WHEREAS, the Board of Jefferson County Commissioners (“the Board”) has, as required by the Growth Management Act, state law 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 subsequently amended, 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 proposed 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 certain Ordinances, specifically Ordinance No. 13-1213-02, Ordinance No. 15-1213-02, and Ordinance No. 19-1213-02.

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


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 before May 1, 2002, the deadline for submission of a proposed Comprehensive Plan amendment.

5. Some nineteen proposed amendments worked their way through the entire process laid out in state statutes for such amendments. Nine of these nineteen proposed Plan amendments were site-specific, while ten were “suggested” Plan amendments, sometimes also known as policy or text amendments.

6. Those nineteen proposed amendments went through professional review at the County and State level.

7. Those nineteen proposed amendments went through review by the County’s Planning Commission.

8. Those nineteen proposed amendments were the subject of public hearings before the County’s Planning Commission.
Ordinance No. 18-1213-02 re: Revisions and Additions to the Unified Development Code Associated with the Adopted Comprehensive Plan Amendments.

9. Certain of these nineteen proposed amendments were the subject of public hearings before the Board of County Commissioners.

10. Those nineteen 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 17 Plan amendments, rejecting the other two.

12. The proposed UDC 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 UDC amendments promotes the health and welfare of the citizens of Jefferson County.

14. The Board of County Commissioners has adopted 6 Ordinances to reflect adoption of the seventeen approved Plan amendments. Findings of Facts are detailed in those 6 Ordinances.

15. However, of those 17 Plan amendments, only four of those 17 Plan amendments ALSO required amendments to the GMA-driven development regulations, i.e., the UDC, specifically MLA#02-232 (Creation of Forest Transition Overlay District), MLA #02-239 (Change to Comprehensive Plan Amendment Application Deadline Date), MLA #02-241/MLA #02-329 (Changes to Bulk and Dimension standards in Glen Cove Light Industrial/Commercial District and Creation of a new Glen Cove Light Industrial District), and MLA #02-246 (Changes Related to Adoption of the Brinnon Sub-Area Plan).

16. The other adopted Plan amendments can be adopted without any impact to the UDC, i.e., with no need to amend 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 Plan 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 or any associated changes to the UDC.

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.

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 is at least one assumption in need of revisiting.
Ordinance No. 18-1213-02 re: Revisions and Additions to the Unified Development Code Associated with the Adopted Comprehensive Plan Amendments.

25. 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 “LAMIRDs.”

26. It can do so pursuant to the new definition 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 the goals of the Comprehensive Plan and the basic values embodied within the Comprehensive Plan Vision Statement continue to reflect county-wide attitudes. These Plan and UDC amendments adopted are consistent with the Comprehensive Plan and reflect modifications that are within the parameters of the Comprehensive Plan Vision Statement rather than wholesale changes that are inconsistent with the basic values that guided the development of the Comprehensive 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, the completion of a neighborhood or community sub-area Plan in Brinnon, practical experience with the Plan amendment calendar established in the Plan at its adoption 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, full utilization of the newest definition of “built environment” as it relates to LAMIRDs.

30. Pursuant to UDC §9.9.4(a) and (b), amendments to the UDC must also be compared and analyzed with respect to the three additional criteria described in UDC §9.8.1(b).
31. With respect to UDC §9.8.1(b)(1), which requires determining if circumstances have changed, the Board concludes that a) circumstances have not changed with respect to the continuing need for some type of transition district between high-density rural residential parcels (typically one acre in size) and adjacent commercial forest parcels of 40 acres or more, b) circumstances have changed with respect to the Plan amendment calendar and deadlines originally established in the Plan because the existing calendar and deadlines tend to back-load the process making the last two or three months before Plan amendment adoption in December a “living hell” for staff and the volunteers on the PC, 3) circumstances have changed with respect to Glen Cove because there is a joint city-county consensus on agreeing to and establishing permanent LAMIRD boundaries there pursuant to a new definition of “built environment” that did not exist at the time the Plan was adopted in August 1998 and d) circumstances have changed with respect to Brinnon since that community has presented to the Board a community subarea plan that reflects their vision of what Brinnon can become or should become during the next 15 to 20 years.

32. With respect to UDC §9.8.1(b)(2), which requires determining if relied-upon assumptions are not valid or if new information is available that was not available at the time of Plan adoption, the Board would refer the reader to Finding #31 above, which provides answers to most if not all of the same questions.

33. With respect to UDC §9.8.1(b)(3), which requires determining if the UDC amendments reflect values widely held by the County’s citizens, the Board finds that as the legislative body for the County it is representative of the values of the County and thus these decisions to amend the UDC generally reflect the viewpoints of at least a majority of the County’s populace.

34. Specifically, with respect to UDC §9.8.1(b)(3), the Board also finds that there is general consensus among the County’s populace that the Glen Cove dilemma should be resolved once and for all, as shown by the overwhelming desire for completion of the process expressed by those attending the June 10, 2002 town meeting sponsored and facilitated by the Port Townsend City Council

35. Specifically, with respect to UDC §9.8.1(b)(3), the Board also finds that there is general consensus among the professional staff, the elected Commissioners and the volunteers of the Planning Commission that the current deadline and calendar for Plan and UDC amendment adoption is back-loaded, unfair to the volunteers and in need of drastic revision.
36. Specifically, with respect to UDC §9.8.1(b)(3), the Board also finds that it must listen to and pay attention to the community of Brinnon and respect its subarea plan, which represents the visioning of the persons who live in that community.

Section 2 - Language Revisions and Additions to the UDC:
The attached Exhibits A, B, C and D 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.

APPROVED AND ADOPTED this 13th day of December, 2002.

JEFFERSON COUNTY
BOARD OF COMMISSIONERS

Richard Wojt, Chair

Glen Huntingford, Member

Dan Titterness, Member

Lorna Delaney, CMC
Clerk of the Board
EXHIBIT A

MLA02-232
(FOREST TRANSITION OVERLAY DISTRICT)

UNIFIED DEVELOPMENT CODE LINE IN/LINE OUT CHANGES
New UDC Section 3.1(2)(d)

**Forest Transition Overlay 1 unit/five acres (FTO 1:5).** This category provides a transitional area between Forest Resource Lands and abutting rural residential lands characterized by pre-platted lots of density greater or equal to one acre in size. The FTO category does not automatically attach to any lands, but parcel(s) may be approved for such designation in accordance with the provisions of Section 3.6.14 of this Code. Its intent is to promote the continued viability of resource-based activities in rural areas by minimizing the potential for conflict and incompatibility between these uses and surrounding residential uses.

New UDC Section 3.6.14

1. **Purpose.** The purpose and intent of this Section 3.6.14 is to provide a mechanism for designation of Forest Transition (FTO) lands and to provide development standards within the FTO Overlay District in order to promote the continued viability of resource-based activities in rural areas and minimize the potential for conflict and incompatibility among these uses and adjacent residential uses. The development standards in this Section, coupled with existing development standards in this Code, are intended to achieve compatibility through implementation of performance criteria that will ensure adequate resource protection perimeter buffers, while maintaining the rural character and preserving environmentally sensitive areas.

