

CC: DCD
PA
CEO-sheriff } 7/10/06

JEFFERSON COUNTY
STATE OF WASHINGTON

Adopting Amendments to the }
Unified Development Code } Ordinance # 08-0710-06

WHEREAS, the Unified Development Code (UDC) was originally adopted on December 18, 2000 and subsequently amended through the following ordinances: 03-0702-01, 07-1224-01, 02-0311-02, 04-0422-02, 07-0732-02, 18-1213-02, 21-1220-02, 02-0210-03, 03-0303-03, 05-0428-03, 06-0609-03, 06-0510-04, 10-0823-04 and 02-0126-06; and

WHEREAS, there have been substantive changes to state law and recent court decisions since the adoption of the UDC, references to the Uniform Building Code need to be replaced with the International Building Code; and

WHEREAS, portions of the UDC have been further clarified by code interpretations and judicial decisions that have been clarified in the UDC; and

WHEREAS, for legal use the UDC has been numbered according to the Jefferson County Code (JCC); and

WHEREAS, the Board completes this process by the adoption of this ordinance and now makes the following findings of fact:

1. The Planning Commission UDC Committee met with staff a total of seventeen (17) times between March, 2004, and May, 2005. All meetings were duly-noticed and open to the public.
2. The joint Long-Range Planning staff and UDC Committee proposed Preliminary Draft was transmitted to the full Planning Commission under a cover memo dated 5/31/05.
3. The Preliminary Draft proposed changes to the format of the UDC, specifically moving the UDC to be incorporated into the Jefferson County Code (JCC), codified at Title 18 of the JCC.
4. The Preliminary Draft was presented to the full Planning Commission on June 1, 2005, with an introduction.

Ordinance No. 08-0710-06
Amendments to Unified Development Code

5. The Planning Commission deliberated on the Preliminary Draft at regularly scheduled meetings held on June 15 and July 20, 2005. The commissioners proposed some further revisions to the Preliminary Draft.
6. The Planning Commission voted unanimously (8-0) on July 20, 2005, to accept the UDC Omnibus as presented and amended and to move it on for formal public review (the Public Review draft).
7. The Department of Community Development (DCD) issued an integrated SEPA/GMA notice of intent to amend the development code on September 14, 2005, including completion of an environmental checklist for non-project actions.
8. The Planning Commission held a duly-noticed public hearing on October 5, 2005. Oral public comment related to the proposed UDC amendments was taken during the public hearing and written comments were accepted through the close of business on October 12, 2005.
9. DCD provided the following memoranda to the Planning Commission to supplement the record:
 - October 5: *Additional Staff Recommendations for the UDC Omnibus*
 - October 13: *Additional Staff Recommendations for the UDC Omnibus*
10. The Planning Commission deliberated on the proposed UDC amendments at regularly scheduled meetings on October 19 and November 2, 2005, making a few additional specific revisions to the Public Review draft, and completed deliberations on November 2.
11. The Board of County Commissioners held a duly noticed public hearing January 9, 2006. The BOCC deliberated on January 17, 2006 and approved a portion of the UDC Omnibus amendment package.
12. Department of Community Development (DCD) staff and the Planning Commission recommended extending the deadline for the Comprehensive Plan amendment cycle from February 1 to March 1. DCD and the Planning Commission wanted to provide more time for the department and for citizens to prepare site-specific and suggested Comprehensive Plan amendments.

Ordinance No. 08-0710-06
Amendments to Unified Development Code

13. The UDC Omnibus amendment package has a large number of changes. Although the majority of the changes do not have a specific urgency, one of the changes moves the date of the Comprehensive Plan amendment cycle from February 1st to March 1st.
14. The BoCC adopted UDC amendments to Jefferson County Code chapters 18.45 and 18.50 with changes from the Planning Commission recommendations for 18.45 through Ordinance 02-0126-06.
15. The BoCC requested an annotation from Planning Commission and the Department of Community Development (DCD) on the remaining UDC Omnibus amendments.
16. DCD, the Planning Commission and the UDC sub-committee reviewed the formation of the proposed amendments and drafted an annotation. The Planning Commission held a duly notice public meetings on 4/19 and 5/3/06. Oral public comment related to the proposed UDC amendments was taken during the public hearing and written comments were accepted through the close of business on 5/3/06.
17. DCD provided the following memoranda to the Planning Commission to supplement the record:

5/2: Additional staff recommendations for the UDC Omnibus
18. The BoCC reviewed the annotation supplied by the Planning Commission and DCD on 5/22 and 6/5 and moved to table a public hearing on the UDC Omnibus for two weeks.
19. The BoCC held a duly noticed public hearing on the UDC Omnibus on 6/19/06. Oral public comment was taken during the public hearing and written comments were accepted through the close of business on 6/19/06.
20. Further discussion sessions between the BoCC and DCD staff took place on 6/19/06 and 6/21/06. BoCC decided to separate proposed amendments regarding 'mineral extraction and processing' from the rest of the UDC Omnibus. The BoCC further requested a memo from noting the items discussed on 6/19 and 6/21.
21. DCD provided the following memoranda to BoCC on 6/10:

6/22: Reviewed UDC Omnibus Items memo
22. The BoCC has decided to approve the amendments contained in Jefferson County Code chapters 18.05, 18.10, 18.20, 18.25, 18.30, 18.35 and 18.40.
23. The BoCC has made changes to the Planning Commission recommendations for chapter 18.20 removing 'mineral extraction and processing' amendments from the Omnibus package for separate consideration.

Ordinance No. 08-0710-06
Amendments to Unified Development Code

NOW THEREFORE BE IT ORDAINED, as follows:

SECTION 1. The current version County's Unified Development Code, also known as the Jefferson County Code, Section 1 *Introductory Provisions*, Section 2 *Definitions*, Section 3 *Land Use Districts*, Section 4 *Performance and Use-Specific Standards*, Section 6 *Development Standards*, Section 7 *Land Divisions* and Section 8 *Permit Application and Review Procedures/SEPA Implementation* are hereby repealed and replaced with the attached version of Jefferson County Code Chapters 18.05, 18.10, 18.15, 18.20 18.30, 18.35 and 18.40.

SECTION 2. Should any provision or portion of this Ordinance be declared unlawful, not compliant with the GMA or invalid under the GMA, then it is the express intent of the County Commission that the earlier or prior version of the unlawful, non-compliant or invalid provision or portion of this Ordinance shall be revived and shall resume and have full regulatory force and effect.

SECTION 3. If any provision or portion of this Ordinance or its application be declared unlawful, not compliant with the GMA or invalid under the GMA, such a declaration of unlawfulness, non-compliance or invalidity shall not alter the regulatory effect and authority of the other provisions of this Ordinance not subject to such a declaration and the application of the remaining provision or provisions to persons or circumstances is not affected.

SECTION 4. This ordinance shall take effect 8:00 AM July 17, 2006.

Adopted this 10th day of July, 2006.



ATTEST:

Julie Matthes, CMC

Julie Matthes, CMC
Deputy Clerk of the Board

JEFFERSON COUNTY
BOARD OF COMMISSIONERS

Handwritten signature of Phil Johnson, Chairman.

Phil Johnson, Chairman

Handwritten signature of David W. Sullivan, Member.

David W. Sullivan, Member

Handwritten signature of Patrick M. Rodgers, Member.

Patrick M. Rodgers, Member