



Board of County Commissioners
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On October 4, 2021, Jefferson County enacted a moratorium for one year to pause on certain types of development that could result in densities incompatible with zoning in rural areas. The moratorium applies only when the development requires recognition of a lot created prior to September 7, 1971 (the date of the County's first platting regulation) and only to the following types of applications: 1) boundary line adjustments, plat alterations, binding site plans, segregations or exemptions; 2) onsite septic permit applications; and 3) any request to the Department of Community Development or Environmental Public Health that requires recognition of a lot through an administrative process or procedure.

"The County takes very seriously enacting a moratorium like this," said Chair of the Board of County Commissioners, Kate Dean. "But we are committed to land use planning that puts development appropriately where it belongs, both to retain rural character and to comply with the state's Growth Management Act."

Jefferson County has an unusually large number of plats that pre-date the 1971 subdivision code, many which are from the 1800's. These old plats were filed without any review or approval by Jefferson County and pre-date the Growth Management Act. Development of old plats in areas of rural zoning presents unique challenges for the County Planning Department because many conflict with current zoning and development regulations governing critical areas and shorelines. In addition, there are no code provisions in the Jefferson County Code to ensure that these developments are responsible for adequate infrastructure such as roads, schools, parks, police and fire response, and other health and safety issues, all of which the County's modern subdivision code addresses.

"This moratorium ordinance is intended to provide a pause in the current pace of development of these lots so that we can propose new regulations, with public involvement, to address these issues in a thoughtful way that is consistent with state law," said Brent Butler, the Director of Community Development.

In enacting this ordinance, the Board of County Commissioners recognized that not all permit applications pose the risk of inconsistency with the Growth Management Act. That is why the Board made clear that the moratorium does **not** apply to the following types of applications:

- applications for repair of existing legal on-site sewage systems;
- applications for repair, remodel or expansion of existing legal single and multifamily housing structures, which includes development of new accessory dwelling units;
- development on lots that have already been recognized through a County administrative process prior to October 11, 2021 such as lot certification, boundary line adjustment, or restrictive covenant;

- applications deemed complete by the County before October 4, 2021;
- applications relying on plats created -prior to the 1971 subdivision ordinance that are consistent with underlying zoning;
- boundary line adjustment applications proposing consolidation of pre-1971 platted lots to develop one single-family home;
- applications for development of publicly funded housing for persons experiencing homelessness and for affordable housing;
- applications for development within the Irondale and Port Hadlock Urban Growth Area; and,
- applications for development by a public entity and for development of any essential public facility.

The ordinance requires County staff to complete a workplan in which Community Development will assess regulations of old plats and substandard lots and prepare a draft ordinance with recommended revisions to the County's code. There will be opportunity for public participation when the draft goes before the Planning Commission and Board of Commissioners for consideration. "The ordinance gives staff a year to complete this process, but we hope we can get this important work in front of the public and the Commissioners sooner so that compatible development can continue ASAP," said Butler.

A public hearing will be held on November 22, 2021 to allow public testimony on the emergency moratorium ordinance, as required by state law.

The moratorium can be found at: <https://www.co.jefferson.wa.us/260/Community-Development>