2. **Applicability.**
   
a. "Forest Transition Overlay" (FTO) is a Rural Lands category established under the Comprehensive Plan. The FTO designation does not automatically attach to any lands within the County. An owner of Forest Resource Lands, meeting the criteria set forth in Section 3.6.14(3), may apply for designation. All lands designated FTO shall be subject to the requirements and criteria of this Section 3.6.14.
   
b. An FTO application must be processed with an application for short subdivision, long subdivision, or binding site plan approval under Section 7 of this Code. Long subdivisions or binding site plans must also be coupled with a Planned Rural Residential Development (PRRD) application. The PRRD process provides increased flexibility and creativity in site layout and design and a better opportunity to create a viable transition between higher density rural residential uses and forest resource uses.

3. **Criteria For Designation.** Only those Forest Resource Lands that meet the following criteria are eligible for FTO designation:
   
a. The parcel must be designated Commercial Forest (CF-80) or Rural Forest (RF-40).
b. The parcel, as it existed at the time of Comprehensive Plan adoption on August 28, 1998, must abut land characterized by pre-platted lots of a density greater than or equal to one dwelling unit per acre on 25% of the total perimeter of the parcel boundary lines. Forest Land parcels separated from lots by a public right-of-way shall not be considered abutting.

c. The minimum parcel size shall be ten (10) gross acres; and

d. The maximum parcel size shall be two hundred and twenty-five (225) gross acres.

4. **Allowable and Prohibited Uses.** Allowable and prohibited uses within the FTO Overlay District shall be the same as those allowed and prohibited in the Rural Residential 1du/five acres (RR 1:5) district as specified in Table 3.1. All uses must comply with any applicable performance standards in Section 4 and development standards in Section 6 of this Code.

5. **Protection Standards.**

a. **General.** All permit development applications on a parcel of land designated FTO shall be included in the FTO Overlay District and shall adhere to the requirements set forth in this Section 3.6.14.

b. **Resource Protection Perimeter Buffers.** Within the FTO Overlay District, each parcel shall be required to create a resource protection perimeter buffer along common boundaries with designated Forest Resource Lands.

   (i) There shall be established and maintained a resource protection perimeter buffer of 250 feet in width along common boundaries with designated Forest Resource Lands.

   (ii) Resource protection perimeter buffers shall be retained in their natural condition, except where removal of vegetation is approved to enhance views or provide access or utilities.

   (iii) Resource protection perimeter buffers shall be marked with permanent signs at an interval of every two hundred (200) feet. Signs shall remain permanently and shall be in place prior to and during approved construction activities. The signs shall contain the following statement: “Resource Protection Buffer – Do Not Remove Or Alter Existing Native Vegetation – For Further Information Contact the Jefferson County Department Of Community Development.”

   (iv) The landowner shall be required to dedicate the resource protection buffer as a permanent open space tract on all final development permits, plats, or site plans.

   (v) The landowner shall be required to include a notation on all final development permits, plats or site plans that includes the following notation:

   **Forest Transition Overlay.** The land compromising this development is designated Forest Transition Overlay and subject to the requirements of the Forest Transition Overlay District, contained in Section 3.6.14 of the
Unified Development Code. All development activities are subject to, and must be undertaken in compliance with, the requirements and protective standards set forth in the Unified Development Code.

c. Additional PRRD Standards. In addition to the provisions of Section 3.6.13, the following development standards shall apply to PRRDs within the FTO Overlay District:

(i) Parcels within the FTO Overlay District shall be deemed RR 1:5 for purposes of Section 3.6.13. All standards, requirements and criteria applicable to land designated RR 1:5 shall be applicable to land within the FTO Overlay District.

(ii) Where reasonably feasible, the Reserve Tracts required by Section 3.6.13(4) shall be situated along common boundaries with designated Forest Resource Lands to enhance the size of resource protection perimeter buffers and minimize the potential for future conflicts and incompatibility.

(iii) Applicants are encouraged to design PRRDs within the FTO Overlay District that include innovative ways to reduce the potential for conflict and incompatibility between forestry land uses and rural residential land uses, maintain the predominant rural character, preserve scenic views and environmentally sensitive areas, and enhance the aesthetic benefits to the public by harmonizing the development with the topography and landscape features of the land.

d. Compliance With Other Overlay District Requirements. All permits and development applications shall comply with the requirements of all other applicableOverlay Districts as set forth in Section 3.6 of this Code.

6. Application Submittal and Contents. To be considered complete, an FTO application shall include the following information:

a. The FTO application shall be submitted to the Department of Community Development (DCD) on forms to be provided by DCD along with appropriate fees established under the Jefferson County Fee Ordinance.

b. A completed land use permit application form, including all materials required in accordance with Section 8 of the Code;

c. The applicant shall supply completed information and materials for all other permit and development applications required under this Code consolidated with the PRRD application, if applicable;

d. Where applicable, any Special Reports or studies required pursuant to Section 3.6.4 of this Code, prepared in accordance with the requirements of Section 3.6.10 of this Code;

e. The applicant shall supply a narrative statement substantiating how the proposed development will provide a benefit to the public in reducing the potential conflict and incompatibility among abutting properties designated forest lands; and

f. Any additional information required by the DCD Administrator and/or the Director of the Department of Public Works.
7. **Preliminary FTO Approval Criteria.**

   a. An FTO application shall be processed according to the procedures for a Type 2 decision established in Section 8 of this Code.
   
   b. An FTO Application shall be given preliminary approval upon a finding by the DCD Administrator that the parcel(s) subject to the FTO application satisfy the criteria set forth in Section 3.6.14(3), and that the FTO application is complete in accordance with the requirements set forth in Section 3.6.14(6).

8. **Final FTO Designation.** The FTO designation shall become effective upon final short subdivision, long subdivision, binding site plan and, if applicable, PRRD approval.

9. **Time Limitations on Final FTO Approval.** Preliminary FTO approval shall expire unless the applicant obtains final short subdivision, long subdivision, binding site plan and, if applicable, PRRD approval within the time limits applicable to the particular development applications(s).

[END]
EXHIBIT B

MLA02-239
(COMPREHENSIVE PLAN AMENDMENT
APPLICATION DEADLINE)

UNIFIED DEVELOPMENT CODE
LINE IN/LINE OUT CHANGES
UDC Section 9.4(2)(a)

1. Application Deadline — Form.
Deadline. All applications for formal site-specific and suggested amendments shall be submitted to DCD by May 1st of the current calendar year in order to be considered during that year’s amendment process; except that county-sponsored proposals to amend the capital facilities element of the Comprehensive Plan may be accepted later than other proposed amendments because of their relationship to the county’s annual budget process. Beginning in 2004, all applications for formal site-specific and suggested amendments shall be submitted to DCD by February 1st of the current calendar year in order to be considered during that year’s amendment process; except that county-sponsored proposals to amend the capital facilities element of the Comprehensive Plan may be accepted later than other proposed amendments because of their relationship to the county’s annual budget process.

