

Chapter 18.60
DEVELOPMENT STANDARDS

Sections:	Page
18.60.010 Applicability.....	1
18.60.020 Water supplies.....	1
18.60.030 Sewage disposal.....	2
18.60.040 Transfer of development rights.....	2
18.60.050 Density, dimension, and open space standards.....	2
18.60.060 Clearing and grading standards.....	5
18.60.070 Storm drainage standards.....	7
18.60.080 Roads – Generally.....	8
18.60.090 Roads – Public roads.....	8
18.60.100 Roads – Private roads.....	11
18.60.110 Pedestrian circulation.....	14
18.60.120 Parking.....	15
18.60.130 Bicycle parking standards.....	19
18.60.140 Off-street loading space requirements.....	19
18.60.150 Utility service lines and facilities – General regulations.....	19
18.60.160 Landscaping.....	19
18.60.170 Lighting.....	22
18.60.180 Home occupations.....	22
18.60.190 Master planned resort development.....	22
18.60.200 Concurrency.....	23
18.60.210 Archaeological and historic resources.....	30
18.60.220 Planned unit development.....	30
18.60.230 Rural residential cluster development.....	32
18.60.240 Standards for new and substantially altered development – Eastsound and Lopez Village urban growth areas.....	34
18.60.250 Extension of urban-level capital facilities and services into rural areas.....	35
18.60.260 Affordable housing.....	36

18.60.010 Applicability.

The development standards of this chapter are designed to effect the goals and policies of the Comprehensive Plan, and apply to all development subject to this code and within all land use districts except as specified below. (Ord. 2–1998 Exh. B § 6.1)

18.60.020 Water supplies.

A. All development must conform to the standards set by SJCC Title 8, Health and Safety, and must satisfy the policies of Element 4 of the Comprehensive Plan (Water Resources) regarding the availability and adequacy of the water resource, the protection of water quality, and the control or avoidance of pollution, and conservation of water.

B. Each new use of land that requires potable or nonpotable water or any major new use of water unrelated to new land use (the collection of rainwater for nonpotable use is exempt from this requirement) and for which the County has approval authority, shall:

1. Provide documented evidence of available and adequate water quantity and quality for the intended use. Water supply is available and adequate when:
 - a. Data are developed which show that the source meets the source approval requirements of the water wells and water systems code (SJCC chapter 8.06);

- b. A water facility provider makes a concurrency determination (*see* SJCC 18.60.200) that it has sufficient capacity to provide the needs of the new use without lowering LOS standards below the minimum adequate level.

A determination by a non-County concurrency facility and service provider that there is adequate capacity available (*see* SJCC 18.60.200) does not necessarily reserve that capacity or guarantee that water will be delivered. Such reservations and guarantees may require the purchase of a membership or other action as defined by the service provider.

Short and long subdivisions must demonstrate actual connections and guarantees of service before final approval.

- 2. Meet standards for water system design and employ all County-wide water conservation measures. Applications shall indicate all structural or operational measures included for the conservation of water. (Ord. 12–2001 § 6; Ord. 2–1998 Exh. B § 6.2)

18.60.030 Sewage disposal.

All development must conform to the standards set by SJCC Title 8 SJCC, Health and Safety. Applicants for subdivision and binding site plan approvals shall demonstrate conformance for both the preliminary and final approvals.

A determination by a non-County concurrency facility and service provider that there is adequate capacity available (*see* SJCC 18.60.200) does not necessarily reserve that capacity or guarantee that sewage disposal service will be provided. Such reservations and guarantees may require the purchase of a membership or other action as defined by the service provider. Short and long subdivisions must demonstrate actual connections and guarantees of service before final approval. (Ord. 12–2001 § 6; Ord. 2–1998 Exh. B § 6.3)

18.60.040 Transfer of development rights.

[Reserved.] (Ord. 2–1998 Exh. B § 6.4)

18.60.050 Density, dimension, and open space standards.

A. Purpose. This section establishes (1) residential density requirements, (2) bulk, area, and dimensional standards, and (3) specific rules for all uses. These standards and rules are intended to provide flexibility in project design and to maintain privacy between adjacent uses.

B. Development Standards.

- 1. This section and Tables 6.1 and 6.2 contain general residential density and dimensional

standards for four general land use categories:

- a. Activity center land use districts;
- b. Rural land use districts;
- c. Resource land use districts; and
- d. Special land use districts.

Limitations specific to a particular district are also specified.

- 2. Additional rules and exceptions are set forth in SJCC 18.60.060 through 18.60.210.

C. Measurement Methods. The following methods will be used to determine compliance with this code:

- 1. The “maximum density” for a parcel is calculated by dividing the parcel area by the total number of residential dwelling units allowed according to the density designation. Only whole density units may be used. (*See* SJCC 18.70.010 (D)).
- 2. “Parcel area” or “lot area” is the total horizontal land area contained within the boundaries of a parcel.
- 3. Setbacks from roads in activity centers or urban growth areas shall be measured from the margin line of the road right-of-way. Setbacks outside of activity centers or urban growth areas are measured from the centerline of the existing road. In each case, this measurement shall be to a line parallel to and measured perpendicularly from the appropriate line. Side and rear setbacks are measured from the edge of the property in the same manner as street setbacks.
- 4. “Maximum lot coverage” is measured by the percentage of total surface area of a lot or lots within a single development occupied by all structures, excluding roof overhangs and covered porches not used for sales, storage or service, in a particular activity center.
- 5. The largest three-dimensional “building envelope size” is established by measuring the largest existing building in a particular activity center as of the date of adoption of this code. The purpose is to avoid new structures that are larger in visual appearance than the largest building existing within a particular activity center.
- 6. “Impervious surface” is measured by calculating the horizontal land area of all surface areas that create a barrier to or retard the entry of water into the soil in comparison with natural conditions prior to development, including but not limited to buildings, parking areas, driveways, roads, sidewalks, patios, packed earth, and oiled surfaces. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces. *See also* SJCC 18.60.070, Storm drainage standards.

7. “Minimum required open space or landscaped area” is a horizontal measurement of open space required as a percentage of total lot area.

D. Open Space. Open space must be maintained in its natural condition, in agricultural or forestry use, or landscaped according to SJCC 18.60.160.

Table 6.1. Density, Dimension, and Open Space Standards for Activity Center Land Use Districts.

Development Standard	Activity Center Land Use District ⁽¹⁾							
	Village			Hamlet			Island Center	Master Planned Resort
	VC	VI	VR	HC	HI	HR	IC	MPR
Maximum Density (parcel area/total number of dwelling units)	[Please refer to the <i>Comprehensive Plan</i> official maps.]							M.P. ⁽²⁾
Minimum Lot Area	See SJCC 18.70.010(E)							M.P.
Minimum Setbacks ^(3, 4, 5, 6)								
Front or Road (feet)	10	10	10	10	10	10	10	M.P.
Rear and Side (feet)	0 ⁽⁷⁾	0 ⁽⁷⁾	10	0 ⁽⁷⁾	0 ⁽⁷⁾	10	0 ⁽⁷⁾	M.P.
Maximum Building Dimensions								
Building height (feet) ^(8, 9)	30	30	30	30	30	30	30	M.P.
Lot coverage (%) ⁽¹⁰⁾	65 ⁽¹¹⁾	60 ⁽¹¹⁾	50	65 ⁽¹¹⁾	60 ⁽¹¹⁾	50	60 ⁽¹¹⁾	M.P.
Building envelope size (%) ⁽¹²⁾	100	100	N.A. ⁽¹³⁾	100	100	N.A. ⁽¹³⁾	100	M.P.
Minimum Required Open Space or Landscaped Area (%) ⁽¹⁴⁾	10	5	30	10	5	30	10	M.P.

Notes:

- Activity center land use districts:

VC = Village Commercial	HC = Hamlet Commercial	IC = Island Center
VI = Village Industrial	HI = Hamlet Industrial	MPR = Master Planned Resort
VR = Village Residential	HR = Hamlet Residential	
- “M.P.” = Master Plan. All density, dimensional, and open-space standards in Table 6.1 for a master planned resort are established in the specific master plan. The maximum density within an MPR may be modified as part of the master plan to allow flexibility within the MPR as long as the total development is consistent with the general provisions of the Comprehensive Plan; see also SJCC 18.30.060, 18.60.190 and 18.90.060.
- Setbacks from roads in activity centers shall be measured from the margin line of the road right-of-way. This measurement shall be to a line parallel to and measured perpendicularly from the appropriate line. Side and rear setbacks are measured from the edge of the property in the same manner as street setbacks.
- Fences are exempt from setback requirements, except when impairing safe sight lines at intersections, as determined by the County engineer.
- Setbacks do not apply to mail boxes, wells, pump houses, bus shelters, septic systems and drainfields, landscaping (including berms), utility apparatus such as poles, wires, pedestals, manholes, and vaults, and other items as approved by the administrator.
- Road right-of-way setbacks may be waived, at the discretion of the County engineer, when the presence of shoreline setbacks, property lines, topography or other restrictions make it unreasonable to construct a structure without encroaching into the road right-of-way setback.
- The minimum side and rear setbacks shall be 10 feet if the site containing the proposed use is adjacent to any property in a village residential, hamlet residential, rural, or resource designation, or a residential activity center.
- Chimneys, smokestacks, fire or parapet walls, ADA-required elevator shafts, flagpoles, utility lines and poles, skylights, communication sending and receiving devices, HVAC and similar equipment, and spires associated with places of worship are exempt from height requirements.
- Structures used for the storage of materials for agricultural activities are exempt for the maximum building height requirements.
- Maximum lot coverage is measured by the percentage of total surface area of a lot or lots within a single development occupied by all structures, excluding roof overhangs and covered porches not used for sales, storage, or service.

11. Maximum lot coverage only applies to:
 - a. Buildings larger than 5,000 square feet in gross floor area in the affected village designation.
 - b. Buildings larger than 3,500 square feet in gross floor area in the affected hamlet designation or residential activity center designation.
 - c. Buildings larger than 4,000 square feet in gross floor area in island center designations.
12. Maximum building size (three-dimensional building envelope) is measured as a percentage of the largest existing structure at the date of adoption of this code that is located within a particular activity center. Structures larger than the maximum allowed may be authorized by a conditional use permit. The purpose is to avoid new structures that are larger in visual appearance than the largest building existing within a particular activity center.
13. "N.A." = Not Applicable.
14. Open space must be maintained in its natural condition, in agricultural or forestry use, or landscaped according to SJCC 18.60.160.

Table 6.2. Density, Dimension, and Open Space Standards for Rural, Resource, and Special Land Use Districts.

Development Standard	Land Use District ⁽¹⁾									
	Rural					Resource		Special		
	RGU	RR	RFF	RI	RC	AG	FOR	C	N	
Maximum Density (parcel area/total number of dwelling units)	[Please refer to the <i>Comprehensive Plan</i> official maps.]								See note 2	
Minimum Lot Area	See SJCC 18.70.010(E)								See note 2	
Minimum Front or Road Setbacks ^(4, 5, 6, 16)										
Existing road for collector (feet from centerline)	45	45	45	45	45	45	45	45	45	
All other roads (feet from centerline)	40	40	40	40	40	40	40	40	40	
Minimum Rear and Side Setbacks ^(4, 5, 6, 16)										
Parcels smaller than five acres (feet)	10	10	10	10	10	10	10	10	10	
Parcels five acres or larger, and average width ≥ 80 feet (feet)	15	15	15	15	15	15	15	15	15	
Maximum Dimensions										
Building height (feet) ^(7, 8)	35 ⁽⁹⁾	35 ⁽⁹⁾	35 ⁽⁹⁾	35 ⁽⁹⁾	35 ⁽⁹⁾	35	35	35	35	
Area of impervious surface (%) ^(10, 15, 16)	10	10	15 ⁽¹³⁾	20	10	10	10	10	10	
Set-Aside Requirements										
Minimum required open space or landscaped area (%) ^(11, 16)	30	30	30	30	30	N.A. ⁽¹²⁾	N.A.	N.A.	N.A.	
Maximum developable area (%) ⁽¹⁶⁾	N.A.	N.A.	N.A.	N.A.	N.A.	See note 14	See note 14	N.A.	N.A.	

Notes:

1. Rural, resource, and special land use districts:

RGU = Rural general use	RR = Rural residential	RFF = Rural farm-forest
RI = Rural industrial	RC = Rural Commercial	AG = Agricultural resource lands
FOR = Forest resource lands	C = Conservancy	N = Natural
2. Only one single-family residence is allowed per existing parcel. Land division for the purpose of additional development is prohibited.
3. Setbacks from roads outside of activity centers are measured from the centerline of the existing road. This measurement shall be to a line parallel to and measured perpendicularly from the appropriate line. Side and rear setbacks are measured from the edge of the property in the same manner as street setbacks.

