



JEFFERSON COUNTY

DEPARTMENT OF COMMUNITY DEVELOPMENT

621 Sheridan Street • Port Townsend • Washington 98368
360/379-4450 • 360/379-4451 Fax
<http://www.co.jefferson.wa.us/commdevelopment>

June 7, 2006

NOTICE OF PUBLIC HEARING BEFORE THE JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS ON PROPOSED UNIFIED DEVELOPMENT CODE AMENDMENTS

The Board of County Commissioners (BoCC) will be considering proposed amendments to various sections of the Unified Development Code (UDC), codified as Title 18 of the Jefferson County Code (JCC). The package of amendments is known as the "Omnibus," as a comprehensive survey of the whole of the UDC has been performed and nearly each section of the code is proposed for amendment. The proposed amendments represent both substantive regulatory changes from the current code as well as minimal revisions to ensure that the code is consistent with, and fully implements, Comprehensive Plan, State law and court decisions regarding land use.

The principal objectives of the Omnibus package are to correct or improve sections based on experience in implementing the code since its initial adoption and to expand development opportunities within limitations of State law and in balance with other aspects of adopted Comprehensive Plan policy.

A public hearing has been set for **10:05 AM June 19, 2006** in BoCC Chambers located at the Jefferson County Courthouse, 1820 Jefferson St., Port Townsend (details below). The Omnibus code amendment package has been modified since the Planning Commission public hearing October 5, 2005. The BoCC held a public hearing on January 9, 2006 and adopted limited changes to specific JCC chapters. Concerning the bulk of the package, the BoCC directed staff to produce an itemized history of the proposal and to revisit the proposal with the Planning Commission. The June 19 hearing is the second hearing before the BoCC. The package under BoCC consideration includes additional items suggested by the Department of Community Development.

A section-by-section summary of the proposed code amendments follows:

18.05 JCC - "Introduction":

- All references to the appellate hearing examiner have been eliminated, with all appeals being to the Jefferson County Superior Court;
- References to the Airport Overlay zones have been included, consistent with Ordinance 16-1213-04; and
- All references to the Uniform Building Code have been deleted and replaced with references to the recently adopted International Building Code.

18.10 JCC - "Definitions":

- A number of definitions have been modified to conform with provisions of the Washington Administrative Code (WAC), the Revised Code of Washington (RCW), the

Stormwater Management Manual, the Uniform Fire Code, the International Building Code and the proposed Omnibus changes to the Jefferson County Code; and

- Substantively revised definitions include those related to kennels, shelters and catteries that are necessary to apply and implement Section 18.20.060 JCC.

18.15 JCC - "Land Use Districts":

- Corrections have been made to reflect the adoption of the Airport Overlay zones under Ordinance 16-1213-04;
- 18.15.180 JCC- 'Nuisance' has been revised to be consistent with WAC 173-60.
- 18.15.400 JCC- The Army Corps of Engineers certification has been removed from 'Wetland delineation' at that agency's request;
- The Jefferson County Landfill has been included as an Essential Public Facility;
- Language has been added to clarify that "outright" uses are entirely exempt from permitting and zoning review; and
- 18.15.505 JCC- Codify that Planned Rural Residential Development (PRRD) applications for areas under preliminary plat approval from a previous application are considered under the densities from the previous application. At this time, the code does not clearly inform the user that the development densities, or residential units per acre, approved in a preliminary plat continues to be effective under a PRRD-style re-plat.
- Table 3-1 (the "use table") has been modified to be consistent with the Jefferson County Animal Responsibility Ordinance, to classify and regulate food and beverage stands and construction contractors, to include notification procedures for properties in proximity to resource lands, and to modify the density bonus provisions available to certain Planned Rural Residential Developments (PRRDs); and "accessory use" updated to reference LI or LI/C zones.

18.20 JCC - "Performance and Use-Specific Standards":

- 18.20.020 JCC- "junk motor vehicle" language has been updated to reflect RCW46.55.230; and "accessory use" updated to reflect to reference LI or LI/C zones.
- 18.20.060 JCC - "Animal Kennels, Catteries and Shelters" has been revised to conform with the Jefferson County Animal Responsibility Ordinance; the changes include modification to Table 3-1 to differentiate between different types of animal kennels and shelters;
- 18.20.070 JCC- "Asphalt and concrete batch plants" language update removing 'reclamation' for consistency with RCW 78.44.020 as Department of Natural Resources regulates reclamation.
- 18.20.160 JCC - "Forest Practices" language has been revised for clarity; and for consistency with currently required JCC standards regarding WAC 222 and stormwater and grading;
- 18.20.170 JCC - "Cottage Industry" has been modified to include small-scale auto repair as a cottage industry, to be permitted via a conditional use permit; the revisions include employee and operations caps to maintain rural character, as well as a requirement to comply with Dept. of Ecology waste management standards;
- 18.20.182 JCC - "Food and Beverage Stands" has been added to the code, including three categories of stands (mobile, permanent and temporary); the purpose of the regulation is to ensure compliance with health and safety standards of the Environmental

Health division of County Public Health, the Building division of County Community Development, and Federal Labor & Industries.