UDC Section 9.5(2)

List of Suggested Amendments. Each year, the Administrator shall maintain for public review the annual list of suggested amendments made by citizens, the Board of County Commissioners or members of the Board of County Commissioners, county staff, county departments or other agencies. By the end of the second full business week of June of each year, this list of suggested amendments shall be compiled into a preliminary docket. Beginning in 2004, by the end of the second full business week of March of each year, this list of suggested amendments shall be compiled into a preliminary docket. Section 9.6, below, sets forth the process for selecting which suggested amendments will be placed on the final docket to be formally reviewed during the annual review process.

UDC Section 9.6(4)

1. Board of Commissioner’s Decision – Adoption of Final Docket.
   a. Review and Decision Process. By the second regular Board of County Commissioners meeting in July of each year, the Board of County Commissioners shall review and consider the Planning Commission’s report and recommended final docket at a regularly scheduled commissioner’s meeting. Beginning in 2004, by the second regular Board of County Commissioners meeting in April of each year, the Board of County Commissioners shall review and consider the Planning Commission’s report and recommended final docket at a regularly scheduled commissioner’s meeting. The Board of County Commissioners may adopt the Planning Commission’s recommended final docket without a public hearing; however, in the event that a majority of the Board of County Commissioners decides to add or subtract suggested amendments, it shall first hold a public hearing, noticed as set forth in Section 9.6.3, above, which shall be held by the first Board of County Commissioners meeting in August.

[END]
EXHIBIT C

MLA02-241 AND MLA02-329
(GLEN COVE LIGHT INDUSTRIAL DISTRICT)

UNIFIED DEVELOPMENT CODE LINE IN/LINE OUT CHANGES
Board of Commissioners 12/9/02 Decision


a. Rural Industrial.

(1) Light Industrial/Manufacturing (LI/M). The purpose of this district is to provide for rural economic development by regulating light industrial and manufacturing uses in the Quilcene area. The light industrial uses and activities associated with this district are intended to be compatible with the rural character of Quilcene. There are two light industrial/manufacturing districts in Jefferson County: Quilcene and Eastview.

(2) Glen Cove Light Industrial/Commercial (LI/C). The intent of this district is to facilitate economic development and provide for a broader range of light industrial and associated commercial activities in the Glen Cove area until the Potential Final Urban Growth Area (PFUGA) designation process for the Glen Cove area may be considered. Associated commercial activities are intended to directly serve the needs of the land use activities existing within this district.

(3) Glen Cove Light Industrial (LI). The purpose of this district is to facilitate economic development and provide for a broad range of light industrial uses. The light industrial uses and activities associated with this district are intended to be compatible with the Glen Cove area.

(4) Heavy Industrial (HI). The intent of this district is to facilitate economic development and regulate development of more intensive heavy industrial and manufacturing activities, including and associated with the Port Townsend Paper Mill.

(5) Resource Based Industrial (RBI). This district recognizes existing forest resource-based industries in Jefferson County, in particular active sawmills and related activities. The district is intended to facilitate the continued operation of existing functional sawmills and related resource-based industrial activities in the County. There are three (3) Resource Based Industrial site designations in Jefferson County: Gardner, Center Valley, and the West End.
For the new *Glen Cove Light Industrial* district, uses will be allowed consistent with the current uses permitted in the existing Quilcene Light Industrial district (as contained in UDC Use Table 3-1) with the exception of “Mini-Storage Facilities” and “(Automobile) Wrecking Yards & Junk (for Salvage) Yards” which will be prohibited in the *Glen Cove Light Industrial* district.

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<thead>
<tr>
<th>Resource Lands</th>
<th>Rural Residential</th>
<th>Rural Commercial</th>
<th>Rural Industrial</th>
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<td>Convenience Crossroad</td>
<td>Neighborhood/Visitor Crossroad</td>
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<sup>3,4</sup> Chimacum and Four Corners, existing only

<sup>6</sup> Four Corners, existing only

<sup>6</sup> Ness Corner, existing only
### Table 6-1: Density, Dimension and Open Space Standards

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<th>AG 20</th>
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<td><strong>Minimum Lot Area</strong></td>
<td>NONE SPECIFIED. LOT SIZES SHALL BE SUFFICIENT TO MEET THE PUBLIC HEALTH AND ENVIRONMENTAL PROTECTION STANDARDS CONTAINED IN JEFFERSON COUNTY REGULATIONS. ABILITY TO SUBDIVIDE IS REGULATED BY THE MAPPED DEVELOPMENT DENSITY.</td>
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<td><strong>Maximum Building Size</strong> (sq.ft.)</td>
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Unified Development Code. Table 6-1 Notes. Page 6-4.

1. To implement the intent of LNG 19.0 of the Comprehensive Plan to protect the forest corridor and tree canopy in the southern portion of the Glen Cove/Tri-Area area, the setback from the right-of-way of SR 20 shall be 50 feet on each side of the highway (comprised of a 30' buffer and a 20' setback from the buffer), for new development, from the intersection of Old Fort Townsend Road and SR 20 to the incorporated boundary of the City of Port Townsend.

16. In the Glen Cove Light Industrial/Commercial (LI/C) District the 20,000 square foot building size and 35 foot building height for all "Yes" uses may be exceeded up to a maximum building size of 40,000 square feet (total interior floor space not to exceed 90,000 square feet) and a maximum building height of 50 feet pursuant to the Type 3 review process contained in Section 8.8 and consistent with the conditional use criteria contained in Section 8.8(5).

17. In the Glen Cove Light Industrial/Commercial (LI/C) District the 1,500 square foot building size for all "Associated Commercial" uses may be exceeded up to a maximum building size of 3,000 square feet pursuant to the Type 3 review process contained in Section 8.8 and consistent with the conditional use criteria contained in Section 8.8(5).

18. In the Glen Cove Light Industrial (LI) District the 10,000 square foot building size and the 35 foot building height for all "Yes" uses may be exceeded up to a maximum building size of 20,000 square feet and a maximum building height of 50 feet pursuant to the Type 3 review process contained in Section 8.8 and consistent with the conditional use criteria contained in Section 8.8(5).
Impervious Surface
A surface area that creates a barrier to the entry of water into the soil in comparison with natural conditions prior to development, or that causes water to run off the surface in greater quantities or at an increased rate of flow in comparison with the flow prior to development. Common impervious surfaces may or may not include roofs, driveways, patios, packed earth, and oiled surfaces; however, open, uncovered retention/detention facilities are not considered as impervious surface.
EXHIBIT D

MLA02-246
(BRINNON SUB-AREA PLAN)

UNIFIED DEVELOPMENT CODE
LINE IN/LINE OUT CHANGES
# PROPOSED AMENDMENTS TO THE UDC

[Consistent with May 1, 2002 preferred alternative Brinnon Subarea Plan]