4. Fences are exempt from setback requirements, except when impairing safe sight lines at intersections, as determined by the County engineer.
 5. Setbacks do not apply to mail boxes, wells, pump houses, bus shelters, septic systems and drainfields, landscaping (including berms), utility apparatus such as poles, wires, pedestals, manholes, and vaults, and other items as approved by the administrator.
 6. Road right-of-way setbacks may be waived, at the discretion of the County engineer, when the presence of shoreline setbacks, property lines, topography or other restrictions make it unreasonable to construct a structure without encroaching into the road right-of-way setback.
 7. Chimneys, smokestacks, fire or parapet walls, ADA-required elevator shafts, flagpoles, utility lines and poles, skylights, communication sending and receiving devices, HVAC and similar equipment, and spires associated with places of worship are exempt from height requirements.
 8. Structures used for the storage of materials for agricultural activities are exempt for the maximum building height requirements.
 9. Approved subarea plans may establish different height requirements in rural districts.
 10. Impervious surface is measured by calculating the horizontal land area of all surface areas that create a barrier to or retard the entry of water into the soil in comparison with natural conditions prior to development, including but not limited to buildings, parking areas, driveways, roads, sidewalks, patios, packed earth, and oiled surfaces. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces. *See also* SJCC 18.60.070, Storm drainage standards.
 11. Required only for parcels over one acre in size.
 12. "N.A." = Not Applicable.
 13. In RFF land use districts, no more than 30 percent of the area of a parcel shall be covered by impervious surfaces, exclusive of roads and driveways.
 14. On all agricultural or forest resource lands (AG and FOR), the maximum area of development which is not related to agricultural or forestry uses and activities shall be limited to 20 percent of the parcel area, but not less than one acre, regardless of the assigned density. Further, in the division of a parcel by any means, the allowable area for conversion of the parent parcel to nonfarm and/or nonforestry use shall not be exceeded. This shall not apply to parcels smaller than five acres.
 15. This standard may be exceeded for parcels that are less than five acres in size. However, in such cases where the total percentage of impervious surface will exceed that specified, the administrator shall require measures to be employed to reduce the long-term stormwater runoff from the parcels, such as French drains for directing roof runoff into appropriately sized dry wells, and retention/detention measures for large parking areas.
 16. This development standard shall not apply to residential development in subdivisions which consist of lots less than 0.3 acres in area that are (except for access roads and driveways) surrounded on all sides by property preserved as permanent open space.
- (Ord. 26–2002 § 4; Ord. 12–2001 § 6; Ord. 11–2000 § 5; Ord. 6–2000; Ord. 7–1999; Ord. 2–1999; Ord. 2–1998 Exh. B § 6.5)

18.60.060 Clearing and grading standards.

A. General Regulations.

1. All grading and clearing activities shall be conducted so as to minimize potential adverse effects of these activities on forested lands, surface water quality and quantity, groundwater recharge, wildlife habitat, and scenic resources.
2. Grading to construct ponds and reservoirs shall:
 - a. Be located at least 30 feet from the edge of a public road right-of-way;
 - b. Maintain in-stream flows of natural drainage courses; and
 - c. Protect adjacent property from damage.

B. Drainage and Erosion Control. This subsection shall apply to any development for which a permit is required by this code or which is permitted outright by regulations in Chapter 18.30 SJCC.

All grading activities shall be accomplished as follows:

1. Design and maintain adequate buffers of undisturbed native vegetation to minimize off-site impacts of surface water runoff, erosion, and sedimentation.

2. Design and construct all graded surfaces that are to be revegetated to slope gradients (generally less than 1:2 or 1:3 slopes) so that the graded surfaces will hold topsoil and to minimize surface runoff, erosion, and sedimentation.
3. Selectively salvage the upper six to 12 inches of topsoil, stockpile it, and respread over all disturbed areas to be revegetated.
4. Any area cleared or graded and not covered with gravel or an impervious surface shall be seeded immediately on completion of the project. If erosion is probable, areas with exposed soil shall be protected by temporary means during construction. All disturbances should at least be revegetated with grasses and forbs; include shrubs, and trees as appropriate in the revegetation effort. Use of plant species native to the County is encouraged.
5. Natural vegetation shall be retained to the maximum extent possible in construction and operation of any use. All development shall ensure that soil erosion and sedimentation of drainage ways will be controlled to prevent damage to adjoining property and downstream

drainage channels and receiving waters.

6. Surface drainage shall not be directed to or discharged into County roads or ditches within County rights-of-way unless approved by the County engineer.
7. A drainage analysis shall be prepared if required by SJCC 18.60.070. Drainage controls may be required to regulate velocities of runoff water and to control pollutants, erosion, and sedimentation if it is probable that damage could occur downstream to property or to water quality. Such controls may include landscaping or reestablishing native vegetation, ponds, catch basins, and other control structures.
8. For effective long-term weed control, it is suggested that the landowner coordinate with the County weed control board to eradicate nuisance species.

C. Best Management Practices (BMPs). BMPs from the Stormwater Management Manual (SMM) (*see* SJCC 18.60.070) or as specified by the County engineer shall be employed in the control of erosion and sediment during construction, to permanently stabilize soil exposed during construction, and in the design and operation of stormwater and drainage control systems. These include BMPs for:

1. Erosion and sediment control and small parcel construction BMPs at Section II-5 in the SMM;
2. Control of pollutants other than sediment on construction sites at Section II-3 in the SMM;
3. BMPs for problem areas on construction sites at Section II-2 in the SMM; and
4. BMPs for runoff control at Section III in the SMM.
 - a. Infiltration and filtration at Section III-3;
 - b. Detention at Section III-4;
 - c. Biofiltration at Section III-6;
 - d. Oil/water separators at Section III-7; and
 - e. Stream stabilization at Section III-8.a.

D. Environmentally Sensitive Areas. All clearing and grading activities that will occur in or adversely affect environmentally sensitive areas shall be subject to the regulations of SJCC 18.30.110 *et seq.*, and to administrative consistency review (SJCC 18.80.070(E)(1)):

1. Geologically Hazardous Areas. Standards governing development activities in these areas are found in SJCC 18.30.120.
2. Frequently Flooded Areas. Fills in flood hazard areas as identified on the FIRMS (flood insurance rate maps) maps are not permitted unless the administrator finds that no reasonable alternative exists.

3. Critical Aquifer Recharge Areas. Standards governing development activities in these areas are found in SJCC 18.30.140.
4. Regulated Wetlands. Alteration (filling, excavating, or draining) of regulated wetlands shall be subject to the provisions of SJCC 18.30.150.
5. Fish and Wildlife Habitat Areas. Standards governing development activities in these areas are found in SJCC 18.30.160.

E. Grading.

1. Project or building permits which involve grading of 100 or more cubic yards are subject to environmental review under the State Environmental Policy Act (SEPA) (*see* SJCC 18.80.050) unless the grading is SEPA-exempt under WAC 197-11-800.

(Note: this does not apply when grading is associated with a development or activity which is categorically exempt from SEPA review requirements. Most minor new construction, including construction of a single-family house and related outbuildings, is exempt from SEPA review; *see* WAC 197-11-800.)

2. **Clearing and Grading Permit.** The clearing and grading permit is a development permit that is processed using the procedures under the Uniform Building Code, adopted as the San Juan Building Code, chapter 15.04 SJCC.
 - a. All grading of 500 cubic yards or more is subject to a clearing and grading permit, except grading associated with the following:
 - i. Maintenance of gravel roads;
 - ii. A SEPA-exempt (*cf.* WAC 197-11-800(2)(d)) residential driveway;
 - iii. Construction of a Class I – III logging road (per RCW 76.09.050 and WAC Title 222);
 - iv. Drainage improvements constructed in accordance with SJCC 18.60.060(B) and 18.60.070; or
 - v. Construction of a pond of one-half acre or less which is not in a regulated wetland (*cf.* SJCC 18.30.150).
 - b. Applications for projects which require a clearing and grading permit shall include the following information:
 - i. Source of fill material and deposition of excess material;
 - ii. Physical characteristics of fill material;

- iii. Proposed methods of placement and compaction;
- iv. Proposed surfacing material;
- v. Proposed method(s) of drainage and erosion control;
- vi. Methods for restoration of the site;
- vii. Demonstration that instream flow of water will remain unobstructed;
- viii. Demonstration that erosion and sedimentation from outflow channels will be minimized by vegetation or other means; and
- ix. Demonstration that pond runoff will be controlled to protect adjacent property from damage. (Ord. 12–2001 § 6; Ord. 2–1998 Exh. B § 6.6)

18.60.070 Storm drainage standards.

All new development and redevelopment must conform to the standards and minimum requirements set by the Washington Department of Ecology Stormwater Management Manual for the Puget Sound Basin (SMM), as amended. The administrator may require additional measures as indicated by the environmental review or other administrative review.

A. Definitions. For the purposes of this section, the definitions at I–2.1 of the SMM shall apply:

- 1. “Small parcel development” is a development that creates or adds less than 5,000 square feet of impervious area, and that is either of the following:
 - a. The construction of an individual, detached, single-family residence, accessory dwelling unit, or duplex; or
 - b. Land-disturbing activities of less than one acre that include grading of 100 or more cubic yards.
- 2. “New development” includes land-disturbing activities, structural development (construction, installation or expansion of a building or other structure), creation of impervious surfaces, Class IV General forest practices and COHP plans, and subdivision, short subdivision and binding site plans as defined in RCW 58.17.020.
- 3. “Redevelopment” includes, on an already developed site, the creation or addition of impervious surfaces, structural development, and replacement of impervious surface that is not part of routine maintenance; and also, land-disturbing activities that are associated with the above activities.
- 4. “Impervious surface” means a hard surface area which creates a barrier to the entry of water into the soil mantle in comparison with natural

conditions prior to development, or which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include roofs, driveways, patios, packed earth, and oiled surfaces. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces.

- 5. A “land-disturbing activity” results in a change in the existing soil cover (both vegetative and nonvegetative) or the existing topography, and includes but is not limited to demolition, construction, clearing, grading, filling, and excavation.

B. Exemptions. Commercial agriculture, and forest practices regulated under WAC Title 222, except for Class IV General forest practices and COHPs (see SJCC 18.40.120 through 18.40.180), are exempt from the provisions of the minimum requirements.

C. Small Parcel Minimum Requirements. Small parcel development meeting the criteria of subsection (A)(1) of this section shall be required to control erosion and sediment during construction and to permanently stabilize soil exposed during construction. Such development shall:

- 1. Comply with the minimum requirements 1 through 4 for small parcels in Section I–2.3 of the SMM, and shall employ the small parcel best management practices (BMPs) of Section II–5.10. Additional guidance is provided in Sections I–3.3, I–4, and II–5.9 of the SMM;
- 2. Prepare a small parcel erosion and sediment control plot plan or illustration (or, show on other diagrams being prepared for the project, if appropriate) showing:
 - a. Vicinity map;
 - b. Location of the structure and its access;
 - c. All applicable setback requirements;
 - d. Location of all applicable erosion and sediment control BMPs; and
 - e. Existing site features and sensitive areas.

D. New Development Minimum Requirements.

- 1. New development that includes (a) the creation or addition of 5,000 or more square feet of impervious surface and (b) land-disturbing activities of less than one acre shall comply with minimum requirements 2 through 11 in Sections I–2.6 through I–2.15 of the SMM, and the small parcel minimum requirements of subsection (C) of this section.
- 2. New development that includes (a) the creation or addition of 5,000 or more square feet of impervious surface, and/or (b) land-disturbing

activities of one acre or more, shall comply with minimum requirements 1 through 11 in Sections I-2.5 through I-2.15 of the SMM, and a stormwater site plan shall be prepared.

3. **Stormwater Site Plan.** A stormwater site plan required by subsections (D)(2), (E)(1) or (2) shall be developed to the standards of Sections I-3.4 and I-3.5 of the SMM, and include:
 - a. Project overview;
 - b. Plot plan, including the elements of subsection (C)(2) and:
 - i. Locations of structures and other impervious surfaces;
 - ii. Locations of stormwater runoff control facilities;
 - iii. Road rights-of-way and easements.
 - c. Preliminary conditions summary;
 - d. Analysis of off-site water quality impacts (including groundwater) resulting from the project, and mitigation measures;
 - e. Analysis and design of proposed stormwater runoff control facilities, including treatment and source control BMPs (*cf.* Section I-4 of the SMM, which provides a list of and selection process for BMPs);
 - f. Erosion and sediment control plan;
 - g. Special reports and studies;
 - h. Stormwater and drainage system maintenance and operations manual.

E. Redevelopment Minimum Requirements.

1. Where redevelopment of 5,000 or more square feet of impervious surface occurs:
 - a. The new development minimum requirements 1 through 11 in Sections I-2.5 through I-2.15 of the SMM shall apply to that portion of the site that is being redeveloped;
 - b. Source-control BMPs (*cf.* Section I-4 of the SMM, which provides a list of and selection process for BMPs) shall be applied to the entire site (including adjoining parcels if they are part of the project); and
 - c. A stormwater site plan shall be prepared.
2. In addition to the requirements of subsection (E)(1) of this section, a stormwater site plan (*see* subsection (D)(3) of this section) shall also be prepared to implement the minimum requirements to the maximum extent practicable for the entire site when any of the following conditions apply:
 - a. Existing sites larger than one acre with 50 percent or more impervious surface;

- b. Sites that discharge to a receiving water that has a documented water quality problem as defined by the County health and community services department or by criteria listed in Section I-2.4.2.B.2 of the SMM; or
- c. Sites where the need for additional stormwater control measures has been identified through a special study by the County or town of Friday Harbor, such as a watershed plan or marine habitat protection plan. (Ord. 21-2002 § 3; Ord. 2-1998 Exh. B § 6.7)

18.60.080 Roads – Generally.

The following shall apply to all public and private roads:

- A. The San Juan County Scenic Roads Manual shall be the primary guideline for all roads in San Juan County, except where it conflicts with state or federal regulations.
- B. New roads shall not be constructed in areas designated natural or conservancy when a feasible alternative exists. Roads permitted in such areas shall be located, designed, and constructed to ensure minimal environmental impacts.
- C. New roads and improvements to existing roads within agricultural resource lands shall be located and designed to minimize disruption of existing or potential agricultural uses.
- D. Drainage from roads and road construction shall be controlled using best management practices (BMPs), as provided under SJCC 18.60.070 (*see also* Section I-4 of the SMM, which provides a list of and selection process for BMPs), so that the transport of pollutants and sediment into water bodies or onto adjacent properties will be avoided or minimized.
- E. Logging roads included in a valid forest practices permit are not subject to this section.
- F. The design and construction of roads shall minimize the impacts on existing residences and historic structures (as defined in Element 9 of the Comprehensive Plan, Historic and Archaeological Preservation).
- G. Modifications to design and construction standards for a specific road project may be approved by the County engineer. (Ord. 2-1998 Exh. B § 6.8.1)

18.60.090 Roads – Public roads.

A. General.

1. The San Juan County engineer is responsible for the design and construction of all County roads.
2. The standard right-of-way width is 60 feet for collector roads, and 50 feet for all other roads.