- 18.20.240 JCC - "Mineral Extraction" has been modified to clarify the review process applicable to expansions of nonconforming extraction operations, to clarify instances in which a mineral extraction permit will be required, and to clarify the noise disturbance provisions consistent with WAC 173-60-040(2)(a); and to remove 'reclamation' from the title for consistency with RCW 78.44.020 as Department of Natural Resources regulates reclamation
- 18.20.260 JCC - "Nonconforming Uses and Structures" has been rewritten and reformatted for clarity and ease of administration and application; the revisions to this section provide greater administrative discretion in determining the appropriate review process for various applications.
- 18.20.350 JCC- "Small-scale recreation and tourist uses" updated to include 'recreational park trailers'; and to clarify access to specify 'primary' and allowable access roads.

18.30 JCC - "Development Standards":

- Multiple reference were updated to coincide with DOE's Stormwater Management Manual;
- 18.30.050 JCC - "Density, Dimension and Open Space" has been revised to reflect the County's recent adoption of the International Building Code and to modify the density exemptions applicable to properties with more than one dwelling unit as of January 20, 1998.
- 18.30.090 JCC- "Pedestrian Circulation" has been revised for consistency with Jefferson County non-motorized Transportation and Recreational Plan.
- 18.30.100 JCC- "Minimal parking spaces" in Table 6 has been modified for consistency with JCC 6.05; and
- 18.30.100 JCC- Parking for physically handicapped revised to reflect changes in state ordinance.
- 18.30.150 JCC- "Signs" to clearly distinguish types of signs and uses; to clarify regulations on height, size and use; and 'political campaign' time restriction removed to reflect recent case law and current exemption under UDC; and 'nonconforming signs' language simplified.
- 18.30.170 JCC- "Mining, quarrying and asphalt/ concrete batch plant best management practices in critical aquifer recharge areas" updated language for existing reference to 18.20.240; and clarify 'equipment washing' language for 'Concrete and Asphalt Production at Stationary Sites'.

18.35 JCC - "Land Divisions":

- 18.35.060 JCC - "Boundary Line Adjustments" has been revised to reflect recent developments in Washington case law, including the number of lots or parcels that may be modified through a BLA; provisions have been added to clarify that a Site Plan Approval Advance Determination may be coupled with a BLA to verify that the modified lots have sufficient buildable area; and
- 18.35.070 JCC- 'Application for boundary line adjustment' fee(s) revised in response to experience with BLA applications and equitability between property owners.

- 18.35.130 JCC- "Short plat approval criteria" has been revised to remove SEPA language updated in other sections; and for consistency with 18.35 Article VI revisions.
- 18.35.160 JCC- "Surety" language to replace 'Improvement method report' for efficiency between county divisions.
- 18.35.350 JCC- "Surety" language to replace 'Improvement method report' for efficiency between county divisions.
- 18.35.670 JCC - "Plat Alterations" is a new section not previously included within the UDC adopted in 2000.

18.40 JCC - "Permit Application and Review Procedures/SEPA Implementation":

- 18.40.100 JCC- 'Development permit application' has been revised with the addition of a pending septic application condition to reduce backlog in permitting and increase efficiency in the application process.
- 18.40.290 JCC - "Appellant Examiner" has been repealed; in future, appeals would be taken directly to Jefferson County Superior Court.
- 18.40.360 JCC- "Submission requirements" standards updated for efficiency by minimize interpretations in excess of what may be needed to clarify UDC sections.
- 18.40.530 JCC- "Approval criteria for all conditional uses" has been revised to specify modifications of 'conditional uses' in response to public needs during application processes.
- 18.40.750 JCC - "Categorically Exempt Actions" has been revised to incorporate the maximum exemption thresholds allowed under WAC 197-11-800(1)(c).

Public Comment Period: The BoCC will accept oral comment on the Omnibus package of proposed code amendments at the public hearing June 19 and written comment from June 5 until the close of the public hearing. Written comments on the proposals may be submitted to DCD at 621 Sheridan Street, Port Townsend WA 98368; via email to planning@co.jefferson.wa.us; or delivered to the BoCC at the public hearing.

Legislative Decision: The BoCC is expected to take legislative action on the proposal at any time after the close of the June 19 public hearing. The BoCC may adopt the proposal as it stands or with modifications. BoCC meeting agendas are available on the County website.

Availability of Documents: For more information or to inspect or request copies of the most recent version Omnibus code amendment proposal, the itemized history of the proposal, earlier versions of the proposal or other related information, contact DCD Long-Range Planning at the mail or email addresses above, by phone at (360) 379-4450, or visit the Omnibus webpage, where documents and notices are posted in Portable Document Format. The Omnibus webpage can be accessed through the Jefferson County homepage: <http://www.co.jefferson.wa.us>.

Approved this 5^h day of June 2006.

/S/ Phil Johnson, BoCC Chair