

STATE OF WASHINGTON
County of Jefferson

**IN THE MATTER OF REVISIONS AND }
ADDITIONS TO THE COUNTY'S UNIFIED }
DEVELOPMENT CODE ASSOCIATED WITH } **ORDINANCE NO.** 07-1224-01
COMPREHENSIVE PLAN AMENDMENTS }
APPROVED THROUGH THE ADOPTION OF }
ORDINANCE NO. 08-1224-01 }**

WHEREAS, the Board of Jefferson County Commissioners (“the Board”) has, as required by the Growth Management Act, as codified at RCW 36.70A.010 et seq., set in motion and completed the process for proper professional review and public notice and comment with respect to any and all proposed amendments to the County’s Comprehensive Plan (the “Plan”), a Plan that was originally adopted by Resolution No. 72-98 on August 28, 1998 and later amended by Resolution No. 27-00, and;

WHEREAS, certain of the proposed amendments to the County’s Comprehensive Plan, as well as the associated and required revisions and additions to the County’s GMA-driven development regulations known as the Unified Development Code or “UDC” that must accompany the approved Plan amendments, have been approved by the Board because that particular Plan amendment was found to be in conformance with the Growth Management Act;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners that they approve the following revisions and additions to the UDC and;

BE IT FURTHER ORDAINED by the Board that they make the following general Findings of Facts applicable to these revisions and additions to the UDC associated with the Comprehensive Plan Amendments identified AND approved separately in Ordinance No. 08-1224-01 .

Section 1 - General Findings of Fact for Revisions and Additions to the UDC:

1. The County adopted its Comprehensive Plan in August 1998 and its development regulations or UDC in December 2000.
2. The Growth Management Act, which mandates that Jefferson County generate and adopt a Comprehensive Plan, also requires that there be in place a process to amend the Comprehensive Plan.
3. The amendment process for the Comprehensive Plan must be available to the citizens of this County on a regular basis, although it need not be made available more than once per year.
4. This particular amendment “cycle” began on or before May 1, 2001, the deadline for submission of a proposed Comprehensive Plan amendment.
5. Some nine proposed amendments worked their way through the entire process laid out in state statutes for such amendments. Five of these nine proposed Plan amendments were site-specific, while four were “suggested” Plan amendments, sometimes also known as policy or text amendments.
6. Those nine proposed amendments went through professional review at the County and State level.
7. Those nine proposed amendments went through review by the County’s Planning Commission.
8. Those nine proposed amendments were the subject of public hearings before the County’s Planning Commission.
9. Those nine proposed amendments were the subject of public hearings before the Board of County Commissioners.
10. Those nine proposed amendments were the subject of a vote to approve/reject by the Board of County Commissioners.
11. The elected Board of County Commissioners adopted five Plan amendments, rejecting the other four.

12. The five proposed amendments that are described in this ordinance were approved by the Board of County Commissioners because they were found to be in conformance with the Growth Management Act and the County's Comprehensive Plan.
13. Adoption of these five amendments promotes the health and welfare of the citizens of Jefferson County.
14. The Board of County Commissioners has generated for each of the five adopted Plan amendments a set of Findings of Fact and Conclusions of Law that relate solely and specifically to that approved amendment. Those Findings of Facts and Conclusions of Law have been detailed in a distinct Ordinance adopting those Plan amendments, specifically Jefferson County Ordinance # 08-1224-01.
15. However, of those five Plan amendments, only three of those five Plan amendments ALSO required amendments to the GMA-driven development regulations, i.e., the UDC, specifically MLA#01-215 (Multi-family housing), MLA #01-2017 (Master Planned Resorts) and MLA #01-221 (Changes to Bulk and Dimension standards in rural industrial zones).
16. MLA #01-225 (changing Plan language relating to LAMIRD's) and MLA #01-227 (rezone of certain rural residential land) are Plan amendments that can be adopted without amending the UDC.
17. However, certain findings must be made with respect to any adopted Plan amendment.
18. Pursuant to Section 9 of this County's Unified Development Code, all proposed amendments have to be analyzed, in part, through the "filter" of the seven growth management indicators (or "GMI") listed at UDC §9.5.4(b), although those GMI represent only some of the criteria that the County Commissioners must use when deciding whether to adopt or reject a proposed plan amendment.
19. Because of the general nature of the GMI, each and every GMI will not be applicable or apropos for each and every amendment that this County Commission has considered.
20. However, the County Commissioners, in order to comply with UDC Section 9, should and must make generalized findings of fact with respect to the seven GMI listed there and do so now.