3. No herbicides, pesticides, or other chemicals shall be used for weed control in road rights-of-way.
4. Driveway permits are required for access to County roads. Applications will be reviewed by the administrator for the requirements of the environmentally sensitive areas overlay district (*see* SJCC 18.30.110) and of the State Environmental Policy Act (SJCC 18.80.050) prior to being forwarded to the County engineer. Such permits shall be limited as follows:
 - a. The number of access points along roads shall be limited to one per parcel, except:
 - i. For agricultural access;
 - ii. When the parcel topography makes a single access point impractical for the entire parcel;
 - iii. When access is being provided for parking lots with 20 or more parking spaces; or
 - iv. When additional access points are approved by the County engineer.
 - b. New access points to collector roads shall not be allowed if reasonable access from any other road is available.
 - c. Clear unobstructed sight distance in both directions from the driveway shall be the distance measured in feet which is a minimum of 10 times the posted speed limit, unless otherwise approved by the County engineer.
 - d. Storm drainage and culvert sizing shall be based upon engineering analysis and the standards of SJCC 18.60.060(B) and 18.60.070. Maximum length of surface drainage for roadside ditches before discharging onto adjacent property or into natural drainageway shall be 1,000 feet. When a culvert is required, the minimum diameter shall be 12 inches.
 - e. All driveway approaches shall be constructed in accordance with the construction standards for driveway access permits (*see* Figure 6.1).
 - f. The permits shall be conditioned to address impacts to environmentally sensitive areas or as indicated by SEPA analysis, if applicable.
 - g. The County engineer shall have the authority to approve or deny all driveway permits, which decision is final and not subject to administrative appeal.
5. In all rural, resource, and special district designations, roads shall not be widened to

provide for parking unless it satisfies a public need.

6. A traffic study based on the most current edition of the highway capacity manual shall be performed for any proposed development that will result in an increase of 100 or more one-way trips per day onto a County road, inside or outside of an activity center or urban growth area. Inside of an activity center or urban growth area, all intersections that may be affected by the proposed development must be included in the traffic study. The number of one-way trips to be generated by the development shall be as is defined in the most current edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual.

B. Road and Right-of-Way Dedication.

1. Where any public road right-of-way abutting a property proposed for a development is subject to a conditional use permit or to Chapter 18.70 SJCC and has insufficient width to conform to the County's adopted road standards for the class of road involved, the County engineer may:
 - a. Require the dedication of sufficient additional right-of-way to bring the abutting half of the right-of-way (measured from the existing County road centerline) into conformance with the adopted standards; and
 - b. Obtain additional easements to cut and fill on the subject property adjacent to the County road, and to provide for drainage of surface and stormwater runoff by directing the runoff along or into natural drainageways on lots adjacent to the County road. Such drainage should be designed and mitigated to avoid or minimize impacts to the environment and to the affected properties.
2. The County may accept the dedication of private roads as new County roads and rights-of-way only if all of the following criteria are met:
 - a. The road meets County standards;
 - b. There are adequate finances to maintain the road;
 - c. The road lies within a village, hamlet, or residential activity center, or urban growth area designation; and
 - d. An evaluation by the County engineer deems the road to be of general public benefit.

C. Road Vacations.

1. This section shall apply to all applications to the board of County commissioners seeking vacation

of a County road right-of-way or any portion of one.

2. Every petition to the board for vacation abandonment of any road right-of-way shall conform to the requirements of Chapters 35.79 or 36.87 RCW and shall be accompanied by the required fee.
3. Application shall be accompanied by the applicant's choice of a bond or cash in the amount to be determined by the County engineer, payable to San Juan County, to cover estimated costs and expenses incurred in the examination, reports, and all proceedings pertaining to such petition to vacate, including the cost of appraisals.
4. Whenever the board shall direct the County engineer to report upon such vacation, the report shall include the following matters in addition to the requirements of Chapter 36.87 RCW:
 - a. The fair market value of the area sought to be vacated as determined by appraisals or as determined by the County engineer based on property assessment of surrounding lands;
 - b. A report from each utility addressing its need for continued uses of the area sought to be vacated. An easement for utility uses may be maintained if a vacation is granted;
 - c. Whether public funds have ever been expended to improve or maintain the road;
 - d. Whether the road is within a subdivision or short subdivision;
 - e. Whether after vacating the road, access to a public road by another property would be impaired;
 - f. A report on the cost of maintaining the section of road in question for the past three years.
5. The planning commission and planning department will review all vacation applications and make a recommendation to the board. The board shall consider the relationship of the proposed vacation to the goals and policies of the Comprehensive Plan.
6. All petitions for road vacation shall be reviewed for the following:
 - a. Roads that abut a body of fresh or salt water may not be vacated except as provided for in RCW 36.87.130.
 - b. Roads that have a public amenity (e.g., scenic vistas or pull-outs) should not be vacated.
 - c. Roads that provide a means of public access to the shoreline shall not be vacated.
 - d. Roads that provide the only legal access to

private property shall not be vacated until alternative access has been provided.

7. If the board denies a vacation, all sums paid to the County shall be forfeited to the County.
8. If the board approves a vacation, compensation to the County shall include all costs and expenses incurred in evaluation and in the hearing on the petition for vacation. The board may also require compensation to include all of, or a portion of, road improvements as well as the fair market value of the land vacated.
9. Approval of a petition to vacate a road shall not be effective until all fees and compensations have been paid.

D. Non-Ferry-Served Island Road Standards – Public Roads.

1. **Standard Design.** The minimum standards for travel way shall be a four-foot-wide path, within a cleared width of 10 feet. All brush, trees, and stumps shall be removed from the cleared width. The path surfacing shall include a four-inch depth of aggregate material. The aggregate material may be 5/8-inch crushed rock or other materials approved by the County engineer. The pathway may require drainage facilities.
2. **Optional Design.**
 - a. If a property owner desires to construct a wider or more substantial travel way, he or she shall notify all of the owners of land abutting the road. Such notice shall include the scope of the proposed improvements and procedures for approval. In order for the project to proceed, 51 percent or more of the abutting property owners (one vote per parcel) must approve the project. With approval of the abutting property owners, the property owners desiring such improvements shall prepare drawings, including drainage facilities, typical section, grades and surfacing depth and source, and then submit these for the review and approval of the County engineer.
 - b. If the County desires to construct a wider or more substantial travel way, the County shall notify all of the owners of land abutting the road. Such notice shall include the scope of the proposed improvements and procedures for approval. A public hearing will be scheduled with the BOCC to discuss and approve a final standard for the travel way.
 - c. The following describes improvement funding:
 - i. If the desire for a road improvement project is submitted through petitions or

other evidence of general public interest of the land owners on a particular island, and if the BOCC approves the project, the County may take responsibility for the funding and construction of the project.

- ii. If the County recommends a public road improvement project in its review of a subdivision application and if the project is approved by the BOCC, as outlined in Chapters 18.70 and 18.80 SJCC, then the subdivision applicant will be responsible for the funding and construction of the road project. (Ord. 26–2002 § 4; Ord. 2–1998 Exh. B § 6.8.2)

18.60.100 Roads – Private roads.

The following requirements apply to all private roads serving more than two parcels, except for roads requiring less than 1,000 cubic yards of grading, and to all new subdivision and short subdivision roads.

A. Road Design Standards. The following design standards are applicable to all private roads:

1. Maximum grade allowed (gravel), 16.0 percent; maximum grade allowed (paved), 22.0 percent;
2. Minimum grade allowed, 1.0 percent;
3. Minimum curve radius allowed, 50 feet;
4. All roads and easements shall meet the minimum standards set forth in Table 6.3, Minimum Standards for Private Roads and Easements;
5. In applying the standards in Table 6.3, the total number of existing and proposed parcels served by the entire road shall be counted;
6. All dead end subdivision and short subdivision roads shall end in a cul-de-sac or “hammerhead” turn-around constructed in accordance with the construction standards accepted by the County engineer;
7. Private road intersections with County roads

shall be constructed in accordance with the construction standards for driveway access permits (Figure 6.1), except that the width shall be as required in this subsection;

8. Storm drainage and culvert sizing shall be based upon an engineering analysis and the standards of SJCC 18.60.060(B) and 18.60.070. Maximum length of surface drainage for roadside ditches before discharging onto adjacent property or into a natural drainageway shall be 1,000 feet. The minimum size of road crossing-culverts shall be eight inches in diameter; however, where the private road or driveway meets the County road, a minimum of 12-inch diameter shall be required.

B. Road Materials. The following standards apply to materials for roads:

1. The source of surfacing materials must be approved by the County engineer before construction.
2. Plain concrete, reinforced concrete, corrugated metal pipe, or approved corrugated polyethylene drainage tubing and fittings may be used for drainage.

C. Road Construction Standards. The following standards apply to construction of roads:

1. Clearing and grubbing material shall be removed from rights-of-way.
2. All embankments shall be compacted in layers by heavy equipment.
3. No deleterious material shall be allowed in embankments or roadbeds.
4. All slopes shall be uniformly graded.
5. The gravel base shall be graded sufficiently to allow an even surface for vehicular traffic.
6. Driveways shall have culverts when needed.
7. Whenever feasible, underground utilities, together with service crossings, shall be installed after the subgrade has been completed, but before surfacing has been placed.

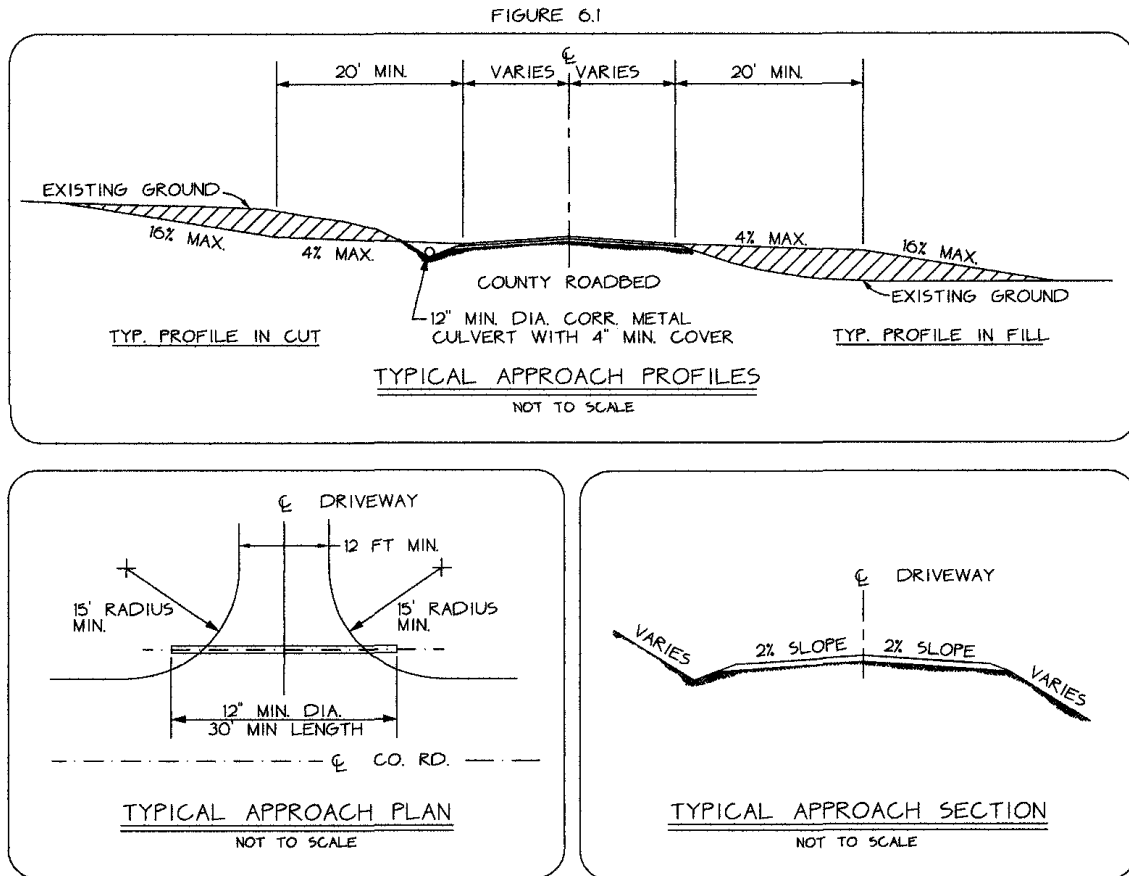
Table 6.3. Minimum Improvement Standards for Private Roads and Easements.^(1,2)

Total Number of Parcels Served	Improvement Standard
3 to 14 (1 to 14 for all subdivisions)	Minimum of 30-foot-wide road easement, with a minimum 12-foot-wide finished roadway. Turnouts to be approved by the County engineer. Cul-de-sacs or hammerhead turnarounds constructed in accordance with County standards are to be located at a maximum of 1,000-foot intervals. ^(3, 4)
15 to 40	Minimum of 30-foot-wide road easement, plus slope easement, with a minimum 20-foot-wide finished roadway, which may be surfaced with a minimum two lifts of light bituminous surface treatment or crushed rock.
41 or more	Minimum of 30-foot-wide road easement, plus slope easement, with a minimum 20-foot-wide finished road surfaced with a minimum two lifts of light bituminous surface treatment. ⁽⁴⁾

Notes:

1. The standards in this table apply for all subdivision and short subdivision roads and for any road where more 1,000 cubic yards of grading is proposed or required.
2. These improvement standards may be modified at the discretion of the County engineer; e.g., in the case of one-way roads.
3. These standards supersede the Uniform Fire Code Section 10.207 requirement for a 20-foot-wide finished roadway width.
4. Refer to Figure 6.2.

