

AFTER RECORDING RETURN TO:

Space Reserved for Recorder's use:

Document Title: OWNER BUILDER AFFIDAVIT FOR EXEMPTION

I/we _____ / _____
please print legibly

of _____ (_____) - _____
Full mailing address phone number

certify that I/we qualify as an owner/builder of a _____
type of structure

_____ *use of structure*

on **Tax Parcel Number** _____ located at _____
street address and island

under the terms specified in Ordinance No. 80-1992, (As Amended), Section 15.04.570. I/We have read and understand the information regarding allowable exempt structures pursuant to Ordinance No. 80-1992, (As Amended), Section 15.04.570. I/we will submit to the CD&P a plot plan drawing according to County instructions for review and approval pursuant to regulations of the Comprehensive Plan and/or the Shoreline Master Program which will indicate actual size and usage. I/We agree to abide by the terms specified in Ordinance No. 80-1992, (As Amended), Section 15.04.650, regarding the hiring of professionals, and will not hire or compensate any contractors, their agents, employees, or other trades people, except as exempted by RCW 18.27.090, which allows compensation for any work or operation on one undertaking for which the aggregate price of labor and materials does not exceed \$500.00.

I am/we are aware that this does not grant authorization for violation of provisions of any other applicable law or ordinance. I/we acknowledge that I/we have waived the option of requesting a building code plan review, inspections and a fee conforming to Section 15.04.570, Ordinance No. 80-1992, (As Amended), and that I/we agree to allow San Juan County to record the Owner/Builder Affidavit in the real estate records of San Juan County.

Signature **Date**

Signature **Date**

STATE OF WASHINGTON

County of _____ **On this day appeared before me** _____,
known to be the individual (s) described in and who executed the within and foregoing instrument and acknowledged to me he/she signed the same as his/her free and voluntary act and deed for the purposes therein mentioned. Given under my hand and official seal this _____ day of _____, 20_____.

(Seal or Stamp) _____
(Signature)

(Title)

My appointment expires _____

NOTIFICATION TO OWNER BUILDERS APPLYING FOR THE OWNER BUILDER EXEMPTION

Structures or buildings classified in Uniform Building Code Chapter 3, as "U" Division I, are exempt when accessory to a private residence or are to be used for agricultural purposes, provided that no such structure shall be used for human habitation. Group "U" Occupancies, as defined as including:

"Private garages, carports, sheds and agricultural buildings not exceeding 1,000 square feet in area and are limited to a **single story structure only.**"

Such buildings are exempt from building permit application and fees, and will not be inspected pursuant to the requirements of the Uniform Building Code when constructed by the Owner(s) and in accordance with the rule regarding the hiring of professionals which is:

"Compensation for any work or operation in constructing an Owner Builder Accessory Structure shall not exceed \$500 for both labor and materials. (RCW 18.27.090)"

Issuance of an exemption to a Group "U" Occupancy Division I accessory structure does not presume to give authority to violate or cancel the provisions of any other applicable state or local regulations pertaining to construction or the performance of construction or to land use or shoreline use.

A Group "U" Occupancy accessory structure shall be located at least six (6) feet away from a Residential Structure or other Group "U" Occupancy accessory structure.

A Group "U" Occupancy accessory structure may not be heated unless permits are issued for verification of compliance to the applicable Mechanical Code and to the Washington State Energy Code.

Issuance of an exemption to a Building Permit for a Group "U" Occupancy accessory structure does not exempt or waive permitting, inspection, fees, and/or other requirements for Mechanical, Plumbing, Electrical, or other work controlled by other codes which require permits, inspections and approvals. Please contact the CD&P for further assistance.

SIGNATURES REQUIRED FOR APPROVAL:

Permit Coordinator: _____ Date _____

Plans Examiner: _____ Date _____

Stormwater Technician: _____ Date _____

NOTE: Although it is not a requirement, this approval may be recorded and filed with the San Juan County Auditor's and Assessor's Office.

DOCUMENTS TO BE SUBMITTED:

- Typed Legal Land Description from Deed
- Site Plan,
- Elevation Plan,
- Floor Plan,
- Stormwater Plan
- Impervious Surface Worksheet
- Site Plan, Elevation Plan, And Floor Plan Must Be Legibly Drawn To Scale, In Ink, With 1" Margins On 8 1/2 X 11" Paper
- Site Plan & Elevation Plan Utilize a Scale of 1" = 20', 30', 40', or 50'
- Floor Plan Shall Utilize a Scale of 1/4" = 1'
- Check or Money Order for \$105.00

Please fill out and return form and required documents to address below:

**SAN JUAN COUNTY COMMUNITY DEVELOPMENT & PLANNING
PO BOX 947
FRIDAY HARBOR, WA 98250**



San Juan County
Community Development & Planning

135 Rhone Street P.O. Box 947 Friday Harbor, WA 98250
(360) 378-2354 (360) 378-2116 Fax (360) 378-3922
www.sanjuanco.com

COMPLETED APPLICATION CHECKLIST

- 1. **Typed legal land description** from the deed.
- 2. **Site Plan** showing proposed structure location and distances from property lines and existing structures (all drawings legible, in ink, with 1 inch margins on 8 ½" X 11" paper. Scale of 1inch = 20, 30, 40, or 50 feet.
- 3. **Elevation Plan**
- 4. **Floor Plan**
- 5. **STORMWATER MANAGEMENT PLAN**

"IMPERVIOUS SURFACES WORKSHEET" – Must be filled out

➤ ***OVER 2,000 SF or OVER 7000 SF OF LAND DISTURBANCE***

- Submit 2 Sets of your Stormwater Maintenance Plan to SJC CD&P for review with a check for \$245.00, made out to SJC CD&P.
- Be sure to fill out the "Stormwater Plan Review Application".

➤ ***UNDER 2,000 SF and UNDER 7000 SF OF LAND DISTURBANCE***

- Sign the enclosed *Certification of Compliance* – Impervious Surfaces Areas Minimum Requirement #2

- 6. **Notarized Signatures of ALL OWNERS on front page**

Please call **378-2116** if you have any questions.

San Juan County Code

Title 15

Building and Construction

Article II. Owner/Builder Provisions

[As adopted by Ordinance 80-1992 and as amended by Ordinance 14-2000 § 7(II) and § 7(JJ); Ordinance 10-2002 § 2; Ordinance 21-2002 § 9; Ordinance 1-2006; and Ordinance 8-2006]

15.04.500 Definitions.

"Accessory structure" means a structure that is incidental to and supports the use of the primary residence. Accessory structures include, but are not limited to, garages, carports, agricultural buildings and woodsheds, all being less than 1,000 square feet in area; decks and pumphouses; fences less than six feet in height; aboveground water tanks less than 5,000 gallons in capacity; and playhouses. Accessory structures cannot be inhabited.

"Appurtenant structure" means a structure that is necessarily connected to the use and enjoyment of a single-family residence. The use of an appurtenant structure supplements the primary residence and shall be considered habitable space for the purposes of this article. Appurtenant structures shall include, but are not limited to, studios, libraries, accessory dwelling units and/or guestrooms (internal, attached or freestanding). Appurtenant structures may be inhabited only if a permit for construction of a primary residence or accessory dwelling unit is concurrently applied for, approval for occupancy after a life safety inspection by the Permit Center and construction of the residence or accessory dwelling unit will commence within 12 months of permit approval.

"Dwelling unit" is, for the purpose of this article, any residence or appurtenant structure as defined herein, which contains living facilities, including provisions for sleeping, eating, cooking and sanitation, for not more than one family. Sanitation requirements which fulfill the intent of this article may be provided exterior to the dwelling unit if in compliance with SJCC [15.04.590\(D\)\(1\)](#).

"Habitable space" is space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered habitable space.

