Dosewallips SBCI overlay)

SECTION 4 PERFORMANCE AND USE-SPECIFIC STANDARDS

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4.17 Cottage Industry.

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3. All cottage industries shall be subject to the following standards, except as provided for in the West End Planning Area and Brinnon Planning

PROPOSED AMENDMENTS TO THE UDC:
Brinnon Subarea Plan 2004 growth management compliance

Area—Remote Rural overlay districts as specified in section 3.6.12 and the Dosewallips Small-scale Business and Cottage Industry overlay district as specified in section 3.6.15:

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I. The granting of the proposed cottage industry use shall not constitute a rezone. No expansions of approved cottage industries are permitted, except as specified in ~~Section 3.6.12 concerning the Remote Rural overlay districts~~ elsewhere in this Code.

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4.20 Home Business.

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4. A home business shall meet the requirements of this Code and the following standards, **except as provided elsewhere in this Code for small-scale businesses in specified overlay districts:**

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c. The area devoted to the home business does not exceed fifty percent (50%) of the gross floor area of the dwelling unit, or 1,200 square feet, whichever is greater. The home business may be located in an attached or detached structure, but in no case shall be allowed to expand beyond the size permitted by this Section 4.20; except as allowed ~~by Section 3.6.12 (West End Planning Area and Brinnon Planning Area—Remote Rural overlay districts)~~ elsewhere in this Code;

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SECTION 8 PERMIT APPLICATION AND REVIEW PROCEDURES/SEPA IMPLEMENTATION

8.1 Types of Project Permits.

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4. Project Permit Application Framework.

TABLE 8-1: PERMITS – DECISIONS

[column]

Type I

[addition to permit Type I column]

Small-scale business and cottage industry (SBCI) uses in SBCI overlay district under Section 3.6.15

[end]