Figure 6.1 — Construction Standards for Driveway Access Permits



TYPICAL APPROACH NOTES:

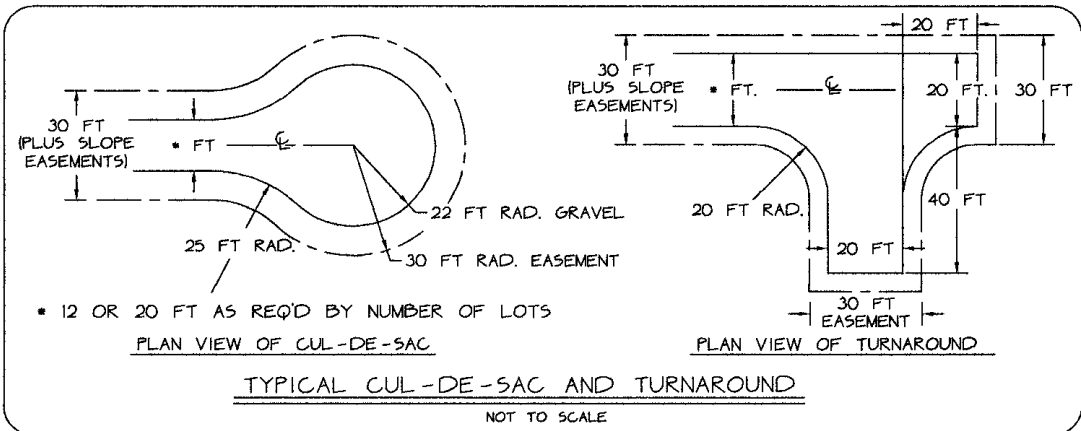
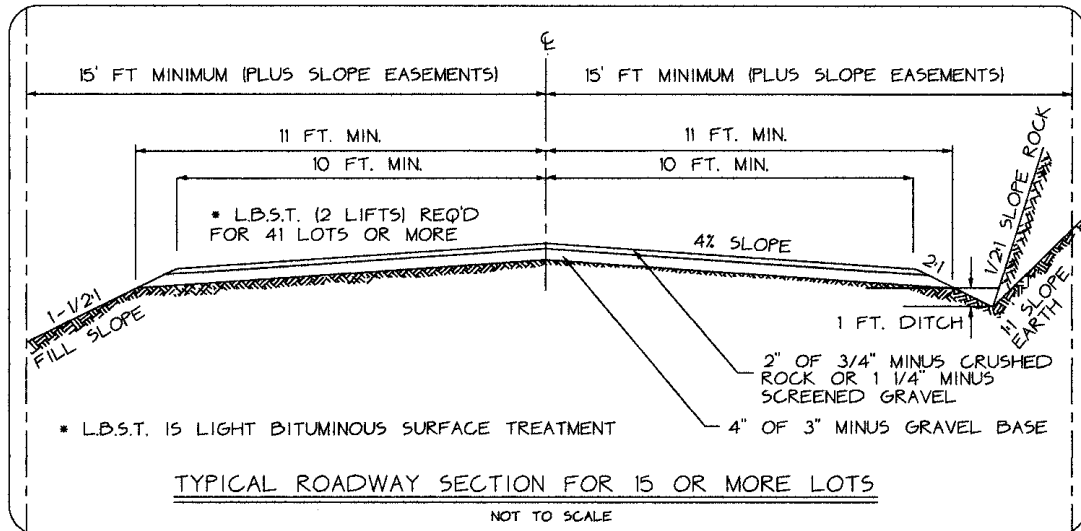
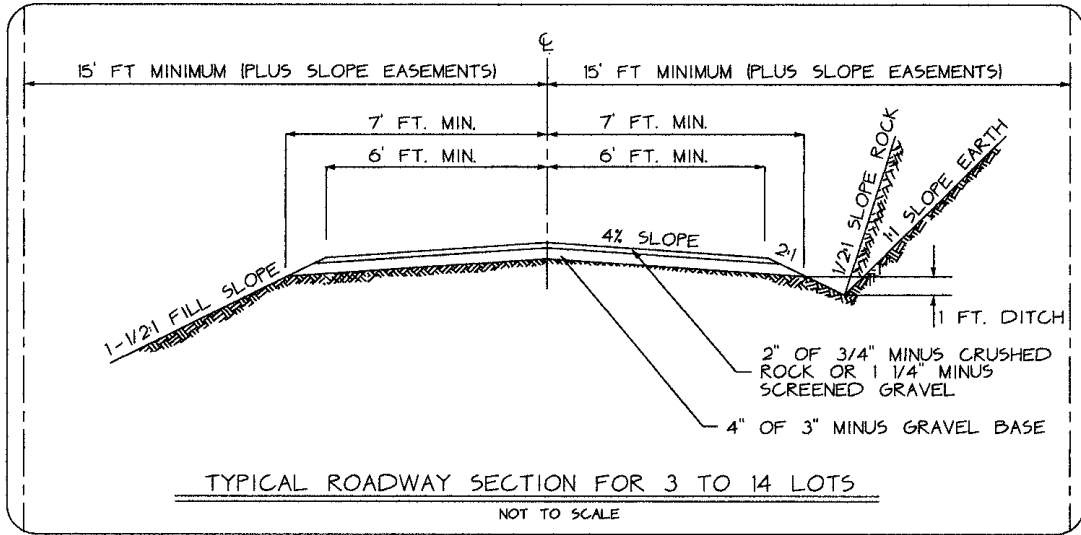
1. APPROACH GRADE MUST BE NO GREATER THAN + OR - 4% WITHIN 20 FT. OF THE COUNTY ROAD SHOULDER.
2. APPROACH MUST HAVE A CRUSHED GRAVEL SURFACE A MINIMUM OF 20 FT. FROM COUNTY ROAD SHOULDER.
3. CULVERTS (IF REQUIRED) MUST BE CORRUGATED METAL PIPE AND HAVE A MINIMUM OF 4 IN. OF COVER.
4. APPROACHES SHALL INTERSECT COUNTY ROAD AS NEAR 90 DEG. AS POSSIBLE AND NOT LESS THAN 60 DEG.
5. APPROACH MUST BE CROWNED AND DITCHED.
6. A 20 FT WIDE APPROACH WIDTH MAY BE REQUIRED AT THE COUNTY ENGINEER'S DISCRETION.
7. MINIMUM SIGHT DISTANCE SHALL BE AS FOLLOWS:

SPEED	MIN. SIGHT DISTANCE
45	450 FT
35	350 FT
25	250 FT
20	200 FT

SIGHT DISTANCE TO BE MEASURED FROM A POINT ON THE APPROACH ROAD AT LEAST 10 FEET FROM THE EDGE OF THE TRAVEL LANE AND MEASURED FROM A HEIGHT OF EYE OF 3.75 FEET ON THE APPROACH ROAD TO A HEIGHT OF OBJECT OF 4.5 FEET ON THE COUNTY ROAD. ANY VARIATION REQUIRES APPROVAL OF THE COUNTY ENGINEER.

Figure 6.2 — Typical Road Sections

FIGURE 6.2



D. Submittal of Private Road Drawings for Subdivisions. The following information in drawing form shall be submitted to the administrator, who shall then forward it to the County engineer and County sanitarian for approval:

1. **Subdivisions.** Prior to acceptance of the final plat application a subdivision road plan shall be submitted showing the following:
 - a. Road alignments and names;
 - b. Centerline bearings;
 - c. Curve data;
 - d. Stationing of points of curvature and points of tangency;
 - e. Right-of-way limits;
 - f. Existing roadway location indicated by dashed lines;
 - g. Connections to any proposed future roads;
 - h. Typical roadway section (*see* Figure 6.2); and
 - i. Roadway monumentation shall be reviewed with the County engineer.
2. **Other Private Roads.** The applicant shall flag the centerline of the proposed road with surveyors' ribbon and prepare a road sketch (scale one inch equals 200 feet) showing the following:
 - a. Road alignments and names;
 - b. Existing roadway location indicated by dashed lines;
 - c. Connections to any proposed future roads;
 - d. Typical roadway section (*see* Figure 6.2);
 - e. Culvert locations and size; and
 - f. All drainways, including road ditches and the direction of flow indicated by arrows.
3. Subdivision drainage plan (scale one inch equals 100 feet or larger) showing the following (may be included on the road plan):
 - a. All drainways, including road ditches and the direction of flow, indicated by arrows;
 - b. Drainage channels to be constructed, in section and profile;
 - c. Percentage of drainage increase through 100 percent development;
 - d. Existing and proposed drainage easements on both the preliminary and final tracing for recording; and
 - e. Culvert locations and size.

E. Inspection of Private Roads. All private roads may be inspected for compliance with this section by the County engineer.

F. Non-Ferry-Served Island Standards – Private Roads and Plat Roads.

1. **Access for Subdivision.** A minimum 30-foot easement shall be provided by at least one of the following:
 - a. Connection to a County or community road;
 - b. Connection to a community or public dock; or
 - c. Connection to a community or public boat ramp.
2. **Standard Design.** The minimum standard for any travel way shall be a four-foot-wide path, within a cleared area of 10 feet wide. All brush, trees, and stumps shall be removed from the cleared area. The path surfacing shall include a four-inch depth of aggregate material. The aggregate material may be 5/8-inch crushed rock or other materials approved by the County engineer. The pathway may require drainage facilities.
3. **Optional Design.** If a property owner desires to construct a wider or more substantial travel way, he or she shall notify all of the abutting land owners to the road. Such notice shall include the scope of the proposed improvements. In order for the project to proceed, 51 percent or more of the abutting property owners (one vote per parcel) must approve the project. With approval of the abutting property owners, the property owner desiring such road improvement shall prepare drawings for the review and approval of the County engineer. The drawings shall meet the requirements of subsection (D) of this section. (Ord. 2–1998 Exh. B § 6.8.3)

18.60.110 Pedestrian circulation.

- A.** All subdivisions shall provide for separate easements and paths when the easement will provide links to any portion of an adopted County plan for public trails.
- B.** All development located in activity centers and master planned resorts, with the exception of single- and two-family residences, shall include pedestrian path linkage to adjacent properties. Public path easements or roadways may satisfy this requirement.
- C.** Pedestrian paths shall meet the following minimum design standards:
 1. Paths shall be visually distinguished from roads, driveways, and parking spaces.
 2. Paths shall have a standard unobstructed width of four feet.
 3. Path easements shall have a maximum width of 10 feet. (Ord. 2–1998 Exh. B § 6.9)

18.60.120 Parking.

A. General Parking Standards. The following standards shall apply to all development under this code.

1. Off-street parking shall be established prior to occupancy of any new or expanded building or before a change occurs in the use of an existing building. Parking space requirements shall be determined from Table 6.4.
2. Off-street parking and access for physically handicapped persons shall be provided in accordance with Section 7503 of the regulations adopted pursuant to Chapter 19.27 RCW, State Building Code, and Chapter 70.92 RCW, Public Buildings – Provisions for Aged and Handicapped.
3. A parking layout plan shall be submitted to the administrator for approval consistent with requirements of Table 6.5, at the time of application for a building permit (or occupancy permit if no building permit is required) or application for any permit required by this code. The layout plan shall conform to the general parking standards contained in this subsection. The administrator may refer any parking plan to the County engineer for technical review.
4. Required off-street parking located within the jurisdiction of the Shoreline Master Program shall also be consistent with applicable provisions of Tables 6.4 and 6.5.
5. Off-street parking areas containing five or more spaces shall be landscaped according to SJCC 18.60.160(D)(3).
6. Parking lots of five spaces or more shall be placed away from public streets and behind buildings unless a 10-foot-wide landscaped buffer is provided. Parking lots shall be 20 feet (inclusive of the 10-foot buffer) from road rights-of-way and shall not occupy more than 50 percent of the frontage of any public street.
7. Off-street parking areas shall not be located more than 1,000 feet from the building they are required to serve, subject to the following:
 - a. Where the off-street parking areas do not abut the buildings they serve, the allowable maximum distance shall be measured from the nearest building entrance along the walking path to the parking area.
 - b. For all multifamily residences, at least 50 percent of parking area(s) shall be located within 100 feet from the building(s) they are required to serve.
 - c. For all nonresidential uses permitted in residential zones, the parking spaces shall be located on the same lot they are required to

serve and at least 50 percent of parking areas shall be located within 150 feet of the nearest building entrance they are required to serve.

8. The minimum parking space and aisle dimensions for the most common parking angles are shown in Table 6.5. For parking angles other than those shown on the chart, the minimum parking space and aisle dimensions shall be approved by the County engineer.
 9. Parking spaces abutting a landscaped area on the driver or passenger side of the vehicle shall provide an additional 18 inches above the minimum space width requirement to provide a place to step other than in the landscaped area. The parking space depth may be reduced when vehicles overhang a walkway under the following conditions:
 - a. Wheel stops or curbs are installed; and
 - b. The remaining walkway provides a minimum of 48 inches of unimpeded passageway for pedestrians.
 10. Driveways providing ingress and egress between off-street parking areas and abutting streets shall be constructed in accordance with the construction standards for driveway access permits (*see* Figure 6.1).
 11. If lighting is provided, it shall be designed to minimize direct illumination of abutting properties and adjacent streets.
 12. All parking areas shall provide adequate space for turning or maneuvering without using public rights-of-way for internal circulation.
- B. Parking Space Requirements.**
1. If this section does not specify a parking requirement for a land use, the administrator shall determine the minimum requirement.
 2. If the required number of off-street parking spaces has been proposed to be provided off-site, the applicant shall provide written lease(s), license(s), or fee arrangement(s) for review by the administrator for compliance with this section. If approved, the lease(s), license(s), or fee arrangement(s) shall be recorded as a deed restriction on the title to all applicable properties. These deed restrictions may not be revoked or modified without authorization by the administrator.
 3. **Computation of Required Off-street Parking Spaces.**
 - a. Off-street parking areas shall contain at a minimum the number of parking spaces as stipulated in Table 6.4. Off-street parking ratios expressed as the number of spaces per

square feet means the usable or net square footage of floor area, exclusive of nonpublic areas. Nonpublic areas include building maintenance areas, storage areas, closets, or restrooms. If the formula for determining the number of off-street parking spaces results in a fraction, the number of off-street parking spaces shall be rounded to the nearest whole number with fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down.