"Owner/builder" means a natural person and members of that person's immediate family working to build a residence for occupancy by the owner/builder, but shall not include corporations and their agents, partnerships and their agents, nonprofit corporations and their agents, and all persons who intend to construct a private residence for sale, lease, or rental to other persons. Property owners owning property as "tenants-in-common" may individually apply for an owner/builder permit; provided, that title is held by natural persons in their individual capacities and not by a corporation or other legal entity, that the individuals have no partnership relationship except to purchase property in common; and provided further, that density requirements of the Comprehensive Plan code are maintained and that such proposed construction does not amount to a level of use that would require legal division of the land.

Persons who are not contractors, agents, employees or other tradespeople working without compensation may help an owner/builder perform work on the residence.

"Residence," in addition to its ordinary meaning, means, for the purpose of this article, a dwelling unit occupied by the owner/builder and shall specifically not include accessory structures or structures which are used for commercial purposes, for providing services and goods for sale to members of the public, lodging to persons for compensation, or structures which are used in the manufacture of goods

intended for sale to the public, except for home occupations as defined by Chapter [18.20](#) SJCC. (Ord. 21-2002 § 9; Ord. 14-2000 § 7(II); Ord. 80-1992)

15.04.510 Purpose.

The purpose of this article is to provide minimum requirements consistent with the general intent of the State Building Code as defined in RCW 19.27.020(4) and 19.27.160, for the construction of owner/builder residence and appurtenant structures in rural areas, to protect the public health and safety, while allowing for maximum flexibility as to design and materials employed. (Ord. 80-1992)

15.04.520 Structures and activities affected.

This article shall apply only to the construction, enlargement, conversion and alteration of owner-built residences and appurtenant structures. (Ord. 80-1992)

15.04.530 Applicability.

This owner/builder article applies only to unincorporated areas of San Juan County in the rural general, rural residential, rural farm-forest, agricultural resource, forest resource, conservancy and natural land use districts established by Chapter [18.30](#) SJCC. It does not apply within the boundaries of the unincorporated urban growth areas. (Ord. 14-2000 § 7(JJ); Ord. 80-1992)

15.04.540 Permit requirements for owner-built residences.

A. Any natural person may apply for an owner/builder permit for the construction, alteration or repair of a residence or appurtenant structure on property owned by the applicant in the County in accordance with the following requirements; provided that no more than one permit for an owner-built residence and only one permit for an appurtenant structure shall be issued to any owner/builder in any five-year period. The five-year permit limitation does not apply to alteration, repair, remodel or additions to an existing residence or appurtenant structure for which a permit has been issued under this article.

B. For the purpose of this section, an owner/builder owns property when he or she has recorded title to or is purchasing the property on a recorded real estate contract. To obtain a permit, the applicant shall first file an application in writing on a form furnished for that purpose by the building official. Every such application shall contain the following information:

1. Name and address of the applicant;
2. The address and location of the proposed structure including the tax parcel number(s) of the land on which it is to be located;
3. A plot plan indicating the location of the structure in relation to property lines and other structures;
4. One-quarter-inch minimum scale drawings, including foundation, floor plan, cross section view and all four exterior elevations. Any alteration to the approved plans that affect life safety requirements (SJCC [15.04.560](#)), outside dimensions of the residence or other applicable codes must be submitted to the Permit Center. "As built" drawings shall be submitted to the Permit Center for informational purposes upon completion of the residence. Plans for exempt accessory structures are not required.
Plans for owner-built residences which exceed 4,000 square feet in size must be sealed by a registered Washington State architect or engineer per the requirements of RCW 18.08.410;
5. A permit for installation of sanitary facilities from the local health official;
6. An entry or access permit from the County engineer;
7. A statement indicating the applicant's intention to build his/her residence in accordance with this article, and stating that the structure constructed under this permit will not be used at any time for any commercial purpose, with the exception of home occupations allowed pursuant to SJCC [15.04.500](#), and further stating that the structure constructed under this permit may not be sold, leased or rented except in conformity with the terms and provisions of this article;
8. A signed statement exempting the County from any liability;

9. A copy of proof of ownership by recorded title, deed or real estate contract;
10. Be able to substantiate and/or show proof, if necessary, that he/she is in compliance with all other laws pertaining to land use or shoreline use within the jurisdiction of San Juan County;
11. Provide documentation that the proposed residential structure will be served with an approved potable water supply in accordance with the requirements of 1990 Growth Management Act legislation and the State Building Code RCW 19.27.097. (Ord. 80-1992)

15.04.550 Recording of permits.

The owner/builder permit shall be notarized and shall be recorded with the County auditor by the building official and shall be notice running with the land that the structure was built, altered or remodeled under an owner/builder permit and that plans submitted were not reviewed for structural content; therefore, the residence and appurtenant structure may or may not be built pursuant to Uniform Building Code, hereafter referred to as UBC, standards. (Ord. 80-1992)

15.04.560 Life safety requirements.

A. Together with the owner/builder building permit, the building official shall issue to the applicant written life safety requirements which shall pertain to and only to:

1. The installation of and clearances needed to wood-burning stoves, ranges and stovepipes;
2. Window and door openings as needed for fire safety; and safety glazing materials as defined in RCW 70.89.010;
3. Installation of smoke detectors;
4. Guardrails and handrails on steps;
5. The installation of a fire-resistive assembly between residences and attached appurtenant or accessory structure(s).

B. Fire-resistive separation between a residence or appurtenant structures and accessory structures may be limited to the installation of materials approved for one-hour fire-resistive construction (typically one layer of 5/8 inch Type "x" sheetrock) on the accessory side of the wall assembly and if door access is required, a self-closing, tight fitting, solid wood door 1-3/8 inches in thickness.

C. "Life safety" may not be construed to require construction in conformance with UBC standards. At this time the owner/builder must also demonstrate his/her compliance with the energy code requirements. Occupancy of the owner/ builder home shall be allowed following life safety inspection and compliance. (Ord. 80-1992)

15.04.570 Accessory structures.

A. A statement of exemption is required; however, no permit, fee nor inspection pursuant to the UBC shall be required for construction of accessory structures typically defined in the UBC as Group M1 or M2 occupancy structures when they are accessory to a private residence or to be used for agricultural purposes; provided that such structure shall not be used for human habitation.

B. Such statement of exemption shall be reviewed by the Permit Center and health and community services departments for compliance with state and County laws. Accessory structure exemptions are unlimited as to number unless prohibited by land use density requirements as determined by the County planning department. (Ord. 80-1992)

15.04.580 Permit validity.

Permits issued for construction of structures shall be for a period of one year, renewable for four additional years; providing that the owner/builder complies with the provisions of this article. Construction, including all required life safety inspections under new permits, shall be completed within five years from date of issuance. If construction is not completed within five years, the owner/builder shall be required to obtain a new permit and also pay full permit fees. (Ord. 9-2006 § 10(A); Ord. 1-2006 § 10(A); Ord. 80-1992)

15.04.590 Inspections.

A. Other than as provided in this article, no inspection by the County building official shall be made of an owner/builder-constructed residence, appurtenant or accessory structure and Sections 305 and 306 of the UBC, 1988 Edition, shall not apply to owner/builder-constructed structures. The owner/builder shall arrange for the County building official to inspect said residence or appurtenant structure for life safety requirements prior to occupancy.

B. This subsection shall not be construed to limit inspections meant to insure compliance with other regulations or laws, such as plumbing, electrical, mechanical, sanitation and energy code requirements.

C. Any dwelling unit built using nonrenewable energy sources for heating will be required to meet energy code requirements as adopted by the state of Washington. The owner/builder will arrange and pay for energy code review and related inspections. Any additional inspections that an owner/builder desires can be arranged by appointment and payment of appropriate fees.