## Section 1 Introductory Provisions

### Table 1-1. Comprehensive Plan

#### Land Use District Designations

<table>
<thead>
<tr>
<th>ABBREVIATION</th>
<th>LAND USE DISTRICT</th>
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<tr>
<td>CF-80</td>
<td>Commercial Forest</td>
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<td>RF-40</td>
<td>Rural Forest</td>
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<td>IF</td>
<td>Inholding Forest</td>
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**Master Planned Resorts**

| MPR          | Port Ludlow Master Planned Resort |

**Public**

| PPR          | Parks, Preserves and Recreation |

**Overlay Designations**

<table>
<thead>
<tr>
<th>ESA</th>
<th>Environmentally Sensitive Areas</th>
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<tr>
<td>MRL</td>
<td>Mineral Resource Lands</td>
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<tr>
<td>WEP/AWEP</td>
<td>West-End Planning Area</td>
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<tr>
<td>A-RR</td>
<td>Remote Rural</td>
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<tr>
<td>BPA-RR</td>
<td>Brinnon Planning Area—Remote Rural</td>
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<tr>
<td>A</td>
<td>Airport Essential Public Facility</td>
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<tr>
<td>SRT</td>
<td>Small-scale Recreation and Tourist</td>
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5/1/02 UDC Section 1 amendments: Brinnon Subarea Plan
PROPOSED AMENDMENTS TO THE UDC
[Consistent with May 1, 2002 proposed Brinnon Subarea Plan]

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. West End Planning Area (WEPA); Remote Rural (RR) overlay for West End Planning Area (WEPA) and Brinnon Planning Area (BRPA), and
5. Planned Rural Residential Development (PRRD); and
6. Small-Scale-scale Recreation & Tourist (SRT)

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

The Remote Rural Planning Area (RRPA)(RR) overlay district is an overlay district that encompasses two distinct subareas of the County: the first is the area designated as “West Jefferson County” (hereafter, West End Planning Area or WEPA) on the Jefferson County Comprehensive Plan Land Use Map (the Official Map); and the second is Planning Area 11, known as the Brinnon Subarea Planning Area or BRPA in South Jefferson County. The BRPA is which is designated in the Brinnon Subarea Plan (see UDC Section 3.7.2). The specific provisions for regulating home business, cottage industry, and small-scale recreation and tourist uses in the WEPA and BRPA RR overlay districts are similar but not identical. Notation is made in the following sections where the provisions differ.

The intent of this designation is to allow for expanded rural-compatible employment opportunities in a sparsely populated rural unique areas that are isolated and remotely located from commercial and urban growth areas. This region is characterized by high unemployment, a distressed traditional resource-based economies, low residential densities, and a total very limited projected 20-year population growth of only 43 persons.

a. Home-Based Businesses. In West Jefferson County (hereafter, West End) the RRPA RR overlay districts, home-based businesses shall be regulated according to the following provisions.
(1) Home-based businesses in the West End RRPA-WEPA 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 4.20;
ii. The types of on-site retail sales allowed pursuant to Section 4.20;
iii. The hours of operation as specified in Section 4.20;
iv. The expansion limitations of the home-based business as specified in Section 4.20. Instead, home-based businesses in the West End WEPA RRPA 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.

(2) Home-based businesses in the BRPA RR overlay district 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 4.20. Instead, the number of non-resident employees allowed is four (4) and a number exceeding four (4) may be allowed with a conditional use permit;
ii. The types of on-site retail sales allowed pursuant to Section 4.20, provided that on-site retail sales are not unreasonably disruptive to the use of adjacent properties (per (3)(1) below);
iii. The hours of operation as specified in Section 4.20;

(2)(3) Exemptions allowed under this Section shall be regulated according to the following standards:

i. The home-based businesses shall not be disruptive to the use of adjacent properties and no equipment or process shall be used in the home-based business which creates excessive noise, vibration, glare, fumes, odors, or electrical to the detriment of the quiet use and enjoyment of adjoining property.

(3)(4) Any public hearings associated with requirements under this Section shall be held in the West End local area, close to the residents who may be affected.

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

(1) Cottage industries in the West End WEPA RR overlay RRPA 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;
ii. The prohibition on specific occupations named in Section 4.17;
iii. The indoor use and retail sales provisions of Section 4.17;
iv. The hours of operation as specified in Section 4.17;
v. The outdoor storage/parking provisions of Section 4.17;
vi. The restrictions on expansion of a cottage industry as specified in Section 4.17. Instead, cottage industries in the West End WEPA 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 cottage industries.

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

vii. 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 (8) and a number exceeding four (8) may be allowed through a new or revised conditional use permit;

viii. The prohibition on specific occupations named and as qualified in Section 4.17;

ix. The indoor use and retail sales provisions of Section 4.17, provided that on-site retail sales are not unreasonably disruptive to the use of adjacent properties (per (3)(i) below);

x. The hours of operation as specified in Section 4.17;

xi. The outdoor storage/parking provisions of Section 4.17;

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

(2)(3) Exemptions allowed under this Section shall be regulated according to the following standard:

i. The cottage industry shall not be disruptive to the use of adjacent properties and no equipment or process shall be used in the cottage industry which creates excessive noise, vibration, glare, fumes, odors, or electrical interference to the detriment of the quiet use and enjoyment of adjoining property.

(3)(4) Any public hearings associated with requirements under this Section shall be held in the West End local area, close to the residents who may be affected.

c. Small-Scale Recreational and Tourist Uses. In the West End-WEPA RR overlay only, small-scale recreation and tourist uses shall be regulated according to the following provisions.

(1) The list of illustrative small-scale recreation and tourist uses, as defined in Section 4, Performance and Use-Specific Standards, shall be interpreted to include the following additional uses in the West End only:

i. Small-scale grocery, convenience or general stores and shops or offices that provide basic goods and/or personal and professional services to meet the needs of the local population. Buildings containing such uses shall not exceed 5,000 square feet of gross floor area and shall be subject to all performance standards required pursuant to Section 4.14, Commercial Uses, Standards for
Site Development, and the development standards contained in Section 6 of this Code.

ii. The small-scale recreational and tourist uses specified in this Section shall be regulated as conditional uses subject to the provisions of this Code. Any public hearings associated with requirements under this Section shall be held in the West End close to the residents who may be affected.

3.6.14 Small-Scale Recreation and Tourist (SRT) Overlay District

a. **Purpose.** The purpose of this Section 3.6.14 is to implement the *Brinnon Subarea Plan*, a chapter of the Jefferson County *Comprehensive Plan*, by establishing a small-scale recreation and tourist (SRT) overlay district at WaWa Point. The intent of this section is to encourage small-scale recreation and tourist 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. This Section provides for certain exemptions, review criteria and other requirements to encourage compatible rural economic development in the Brinnon Planning Area. The provisions of this section allow for flexible application of the SRT standards to recognize the unique economic development characteristics and needs of this remote rural area.

b. **Applicability.** This Section 3.6.14 shall apply to all small-scale recreation and tourist uses identified in Table 3-1 of this UDC and subject to the performance standards identified in Section 4.35, infra. The WaWa Point SRT Overlay District shall encompass those areas within the Brinnon Planning Area identified on Figure BR-9 of the Brinnon Subarea Plan. The provisions of this section constitute an overlay district (i.e., floating zone) over the underlying rural residential districts at WaWa Point. All other provisions of this UDC shall apply to such uses in the SRT Overlay unless otherwise exempted by this Section 3.6.14.

c. **Small-Scale Recreational and Tourist Uses.** In the WaWa Point SRT Overlay District, small-scale recreation and tourist uses shall be regulated according to the following provisions.