- b. Where other provisions of this code stipulate maximum parking allowed or reduce minimum parking requirements, those provisions shall apply.
- c. An applicant may request a modification of the minimum required number of parking spaces by providing a study that substantiates that parking demand can be met with a reduced parking requirement. In such cases, the administrator may approve a reduction of the minimum required number of spaces.
- d. The current edition of the Uniform Building Code shall be used to determine the number of occupants.
- e. The administrator may refer to the current edition of the ITE Trip Generation Manual to determine the number of trips used to determine parking demand. The administrator may reduce the required number of parking spaces based on actual or projected usage.

C. General Off-Street Parking Construction Standards.

1. Grading work for parking areas shall meet the requirements of the Uniform Building Code. Drainage and erosion or sedimentation control facilities shall be provided in accordance with SJCC 18.60.060(2) and 18.60.070.
2. Wheel stops are required where a parked vehicle would encroach on adjacent property, pedestrian access or circulation areas, rights-of-way, or landscaped areas.

D. Activity Centers. The following requirements shall apply to all development in activity centers:

1. Off-street parking requirements may be satisfied in part by providing on-street parking along the public street frontage abutting a development site if the right-of-way is dedicated to the County by a property owner. Existing parking that uses the right-of-way for circulation shall be allowed to continue in use until street improvements are made or traffic safety considerations warrant that the existing parking spaces be removed. The

property owner shall receive credit for one parking space required under Table 6.4 for each private on-site parking space eliminated as a result of the dedication of right-of-way for parking. Where new or additional public on-street parking is provided in return for a dedication of right-of-way, the property owner shall receive credit for one space required under Table 6.4 for each space created as a result of the dedication.

2. Joint use of off-street parking facilities for uses in more than one building is desirable and may be authorized by the administrator, as follows:
 - a. For uses with differing peak periods, the total number of parking spaces required may be reduced to the number required to meet the greater of peak needs; or
 - b. For uses with similar or overlapping peak periods, the combined required parking may be reduced by 15 percent for each additional use sharing the parking; provided, that (i) the total is not less than that required for the greatest peak use considered individually and (ii) the combined peak requirements is not reduced by more than 33 percent.
3. If public parking areas are provided by a public or private organization, the total number of parking spaces required for a use in an activity center may be reduced if the developer pays for development of off-site public parking spaces within such parking areas.
4. Parking spaces designed and dedicated for use by alternative forms of transportation may be substituted for required standard vehicle spaces. A minimum of 10 standard parking spaces must be provided before an alternative form may be used. Additional alternative spaces may be substituted, as follows:
 - a. Parking for three motorcycles equals one vehicle space. One such substitute space is allowed.
 - b. A bicycle rack for eight bicycles equals one vehicle space. Two such substitute spaces are allowed.
 - c. A hitching post with adequate space for four horses equals one vehicle space. One such substitute space is allowed.
 - d. The County engineer shall develop design standards for motorcycle and bicycle parking areas, and hitching posts for horses.
5. Any lighting installed in parking areas shall be of direct cutoff design so that the source is not visible from adjacent property.

Table 6.4. Minimum Number of Parking Spaces Required for Different Land Uses.

Land Use	Minimum Number of Parking Spaces Required ⁽¹⁾
Commercial Uses	
Animal shelters and kennels	1 per 750 square feet plus 1 per employee
Automotive service and repair	2 spaces per bay or stall plus 1 space per employee
Bed and breakfast inn or residence	1 per guest room, plus two per facility
Day care, group care, and residential care facilities	1 space per 10 people enrolled plus 1 for each staff member or volunteer on-site, but not fewer than 3 spaces
Drinking and/or eating establishments	1 per 100 square feet or 1 per 3 seats, whichever is greater. Seasonal outside seating does not require additional parking.
Hotel/motel	1 per guest room plus 1 per employee
Indoor entertainment facilities	1 per 4 seats or per 100 square feet of assembly area, whichever is greater
Personal and professional services and offices	1 space per 300 square feet plus one per employee, but not fewer than 3 spaces
Residential care facilities (e.g., nursing homes)	5 plus 1 per 6 beds
Resorts	1 per 300 square feet plus 1 per employee
Retail sales and services	1 per 300 square feet
Unnamed commercial uses	[Determined by the administrator]
Industrial Uses	
For all industrial uses (except as listed below):	1 per employee plus 1 per 300 square feet of any associated retail sales area
Garbage and solid waste transfer station	1 per 750 square feet plus 1 per employee
Heavy equipment rental services	1 per 750 square feet plus 1 per employee
Recycling center	1 per 750 square feet plus 1 per employee
Slaughterhouses	1 per 750 square feet plus 1 per employee
Institutional Uses	
College or technical school/adult education facility	1 per classroom, plus 1 per two students
Community club or community organization facility	1 space per 300 square feet but not fewer than 5 spaces
Emergency services	[Determined by the administrator]
Government offices	1 space per 300 square feet but not fewer than 5 spaces
Library	1 per 300 square feet
Museum	1 per 800 square feet
Post office	1 space per 300 square feet but not fewer than 5 spaces
Religious assembly facility	1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes
School, primary and secondary	1 per 10 students enrolled plus 1 per employee
Unnamed institutional uses	[Determined by the administrator]
Recreational Uses	
Camping facilities	[Determined by the administrator]
Indoor recreational facilities	2 per court or 1 per 4 seats or 1 per 100 square feet of assembly area, whichever is greatest
Outdoor shooting and archery ranges	[Determined by the administrator]
Parks and/or playing fields	[Determined by the administrator]

Table 6.4. Minimum Number of Parking Spaces Required for Different Land Uses.

Land Use	Minimum Number of Parking Spaces Required ⁽¹⁾
Recreational Uses	
Recreational vehicle parks	[Determined by the administrator]
Unnamed recreational uses	[Determined by the administrator]
Residential Uses (In Activity Centers Only)	
Cottage enterprise	1 per 2 employees
Group homes	1.5 per tenant
Home occupation	2 per dwelling unit
Mobile home parks	2 per dwelling unit
Multifamily residential (3+ units)	2 per dwelling unit
Single-family residential (1 unit only), accessory to an allowable use	2 per dwelling unit
Single-family residential unit	2 per dwelling unit
Single-family residential smaller than 550 square feet	1 per dwelling unit
Two-family residential (duplex)	2 per dwelling unit
Planned unit development	[Determined by the administrator]
Unnamed residential uses	[Determined by the administrator]
Transportation Uses	
All transportation-related uses	[Determined by the administrator]
Utilities Uses	
All utilities and related uses	[Determined by the administrator]
Agricultural Uses	
Agricultural uses and activities	None
Agricultural processing, retail and visitor serving facilities for products which are raised or grown in San Juan County	1 per employee and 1 per 300 square feet of retail sales area
Forest products, no processing	None
Forest products, processing activities	1 per employee
Nurseries	1 per employee
Retail sales of agricultural products	1 per 300 square feet of indoor retail sales area
Small scale slaughterhouses	1 per employee and 1 per 1,000 square feet
Unnamed agricultural uses	[Determined by the administrator]

Note:

- At least one parking space must be provided, unless indicated by "None."

Table 6.5. Minimum Dimensions for Parking Stalls and Aisles.

Parking Angle (degrees)	Stall Width (feet)	Curb Length (feet)	Stall Depth (feet)	Aisle Width (feet)		Unit Depth (feet)	
				1-Way	2-Way	1-Way	2-Way
0	9.0	22.5	9.0	12.0	20.0	30.0	38.0
45	9.0	12.5	17.5	14.0	20.0	49.0	55.0
60	9.0	10.5	18.0	18.0	20.0	54.0	56.0
90	9.0	9.0	18.0	23.0	26.0	59.0	62.0

18.60.130 Bicycle parking standards.

- A. Bicycle racks shall be designed to allow either a bicycle frame or wheels to be locked to a structure.
- B. All bicycle parking and storage shall be located in safe, visible areas that do not impede pedestrian or vehicle traffic flow. Bicycles parking shall be visible from the building entrance or indicated by directional signs.
- C. The County engineer shall establish minimum safety standards for bicycle racks and signage. (Ord. 2–1998 Exh. B § 6.11)

18.60.140 Off-street loading space requirements.

Every nonresidential building used for retail, wholesale, manufacturing, or storage activities, excluding self-service storage facilities, shall provide off-street loading spaces in accordance with the standards listed below:

- A. One loading space shall be required for each building containing 10,000 or more square feet of gross floor area.
- B. Each loading space required by this section must be a minimum of 10 feet wide, 30 feet long, have an unobstructed vertical clearance of 14 feet, six inches, and be surfaced, improved, and maintained as required by this section. Loading spaces must be located so that trucks do not obstruct pedestrian or vehicle traffic movement or project into any public right-of-way. All loading space areas shall be separated from required parking areas and shall be designated as truck loading spaces.
- C. Any loading space located within 100 feet of areas designated for residential use shall be screened and operated as necessary to reduce noise and visual impacts. Noise mitigation measures may include architectural or structural barriers, beams, walls, or restrictions on the hours of operation.
- D. Loading areas and dumpsters shall be screened from public streets and pedestrian connections by walls, trellises, arcades, or landscaping. (Ord. 12–2001 § 6; Ord. 2–1998 Exh. B § 6.12)

18.60.150 Utility service lines and facilities – General regulations.

- A. Utility service lines and secondary connections shall be placed underground, unless otherwise approved by the permitting agency.
- B. Environmental impacts resulting from installation or maintenance of utilities shall be minimized. Areas disturbed during construction shall be replanted with native vegetation and maintained until firmly

established. Clearing shall be confined to that necessary to allow installation and to prevent interference by vegetation once the system is in operation.

- C. Utilities and transportation facilities shall be installed in the same rights-of-way when the effect will be to reduce the adverse impacts on the physical environment.
- D. Solid waste transfer and disposal facilities shall be located and designed in accordance with Chapter 173–301 WAC, Department of Ecology Minimum Functional Standards for Solid Waste Handling, the San Juan County Comprehensive Solid Waste Management Plan, and applicable local health, safety, and fire protection codes.
- E. Utility lines within agricultural resource lands shall be designed and located to minimize disruption of existing and potential agricultural uses. (Ord. 2–1998 Exh. B § 6.13)

18.60.160 Landscaping.

- A. **Application.** All development for which this code requires landscaping or screening is subject to the landscaping provisions of this section. Water systems for landscaping shall meet the requirements of 18.60.020, and all structural or operational measures included for the conservation of water shall be indicated in the landscaping plan or descriptions.
- B. **General Provisions.** The administrator may authorize variations to the landscaping requirements of this section to:
 - 1. Provide consideration of topography and soils on the site.
 - 2. Allow alternative plant mixes that accomplish the purposes of the type of landscape screening required.
 - 3. Conserve water through the concept of xeriscaping.
 - 4. Provide flexibility in the size of initial plantings.
- C. **Land Use Grouping.** In order to facilitate the application of landscaping standards, the categories of land uses listed in Tables 3.1 and 3.2 in SJCC 18.30.030 and 18.30.040 will be used to determine landscaping requirements in this section. The administrator will determine which category a land use falls within. The categories of uses are:
 - 1. Commercial uses;
 - 2. Industrial uses;
 - 3. Institutional uses;
 - 4. Recreational uses;

5. Residential uses (other than single-family residences);
6. Transportation uses;
7. Utilities uses; and
8. Agricultural uses.

D. Landscape Screening. The three types of landscaping screens are described and applied as follows.

1. “Screen-A” landscaping:

- a. Is a “full screen” that functions as a visual barrier. This landscaping is typically found between residential and nonresidential areas.
- b. Shall at a minimum consist of:
 - i. A mix of primarily evergreen trees and shrubs generally interspersed throughout the landscape strip and spaced to form a continuous screen;
 - ii. Seventy percent evergreen trees;
 - iii. Trees provided at the rate of one per 10 linear feet of landscape strip and spaced no more than 30 feet apart on center; and
 - iv. Evergreen shrubs provided at the rate of one per four linear feet of landscape strip and spaced no more than eight feet apart on center.

2. “Screen-B” landscaping:

- a. Is a “filtered screen” that functions as a visual separator. This landscaping is typically found between commercial and industrial uses; between differing types of residential development; and to screen industrial uses from the street.
- b. Shall at a minimum consist of:
 - i. A mix of evergreen and deciduous trees and shrubs generally interspersed throughout the landscape strip spaced to create a filtered screen;
 - ii. Fifty percent deciduous trees and 30 percent evergreen trees;
 - iii. Trees provided at the rate of one per 20 linear feet of landscape strip and spaced no more than 30 feet apart on center; and
 - iv. Shrubs provided at the rate of one per four linear feet of landscape strip and spaced no more than eight feet apart on center.