D. Structures built under an owner/builder permit may require successful completion of the following inspections:

1. Sanitary. Prior to the issuance of an owner/builder permit, a sanitary inspection and a sewage permit shall be required from the County health department. A pit privy shall be deemed in compliance with this article; provided potable water under pressure is not plumbed into any structure requiring a plumbing permit from the building department.
2. Life Safety. As defined in SJCC [15.04.560](#).
3. Energy. Energy Code review is required if a nonrenewable heat source such as electricity, gas, oil or wood is used to heat a residence or appurtenant structure. Accessory structures must meet state energy code requirements if heated. Wood as a source of fuel is considered nonrenewable. Owner/builders must comply with state energy code requirements unless exempted as follows:
 - a. The building or structure or portion thereof may be exempt; provided the building or structure does not exceed a peak design rate of energy usage of more than 3.4 BTU/hr per square foot, or 1.0 watt per square foot of floor area for heating requirements; and
 - b. The indoor design temperature for the residential structure is based on a minimum of 70 degrees Fahrenheit for heating and 78 degrees Fahrenheit for cooling; or
 - c. A renewable heat source is used, such as (1) solar radiation; (2) energy sources resulting from wind, waves and tides, lake or pond thermal differences; and (3) geothermal;
 - d. Existing Buildings. See SJCC [15.04.710](#) for exceptions from full Energy Code compliance.
4. Electrical. Owner/builders using electricity are not exempt from Washington State Department of Labor and Industry requirements and must obtain electrical permits and inspections per Title 19, Chapter 19.28 RCW, Chapters 296-46 and 296-401 WAC.
5. Plumbing. Any plumbing requires a plumbing permit unless expressly exempted by Uniform Plumbing Code Section 20.5. Any structure which has internal plumbing requiring potable water under pressure shall be provided with a "grey water" sewage system meeting County health department's requirements and the requirements of the Uniform Plumbing Code pursuant to Chapters 10 and 11.
6. Mechanical. A mechanical permit and inspection(s) is/are required if mechanical devices are installed as defined in the Uniform Mechanical Code per Section 301(a) or as exempted per Section 301(b). (Ord. 80-1992)

15.04.600 Fees.

Repealed by Ords. 9-2006 and 1-2006. (Ord. 80-1992)

15.04.610 Limitation on use of owner-built structures.

No structure built under an owner/builder permit shall be sold, leased or rented until the following conditions have been met:

- A.** The County building official is notified in writing by the owner or his/her agent 30 days prior to the contemplated sale, lease or rental of the owner's intentions.
- B.** Within 20 days following receipt of such notice, the County building official shall conduct an inspection of the premises and provide the owner or his/her agent with a list of all visible life safety deficiencies as prescribed above for life safety requirements. Successive rentals do not require separate inspections.
- C.** The owner or his/her agent shall, within 90 days after receipt of the County building official's report, and prior to sale, lease or rental, correct all such deficiencies. The owner or his/her agent may request an extension of the 90-day period from the County building official. (Ord. 9-2006 § 10(A); Ord. 1-2006 § 10(A); Ord. 80-1992)

15.04.620 Setback requirements.

No structure built pursuant to this article shall be located closer than 10 feet to any property line. (Ord. 80-1992)

15.04.630 Notice to purchaser or lessee.

Before any agreement is made to sell, lease or rent any owner-built structure, the seller, lessor or landlord, or his/her agent, shall give the prospective purchaser, tenant or renter a written notice that the structure has been completed under the provisions of this article and may not meet all UBC standards. The notice is required not only at the first sale, lease or rental, but at all subsequent transfers of the structure. (Ord. 80-1992)

15.04.640 Liability.

Each owner/builder, purchaser, lessee or renter of an owner-built structure must file a statement with the building official stating, under penalty of perjury, that he/she is occupying or using the structure with the knowledge and understanding that the structure was not built pursuant to the UBC, and the statement should further indicate that this may create risks of injury or damage which the occupant freely assumes and from which the occupant holds the County, its officers, employees and agents harmless. The occupant shall also agree, as a condition of the new occupancy approval, to abide by all applicable conditions of the permit under which the structure was constructed. (Ord. 80-1992)

15.04.650 Hiring of professionals.

A. No owner/builder shall have work performed on any owner-built structure or accessory structure for compensation by any contractors, their agents, employees or other tradespeople; nor shall any person, firm, corporation acting as contractor, or any agent or employee, or any other tradesperson perform work on an owner-built structure or accessory structure for compensation, except as provided by this article, and as exempted by RCW 18.27.090 which allow compensation for any work or operation on one undertaking for which the aggregate price for labor and materials does not exceed \$500.00.

B. Nothing shall be construed to disallow persons working without compensation to perform work on any residence, appurtenant or accessory structure.

C. An owner/builder may, however, employ licensed electrical contractors, licensed plumbing contractors, or septic tank and drainfield installers to work on a structure built under the owner/ builder permit, which work shall comply with and be conducted in accordance with the State Electrical Code, Uniform Plumbing Code, and other statutes, regulations and ordinances pertaining to septic tanks and drainfields. Wiring and other electrical work may be performed only by the permit holder or a licensed electrical contractor pursuant to RCW 19.28.120 and 19.28.610. (Ord. 80-1992)

15.04.660 Permanent record.

The building official shall keep a permanent record of owner/builder applications, plans, permits issued, and statements of exemptions which shall be open for public inspection and copying. (Ord. 80-1992)

15.04.670 Appeals.

Disputes over the meaning, application and enforcement of this article and review of any discretionary decision by the building official shall be appealed to the hearing examiner. Appeals under this article shall not be to the board of appeals as defined in UBC Section 204. (Ord. 10-2002 § 2; Ord. 80-1992)

15.04.680 Civil penalties.

A. Any person, firm or corporation who shall fail to conform to the terms of a permit issued under the owner/builder article provisions or who shall build or do other work without first obtaining the permit required under this owner/builder article provision, or any person, firm or corporation who shall otherwise violate any provision of this article shall be subject to a civil penalty not to exceed \$1,000 for each violation. Each permit violation, or each day of continued work without a required permit, or each day of other violation shall constitute a separate violation.

B. The penalty provided for in this section shall be imposed by a notice in writing, either by certified mail with return receipt requested or by personal service, to the person, firm or corporation incurring the same from the building official/fire marshal, describing the violation with reasonable particularity and ordering the act or acts constituting the violation or violations to cease and desist or, in appropriate cases, requiring necessary corrective action to be taken within a specific and reasonable time.

C. Within 14 days after notice is received, the person, firm or corporation incurring the penalty may submit in writing a request to the building official/fire marshal for remission or mitigation of such penalty. Upon receipt of this request the building official/fire marshal may remit or mitigate the penalty upon whatever terms the building official/fire marshal in his/her discretion deems proper.

D. In the event that a request for remission or mitigation has been received within 14 days, and the person, firm or corporation finds the determination of the building official/fire marshal unacceptable, appeal may be made within 14 days after the notice of determination. Such appeal shall be in writing to the hearing examiner and state with reasonable particularity the basis of the appeal.

E. If no request for remission or mitigation has been made, appeal shall be made within 14 days after the notice of violation. Such appeal shall be in writing and state with reasonable particularity the basis of the appeal. (Ord. 10-2002 § 3; Ord. 80-1992)

15.04.690 General penalty.

In addition to incurring civil liability, any person found to have willfully violated any provisions of owner/builder article shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$25.00 nor more than \$1,000 or by imprisonment in the County jail for not more than 90 days, or by both such fine and imprisonment. For any violation of a continuing nature, each day shall constitute a separate offense. (Ord. 80-1992)

15.04.700 Application to rearranged code.

Citations in this article to the Uniform Building Code (UBC), Uniform Mechanical Code (UMC), Uniform Plumbing Code (UPC) and Uniform Fire Code (UFC) are to the 1988 Editions. If the UBC, UMC, UPC and UFC are rearranged, sections renumbered, or code designation changed in later editions, the citations in this article shall be deemed to refer to the UBC, UMC, UPC and UFC as so rearranged, renumbered or amended. (Ord. 80-1992)

15.04.710 After-the-fact permit requirements.

Any owner/builder who has constructed a residence without previously securing the appropriate owner/builder permit, may apply for an after-the-fact permit. An after-the-fact permit will be approved by the building official, provided the applicant can satisfactorily demonstrate that the following conditions can be met and that fees have been paid in accordance with SJCC [15.04.600](#).

