

JEFFERSON COUNTY
STATE OF WASHINGTON

Interim Ordinance Rescinding Chapter 18.18	}	
Within Title 18 of the Jefferson	}	Ordinance No. <u>05-0410-06</u>
County Code and Formally	}	
Re-establishing the Previously Existing	}	
Rural Designations and Standards for the	}	
Planning Area for the Future Irondale	}	
and Hadlock Urban Growth Area	}	

WHEREAS, the County adopted urban designations and standards for the Irondale and Hadlock Urban Growth Area (“UGA”) through Ordinance No. 10-0823-04 on August 23, 2004, codifying urban standards in Title 18 of the Jefferson County Code (“JCC”) as Chapter 18.18 JCC; and

WHEREAS, the Western Washington Growth Management Hearings Board (“Hearings Board”) has invalidated those urban designations and standards, through its May 31, 2005 Final Decision and Order for Case No. 04-02-0022, while capital facilities planning continues; and

WHEREAS, in response to the finding of invalidity, the County has effectively reverted to the rural designations and standards for that area that were in effect prior to the August 23, 2004 adoption of urban designations and standards; and

WHEREAS, the Hearings Board continues to express concern about the ability for applicants to make development applications under urban standards in Chapter 18.18 JCC, since that chapter remains part of the development code despite being in a state of invalidation; and

WHEREAS, the County desires to clarify by way of this ordinance to the Hearings Board and the public precisely what land use designations and regulations apply to the planning area for the Irondale and Hadlock UGA in this interim period before the completion of capital facilities planning; and

WHEREAS, the County remains committed to completing the Irondale and Hadlock UGA and gaining GMA compliance for that UGA; and

WHEREAS, the invalidated development regulations in Chapter 18.18 JCC contained provisions necessary for developing urban services; and

WHEREAS, the invalidated development regulations in Chapter 18.18 JCC regulated uses incompatible with urban environments; and

WHEREAS, allowing development inside the UGA that will not fund the sewer system will preclude urban uses and intensities at those locations; and

WHEREAS, RCW 36.70A.390, a section of the Growth Management Act (Chapter 36.70A RCW), authorizes a County to adopt interim controls and thereafter to hold a public hearing on those controls within 60 days of enactment;

NOW THEREFORE BE IT ORDAINED by the Board of County Commissioners as follows:

SECTION 1. Chapter 18.18 JCC rescinded.
The chapter of the development code that established urban standards for the Irondale and Hadlock UGA, as initially adopted through Ordinance No. 10-0823-04 and later re-adopted and amended through Ordinance No. 02-0126-06, a chapter of the JCC that has been invalidated by the Hearings Board, be and hereby is rescinded. The title for Chapter 18.18 JCC and JCC tables of contents will be marked "RESERVED" for use when urban standards are re-established at a future date.

SECTION 2. Rural designations apply to UGA planning area.
The rural designations for the planning area for the future Irondale and Hadlock UGA that were in effect immediately prior to adoption of Ordinance No. 10-0823-04 are again in effect. These are delineated in *Attachment A*. This action confirms a policy that has been effect since June 1, 2005, in response to the May 31, 2005 invalidation by the Hearings Board of the urban designations and standards adopted by the County on August 23, 2004.

SECTION 3. Rural standards apply to UGA planning area.
Title 18 JCC, otherwise known as the "Unified Development Code," contains rural development standards applicable to the variety of rural land use designations in Jefferson County. These rural development standards shall apply to the planning area for the future Irondale and Hadlock UGA according to the rural designations as described in SECTION 2 above, except as provided in SECTIONS 4 and 5 below.

SECTION 4. Mini-storage not allowed in rural commercial areas within UGA planning area.
Mini-storage facilities shall not be allowed in the Port Hadlock Rural Village Center ("RVC") and the rural commercial areas designated at the intersection of

Irondale Road and State Route ("SR") 19 and the intersection of Ness' Corner Road and SR 19, in order to prevent land uses in those rural commercial areas which are inconsistent with the goal of developing urban sewer service for the future UGA. The use tables in Title 18 JCC shall be amended 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.

SECTION 5. No Protest Agreement required.

A No Protest Agreement must be signed by or on behalf of the applicant for any development permits within the planning area for the Irondale and Hadlock UGA. (Refer the UGA planning area boundary mapped in *Attachment A*.) The No Protest Agreement is an administrative instrument that is created and managed by the County Department of Community Development.

SECTION 6. Severability.

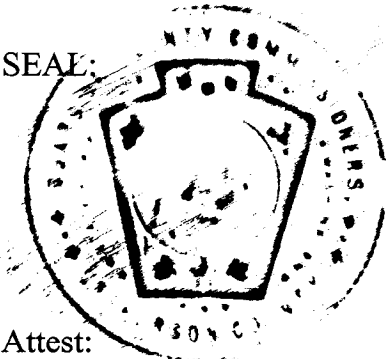
If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

SECTION 7. Effective date.

This ordinance shall take effect immediately after passage.

APPROVED AND ADOPTED this 10th day of April, 2006.

SEAL:



Attest:

Julie Matthes, CMC
Julie Matthes, CMC
Deputy Clerk of the Board

JEFFERSON COUNTY
BOARD OF COMMISSIONERS


Phil Johnson
Phil Johnson, Chair

David Sullivan
David Sullivan, Member

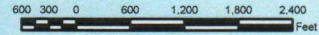
Pat Rodgers
Pat Rodgers, Member

Attachment A Land Use Designations June 2005

Port Townsend Bay

 Urban Growth Area (UGA) Planning Boundary

In accordance with a Final Decision and Order issued by the Western Washington Growth Management Hearings Board for Case No. 04-2-0022 on May 31, 2005 and received by Jefferson County on June 1, 2005, the invalidated urban land use designations for the Irondale and Hadlock UGA were reverted back to the rural land use designations in effect prior to adoption of Ordinance 10-0823-04 on August 23, 2004.



MAP PROJECTION
Lambert Conformal Conic Projection
Stateplane: Washington North
FIPS 4601, NAD 1983

DISCLAIMER
Jefferson County does not attest to the accuracy of the data contained herein and makes no warranty with respect to its correctness or validity. Data contained in this map is limited by the method and accuracy of its collection.

April 7, 2006