3. “Screen-C” landscaping:

- a. Is a “see-through screen” that functions as a partial visual separator to soften the appearance of parking areas and building

elevations. This landscaping is typically found along street frontage or between multiple-family developments.

b. Shall at a minimum consist of:

- i. A mix of evergreen and deciduous trees generally interspersed throughout the landscape strip and spaced to create a continuous canopy;
- ii. Seventy percent deciduous trees;
- iii. Trees provided at the rate of one per 25 linear feet of landscape strip and spaced no more than 30 feet apart on center; and
- iv. Shrubs provided at the rate of one per four linear feet of landscape strip and spaced no more than eight feet apart on center.

E. Landscaping Street Frontages. The average width or depth of perimeter landscaping along street frontages and required locations on private property shall be provided as follows:

1. Twenty feet of Screen-B landscaping shall be provided for all institutional and recreational uses, excluding campgrounds, playgrounds, play fields and indoor recreational facilities.
2. Ten feet of Screen-B landscaping shall be provided for an industrial development.
3. Ten feet of Screen-B landscaping shall be provided for all above-ground utility facilities or development, excluding distribution and transmission corridors, located outside a public right-of-way.
4. Ten feet of Screen-C landscaping shall be provided for all commercial or multiple-family residential and mobile home parks.
5. For all activity center and urban growth area land use districts, except residential:
 - a. Trees shall be planted at the rate of one tree for every 40 feet of frontage along a neighborhood collector road.
 - b. Trees shall be no more than 20 feet from the street right-of-way line.
 - c. Trees may be spaced at irregular intervals in order to accommodate safe sight lines for driveways and intersections.

F. Landscaping of Interior Lot Lines. The average width or depth of perimeter landscaping along interior lot lines shall be provided as follows:

1. Fifteen feet of Screen-A landscaping shall be included in all commercial or industrial development along any portion adjacent to a residential development.

2. Five feet of Screen-B landscaping shall be included in multiple-family, mobile home parks, and group home developments. Boundaries adjacent to property developed with single-family residences or vacant property that is designated residential, the requirement shall increase to 10 feet.
3. Ten feet of Screen-B landscaping shall be included in an industrial development along any portion adjacent to a nonindustrial development.
4. Ten feet of Screen-B landscaping shall be included in all utility, institutional, and recreational uses, excluding above-ground utility facility development and distribution or transmission corridors, when located outside a public right-of-way.

G. Landscaping for Parking Lots. Parking area landscaping shall be provided within surface parking areas with five or more parking stalls to provide shade and diminish the visual impacts as follows:

1. Residential developments with common parking areas shall provide planting areas at the rate of 20 square feet per parking stall.
2. Commercial, industrial, or institutional developments, shall include:
 - a. Twenty square feet per parking stall when five to 15 parking stalls are provided; and
 - b. Twenty-five square feet per parking stall when 16 or more parking stalls are provided.
3. Trees shall be provided and distributed throughout the parking area at a rate of:
 - a. One tree for every five parking stalls for a commercial or industrial development; and
 - b. One tree for every 10 parking stalls for residential or institutional development.
4. The maximum distance between any parking stall and landscaping shall be 75 feet.
5. Permanent curbs or structural barriers shall be provided to protect the plantings from vehicle overhang.
6. Parking area landscaping shall consist of:
 - a. Canopy-type deciduous trees, evergreen trees, evergreen shrubs, and ground covers planted in islands or strips;
 - b. Shrubs that do not exceed a maintained height of 42 inches;
 - c. Plantings contained in planting islands or strips having an area of at least 100 square feet and with a narrow dimension of no less than five feet; and
 - d. 70 percent deciduous trees.

H. Landscape Plan. When screening is required, a

landscaping plan shall be submitted with the project application to indicate how the minimum screening requirements are met. The plan must meet the following requirements:

1. The landscape plan shall be drawn on the same base map as the development plans and shall identify the following:
 - a. Total landscape area and separate hydro zones;
 - b. Landscape materials, botanical and common names, and applicable size;
 - c. Property lines;
 - d. Impervious surfaces;
 - e. Natural or manmade water features or bodies;
 - f. Existing or proposed structures, fences, and retaining walls;
 - g. Natural features or vegetation left in natural state; and
 - h. Designated recreational open space areas.
2. The required landscaping shall be installed no later than three months after issuance of a certificate of occupancy for the project or project phase. However, the time limit for compliance may be extended to allow installation of such required landscaping during the next appropriate planting season. A financial guarantee shall be required prior to issuance of the certificate of occupancy, if landscaping is not installed and inspected prior to occupancy.

I. Maintenance.

1. All landscaping and necessary support systems shall be maintained for the life of the project.
2. All landscape materials shall be pruned and trimmed as necessary to maintain a healthy growing condition or to prevent primary limb failure.
3. With the exception of dead, diseased, or damaged trees specifically retained to provide wildlife habitat, dead, diseased, damaged, or missing plantings shall be replaced within three months or during the next planting season if the loss does not occur in a planting season.
4. Landscape areas shall be kept free of trash.

J. Bonds or Other Security. Performance bonds or other appropriate security shall be required for a period of no less than six months after the planting or transplanting of vegetation to insure proper installation, establishment, and maintenance. This time period may be extended to one year by the administrator, if necessary to cover a planting and growing season. (Ord. 26-2002 §4; Ord. 2-1998 Exh. B § 6.14)

18.60.170 Lighting.

- A. Exterior Lighting.** Exterior lighting shall be energy-efficient and shielded or recessed so that direct glare and reflections are contained within the boundaries of the parcel. Exterior lighting shall be directed downward and away from adjoining properties and public rights-of-way. No lighting shall blink, flash, or be of unusually high intensity or brightness. All lighting fixtures shall be appropriate in scale, intensity, and height to the use they are serving. Any lighting installed in parking areas shall be of direct cutoff design so that the source is not visible from adjacent property. Decorative lighting shall be limited to incandescent lamps with a maximum of 25 watts per bulb and 500 watts overall.
- B. Street Lighting.** Street lighting shall not be provided by the County except, at its option, in activity centers. (Ord. 2-1998 Exh. B § 6.15)

18.60.180 Home occupations.

The following standards apply to all home occupations:

- A.** Those aspects of the home occupation activity which are conducted on-site shall take place entirely within a resident's dwelling unit or in an accessory structure. No more than 1,200 square feet may be used for the home occupation.
- B.** Outdoor activity and storage areas and the exterior display or sale of goods shall not be allowed for a home occupation.
- C.** The home occupation employs no more than the equivalent of two full-time persons other than residents of the dwelling unit.
- D.** No indication of the home occupation shall be evident from outside the boundaries of the property.
- E.** No more than one sign is allowed. No sign may be internally illuminated or of reflective materials, or be larger than two square feet.
- F.** Traffic generated by customers and deliveries shall not exceed five round trips per day and no vehicles associated with home occupation shall be parked on any public right-of-way. (Ord. 2-1998 Exh. B § 6.16)

18.60.190 Master planned resort development.

A master planned resort (MPR) is a self-contained and fully integrated development in a setting of significant natural amenities, with primary focus on destination resort facilities, and which is planned for as a whole and developed in a programmed series of stages. *See also* SJCC 18.30.060 and 18.90.060.

A. Minimum Standards.

1. The MPR shall be located within an MPR activity center that may itself be located either

within or outside of other activity centers.

2. The tract or tracts of land are in one ownership or control or the subject of a joint application by the owners of all the property included.
3. If the MPR divides the land into individual lots, the requirements of Chapter 18.60 and 18.70 SJCC have been met. If the MPR does not divide the land into individual lots, a binding site plan has been prepared to meet the requirements of Chapter 18.60 SJCC and 18.70.080.
4. The site design of an MPR shall include the clustering of units, lots, and uses insofar as is consistent with the overall purpose or theme of the MPR, and to achieve an energy-efficient design.
5. **Residential Uses.**
 - a. **Residential Use Within the MPR.** A mix of urban and suburban densities may be established within a master planned resort activity center, but these residential uses must be integrated into and support the on-site recreational nature of the resort; *see* SJCC 18.30.060(B).
 - b. **Residential Use Outside of the MPR.** New urban and suburban land uses and densities are prohibited outside the boundaries of new or existing master planned resort activity centers.
6. **Access to Shorelines – Common Easements.** An MPR adjacent to water and subject to the jurisdiction of the Shoreline Master Program shall dedicate public access to the shoreline area as required by the Shoreline Master Program in Chapter 18.50 SJCC and by the terms of the master plan.
7. **Water Quality.** Meet the requirements specified in SJCC 18.60.020, 18.60.060(B), and 18.60.070.
8. **Water Quantity.** Demonstrate adequate and available water to serve each phase of the development (*see also* SJCC 18.60.020).
9. **Stormwater Management.** Meet the requirements and standards of SJCC 18.60.020, 18.60.060(B) and (C), and 18.60.070.
10. **Preservation and Enhancement of Environmentally Sensitive Areas.** The legislative finding is that such areas contribute to the value and appeal of the resort, and great emphasis is given to the protection of such areas in the resort. As such an MPR must demonstrate that it meets the minimum standards of this code (*see* SJCC 18.30.110 through 18.30.160), and should attempt to exceed these standards.

11. Open space and landscaped areas shall be designed as an integrated part of the MPR rather than as an isolated element. A landscaping plan shall be prepared consistent with the requirements of and incorporating the development standards of SJCC 18.60.160. A visual buffer shall be established along the perimeter, appropriate to the project, if required by the administrator. All significant trees within the project area and its buffer areas shall be retained whenever feasible.
12. Roads, streets, and access drives within and adjacent to the MPR shall meet the requirements specified in SJCC 18.60.080 through 18.60.140 and Table 6.3.
13. MPR parking shall be screened from view from public rights-of-way.
14. Signs shall be designed and erected in conformance with design guidelines in SJCC 18.40.370 through 18.40.400.
15. Concurrency requirements for transportation and Category A capital facilities shall be met as provided in SJCC 18.60.200.

B. Flexible Standards. The following standards shall be set within the master plan (*see* SJCC 18.90.060(C) and (D)) for the MPR:

1. All density, dimension, and open-space standards in Table 6.1 in SJCC 18.60.050.
2. **Maximum Density.** The maximum density within a master planned resort activity center may be modified to allow flexibility within the MPR, as per SJCC 18.30.060(B); provided, that the total development is consistent with the provisions of the Comprehensive Plan.
3. **Allowable Uses.** The allowable uses in an MPR shall be determined as part of the development of the master plan as per SJCC 18.30.060. (Ord. 2–1998 Exh. B § 6.17)

18.60.200 Concurrency.

A. Applicability. Neither the hearing examiner nor the administrator shall approve a project permit application or development permit application until such application has passed all applicable concurrency tests.

1. All project permit applications and development permit applications that are not exempted in subsection (A)(2) of this section are subject to a concurrency test. These include:
 - a. The construction or expansion of a structure or use;
 - b. A change in use of land or structures that creates a need for additional Category A capital or transportation facilities; or

c. A new phase of an existing planned unit development.

2. **Exemptions.** Project permit applications and development permit applications that are exempt from the concurrency review requirements of this section are:

a. Permits that were issued or applications that were accepted as complete before the effective date of this code. If such permit was issued and does not expire, capacity shall be considered to exist for five years after the date of the concurrency finding.

b. Any project that is a component of another proposed development and that was included in a prior application for a finding of concurrency. This does not include new phases of planned unit developments and master planned resorts which must receive new and separate approvals.

c. The first renewal of a previously issued, unexpired permit; provided, that substantial progress has been made.

d. The following permit actions:

- i. Boundary line adjustment;
- ii. Final subdivision, if a concurrency test was conducted for the corresponding preliminary subdivision application;
- iii. Temporary use permit (Level II);
- iv. Variance; and
- v. Shoreline variance.

e. Any proposed development that creates no additional impacts on any concurrency facility. Such development includes but is not limited to:

- i. Any addition or accessory structure to a residence with no change or increase in the number of dwelling units;
- ii. Interior renovations with no change in use or increase in number of dwelling units;
- iii. Interior completion of a structure for use(s) with the same or less intensity as the existing use or a previously approved use;
- iv. A replacement structure for a structure that has a valid finding of concurrency as per subsection (J) of this section;
- v. Temporary construction trailers;
- vi. A driveway, resurfacing or parking lot paving;
- vii. Reroofing of structures; and
- viii. Demolitions.

B. Purpose. To ensure that the capital facilities and services needed to serve proposed development will be made concurrent with development; that is, the facilities must be available and adequate to maintain the LOS standards set in the Comprehensive Plan when the impacts of development occur. This analysis and conditioning is in addition to the evaluation and conditioning of environmental impacts that occurs under SEPA review.

C. Concurrency Facilities. The public facilities and services for which concurrency is required in accordance with the provisions of this section are facilities for which LOS standards have been set in the Comprehensive Plan. These are:

1. Transportation facilities (ferry service and

parking areas, Type 1 and 2 County docks, and collector public roads and activity center or urban growth area intersections); and

2. “Category A” capital facilities (County solid waste and recycling facilities; community water systems that serve village, hamlet, and master planned resort activity centers; and community sewage treatment facilities that serve village and master planned resort activity centers).

D. Level of Service (LOS) Standards. The concurrency facilities identified in the Comprehensive Plan, and the levels of service established as adequate for San Juan County are listed in Tables 6.6 and 6.8.