A. Permit applicant must demonstrate eligibility with all terms and conditions of these owner/builder provisions.

Exception: The subsequent purchaser of a residence previously built by an owner/builder without benefit of permit may be granted an owner/builder permit without having been the original builder. All other provisions of SJCC [15.04.500](#) are applicable.

B. Owner/builders who have built structures in excess of 4,000 square feet must provide certification of the building's structural integrity by a licensed engineer or architect, per RCW 18.08.410. The owner/builder must hire licensed personnel, such as architects, civil or structural engineer, or other licensed individuals acceptable to the County, to certify in writing that the design of the structure erected is in compliance with applicable building codes and regulations. This document (certification) must accompany the after-the-fact building permit application and include any deficiencies and the acceptable corrective action.

C. A site evaluation inspection to determine compliance with this article and life safety inspection must be performed prior to occupancy. However, temporary occupancy or use may be continued; provided such occupancy or use does not threaten, jeopardize or endanger the safety, public health or welfare of any individual or member of the general public. Fees for the life safety inspection will be as defined under SJCC [15.04.600](#).

D. Compliance with the requirements of the 1991 Washington State Energy Code (WSEC) shall be met as follows: Building envelope requirements shall be no less than those requirements in effect at the time of the initial construction of the residence.

Exception: The building official may approve designs of alterations or repairs which do not fully conform with all of the requirements of the Energy Code, where in the opinion of the building official full compliance is physically impossible and/or economically impractical. (WSEC Section 101.3.2) (Ord. 80-1992)



San Juan County Community Development & Planning

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POLICIES / PROCEDURES / INTERPRETATIONS

NEW IMPERVIOUS SURFACES FOR STORMWATER

René M. Beliveau
Deputy Director/Chief Building Official

Issued 01/10/2008

ISSUE: As currently interpreted, the stormwater rules require that all impervious surfaces in existence since September 1, 1991 be considered as New Impervious Surfaces. This requirement is not embedded in the Stormwater Management Manual for Western Washington (SMM) or within the San Juan County Code (SJCC). This interpretation effectively requires all new development to comply with Minimum Requirements 1 through 10 of the SMM. Absent this interpretation, only Minimum Requirement 2 would apply on minor projects (those creating less than 2,000 sq ft of impervious area and disturbing less than 7,000 sq ft of land area) and only Minimum Requirements 1 through 5 would apply on small projects (those creating more than 2,000 sq ft but less than 5,000 sq ft of impervious area; and disturbing less than 7,000 sq ft of land area)

ANALYSIS: The interpretation classifying all impervious areas created after September 1, 1991 as "New Impervious Surfaces" originates in an undated policy statement issued by Janice Flagan, former county engineer.

This may have been an attempt to address the requisite elements for small projects found in Requirement #1 wherein Stormwater Site Plan development must consider all impervious areas in order to determine the applicable thresholds for treatment or flow control listed in Requirements 6, 7, or 8. While providing the information on total existing impervious areas is required- (as they may trigger additional requirements); they are not intended to trigger the separate requirements by themselves.

Additionally, (Section 2.5.7 Minimum Requirement # 7: Flow Control – Standard Requirements Page 2-33 of Volume I) the SMM provides for modifying the pre-development design conditions to that of the existing land cover condition where the drainage area and all subsequent downstream basins have had at least 40% impervious area since 1985, not 1991.

In establishing triggers for a "Project", and determining the applicable minimum requirements, Chapter 2 of the SMM (as described in this chapter and depicted in Flow Charts 2.2 and 2.3) only requires the consideration of the existing impervious surfaces where the "Site" has 35% or more of existing impervious areas and is thereby classified as "Redevelopment". (Flow Chart 2.2 applies to "New Development Projects" while Flow Chart 2.3 applies to "Redevelopment Projects". See attached.)

This is not to imply that consideration of total existing and new impervious surfaces should not be considered where established engineering practice and/or design parameters of the SMM require their consideration. The development of a Stormwater Site Plan, and its requirement to consider total impervious areas, may cause such additional requirements where the total impervious area exceeds the triggers for treatment or flow control.

There is also a concern that projects will be piecemealed or otherwise broken up to circumvent the provisions of the SMM. An active project is generally defined by a start and completion date. For stormwater requirements, a project's start date commences with the first land disturbance activity and ends when all permanent stormwater controls are installed and approved; and, all temporary stormwater controls are removed and the site fully stabilized. It generally requires a minimum of two (2) full growing seasons before a site becomes fully stabilized. For Stormwater purposes, where additional work occurs on an active project, such work should be considered as a revision to the ongoing project. In this case the new impervious surfaces of the original permit and the revision should be added together to accurately determine which requirements of the SMM apply.

It should also be noted that SJCC Tables 6.1 and 6.2 of Sections 18.60.050, Tables 3.9 of Sections 18.30.320 (Deer Harbor Hamlet), and the Eastsound Subarea Plan, have additional impervious surface or lot coverage restrictions that can vary depending on Land Use designation. Additionally, Section 18.60.060 of the SJCC prohibits surface drainage from being directed or discharge to County roads or ditches within County rights-of-way unless approved by the County engineer.

POLICY: While information on all existing and new impervious surfaces must be provided as required; effective immediately, in determining the applicable triggers to a project for the application of the minimum requirements of the SMM:

1. New Impervious Areas on a Site:
 - a. Shall **not** be required to include all impervious areas in existence since September 1, 1991.
 - b. Shall include all impervious areas in existence for less than 2 years; unless final site stabilization has been verified.
 - c. Shall include all impervious areas associated with an active project and shall be considered as part of, and as a revision to, that active project.

2. Existing Impervious Areas on a Site:
 - a. Shall include all existing impervious areas regardless of date of existence.
 - b. Shall **not** include impervious areas that are part of an active project and which are considered New Impervious Areas.
 - c. Shall **not** include impervious areas in existence for less than 2 years and which are considered New Impervious Areas; unless final site stabilization has been verified.

LAND USE DISTURBANCE AND IMPERVIOUS SURFACES WORKSHEET

You are required to identify and list below all land-disturbance & impervious surfaces for your property as follows:

1. New Impervious Areas on Site:
 - a. Shall **not** be required to include all impervious areas in existence since September 1, 1991.
 - b. Shall include all impervious areas in existence for less than 2 years; unless final site stabilization has been verified.
 - c. Shall include all impervious areas associated with an active project and shall be considered as part of, and as a revision to, that active project.
2. Existing Impervious Areas on a Site:
 - a. Shall include all existing impervious areas regardless of date of existence.
 - b. Shall **not** include impervious areas that are part of an active project and which are considered New Impervious Areas.
 - c. Shall **not** include impervious areas in existence for less than 2 years and which are considered New Impervious Areas; unless final site stabilization has been verified.
3. Land Disturbance associated with Project:
 - a. All new areas cleared for construction and access.
 - b. All new Landscaping.

New Impervious Under 2,000 sq. ft. new impervious, **and** under 7,000 sq.ft. of total land-disturbing activity, sign Minimum Requirement #2 letter **ONLY, no money**.