   1. The list of illustrative small-scale recreation and tourist uses in Rural Residential districts, as defined in Table 3-1, Allowable & Prohibited Uses and Section 4, Performance and Use-Specific Standards, shall be classified as Type II permit uses within the SRT Overlay District only, unless otherwise classified by this Section 3.6.14.

   2. Outdoor commercial amusement facilities, outdoor shooting ranges, and off-road vehicle (ORV) and all-terrain vehicle (ATV) parks and recreational uses shall be prohibited within the SRT Overlay.

   3. Unnamed uses, if classified as an SRT use by the Administrator—consistent with the requirements of UDC Section 4.35.2—shall be treated as "Cd" (Conditional discretionary) uses within the SRT Overlay.

   4. All allowed uses within the SRT Overlay shall be exempt from the general minimum lot size requirements of Section 4.35.3.b, provided they are located on
legal lots of record. However, other use-specific minimum lot size requirements of Section 4.35 shall apply unless otherwise exempted by this Section.

(5) The use-specific minimum lot size requirements of UDC Section 4.35 for equestrian centers, conference center/retreat facilities, and for rural recreational lodging shall not apply to such uses when located within the SRT Overlay.

(6) All allowed uses within the SRT Overlay shall have a site plan approved by the Administrator consistent with the requirements of the UDC generally and Section 4.35.3.j specifically.

(7) Setbacks and other development standards shall be consistent with those required in the underlying Rural Residential District, except as may be modified by UDC Section 4.35.3 or by the provisions of this Section.

(8) Expansion of existing SRT uses and facilities within the SRT Overlay shall be exempt from the requirements of UDC Section 4.35.4.a (which requires a conditional use permit), but shall be subject to a Type II permit process.

(9) Rural recreational lodging or cabins for overnight rental and conference center/retreat facilities—when located within the SRT Overlay—shall be exempt from the requirements of UDC Section 4.35.9.f (which requires a conditional use permit), but shall be subject to a Type II permit process.

(10) The maximum size provisions for rural recreational lodging or cabins for overnight rental, and conference center/retreat facilities—specified in UDC Section 4.35.9.b—shall be amended to read as follows when such uses are located within the SRT Overlay:

   i. Fifteen (15) built cabins or bedrooms for overnight lodging comprising up to seven thousand five hundred (7,500) square feet of gross floor area are allowed for up to every ten (10) acres of parcel area devoted to SRT use, or as allowed in UDC Section 4.35.9.b., whichever is greater. A maximum of thirty (30) rooms or cabins comprising no more than twelve thousand (12,000) square feet of total building area over the entire site, excluding a caretaker’s or manager’s residence, shall apply to rural recreational lodging uses in areas greater than ten (10) acres when located in the SRT Overlay.

   ii. In projects involving both conference center/retreat facilities and lodging facilities, total building coverage shall not exceed the maximum impervious surface coverage allowed by UDC Table 6-1 for the underlying Rural Residential district and other requirements of the UDC, as applicable.

   iii. The Administrator may also modify the maximum building size of the SRT use(s) allowed under this section based on the authority granted under UDC Section 4.35.3.j.

(11) Rural restaurants—when located within the SRT Overlay—shall be exempt from the provisions of UDC Section 4.35.10.a (which requires co-location with another primary SRT use).
(12) All SRT uses allowed within the SRT overlay shall be subject to all performance standards required pursuant to Section 4.14, Commercial Uses, Standards for Site Development, and the development standards contained in Section 6 of this Code.

(13) The public notice requirements of the Type II permit process in Section 8 of this UDC shall be required to ensure that adjacent and surrounding property owners receive adequate and timely public notice and comment periods for proposed SRT uses within the SRT Overlay District.

(14) During site plan review of proposed SRT uses within the SRT Overlay, the Administrator shall consider site and building design standards including, but not necessarily limited to, building material types, building mass and orientation, architectural treatment, and the use of existing vegetation and landscaping as means to ensure compatibility with the surrounding rural character.

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)
4.17 Cottage Industry.

1. Purpose: To provide for small-scale economic development activities on residential parcels, subordinate to the primary residential use, if the Administrator finds that such activities can be conducted without substantial adverse impact on the residential environment and rural character in the vicinity. The scale and intensity of cottage industries are typically greater than could be accommodated as a Home Business, but less than would require a land use district designation of Commercial or Industrial.

2. The following list of uses allowable as Cottage Industries, include, but are not necessarily limited to:
   a. Sales of antiques and collectibles;
   b. Art or photography studios;
   c. Computer software development;
   d. Handicrafts;
   e. Ironworking or blacksmith shop;
   f. Construction office;
   g. Furniture repair or refinishing;
   h. Pottery shop;
   i. Real estate sales office;
   j. Small equipment repair; and
   k. Woodworking shop.
   l. Excavating contractors.
   m. Small engine and boat repair.

   The following occupations are prohibited as cottage industries, except EXCEPT in the West End Subarea of the Planning Area—Remote Rural Remote Planning Area (WERRPA RR) Overlay District overlay district (Section 3.6.12) and when located on parcels with direct access to a principal arterial (i.e., Highway 101) in the Brinnon Subarea Planning Area—Remote Rural (BRPA RR) overlay district of the RRPA:
   a. Auto, truck, or heavy equipment repair shop;
   b. Autobody work or paint shop; and
   c. Large-scale furniture stripping.

3. All cottage industries shall be subject to the following standards, except as provided for in the West End Planning Area and Brinnon Planning Area—Remote Rural overlay districts as specified in Section 3.6.12:
   a. The cottage industry shall be operated by at least one full-time, bona fide resident in a single-family residence of the parcel on which the proposed use is being requested.
   b. The cottage industry may not employ more than four (4) persons on the site at any one time who reside off the subject property.
   c. Only those buildings or areas as specifically approved by the County may be utilized in the conduct of business.
   d. Any business requiring customers to visit the site shall provide adequate on-site parking spaces, in addition to one (1) for each full-time equivalent employee who reside off the subject property, and two (2) for the owners of the property. All parking spaces shall meet the standards of Section 6.10.
   e. All structures and outside activities shall be so located or screened from adjacent properties to avoid disturbance through glare, noise, dirt or other nuisances or hazards.
   f. All activity related to the conduct of the business or industry, except for activities related to the growing and storing of plants, shall be conducted within an enclosed structure or be sufficiently screened from view of adjacent residences.
g. All cottage industry activities shall be sufficiently screened from view of adjacent residences, using site location, topography, landscaping, fencing, the retention of native vegetation, or a combination thereof necessary to meet the Type A screening requirements of Section 6.13.

h. Traffic generated by the cottage industry shall not exceed the level of service adopted for the public roadway which accesses the use, nor generate significant traffic in excess of that normally generated by typical uses found within the particular district.

i. No business may provide drive-through service.

j. Cottage industries shall be limited in their hours of operation. No business on-site customer service shall be conducted before 8:00 a.m. or after 8:00 p.m., Monday through Friday, and before 9:00 a.m. or after 6:00 p.m., Saturday and Sunday.