Table 6.6. Concurrency Requirements for Transportation Facilities. ⁽¹⁾

Concurrency Facility	Standard for Adequate Level of Service (LOS)
Washington State Ferry Service (off-peak = March) (peak = August)	C – 15 to 24% of sailings overloaded C – 15 to 24% of sailings overloaded
Washington State Ferry Service Parking	C – 5 parking places per 100 residents
County Collector Roads (outside of designated activity centers and UGAs) Rolling Terrain Level Terrain	Average Annual Daily Traffic (AADT) ^(2, 3) D – 2,802 to 4,399 D – 4,344 to 7,657
County Roads (inside of designated activity centers or UGAs) Activity Center or UGA intersections	Average Delay Time per Approach (in seconds) ⁽⁴⁾ D – 25 to 35 seconds
County Docks – Type 1 ⁽⁵⁾ – Type 2 ⁽⁵⁾	C – 0.60 to 1.19 Lineal Feet/Seasonally adjusted ⁽⁷⁾ dwelling units in service area ⁽⁶⁾ D – 0.40 to 0.59 Lineal Feet/Seasonally adjusted ⁽⁷⁾ dwelling units in service area ⁽⁶⁾

Notes:

1. Levels of service are set forth in Section B, Element 6 (Transportation) of the Comprehensive Plan.
2. These thresholds are based on the 1994 Highway Capacity Manual (HCM) calculations, assuming: 40 percent no-passing zones for level terrain, 80 percent no-passing zones for rolling terrain, 60/40 directional split, 10-foot lane width with no shoulders, 10 percent trucks, four percent recreational vehicles, one percent bus. Peak hour factors vary from 0.91 to 1.00 and are taken from table 8–3 of the HCM. The K-factor used is 0.10.
3. AADT is the average daily traffic volume count on a two-way road during a 24-hour period divided by a seasonal fluctuation factor. AADT estimates for collector County roads are available from the public works department.
4. This threshold is based on Exhibit 17–2 of the 2000 Highway Capacity Manual.
5. “Type 1 County docks” are those docks located on ferry-served islands that provide primary access to ferry-served islands from non-ferry-served islands. “Type 2 County docks” are those docks located on non-ferry-served islands.
6. See Table 6.7.
7. Derived by formula by the County Engineer and reviewed periodically as a part of the *6-Year Transportation Facilities Plan*.

Table 6.7. Service Areas for County Docks.

Service Area	Docks
Type 1 Docks¹	
Center, Decatur, Frost, and Trump Islands	Hunter Bay, Lopez Sound
Blakely and Obstruction Islands	Obstruction Pass
Waldron and Wasp Islands	Deer Harbor
Stuart, Henry Pearl, Johns, Cactus, O'Neal and Spieden Islands	Roche Harbor
Type 2 Docks²	
Stuart Island	Prevost Harbor
Waldron Island	Cowlitz Bay
Decatur Island	[no County Dock at present]

Notes:

1. Type 1 Docks = County docks located on ferry-served islands which provide primary access for non-ferry-served islands.
2. Type 2 Docks = County docks located on non-ferry-served islands with County roads.

Table 6.8. Concurrency Requirements for Category A Capital Facilities⁽¹⁾

Concurrency Facility	Standard for Adequate Level of Service (LOS)
Solid Waste and Recycling (Transfer Stations)	Sufficient existing capacity or planned capacity as defined by SJCC 18.60.200(G)(1)(c) ^(2,3)
Community Water Systems that serve UGAs, AMIRDs, or Master Planned Resort Activity Centers ⁽⁴⁾	Sufficient existing capacity or planned capacity as defined by SJCC 18.60.200(G)(1)(c) ^(5,6)
Community Sewage Treatment Facilities that serve UGAs, AMIRDs, or Master Planned Resort Activity Centers ⁽⁷⁾	Sufficient existing capacity or planned capacity as defined by SJCC 18.60.200(G)(1)(c) ^(6,8)

Notes:

1. Levels of service are set forth in Section B, Element 7 (Capital Facilities) of the Comprehensive Plan.
2. Facility capacity is measured on a County-wide basis. LOS calculations therefore will take into account both public and private facilities. For San Juan Island facilities the calculations should include the demand generated by the town of Friday Harbor and its residents.
3. LOS is calculated as follows: $AFC = LHD/SWG$, where AFC is the available facility capacity at solid waste transfer stations, LHD is the long-haul disposal capability and planned capacity, and SWG is the solid waste generated by County population.
4. These systems are: Eastsound Water User's Association; Fisherman Bay Water User's Association; Roche Harbor Water System, Inc.; Deer Harbor; Doe Bay Water User's Association; Olga Water User's, Inc.; Orcas Landing, Inc.; Westsound Water Users Association; and Rosario Water System.
5. All of the water systems listed in Note 4 have been assigned the same LOS capacity standard in the Comprehensive Plan.
6. LOS is calculated as follows: $OC = EC/AC$, where OC is the operating capacity for water distribution or sewage treatment facilities, EC is existing connections and memberships (measured in equivalent residential units), and AC is approved connections and planned capacity (measured in equivalent residential units).
7. These systems are: Eastsound Sewer District; Orcas Landing Sewer System; Roche Harbor Sewer System; Rosario Sewer System; and Fisherman Bay Sewer System.
8. All of the sewage treatment facilities listed in Note 7 have been assigned the same LOS capacity standard in the Comprehensive Plan.

E. General Procedures.

1. **Concurrency Inquiry Application.** Prior to submitting an application, an applicant may inquire from the administrator or service facilities provider whether or not adequate concurrency facilities exist and if concurrency would be met without an accompanying application for a development permit. The results of any such preliminary test shall be informational only and are not binding on the County. Available capacity shall not be reserved on the basis of this preliminary test, and a finding of concurrency shall not be made. Capacity reservations and findings of concurrency will only be made in conjunction with project permit and/or development permit approvals.
2. The applicant shall, as part of a project permit or development application:
 - a. Describe the proposal in a manner adequate for each of the facilities and service providers to determine the demands on concurrency facilities that are likely to be generated by the proposal; and
 - b. Describe any improvements and/or noncapital alternative strategies that are proposed in conjunction with the facility and service providers which may reduce the demand on facilities or increase available capacity.
3. A concurrency test will be performed by the facility and service providers as part of the processing of a project permit or development permit. The administrator will make a finding of concurrency or a finding of no concurrency based on the results of the concurrency test.
4. If a proposal will make demands on more than one concurrency facility, a separate concurrency test will be conducted for each facility.

F. Concurrency Test Methodologies. The County engineer and the non-County service providers shall develop the methodologies that will be used for conducting the concurrency tests, and shall report them to the administrator by a date to be arranged with the administrator.

1. **Individual Single-Family Homes, and Simple Land Divisions – Cumulative Review by the County.** All nonexempted individual single-family residential development permit applications (except water and sewage service in village, hamlet, and master-planned resort activity centers; *see* subsection (F)(5) of this section), and applications for simple land divisions, will be reviewed for concurrency for County-provided facilities, but this review and

the development and apportionment of any necessary concurrency mitigation will be done using a cumulative methodology.

2. **Short and Long Subdivisions – Special Provisions.**
 - a. The concurrency test will be performed for each subdivision for the specific property uses, densities, and intensities of uses described in the preliminary subdivision application.
 - b. The County may conduct a particular concurrency test for subdivisions as part of the cumulative assessment for single-family residences that is described in subsection (F)(1)(a) of this section, if the County engineer determines that this would be a more appropriate assessment methodology. The results of any individual analyses and reviews of subdivisions will also be included in the reviews of cumulative impacts and trends for single-family residential development.
3. **Where Capacity is Adequate for a Future Period.** If the County engineer or a non-County service provider can demonstrate that capacity will be adequate for a period of at least one year, the administrator shall use this determination in making a finding of concurrency for the particular concurrency facility. The County engineer or service provider shall monitor the continuing appropriateness of this determination.
4. **Concurrency Test – Alternative Methodology or Calculation.** An applicant may request an alternative calculation for a concurrency test, or the administrator, County engineer, or service facilities provider may determine that an alternative calculation is required due to the size, scale, or other unusual characteristics of the proposal. In these cases a fee for the alternative calculation shall be paid by the applicant prior to the initiation of review. Final determination of which test or calculation is used shall be within the sole discretion of the administrator; provided, that the standards for adequate levels of service that are set forth in the Comprehensive Plan and represented in Tables 6.6 and 6.8 must be used and alternatives cannot be substituted for them.
5. **Other Nonexempted Development.** For all other nonexempted development, including water and sewage service to single-family residential development in activity centers (*see* subsections (C) and (F)(1) of this section), the concurrency test will be performed only for the specific property uses, densities, and intensities of uses described on the project permit or development permit application, or for the

particular phase being proposed for a master planned resort or other planned unit development.

G. Available Capacity – Calculation, Accounting and Reporting.

1. **Calculation.** The available capacity of concurrency facilities will include both the capacity that currently exists or is finished and in place for use, plus planned capacity.
 - a. The County, and facility and service providers who are not controlled by the County and who do not require a membership or other commitment as a condition of service, shall account for their “available capacity,” which is the existing capacity of the concurrency facility, plus the planned capacities from subsections (G)(3) and (4) of this section, reduced by the capacity that is already used or that is reserved or committed for use in the future.
 - b. The facility and service providers who are not controlled by the County and who require a membership or other commitment as a condition of service shall account for their available capacity in both of the following ways:
 - i. “Available capacity,” as provided in subsection (G)(1) of this section; and
 - ii. “Available capacity minus potential demand by approved projects,” which is the available capacity of subsection (G)(1)(b)(i) minus the capacity that potentially would be used by approved new development projects. This accounting is to be done in order to reflect the potential additional demand that will be made by the developments when they subsequently apply for memberships and/or meet the conditions of service prior to the time of occupancy or use.
 - c. “Planned capacity” for County facilities consists of capacity for which the necessary facility improvements and/or non-capital alternative strategies are contained in the County’s six-year *Capital Financing Plan*, the County’s six-year *Transportation Facilities Plan*, non-capital programs and strategies budgeted or implemented by the County, and capital and non-capital facilities and programs for which a satisfactory financial commitment is in place. In the case of other service providers, “planned capacity” consists of capacity for which the necessary facility improvements and/or non-capital alternative strategies are contained in

a comparable capital plan, addressed in an expansion plan approved by the appropriate regulatory authority, and capital and non-capital facilities and programs for which a satisfactory financial commitment is in place.

- d. “A satisfactory financial commitment” for the purposes of calculating planned capacity is a financial guarantee in the form of a savings account assignment of no less than 100 percent of the cost of construction of necessary capital facilities prior to occupancy or use of the development, or of necessary transportation facilities within six years, or a financial plan approved by the appropriate regulatory authority.
2. **Accounting.** Each service provider shall keep account of its available capacity, and shall monitor this capacity on a continuing basis.
 - a. For the County, and facility and service providers who are not controlled by the County who do not require a membership or other commitment as a condition of service:
 - i. Reduce the “available capacity” by the additional capacity needed for new development as determined per subsection (H)(2)(c) of this section;
 - ii. Reduce the “available capacity” by the capacity for each application exempted from the concurrency test which uses capacity; and
 - iii. Reinstate any capacity for expired development permits, unused capacity, or other action resulting in an applicant no longer needing capacity which has been reserved.
 - b. For facility and service providers who are not controlled by the County and who require a membership or other commitment as a condition of service:
 - i. Reduce the “available capacity” by the additional capacity needed for new memberships, connections, or other commitments;
 - ii. Reduce the “available capacity minus potential demand by approved projects” by the additional capacity needed for new development as determined per subsection (H)(2)(d) of this section;
 - iii. Reduce the “available capacity minus potential demand by approved projects” by the capacity for each application exempted from the concurrency test which will potentially use capacity; and

- iv. Account for the reduction of potential service and capacity demands resulting from expired development permits, unused capacity, or other action resulting in an applicant no longer needing capacity which has been accounted for in subsections (G)(2)(B)(i) through (iii) of this section.

3. Reporting.

- a. Each service provider shall report to the administrator annually the current total available and planned capacities per subsection (G)(1) of this section, of its facility or service. The report shall be submitted by December 31st of each year, so that capacity changes may be assembled before January 31st for inclusion in the amendment process of the Comprehensive Plan.
- b. Failure of facility and service providers to properly report available and planned capacity shall be interpreted by the administrator as equivalent to a reporting of no available capacity at those providers, until such time as the available capacity is properly reported.
- c. If a community water or sewage treatment system serving a UGA, AMIRD, or Master Planned Resort activity center has less than 15 percent available and planned capacity remaining, or if a non-County solid waste and recycling facility and service provider has less than 25 percent available and planned capacity remaining, the annual report shall include a description of any formal plans for expansion of the distribution capacity.

H. Concurrency Test. A concurrency test shall be made for each concurrency facility upon which a proposal will make demands. The concurrency test is applied only to address the added demand placed by a proposal. The costs of needed improvements to address existing deficiencies of transportation and capital facilities are not addressed by concurrency (but by other means, as is provided in the Comprehensive Plan), although such deficiencies are germane to evaluations of the availability and adequacy of facilities.