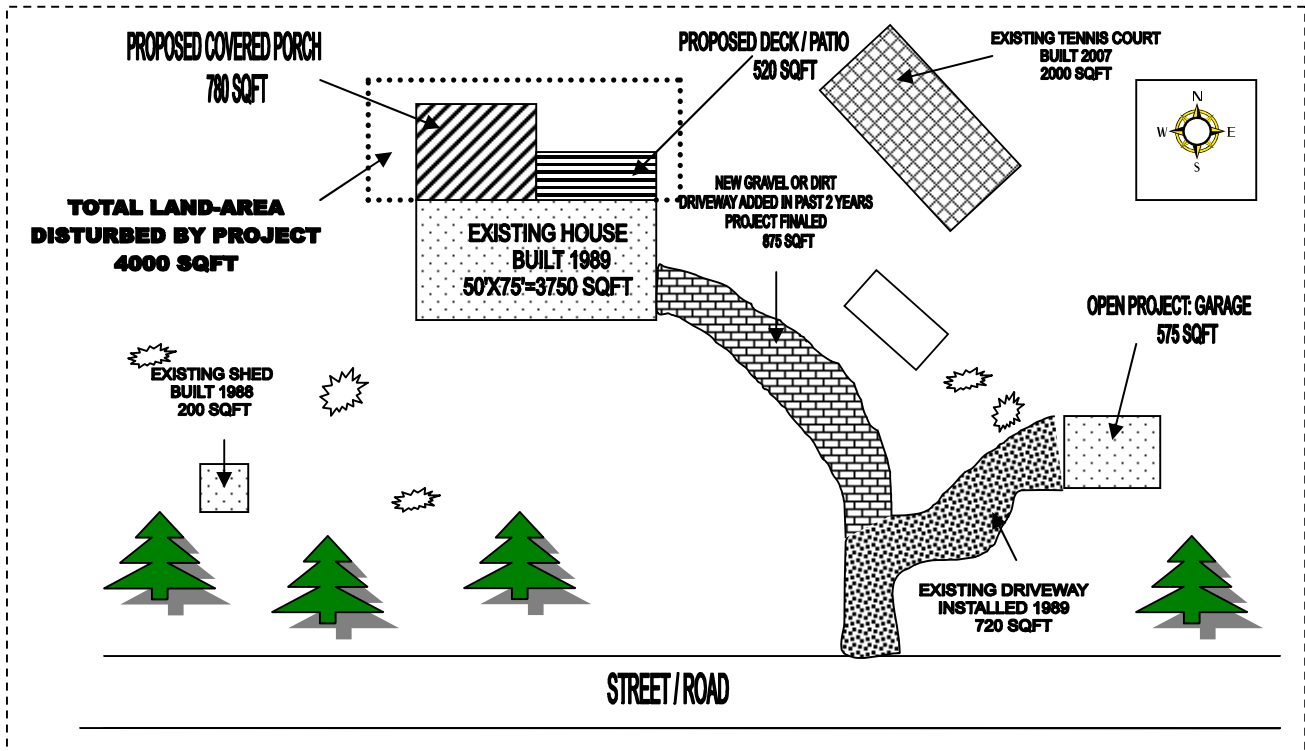
If **New Impervious is OVER** 2,000 sq. ft. new impervious, or 7,000 sq.ft. total land-disturbance submit a SWMP and a check for **\$245.00** made out to **SJC CD&P**.

*SQUARE FOOTAGES OF ALL IMPERVIOUS SURFACES **TO BE FILLED OUT BY APPLICANT/AGENT***

(A) <u>NEW IMPERVIOUS</u>							
Proposed gravel driveway/parking	_____ SQFT						
Roof area of all proposed buildings	_____ SQFT						
Proposed decks, patios, covered porches	_____ SQFT						
Proposed sports surfaces (tennis court, etc)	_____ SQFT						
Area of all existing impervious surfaces created in <u>past</u> two years:	_____ SQFT						
(A)SUB TOTAL:	_____ SQFT						
(B) <u>IMPERVIOUS ASSOCIATED WITH ACTIVE PROJECT</u>							
Area of all <u>OPEN</u> projects, i.e. buildings, driveways, parking areas, decks, patios, sports surfaces, etc.	_____ SQFT						
(C) <u>EXISTING IMPERVIOUS</u>							
Area of all existing impervious surfaces							
<u>Older</u> than 2 years	_____ SQFT						
<table style="width: 100%; border-collapse: collapse;"> <tr> <td>TOTAL NEW IMPERVIOUS SURFACE AREA (A+B)</td> <td style="text-align: right;">_____ SQFT</td> </tr> <tr> <td>TOTAL LAND DISTURBING ACTIVITY (Include all areas to be cleared associated with proposed project, including landscaping)</td> <td style="text-align: right;">_____ SQFT</td> </tr> <tr> <td>TOTAL POST-PROJECT IMPERVIOUS AREA (A+B+C)</td> <td style="text-align: right;">_____ SQFT</td> </tr> </table>		TOTAL NEW IMPERVIOUS SURFACE AREA (A+B)	_____ SQFT	TOTAL LAND DISTURBING ACTIVITY (Include all areas to be cleared associated with proposed project, including landscaping)	_____ SQFT	TOTAL POST-PROJECT IMPERVIOUS AREA (A+B+C)	_____ SQFT
TOTAL NEW IMPERVIOUS SURFACE AREA (A+B)	_____ SQFT						
TOTAL LAND DISTURBING ACTIVITY (Include all areas to be cleared associated with proposed project, including landscaping)	_____ SQFT						
TOTAL POST-PROJECT IMPERVIOUS AREA (A+B+C)	_____ SQFT						

This worksheet must be completed and submitted with your plans.

EXAMPLE



EXAMPLE OF SQ FT OF ALL IMPERVIOUS SURFACES AS SHOWN ABOVE

(A) NEW IMPERVIOUS

Proposed gravel driveway/parking	0	SQFT
Roof area of all proposed buildings	0	SQFT
Proposed decks, patios, covered porches	1300	SQFT
Proposed sports surfaces (tennis court, etc)	0	SQFT
Area of all existing impervious surfaces created in <u>past</u> two years:	875	SQFT

(A) SUB TOTAL: 2175 SQFT

(B) IMPERVIOUS ASSOCIATED WITH ACTIVE PROJECT

Area of all <u>OPEN</u> projects, i.e. buildings, driveways, parking areas, decks, patios, sports surfaces, etc.	575	SQFT
--	-----	------

(C) EXISTING IMPERVIOUS

Area of all existing impervious surfaces <u>Older</u> than 2 years	6670	SQFT
---	------	------

TOTAL NEW IMPERVIOUS SURFACE AREA (A+B)	2850	SQFT
TOTAL LAND DISTURBING ACTIVITY (Include all areas to be cleared associated with proposed project, including landscaping)	4000	SQFT
TOTAL POST-PROJECT IMPERVIOUS AREA (A+B+C)	9520	SQFT



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CERTIFICATION OF COMPLIANCE

Impervious Surface Areas Minimum Requirement

The objective of this Minimum Requirement is to control erosion and prevent sediment and other pollutants from leaving the site during the construction phase of a project. Compliance with this Minimum Requirement is required of all projects, and most projects require a drainage plan to be submitted for approval. Projects that meet the following criteria do not need to submit a drainage plan, provided the applicant completes the Certification of Compliance below:

- Less than 2000 square feet of new, replaced, or any combination of new and replaced impervious surface, and
- Less than 7000 square feet of land-disturbing activity
 - **New Impervious Areas on Site:**
 - Shall **not** be required to include all impervious areas in existence since September 1, 1991.
 - Shall include all impervious areas in existence for less than 2 years; unless final site stabilization has been verified.
 - Shall include all impervious areas associated with an active project and shall be considered as part of, and as a revision to, that active project.
 - **Existing Impervious Areas on a Site:**
 - Shall include all existing impervious areas regardless of date of existence.
 - Shall **not** include impervious areas that are part of an active project and which are considered New Impervious Areas.
 - Shall **not** include impervious areas in existence for less than 2 years and which are considered New Impervious Areas; unless final site stabilization has been verified.
 - **Land Disturbance associated with Project:**
 - All new areas cleared for construction and access.
 - All new Landscaping.

The applicant shall consider and develop controls for the twelve Elements of Minimum Requirement #2 of the WA State Dept. of Ecology's *Stormwater Management Manual for Western Washington* (2005).