k. The Administrator may attach additional conditions or requirements, or may make modifications to the site plan where necessary to protect the health, safety and welfare of the public.

l. The granting of the proposed cottage industry use shall not constitute a rezone. No expansions of approved cottage industries are permitted, except as specified Section 3.6.12 concerning in the West End-Rural Remote Planning Area Overlay overlay District districts (Section 3.6.12).

m. No exterior display of goods for sale shall be allowed.

n. The cottage enterprise is an accessory use to the residential use of a dwelling unit, and the residential function of the buildings and property shall be maintained.

o. Any new structure constructed to accommodate the cottage industry shall be limited in scale so that it is in character with neighboring properties. In no case shall more than five thousand (5,000) square feet of total building area on the property be devoted to the cottage industry.

p. No more than one sign is allowed, consistent with the sign standards in Section 6.15 of this UDC.

q. No on-site direct retail sales of products not produced on-site are allowed, except for items collected, traded and occasionally sold by hobbyists, and their accessories, such as coins, stamps and antiques.

r. Minimum parcel size shall be one (1) acre gross site area.

s. No use shall be made of equipment or material which produces unreasonable vibration, noise, dust, smoke, odor, or electrical interference to the detriment of the quiet use and enjoyment of adjoining and surrounding property. Any afterhours business activities shall not have noise impacts discernible beyond the property boundaries.

t. Not more than one (1) cottage industry shall be allowed in or on the same premises.

4.20 Home Businesses.

Home businesses are accessory to the primary residential use and are permitted in any dwelling unit or accessory structure. All Home Businesses shall be reviewed as Type I permit decisions, except as exempted under Section 4.20.3, below.

1. The following list of uses is not intended to be exhaustive, but rather is intended to be illustrative of the types of uses:

   a. Artists, photographers, and sculptors;
   b. Authors and composers;
   c. Dressmakers, seamstresses, and tailors;
   d. Home Day care;
   e. Home crafts such as model making, rug weaving, lapidary work, woodworking, and ceramics
   f. Office facility of a minister, rabbi, priest or other similar person associated with a religious organization;
   g. Business office facility of a salesman, sales representative or manufacturer’s representative, architect, artist, broker, dentist, physician, public relations practitioner, engineer, planner, instructor in music, arts and crafts, insurance agent, land surveyor, lawyer, musician, real estate agent, or typist;
h. Classes of specialized instruction;
i. Barbershops and beauty parlors; and
j. Bed and Breakfast residences.

2. Permitted home businesses do not include the following:
   a. Funeral chapel or funeral home;
   b. Medical or dental clinic or hospital;
   c. Veterinary clinic or hospital.

3. Home businesses operating under the following circumstances are permitted as a matter of right (that is, they are exempt from an approval process), provided all of the other standards of this chapter are met:
   a. No employees;
   b. No sign;
   c. All work is done inside the dwelling, not in any accessory buildings;
   d. No materials or equipment used in the home occupation are stored, altered or repaired outdoors; and
   e. State-Licensed Home Day Care Providers who provide child care for twelve (12) or fewer children.

4. A home business shall meet the requirements of this Code and the following standards:
   a. Is clearly incidental and secondary to the use of the property for residential purposes;
   b. May be conducted in the principle dwelling unit or accessory structure, except for outdoor activities related to the growing and storing of plants or other incidental outdoor activity related to the home business.
   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 West End Planning Area and Brinnon Planning Area—Remote Rural Rural Remote Planning Area Overlay overlay District).
   d. More than one (1) home business may be authorized on a single parcel provided that the total gross square footage and number of employees are not exceeded;
   e. A Home Business will not be allowed if there is already a cottage industry permitted on the parcel, except for those home businesses specified in Section 4.20.3;
   f. The business must be owned and operated only by full-time residents of the parcel on which the proposed use is being requested. The home business may not employ on-site, or report to work on-site, more than two (2) full-time persons other than those of the immediate resident family, except for licensed family home day care providers;
   g. Has neither outside storage nor other exterior indication of the home business or variation from the residential character of the property, except for home day care facilities providing child care for 12 or fewer children;
   h. Retail sales are limited to products and services produced on the subject premises or items accessory to a service (i.e., hair care products for beauty salon);
   i. No more than one sign is allowed, consistent with the sign standards in Section 6.15 of this UDC.
   j. Home-based businesses shall be limited in their hours of operation. No home business, except for Bed and Breakfast operations and licensed family home day care providers, shall be conducted before 8:00 a.m. or after 8:00 p.m., Monday through Friday, and before 9:00 a.m. or after 6:00 p.m., Saturday and Sunday.
   k. For non-farm home businesses, no outdoor storage of goods or materials shall be permitted.
   l. The proposed use shall not generate significant traffic in excess of that normally generated by typical uses found within the particular district.
   m. Home businesses shall not be unreasonably disruptive to the use of adjacent properties. No equipment or process shall be used in a home-based business which creates excessive noise, vibration, glare, fumes, odors, or electrical interference to the detriment of the quiet use and enjoyment of adjacent and surrounding property.
n. For any home business, the County shall impose such reasonable conditions as may be found necessary to ensure that the activity or use does not disrupt adjacent permitted uses.

4.35 Small-Scale Recreation and Tourist Uses.

1. Small-Scale Recreation and Tourist Uses. Small-scale Recreational and Tourist Uses rely on a rural location and setting and provide opportunities to diversify the economy of rural Jefferson County by utilizing the County's abundant recreational opportunities and scenic and natural amenities in an environmentally sensitive manner consistent with the rural character of the County. Upon approval pursuant to this Code, these types of uses may be conducted in the land use districts specified in Table 3-1, upon approval pursuant to this Code, and as provided for in Small-Scale Recreation and Tourist (SRT) overlay districts under -UDC 3.6.14.

The following list of uses is not intended to be exhaustive, but rather is intended to be illustrative of the types of Small-Scale Recreation or Tourist Uses:

a. Aerial Recreational Activities such as balloon rides, glider and parachute events;
b. Animal Preserves and Game Farms;
c. Equestrian Centers, on parcels ten (10) acres or larger in size;
d. Campgrounds and Camping Facilities;
e. Commercial Fishing Ponds;
f. Cultural Festivals;
g. Miniature Golf, not to exceed a gross use area of one (1) acre;
h. Model hobby parks and sites on parcels ten (10) acres or larger in size;
i. Outdoor Recreational Equipment Rental and/or Guide Services;
j. Outdoor Shooting and Archery Ranges;
k. Private Hunting or Fishing Camps;
l. Public Display Gardens;
m. Recreational Off-Road Vehicle (ORV) and All Terrain Vehicle (ATV) Parks and Recreational Areas on parcels twenty (20) acres or larger in size;
n. Recreational, Cultural or Religious Conference Center/Retreat Facilities on parcels ten (10) acres or larger in size;
o. Recreational Vehicle Parks, Travel Trailer Parks, and Commercial Campgrounds on parcels at least five (5) acres in size;
p. Rural Restaurants, only when associated with a primary recreational or tourist use; and
q. Rural Recreational Lodging or Cabins for Overnight Rental on parcels ten (10) acres or larger in size.