Ordinance No. _____ Revisions and Additions to the Unified Development Code Associated with the Adopted Comprehensive Plan Amendments.

21. With respect to UDC §9.5.4(b)(1), the County Commissioners find, as an example of numerous findings they might make with respect to (b)(1), that in the short-term the population of this County has not increased as quickly as the Comprehensive Plan envisioned, but this short-term decline in the rate of population growth does not necessarily mean that the County should abandon the long-term population forecasts found in the County's Comprehensive Plan.
22. With respect to UDC §9.5.4(b)(2), the County Commissioners find that the capacity of the County to provide adequate services has not changed, although expected continued severe pressures on the County's budget may alter this picture in the coming years.
23. With respect to UDC §9.5.4(b)(3), the County Commissioners find that while sufficient 'urban' land is designated and zoned within this County to meet projected demand and need pursuant to the agreed-upon population allocation in Joint City and County Resolution No. 17-96, that conclusion will, by definition, be revisited and reconsidered as the County considers establishing an urban growth area in the Port Hadlock and Irondale neighborhoods.
24. With respect to UDC §9.5.4(b)(4), the County Commissioners find that while most of the assumptions that supported the policies and goals of the 1998 Comprehensive Plan remain valid, there are at least two assumptions that need revisiting.
25. The first assumption of the 1998 plan worthy of reconsideration comes about because of the documented need for additional rural commercial and industrial land as indicated by the Regional Economic Analysis and Forecast of January 1999 prepared by Richard Trottier, which suggests the County can expect to see a growth in jobs of some 7,000 to 9,000 in the next decades and must accommodate them with additional commercially and industrially zoned land not currently in existence.
26. Secondly, the County always intended to revisit its conservatively-drawn boundaries around the rural commercial districts, known formally as "limited areas of more intensive rural development" or "LAMIRD's" and has new definitions of "built environment" provided to it by the Western Washington Growth Management Hearings Board to work with as it does that redrawing.
27. With respect to UDC §9.5.4(b)(5), the County Commissioners find that recent election results indicate not necessarily a change in the attitudes of the County's citizenry, but certainly a reprioritization of those basic values with an emphasis now placed on economic opportunity and a healthy economy. This reprioritization

becomes particularly important in the face of increasing unemployment and our current national recession. While this shift in priorities does not necessarily require wholesale changes to the goals of the plan, it does and will require some modification of the plan in order to better achieve opportunity for improving the economic base in a manner that is consistent with GMA and the County's Plan.

28. With respect to UDC §9.5.4(b)(6), the County Commissioners find that the County has undergone changed circumstances with respect to the worsening of the gap between the median income of a citizen and the general unavailability of housing that is affordable based on such a salary, the listing of salmon species as "endangered" pursuant to federal statute, new development regulations adopted by the County to implement the GMA and the County's Plan and additional Hearings Board decisions which illuminate what the state laws permit or do not permit. Such changed circumstances may make amendments to the Plan appropriate.
29. With respect to UDC §9.5.4(b)(7), the County Commissioners find that any inconsistencies between the County's Plan and the GMA exist because Jefferson County has not utilized or considered every 'tool' found in the GMA 'toolbox,' including, by way of example only, the establishment of additional Master Planned Resorts, creation of a process to encourage the siting of Major Industrial Developments and a full utilization of the newest definition of "built environment" as it relates to LAMIRD's.

Section 2 - Language Revisions and Additions to the UDC:

The attached Exhibits A, B, and C are hereby adopted as and reflect the detailed revisions and additions to the UDC as required by the approval of the related Comprehensive Plan Amendments.

Section 3 - Section 3 - Severability:

If any section, subsection, sentence, clause, phrase, or figure of this ordinance or its application to any person or circumstances is held invalid, the remainder of the ordinance or the application to other persons or circumstances shall not be affected.

Section 4 - Effective Date:

This ordinance shall become effective upon adoption by the Board of County Commissioners.

07-1224-01

Ordinance No. _____ Revisions and Additions to the Unified Development Code Associated with the Adopted Comprehensive Plan Amendments.



APPROVED AND ADOPTED this 24th day of December, 2001.

JEFFERSON COUNTY
BOARD OF COMMISSIONERS

Lorna Delaney
Lorna Delaney, CMC
Clerk of the Board

Glen Huntingford
Glen Huntingford, Chair

Dan Titterness
Dan Titterness, Member

APPROVED AS TO FORM:

David Ahrens 12/21/01
Deputy Prosecuting Attorney

Richard Wojt
Richard Wojt, Member