Certification of Compliance

I, _____ (*Print name clearly*), certify that my proposed development has less than 2000 square feet of new, replaced, or a combination of new and replaced impervious surface and includes less than 7000 square feet of land-disturbing activity. I hereby commit to comply with Minimum Requirement #2, and shall consider and develop controls for the twelve Elements listed below.

TPN: _____

Permit #: _____
(If assigned)

Signature

Date

Signature

Date

TWELVE ELEMENTS OF MINIMUM REQUIREMENT #2

Element 1: Mark Clearing Limits

Prior to beginning land disturbing activities, including clearing and grading, all clearing limits, sensitive areas and their buffers, and trees that are to be preserved within the construction area should be clearly marked, both in the field and on the plans, to prevent damage and offsite impacts.

Element 2: Establish Construction Access

Construction vehicle access and exit shall be limited to one route if possible. Access points shall be stabilized with quarry spall or crushed rock to minimize the tracking of sediment onto public roads. Public roads shall be cleaned thoroughly at the end of each day.

Element 3: Control Flow Rates

Properties and waterways downstream from development sites shall be protected from erosion due to increases in the volume, velocity, and peak flow rate of stormwater runoff from the project site. Any flow control facilities, if required, shall be functional prior to construction of site improvements, and protected from siltation during the construction phase.

Element 4: Install Sediment Controls

The duff layer, native topsoil, and natural vegetation shall be retained in an undisturbed state to the maximum extent practicable. Sediment ponds, vegetated buffer strips, sediment barriers or filters, dikes, and other protective measures intended to trap sediment on-site shall be constructed as one of the first steps in grading. These protective measures shall be functional before other land disturbing activities take place.

Element 5: Stabilize Soils

All exposed and unworked soils shall be stabilized by application of effective protective measures that protect the soil from the erosive forces of raindrop impact and flowing water, and wind erosion. From October 1 through April 30, no soils shall remain exposed and unworked for more than 2 days. From May 1 to September 30, no soils shall remain exposed and unworked for more than 7 days. Applicable practices include, but are not limited to, temporary and permanent seeding, sodding, mulching, plastic covering, soil application of polyacrylamide (PAM), early application of gravel base on areas to be paved, and dust control. Soil stockpiles must be stabilized and protected with sediment trapping measures.

Element 6: Protect Slopes

Cut and fill slopes shall be designed and constructed in a manner that will minimize erosion. Consider soil type and its potential for erosion. Divert drainage, including stormwater from off-site, from flowing over the slope. Diverted flows shall be redirected to the natural drainage location at or before the property boundary. Contain collected flows in pipes, slope drains, or protected channels. Check dams, or partial barriers, typically constructed of rock or pea-gravel filled bags, shall be placed at regular intervals to reduce the flow velocity within trenches that have a gradient greater than 4%. Stabilize soils on slopes, as specified in Element #5.

Element 7: Protect Drain Inlets

All storm drain inlets made operable during construction shall be protected so that stormwater runoff shall not enter the conveyance system without first being filtered or treated to remove sediment.

Element 8: Stabilize Channels and Outlets

Stabilization, including armoring material such as rock, adequate to prevent erosion of outlets, adjacent streambanks, slopes and downstream reaches shall be provided at the outlets of all conveyance systems.

Element 9: Control Pollutants

All pollutants, including waste materials and demolition debris, that occur on-site during construction shall be handled and disposed of in a manner that does not cause contamination of stormwater. Management of pH-modifying sources shall prevent contamination of runoff and stormwater collected on the site. These sources include, but are not limited to, bulk cement, cement kiln dust, fly ash, new concrete washing and curing waters, waste streams generated from concrete grinding and sawing, exposed aggregate processes, and concrete pumping and mixer washout waters.

Element 10: Control De-Watering

All foundation, vault, and trench de-watering water, which has similar characteristics to stormwater runoff at the site, shall be discharged into a controlled conveyance system, prior to discharge to a sediment trap or sediment pond.

Element 11: Maintain BMPs

Best Management Practices (BMPs) are activities, protective measures, and maintenance procedures that, when used singly or in combination, prevent or reduce the impacts of erosion and sediment transport. All temporary and permanent erosion and sediment control BMPs shall be maintained and repaired as needed to assure continued performance of their intended function. Sediment control BMPs shall be inspected weekly or after a runoff-producing storm event during the dry season and daily during the wet season. All temporary erosion and sediment control BMPs shall be removed within 30 days after final site stabilization is achieved or after the temporary BMPs are no longer needed. Trapped sediment shall be removed or stabilized on site. Disturbed soil areas resulting from removal of BMPs or vegetation shall be permanently stabilized.

Element 12: Manage the Project

Phasing of Construction - Development projects shall be phased where feasible in order to prevent, to the maximum extent practicable, the transport of sediment from the development site during construction. Revegetation of exposed areas and maintenance of that vegetation shall be an integral part of the clearing activities for any phase. Clearing and grading activities shall minimize removal of existing trees and minimizing disturbance/compaction of native soils except as needed for building purposes. If clearing and grading are proposed between October 1 and April 30, silt-laden runoff will be prevented from leaving the construction site by application of erosion and sediment control measures.

For additional information, refer to Volume II of the DOE Stormwater Management Manual for Western Washington. The Manual is available at: <http://www.ecy.wa.gov/programs/wq/stormwater/manual.html>



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STORMWATER MANAGEMENT APPLICATION

DATE: _____ BPA NUMBER _____

RESIDENTIAL COMMERCIAL PLAT CLEARING & GRADING

NAME OF LANDOWNER: _____

MAILING ADDRESS: _____

ISLAND: _____ ZONING: _____

NAME OF PROJECT: _____

TPN: _____

PROJECT ADDRESS: _____

NAME OF PROJECT CONTACT: _____

CONTACT MAILING ADDRESS: _____

PROJECT CONTACT'S PHONE: _____ FAX: _____

E-MAIL ADDRESS: _____

ANTICIPATED DATE OF CONSTRUCTION: _____

ISSUANCE OF THIS STORMWATER APPLICATION automatically conveys to Community Development & Planning the authority to enter the premises at reasonable hours for the purposes of inspecting the area of the proposed stormwater management system. Until such time as the project is complete.

SIGNATURE OF ALL OWNERS OR AUTHORIZED AGENT:

_____ DATE: _____

_____ DATE: _____

FOR OFFICE USE ONLY

PAYMENT AMOUNT RECEIVED: _____ RECEIVED BY: _____

DATE	HOURS	COMMENTS



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STORMWATER MANAGEMENT for DEVELOPMENT

REFERENCE: SAN JUAN COUNTY CODE SECTION 18.60.070 STORM DRAINAGE STANDARDS

ALL NEW DEVELOPMENT AND REDEVELOPMENT

For stormwater management for new and redevelopment, San Juan County references the Washington State Department of Ecology Stormwater Management Manual, for Western Washington 2005 edition. This provides guidance on the measures necessary to control the quantity and quality of stormwater produced by new development and redevelopment so they comply with water quality standards and contribute to the protection of beneficial uses of the receiving waters. The manual establishes minimum requirements for projects of all sizes, and provides guidance concerning how to prepare and implement stormwater site plans. The Minimum Requirements are satisfied by the application of Best Management Practices (BMPs).

The applicability of Minimum Requirements varies depending on the amount of new or redeveloped impervious area and land disturbance. The Minimum Requirements are:

- | | |
|--|----------------------------------|
| 1. Preparation of Stormwater Site Plan | 5. On-site Stormwater Management |
| 2. Construction Stormwater Pollution Prevention | 6. Runoff Treatment |
| 3. Source Control of Pollution | 7. Flow Control |
| 4. Preservation of Natural Drainage Systems and Outfalls | 8. Wetlands Protection |
| | 9. Basin/Watershed Planning |
| | 10. Operation and Maintenance |

1. New Impervious Areas on Site:

- Shall not be required to include all impervious areas in existence since September 1, 1991.
- Shall include all impervious areas in existence for less than 2 years; unless final site stabilization has been verified.
- Shall include all impervious areas associated with an active project and shall be considered as part of, and as a revision to, that active project.