2. Unnamed Small-Scale Recreation or Tourist Uses. Other uses not specifically named above may be classified as Small Scale Recreational and Tourist Uses by the Administrator, subject to the provisions of this section, upon documentation by the applicant that the proposed use is dependent upon a particular rural location or setting and is consistent with the intent and application of RCW 36.70A.070(5)(d) and the Jefferson County Comprehensive Plan.

3. A Small-Scale Recreation or Tourist Use shall meet the requirements of this Code (except as provided for in SRT overlay districts per UDC 3.6.14), including the provisions of Section 4.29 (Recreational Developments), Section 4.14 (Site Standards for Commercial Uses), and the following standards:

a. Small-Scale Recreation or Tourist Uses may include limited and commensurately scaled commercial facilities intended to serve those small-scale recreational or tourist uses (e.g., a gift shop, delicatessen, convenience store, or associated retail sales and services) PROVIDED that the applicant can demonstrate the following to the satisfaction of the Approving Authority:
(1) that the principal demand for the commercial facilities is derived from the principal recreational or tourist use and not the existing and projected rural population;
(2) that the associated commercial activities shall be clearly accessory to and dependent upon the primary recreational or tourist uses;
(3) that the associated commercial activities, in addition to the principal recreational or tourist use, will not have a measurable detrimental traffic, noise, visual or public safety impact on adjacent properties;
(4) that the use and associated structure is clearly appropriate and compatible in scale, size, design and function with surrounding uses and environment;
(5) that the use will not constitute new urban development in a rural area;
(6) that the public facilities and services provided are limited to those necessary to serve the associated commercial activities and the principal small-scale recreational or tourist use in a manner that does not permit low-density sprawl; and
(7) that all other applicable requirements and standards in this UDC are met.

b. Unless a larger parcel size is specified, minimum lot size shall be five (5) acres; except smaller existing legally established lots of record with direct access to a state highway or county major collector may also be used for tourist or recreation uses if all other provisions of this Section 4.35 can be met;

c. Only one small-scale Recreational or Tourist Use shall be allowed per legal lot of record, with the exception of Rural Restaurants;

d. Only those buildings or areas specifically approved by the County may be used in the conduct of the business;

e. Parking shall be contained on-site and provided in conformance with this Code, including Section 6.10 and 6.13;

f. All activities shall, at a minimum, be screened from the view of adjacent residential uses subject to the landscaping and screening requirements of Section 6.13 and setback a sufficient distance from all rear and side property lines to protect the character of adjacent and surrounding properties and uses. The Approving Authority may authorize variations to the setbacks established in Table 6-1 of this UDC in order to ensure that any small-scale recreation or tourist use or structure, when proposed in or adjacent to a Rural Residential (RR) district, shall be compatible with and not disruptive to the character of existing and anticipated future uses in the District;

g. All small-scale recreation or tourist uses shall take primary access, in order of priority, off a County arterial, County Collector Road or Highway, or State Highway;

h. Structures shall comply with the landscape, lighting, site coverage, and design standards set forth in Section 6;

i. Any small-scale recreational or tourist use development allowed under this section that proposes to include permanent occupancy on-site residential development may only be permitted subject:
(1) to the underlying Rural Residential density;
(2) to a Master Planned Resort (MPR) district designation subject to a legislative action to amend the Comprehensive Plan; or
(3) to that necessary for on-site management (e.g., a caretaker’s residence).

j. For any small-scale recreation or tourist use, the County shall impose such reasonable conditions (e.g., location and size restrictions, design standards, landscape buffers, setbacks etc.) as are found necessary by the Approving Authority to ensure that the activity or use, due to proximity, location or intensity:
(1) is compatible with the rural character of adjacent lands and shorelines, including forestry, agriculture, and mineral lands of long-term commercial significance;
(2) does not disrupt the character of any surrounding permitted uses;
(3) is adequately served by public facilities and services (including roadway level of service and minimum fire flow requirements) without the need to extend those services in a manner that promotes low density sprawl;

(4) adequately protects environmentally sensitive areas including surface and groundwater resources; and

(5) would not cumulatively, in combination with the effects of existing development (or given the probable development of subsequent projects with similar effects) in the vicinity (i.e., within one mile) of the proposed use, create a development pattern that constitutes low density sprawl; require the extension of public facilities or expansion of public services in a manner that promotes low density sprawl; or be otherwise incompatible with or injurious to the rural character of the area.

k. If the preceding conditions (in Section 4.35.3.j) cannot be met to the satisfaction of the Approving Authority, the use shall be denied.

4. Expansion of Existing Small-Scale Recreational and Tourist Facilities.
   a. Where alteration, modification, or expansion of existing small scale recreation and tourism facilities would increase the scope, scale or intensity of the use or facilities (e.g., adding meal service or new recreational facilities, adding new conference or lodging facilities), the proposal shall be subject to a conditional use permit and must demonstrate that the expansion of the existing use or location is reliant upon a rural location and setting.
   b. The Approving Authority may attach reasonable performance standards and/or conditions to ensure that alteration and expansion of such uses have minimal adverse impacts on surrounding areas and uses, maintains the rural character of the area; does not constitute low density sprawl, and is in compliance with RCW 36.70A.070 (5)(d).
   c. Any alteration, modification or expansion of an existing small-scale recreation or tourist use shall require site plan approval consistent with the standards and requirements of this Code.

5. Aerial Recreational Activities. Aerial Recreational Activities may be approved as a small-scale recreation use provided the following standards are met:
   a. No permanent structures or improvements are required to carry-out the activity;
   b. The proposal will comply with all FAA regulations;
   c. For recreational aerial activities on designated agricultural resource land, the proposal will not remove lands from agricultural production or substantially interfere directly or indirectly with the continued agricultural use of the parcel; and
   d. Minimum lot size may be increased by the Administrator based on the site area required to safely undertake the activity.

   a. The use of any parcel for an RV/Campground park and any modifications to an existing RV/Campground park shall comply with the following standards and requirements:
      (1) The minimum parcel area for an RV/Trailer Park or Commercial Campground shall be five (5) acres. The maximum area of any parcel devoted to the principal RV/Travel Trailer or Commercial Campground use shall not exceed twenty (20) acres;
      (2) The maximum density of any RV/Travel Trailer or Commercial Campground approved under this Code shall not exceed sixty (60) spaces;
      (3) No RV shall be located anywhere but in an RV space and only one (1) RV shall be located within any RV space;
      (4) All RV, travel trailer and campground uses in new RV/Travel Trailer and Commercial Campgrounds (approved after the effective date of this UDC) shall be limited to a temporary occupancy not to exceed nine (9) months;
      (5) The minimum width for a parcel containing an RV park shall be three hundred (300) feet, except that portions of the parcel intended only for general vehicular entrances and exits may be as narrow as fifty (50) feet;
(6) No part of any RV/Campground park shall be used for the parking or storage of any heavy equipment;

(7) No home occupation or business shall be operated from an RV/Campground park except for the resident manager and as allowed in Section 4.35.3(a);

(8) A responsible caretaker, owner, or manager shall be placed in charge of any RV/Campground park to keep all grounds, facilities and equipment in a clean, orderly, and sanitary condition, and shall be answerable to the owner for any violation of the provisions of this or any other ordinance;

(9) An on-site caretaker or manager’s residence is allowed; and

(10) Allowable accessory uses and improvements may include facilities for:
    i. Picnicking;
    ii. Boating;
    iii. Fishing;
    iv. Swimming;
    v. Outdoor games;
    vi. Miniature golf courses;
    vii. Mechanical amusements; and
    viii. Other sports and activities.

b. **Layout and Design Specifications.** The following layout and design specifications shall apply to any RV/Campground park:

(1) A buffer area shall be provided immediately within all boundaries. The required buffer area shall be a minimum of one-hundred (100) feet in depth within all common property boundaries or public streets. Variable width buffers may be considered based upon topography and design considerations;

(2) No RV or camp site may be located within a buffer area;

(3) No building or structure may be erected or placed within a buffer area, except a sign or fence;

(4) No refuse-disposal area shall be located within a buffer area;

(5) No plant materials may be deposited or removed within a buffer area except as a part of a recognized landscaping scheme or except for emergency access;

(6) Only roads which cross the buffer, are as close to right angles as practicable, and connect directly with the road system contained within the remainder of the park shall be permitted within a buffer area; no road shall traverse the buffer area and give direct access from any public road to any RV space or camp site;

(7) The road system shall comply with the standards and specifications for roads pursuant to Section 6;

(8) Adequate off-street parking spaces shall be provided;

(9) Each RV space shall have sufficient unobstructed access to, or frontage on, an RV park road, so as to permit the movement of RVs;

(10) No structural addition to any RV shall be permitted;

(11) All refuse containers shall have an animal-proof lid and shall be maintained in a clean and sanitary condition. Garbage and refuse shall be disposed of in such a manner to control flies, rodents and odors;

(12) All utilities, including electrical power and telephone lines, shall be installed underground;

(13) All roads, walkways, grouped-bay parking and service areas shall be provided with lighting adequate to ensure the safety of vehicular and pedestrian traffic;

(14) Central comfort stations and similar central facilities may be permitted.

(15) Adequately sized wastewater disposal facilities shall be required and must be approved by the Jefferson County Environmental Health Department.

7. **Equestrian Center.** Uncovered and covered facilities for commercial boarding, training, teaching, breeding and rental of horses including facilities for shows and competitive events, and riding trails. This
does not include stables used solely for breeding or boarding of horses. An equestrian center may be permitted when the following standards are met:

a. All setbacks to the stable structure (does not include facilities for riding, training or exercising horses, such as a riding arena) shall be at least fifty (50) feet from any property line and one hundred (100) feet from any existing residence, except the owner’s or caretaker’s dwelling(s);

b. Facilities for riding, training or exercising horses shall be at least twenty-five (25) feet from any property line and at least one hundred (100) feet from any existing residence except the owner’s or caretaker’s dwelling(s);

c. Riding trails are not considered riding, training or exercising facilities and are not subject to this standard;

d. The Administrator may authorize a reduced setback for equestrian facilities, provided that the County may impose conditions of approval to mitigate any adverse impacts which may result from granting the reduced setback;

e. An animal waste management plan shall accompany the application. The plan shall be prepared in consultation with the Natural Resource Conservation Service (NRCS), local Conservation District, or similar agency;

f. Adequate parking, traffic management, and dust management shall be provided for horse shows with stables with more than twenty (20) stalls;

g. Public address systems using loud speakers shall only be used between 10:00 a.m. and 8:00 p.m.;

h. A tack shop may be provided when it is only for the use of owners of horses boarded at the stable or event participants;

i. An on-site caretaker or manager’s residence is allowed; and

j. A parcel size of not less than ten (10) acres shall be required.

8. Outdoor Shooting Ranges. Outdoor shooting ranges are subject to the following standards:

a. They shall be located, designed, constructed and operated to prevent the likelihood of discharge of ammunition beyond the boundaries of the parcel where they occur;

b. The National Rifle Association’s Range Manual shall be consulted and used in the development and operation of ranges; Articles 1, 2, and 3 of the safety recommendations for outdoor shooting ranges shall be used as minimum guidelines in the design and construction of shooting ranges;

c. Warning and trespass signs advising of the range operation shall be placed on the perimeter of the property at intervals no greater than fifty (50) feet;

d. The shooting areas shall be surrounded by an eight-foot-high noise barrier in the form of an earth berm or wall, or be located in a minimal eight-foot deep depression;

e. The minimum lot size for an outdoor rifle, trap, skeet or pistol range used by an organization shall be ten (10) acres. For an outdoor archery range used by an organization, minimum lot size shall be five (5) acres;

f. No structure or shooting areas associated with a shooting range shall be located closer than one hundred (100) feet to any lot line;

g. A minimum location of five hundred (500) feet is required from any occupied dwelling other than the dwelling of the owner;

h. All shooting areas must be completely fenced; and

i. In the consideration of an application for permit, the Approval Authority shall take into account both safety and noise factors, and may prescribe additional conditions with respect thereto.

9. Rural Recreational Lodging or Cabins for Overnight Rental and Recreational Cultural or Religious Conference Center/Retreat Facilities. Rural Recreational Lodging or Cabins for Overnight Rental and Conference Retreat Facilities are subject to the following standards:

a. Minimum parcel size is ten (10) acres;

b. Fifteen (15) built cabins or bedrooms for overnight lodging comprising up to six thousand (6,000) square feet of gross floor area are allowed for every ten (10) acres of parcel size, up to a maximum
of thirty (30) rooms or cabins comprising no more than 12,000 square feet of total building area over the entire site, excluding a caretaker’s or manager’s residence;

c. Lodging operators may not allow any person to occupy overnight lodging on the premises for more than three (3) months in any year;

d. New residential development shall not be permitted. New residential development includes the subdivision or sale of land for year round or second-home residential housing that is owner-occupied or rented;

e. An on-site caretaker or manager’s residence is allowed.

f. A conditional use permit subject to a Type III approval process, which includes a public hearing, shall be required.

10. **Rural Restaurants.** Rural Restaurants may be allowed as Small-Scale Recreational and Tourist Uses, subject to the following standards:

a. Only when associated with and subordinate to a primary recreational or tourist use;

b. Indoor dining facilities shall not exceed a total of fifty (50) seats, including outdoor seating, unless it can be demonstrated that a larger capacity facility is needed to serve the demand generated by the primary recreational or tourist use;

c. The structure shall constitute no greater than five thousand (5,000) square feet of gross floor area.

d. Drive-through food service is prohibited. This does not include espresso stands.
### PROPOSED AMENDMENTS TO THE UDC

[Consistent with 5/1/02 proposed Brinnon Subarea Plan]

#### Section 8 Permit Application and Review Procedures/SEPA Implementation

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1. If not categorically exempt pursuant to SEPA, Type I projects shall be subject to the notice requirements of Section 8.3.1 through 8.3.8 and Section 8.10 (the SEPA integration section).