2. Existing Impervious Areas on a Site:

- Shall include all existing impervious areas regardless of date of existence.
- Shall not include impervious areas that are part of an active project and which are considered New Impervious Areas.
- Shall not include impervious areas in existence for less than 2 years and which are considered New Impervious Areas; unless final site stabilization has been verified.

3. Land Disturbance Associated with Project:

- All new areas cleared for construction and access.
- All new landscaping.

Please refer to the San Juan County Public Works Stormwater Utility Website for additional information, Stormwater Site Plan examples, and Best Management Practices. <http://www.co-san-juan.wa.us/publicworks/STORMWATER%20UTILITY/ResidentialStormwaterManagementPlans-Fees.html>

MINIMUM REQUIREMENT FOR ALL PROJECTS

Projects consisting of **less than 2,000** square feet of new impervious area **AND less than 7,000** square feet of land-disturbing activities need only comply with Minimum Requirement #2. The applicant should prepare a written discussion of the 12 elements of the requirement.

Minimum Requirement #2 Construction Stormwater Pollution Prevention

Best Management Practices (BMPs) must be employed in order to control erosion and prevent sediment and other pollutants from leaving the project site during the construction phase.

Each proposed project or development must consider twelve "Elements" (or sets) of BMPs that can be applied for stormwater construction pollution prevention, and must employ BMPs for all Elements that are relevant to the project site. (For many projects, only some of the Elements will be relevant.) The 12 Elements are:

- | | |
|----------------------------------|-----------------------------------|
| 1. Mark Clearing Limits | 7. Protect Drain Inlets |
| 2. Establish Construction Access | 8. Stabilize Channels and Outlets |
| 3. Control Flow Rates | 9. Control Pollutants |
| 4. Install Sediment Controls | 10. Control De-watering |
| 5. Stabilize Soils | 11. Maintain BMPs |
| 6. Protect Slopes | 12. Manage the Project |
-

MINIMUM REQUIREMENTS FOR SMALL PROJECTS

Small projects are those consisting of **more than** 2,000 square feet (but less than 5,000 square feet) of new impervious area **OR more than** 7,000 square feet of land-disturbing activities. Small projects shall comply with Minimum Requirements #1 through #5. The five Minimum Requirements are:

- | | |
|---|--|
| 1. Preparation of Stormwater Site Plans | 4. Preservation of Natural Drainage Systems and Outfalls |
| 2. Construction Stormwater Pollution Prevention | 5. On-site Stormwater Management |
| 3. Source Control of Pollution | |

Minimum Requirement #1 Preparation of Stormwater Site Plans

All small projects shall prepare a Stormwater Site Plan in accordance with the Stormwater Management Manual to be reviewed by the County. The level of detail needed for each step depends upon the project size.

- | | |
|---|--|
| 1. Collect and analyze information on existing conditions | 5. Prepare a permanent stormwater control plan |
| 2. Prepare preliminary development layout | 6. Prepare a construction stormwater pollution prevention plan |
| 3. Perform off-site analysis (at local government's option) | 7. Complete the stormwater site plan |
| 4. Determine applicable minimum requirements | 8. Check compliance with all applicable minimum requirements |

Minimum Requirement #2 Construction Stormwater Pollution Prevention

This Minimum Requirement is described under "All Projects", above.

Minimum Requirement #3 Source Control of Pollution

All known, available and reasonable source control BMPs shall be applied to all projects in accordance with the Stormwater Management Manual. Prevention is still the best strategy. (This requirement applies primarily to commercial and industrial projects.)

Minimum Requirement #4 Preservation of Natural Drainage Systems and Outfalls

Maintain natural drainage patterns, and protect downstream receiving waters and down-gradient properties from adverse impact. Discharges from the project site shall occur at the natural location, and all outfalls require energy dissipation.

Minimum Requirement #5 On-site Stormwater Management

Use inexpensive BMPs (stormwater dispersion, infiltration, and retention) on-site to reduce the amount of hydrologic change. (This requirement applies primarily to residential projects.)

MINIMUM REQUIREMENTS FOR LARGE PROJECTS

Large projects are those consisting of **more than** 5,000 square feet of new impervious area **OR** a project that converts **more than** ¼ acres of native vegetation to lawn or landscaped areas, **OR** a project that converts more than 2.5 acres of native vegetation to pasture. A large project shall comply with Minimum Requirements #1 through #10. The ten Minimum Requirements are:

1. Preparation of Stormwater Site Plans
2. Construction Stormwater Pollution Prevention
3. Source Control of Pollution
4. Preservation of Natural Drainage Systems and Outfalls
5. On-site Stormwater Management
6. Runoff Treatment
7. Flow Control
8. Wetlands Protection
9. Basin/Watershed Planning
10. Operation and Maintenance

Minimum Requirement #6 Runoff Treatment

Projects whose runoff from pollution-generating surfaces exceeds the thresholds below must, in addition to Minimum Requirement #5, apply water quality treatment BMPs in order to reduce pollutant loads and concentrations in the stormwater runoff and meet state and federal water quality laws. Several “menus” or sets of BMPs may be relevant: Basic Treatment, Enhanced Treatment, Phosphorus Treatment, and Oil Control.

The thresholds are runoff from: 5,000 square feet of pollution-generating impervious surfaces, **OR** greater than ¼ acre of pollution-generating pervious surfaces.

Minimum Requirement #7 Flow Control

Projects whose runoff volume exceeds the thresholds below must provide flow control of stormwater runoff in order to reduce the adverse impacts of increased peak volumes and durations of stormwater runoff (from new impervious surfaces and vegetation removal) on stream channel erosion rates and on fish habitat and production. The thresholds for flow control requirements are:

- Greater than 3/4 acres conversion to lawn/landscape, **OR**
- Greater than 2.5 acres conversion to pasture, **OR**
- Greater than 10,000 square feet of effective impervious area, **OR**
- Greater than 0.1 cubic feet per second increase in the 100-year flood frequency.

The Western Washington Design Storm and Hydrologic Runoff Model shall be used to estimate runoff. For determining the pre-development runoff rates, the pre-developed condition to be matched shall be a forested land cover. The preferred approach to stormwater management is, first, on-site full dispersion of the runoff, and second, infiltration, where the site can meet suitability requirements per the San Juan County Code and the Stormwater Management Plan.

Minimum Requirement #8 Wetlands Protection

Wetlands are extremely important natural resources, but they can be severely degraded by stormwater discharges due to pollutants in the runoff and disruption of natural hydrologic functions (i.e., changes in water levels and the frequency and duration of inundation). Projects that discharge runoff into a wetland, either directly or indirectly, and whose runoff exceeds the thresholds of Minimum Requirements #6 or #7, must apply additional BMPs. Discharges to wetlands must be controlled to maintain the hydrologic conditions, vegetation, and substrate characteristics necessary to support existing and designated uses. A wetland can be considered for stormwater treatment and/or hydrologic modification, but only in accordance with guidance in the Stormwater Management Manual.

Minimum Requirement #9 Basin/Watershed Planning

Watershed-based planning may be used as a means to develop and implement comprehensive water quality protection measures. A project may be required to apply additional BMPs, or required to meet more stringent minimum requirements in order to address overall pollution impacts. In addition, a project may be required to provide additional basin or watershed protection on the basis of conditions and responses that are identified at the watershed level in a Basin or Watershed Plan.

Minimum Requirement #10 Operation and Maintenance

Stormwater control facilities must be properly operated and adequately maintained for the life of the development. A responsible party must be identified, and a copy of the manual shall be retained at or near the site.

Ecology Construction Stormwater General Permit Coverage Determination: If applicants are disturbing more than 1 Acre during platting or construction, consultation should take place with Ecology to determine whether or not coverage should be obtained under the Construction Stormwater General Permit. Contact Andrew Craig in Ecology's Bellingham office for more information. Telephone number is 360.738.6250

Washington Department of Fish & Wildlife Hydraulics Projects Approval (HPA) Permits: Any projects proposing to tight line stormwater run-off to the shoreline need to contact WDFW to apply for an HPA permit. Telephone number is 425.775.1311

San Juan County Public Works recommends that applicants seek assistance from a stormwater design professional for Large Projects.

State law requires that engineering work be performed by or under the direction of a professional engineer licensed to practice in Washington State. This requirement applies to plans involving construction of treatment facilities or flow control facilities (detention ponds or infiltration basins), structural source control BMPs, or drainage conveyance systems.



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BULLETIN: SAN JUAN COUNTY'S CRITICAL AQUIFER RECHARGE PROTECTION STANDARDS

On December 2, 2008 San Juan County updated the designation and regulations related to critical aquifer recharge areas. The purpose of this update is to assure a safe and adequate supply of water by protecting the quantity and quality of water available to recharge the County's aquifers.

Based on an evaluation of the groundwater characteristics in San Juan County, the entire County was designated as a **Critical Aquifer Recharge Area**. This designation was based on the following criteria:

1. A hydrogeologic study of the County was performed in accordance with State guidance. It was determined that most of the drinking water supply in San Juan County is moderately to highly susceptible to contamination.
2. San Juan County's aquifers are recharged only by localized rainfall.
3. Many of the aquifers in the County are located in bedrock and susceptible to direct surface contamination.
4. Because of the small land areas (islands) and extensive shoreline in San Juan County, maintaining the seawater to freshwater interface is critical to prevent seawater intrusion into our drinking water supply.
5. Groundwater is also an important source of water for lakes, streams, and wetlands that provide both drinking water for people and water for fish and wildlife.

So, what does this mean to you as you prepare to develop land and live in San Juan County? In a general sense, it means we all need to be very careful how we store, handle, and dispose of hazardous chemicals. In a more specific sense, the following are required throughout the County:

1. Pesticides, petroleum products, and other chemicals that could be a health hazard in drinking water shall:
 - a. Be used in accordance with the manufacturers directions;
 - b. Be stored, handled, and disposed of in a manner that prevents them from coming into contact with the ground surface, or with groundwater or surface water; and
 - c. Not be disposed of in floor drains, injection or drywells, septic or sewage disposal systems.
2. Prior to approval, the County shall review plans for commercial, industrial, public, and institutional facilities for compliance with groundwater protection requirements.
3. All existing commercial, industrial, public, and institutional facilities that handle hazardous chemicals or generate hazardous waste are subject to periodic inspection by the County to ensure compliance with groundwater protection requirements.
4. All agricultural uses shall employ best management practices in the application, storage, and disposal of pesticides, herbicides, fertilizers, animal wastes, and any other chemicals that could be a health hazard in drinking water.

The bottom line, common sense message contained within this bulletin is that because of the nature of our island community, the quantity and quality of our groundwater supply is vulnerable. We all need to be careful that we actively manage hazardous chemicals to protect our critical groundwater resources. A good rule of thumb is that if you don't want to drink it, don't pour it on the ground or down the drain. Please keep in mind that hazardous chemicals that become hazardous waste are very difficult to dispose of here in San Juan County. 'Hazardous Waste Round-Up' collection events occur only once per year on Orcas Island, San Juan Island, and Lopez Island.

For additional information regarding hazardous chemical storage, handling and disposal, please contact: Brian Rader (San Juan County Pollution Prevention Specialist; 370-7581) or Helen Venada (San Juan County Waste Reduction and Hazardous Waste Coordinator; 370-0503).



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DRAWING A SITE PLAN

Site Plan Instructions

Note: The numbers in parentheses, e.g., (1), correspond to the numbers on the sample site plan attached to these instructions.

Format - All drawings shall conform to the following requirements.

Sheet size – Preferred sizes are 11"x17", 18"x24", 24"x36", or 30"x42". An 8½"x11" site plan is acceptable only if all information can be shown at a legible and reproducible scale. One 8 ½"x11" reduced copy is required for recording by the Auditor for Land Use Permits.

(1) **Title Block** - Locate the following information on the right hand or bottom margin of all sheets:

- Owner's Name
- Date
- Owner's Address
- Site Address
- Page Number
- Name, Address & Phone number of person preparing drawings
- Tax Parcel Number
- Lot Description
- Drawing Title
- Drawing Scale
- Revision Date & Number

(2) **Scale** – All site drawings shall be of a consistent and industry standard scale.

Indicate scale with bar symbol for plan reduction integrity. Site drawings are preferred to be at a scale of 1" = 20', 30', 40', or 50'. Scales of 1" = 100' or 200' should only be used for very large parcels, and then a smaller scale drawing should also be submitted to provide greater detail of the area where new work is proposed.

Graphic scales shall not substitute for dimensioned drawings.

(3) **North Arrow** - Include on all site and site-related drawings (i.e., vicinity map, detail enlargements, floor plan, etc.).

(4) **Property Lines** - Show the location and dimension of all property lines.

(5) **Easements** – Show location for all existing and proposed utility, open space, drainage, and access easements and/or private roads; draw to scale and accurately dimension.

(6) **Existing and Proposed Structures** - Show location, dimension, and use of all existing and proposed buildings and structures on the site; show distances to EACH property line from the furthest most projection of the structure, including overhangs and decks. All setbacks are measured to the furthest most projection of any structure, including overhangs and decks.

(7) **Adjacent Buildings, Wells, and Septic Systems** – When your building, well or septic system is within 50 feet of any adjacent property line, you must show all buildings, septic systems and well locations on the adjacent parcel that are located within 50' of the property line. Show distances from the adjacent property line to the neighboring structures.

(8) **Setbacks** – Show applicable minimum setbacks to ALL property lines and to the center- line of ALL adjacent roads.

(9) **Driveways and Parking** – Show location of on-site driveways and parking.

(10) **Adjacent Roads** – Locate and label the existing roads or rights of way, both county and private. Show centerlines.

(11) **Spot Elevations and Topography** - Show surface elevations at each corner of the site and at each corner of the structure base. Where any portion of the parcel has a slope that exceeds 1:10, show existing and proposed contours at 5-foot intervals.

(12) **Show location of Water Supply, Service lines and Storage Tanks** – Include zones of protection for well, and zones of protection for any well on adjoining property that extends across property boundaries. Also see item 7 for additional requirements.

(13) **Show location of all Sewage Disposal Systems** – Include location of all test holes for sewage disposal permits and the general area and layout planned for the sewage disposal system. If the system is built, show as built.

(14) **Water Bodies, Wetlands, and Drainage** - Show all ponds, wetlands, wetland buffers, streams, and bodies of water.

In addition, a drainage plan must be submitted with the building permit application when required by the unified development code section 6.

Shoreline Parcels

The remaining items are required to be shown on the site plan if any portion of the proposed construction is located within 200' of the shoreline (O.H.W.M.).

(15) **Ordinary High Water Mark (O.H.W.M.)** – Must be shown for all shoreline parcels.

(16) **Top and Toe of Bank** - Show top and toe of bank or berm.

(17) **Setback from Top of Bank** - Show distance from the top of the bank to the seaward face of the structure(s). To be measured at a right angle from the top of the bank or berm.

(18) **200' Shoreline Jurisdiction** – Show a line marking 200 feet from Ordinary High Water Mark. This line should follow the contour of the shoreline.

(19) **Tree Plan** – Show species and trunk diameter for all existing trees that exceed 3- inches in diameter at 4-feet above the ground located within the 200' shoreline area. Also identify any trees that you will be removing in the future.

(20) **Lot Width** – Indicate lot width at seaward face of building.

In addition you will need to provide photographs taken from the shoreline toward the project and from the project to the shoreline.