- 1. **Administrator.** The administrator will provide the overall coordination of the concurrency test. The administrator shall notify the:
 - a. Facility and service providers of all applications requiring a concurrency test and provide the application materials for review, except where either of the following

conditions hold:

- i. If a service provider has demonstrated that capacity will be adequate for a period of at least one year (*see* subsection (F)(3) of this section), the administrator shall use this determination in making a finding of concurrency for the particular concurrency facility.
 - ii. If a facility and service provider has not properly reported its available and planned capacity (*see* subsection (G)(3)(b) of this section), the administrator shall consider there to be no available capacity, and the concurrency test to not be passed, until such time as the available capacity is properly reported. The administrator shall make a finding of no concurrency.
 - b. Facility and service providers of all applications exempt from concurrency testing which use capacity;
 - c. Applicant of the concurrency test results and finding;
 - d. Facility and service providers of the final outcome (approval or denial) of the project permit or development permit; and
 - e. Facility and service providers of any expired project permits or development permits or unused capacity (*i.e.*, capacity that is not used either because the developer decides not to develop or the permit expires).
2. **Facility and Service Providers.** All facility and service providers shall conduct the concurrency test for their individual facilities for all project permit or development permit applications referred by the administrator. The facility and service provider shall:
- a. Calculate the additional capacity needed for the proposal;
 - b. Review any capital improvements or noncapital demand or load management or reduction strategies that are proposed by the applicant (per SJCC 18.60.200(E)(2) and the Comprehensive Plan) to reduce the demand for capacity, and make appropriate adjustments to the capacity needs of the proposal. The facility and service provider may also include in this consideration any additional improvement or strategy proposed by the service provider and accepted by the applicant;
 - c. For the County, and facility and service providers who are not controlled by the County who do not require a membership or

other commitment as a condition of service:

- i. Reduce the available capacity of subsection (G)(1)(a) of this section by the additional capacity needed for the proposal as determined in subsections (H)(2)(a) and (b) of this section;
 - ii. Account for the capacity for each application exempted from the concurrency test which uses capacity; and
 - iii. Reinstate any capacity for expired project permits or development permits, unused capacity, or other action resulting in an applicant no longer needing capacity which has been reserved.
- d. For facility and service providers who are not controlled by the County who require a membership or other commitment as a condition of service:

Reduce the “available capacity minus potential demand by approved projects” of subsection (G)(1)(b)(ii) of this section by the additional capacity needed for the proposal as determined in subsections (H)(2)(a) and (b) of this section;

- e. Compare the adjusted available capacity from subsections (H)(2)(c) or (d) of this section, with the capacity required to maintain an adequate level of service. The required standards from the Comprehensive Plan are repeated in Tables 6.6 and 6.8.
- i. If the adjusted available capacity of a concurrency facility is greater than or equal to the capacity required to maintain an adequate level of service, the concurrency test is passed for that concurrency facility.
 - ii. If the adjusted available capacity of a concurrency facility is less than the capacity required to maintain an adequate level of service, the concurrency test is not passed for that concurrency facility.
- f. Notify the administrator of the results of the test.

I. Decisionmaking Authority.

1. The administrator is vested with the authority to make a finding of concurrency or a finding of no concurrency.
2. Concurrency facilities providers have the authority to conduct concurrency tests for their facilities or services and for determining the appropriate methodologies. The County engineer

has authority to conduct the concurrency tests for County-provided facilities, and for determining the appropriate methodologies.

J. Criteria for a Finding of Concurrency. The administrator shall make a finding of concurrency only if:

1. A facility and service provider has properly reported its available and planned capacity (*see* subsection (G)(3) of this section);
2. A facility and service provider:
 - a. Conducts a concurrency test for a project permit or development permit application and determines that the test is passed; or
 - b. Demonstrates that capacity will be adequate for a period of at least one year (*see* subsection (G)(3) of this section).
3. The administrator shall make a finding of concurrency only if the concurrency test is passed for each and every concurrency facility upon which the proposal would have an impact.
4. Any demand- or load-management or reduction strategies that are proposed by the applicant and accepted by the service providers as part of the concurrency calculation are included in the permit conditions; and
5. Any measures, including the provision of new capacity, that are required by the service providers to maintain adequate capacity and which are accepted by the applicant are included in the permit conditions.

K. Term.

1. A finding of concurrency shall be valid for the same time period as the underlying permit, including any extensions thereof, and shall expire if such permit expires or is revoked, and may require a new concurrency test if modified. If such permit does not expire, the finding shall be valid for five years from the date of finding of concurrency.
2. **Transferability.** A finding of concurrency is not transferable to other land, but may be transferred to new owners of the original land. A finding of concurrency shall only apply to the specific land uses, densities, intensities and proposal described in the project permit application or development application and permit.

L. Facility Capacity and Review Fees. Facility and service providers may charge fees based on their existing fee schedules. This section does not independently authorize the collection of any new fees. Any new capacity fees must be authorized through another authority.

M. Appeals. The administrator’s finding of concurrency or finding of no concurrency may be appealed only as

part of an appeal of the underlying permit, according to the procedures in SJCC 18.80.140 for project permits, or the procedures for development permits in the applicable titles of the San Juan County Code.

- N. Interim Provisions for Ferry Service and Ferry Service Parking.** Until such time as a methodology for implementing concurrency requirements can be jointly developed with the Washington State Ferry System, a concurrency test for ferry service and for ferry service parking will not be applied to individual single-family residential development. Other development will continue to be evaluated and conditioned for transportation impacts through the SEPA process. (Ord. 26–2002 § 4; Ord. 14–2002 § 1; Ord. 12–2001 § 6; Ord. 2–1998 Exh. B § 6.18)

18.60.210 Archaeological and historic resources.

- A.** When an application for a permit is received for an area known to contain archaeological artifacts and data, the County shall not take action on the application and shall inform the applicant thereof, and the applicant shall not initiate any excavation or development activity until the site has been inspected and a written evaluation is provided by a qualified archaeologist. Significant archaeological data or artifacts must be recovered before work begins or resumes on a project. No application will be delayed more than 10 working days for such an inspection. If the application is approved by the County, conditions shall be attached reflecting the recommendations of the archaeologist regarding preservation or protection of the site.
- B.** All permits shall contain a special provision advising the permit holder that if during excavation or development of the site an area of potential archaeological significance is uncovered, all activity in the immediate vicinity of the find must be halted immediately and the administrator must be notified at once. Activities authorized by the permit will not be delayed more than five working days for a finding of significance by the administrator, following the administrator's receipt of notification, unless the permit holder agrees to an extension of that time period.
- C.** All development proposed for location adjacent to sites which are listed, or are determined by the appropriate state or federal authority to be eligible for listing in the state or national registers of historic places, must be located so as to complement the historic site. Development which degrades or destroys the historical character of such sites is not permitted.
- D.** Archaeological sites are subject to Chapter 27.44 RCW (Indian Graves and Records) and Chapter 27.53 RCW (Archaeological Sites and Records) and

must comply with Chapter 25–48 WAC (Archaeological Excavation and Removal Permit). Archaeological excavations are allowed subject to applicable state laws.

- E.** Identified historical or archaeological resources must be considered in site planning for public parks, public open space, and public access and site planning, with access to such areas designed and managed so as to give maximum protection to the resource. (Ord. 2–1998 Exh. B § 6.19)

18.60.220 Planned unit development.

- A. Purpose.** Planned unit development (PUD) is a type of development established under the Comprehensive Plan for the comprehensive planning and development of land as a single unit to preserve environmentally sensitive areas, trees and other natural features of a site; provide for high levels of affordable housing; promote efficient design of utilities and capital facilities; provide for usable open spaces; and encourage creative site design.
- B. Applicability.** An applicant intending to use a PUD to qualify for a density bonus in a district where PUDs are permitted must file a PUD application together with a regular subdivision or binding site plan application for the project (*see* Chapter 18.70 SJCC). A PUD may only be developed in a location and in a land use district where PUDs are permitted as shown on the official maps, and provided for in Chapter 18.30 SJCC.
- C. General Requirements.** A PUD, when approved in accordance with this section:
1. Shall be subject to a subdivision or binding site plan meeting the requirements of Chapter 18.70 SJCC.
 2. Shall be designed to protect and preserve natural environmental features and resource values.
 3. Shall integrate open space within the PUD, rather than providing it as an isolated element of the project, and shall enhance the visual compatibility of the development with the surrounding neighborhood.
- D. Special Requirements for PUDs in Urban Growth Areas.** A planned unit development in an urban growth area shall meet the following additional requirements:
1. The project shall be connected to and served by water and sewer systems per SJCC 18.60.240(B)(1) through (3) and shall be integrated into the other capital facilities (such as stormwater management system or utility) serving the urban growth area. If such water or sewer services are not currently available for the site, the applicant shall contact the service providers to determine the time required and

applicant's share of costs for extension of service and/or capacity improvements necessary to serve the development (*see also* SJCC 18.60.200(E)(2)).

2. The project shall include a transportation plan for the PUD which should provide for and facilitate bicycle and pedestrian use and access to, from, and within the PUD.

E. Special Requirements for PUDs in Residential Activity Centers. The project shall be connected to and served by water and sewer systems per SJCC 18.60.240(B)(1) and (2) where allowed and available, and shall be integrated into any other capital facilities serving the area. If such water or sewer services are not currently available for the site, the applicant shall contact the service providers to determine the time required and the applicant's share of costs for extension of service and/or capacity improvements necessary to serve the development (*see also* SJCC 18.60.200(E)(2)).

F. Residential Density Bonus for Affordable Housing. Additional residential units above the base allowable residential density will be allowed for a development that provides a minimum of 25 percent of the proposed residential units as affordable housing which meets the requirements of SJCC 18.60.260.

1. Density designations on the official maps indicate the base and maximum allowable residential densities.
2. If 25 percent or more of the total dwelling units to be constructed (base units plus bonus units) are provided as affordable housing, the allowed number of dwelling units shall be the lesser of:
 - a. The number of dwelling units allowed by the base allowable residential density, plus 1.5 times the number of affordable housing units provided, rounded down to whole units; and
 - b. The number of dwelling units allowed by the maximum allowable residential density.

G. Minimum Standards. The project shall comply with the following standards:

1. All bulk and dimensional standards in Table 6.1 in SJCC 18.60.050 (residential activity centers shall use the standards of the hamlet residential designation) and in applicable subarea plans, except as modified in this subsection.
2. The maximum and minimum allowable residential densities, and minimum parcel sizes as described in SJCC 16.55.240, 18.30.020(D), 18.30.210, 18.30.220 and 18.70.010(E).

3. Allowed Uses in Urban Growth Areas.

- a. The allowed and prohibited uses are as provided in SJCC 16.55.240 for the Eastsound residential 4-to-12 units per acre district, and in SJCC 18.30.210 for the Lopez Village urban growth area.
- b. The project may contain within the development small commercial services that support the PUD and serve the immediate neighborhood's needs. Any such uses shall be described in the PUD application, and fully integrated with the PUD.
- c. Accessory residential units are prohibited.
- d. Accessory uses shall be limited to those necessary or appropriate to residential use, including the following:
 - i. Common kitchen, meeting or recreation spaces for residents and their guests.
 - ii. Offices for a nonprofit housing provider owning or operating the project, not to exceed 500 square feet of floor area.
 - iii. Small commercial services or small retail businesses that support the PUD and the needs of its residents, are described in the PUD application and are fully integrated with the PUD.

4. Allowed Uses in Activity Centers. Allowed and prohibited uses for PUDs in activity centers are provided in Chapter 18.30 SJCC for the appropriate land use districts.

5. The design of the PUD shall include the clustering of units and uses.
6. All environmentally sensitive areas and their buffers shall be protected as provided in this code and other statutes and regulations.

7. Open Space. In urban growth areas, at least 10 percent of the total land area (horizontally measured) of the project shall be set aside and maintained as usable common open space or landscaped area. In activity centers, at least 20 percent of the total land area (horizontally measured) of the project shall be set aside and maintained as common open space and landscaped area. The open space required by this subsection shall not include:

- a. Areas set aside to meet the requirements of subsection (G)(6) of this section;
- b. Areas devoted to or available for motor vehicle circulation or parking;
- c. Individual front, rear, or side yards; and

- d. Other areas not available or suitable for common use by project residents or the general public.
- 8. A landscaping plan shall be prepared consistent with the requirements and incorporating the development standards of SJCC 18.60.120. All trees that are six inches dbh or larger within required buffer areas shall be retained wherever feasible.
- 9. **Access to Shorelines – Common Easements.** PUDs adjacent to water and subject to the jurisdiction of the Shoreline Master Program shall dedicate a common area for residents’ access to the shoreline area as required by the Shoreline Master Program in SJCC 18.50.330.
- 10. Visual buffers and screening shall be established along the perimeter of the PUD. PUD parking shall be screened from public rights-of-way. Landscaping and screening along the perimeter and within the PUD shall meet that required by SJCC 18.60.160.
- 11. If a PUD will be phased, each phase of a proposed PUD shall contain adequate infrastructure, open space, affordable housing, landscaping and all other conditions of the PUD sufficient to stand alone if no subsequent phases are developed. (Ord. 11–2000 § 5; Ord. 2–1998 Exh. B § 6.20)

18.60.230 Rural residential cluster development.

- A. Purpose.** A rural residential cluster development is a small cluster of residences and related structures intended to provide opportunities for affordable housing and small scale agriculture in rural areas. The standards and procedures provided below are intended to ensure that such developments remain compatible with the rural, agricultural and natural character of rural and resource lands; prohibit suburban sprawl; and do not require urban-level services.
- B. Applicability.** An applicant intending to develop a rural residential cluster must file a use permit application, subdivision or binding site plan application appropriate to the project as provided in SJCC 18.80.180.
- C. Minimum Standards.**
 - 1. **Land Use Districts.**
 - a. The rural residential cluster may be located within any of the following land use districts: village residential, hamlet residential, rural residential, or rural farm forest.
 - b. A rural residential cluster shall not be located in an urban growth area nor in any

of the following land use districts: rural general use, island center, master planned resort, agricultural resource, forest resource, conservancy, natural, or any industrial or commercial district. The developed portion of a rural residential cluster shall not be located in lands subject to the Shoreline Management Act.

2. Project Site and Unit Ownership.

- a. The project site shall consist of the entirety of one or more legal lots of record, and shall be in a single ownership by a public agency, or by a business or nonprofit corporation in the business of providing affordable housing. Any portion of the site not sold for affordable housing shall remain in such ownership as part of the rural residential cluster development for the duration of the use.
- b. Individual residential units may be rented, leased or sold, consistent with the purpose of this section.
- c. Further subdivision of the parcel or parcels shall be consistent with the purpose of this section.

3. Affordable Housing.

- a. All residential units within a rural residential cluster must be affordable housing meeting the standards of SJCC 18.60.260.
- b. Prior to issuance of any building permit for the project, the applicant shall grant a restrictive use easement for the site to San Juan County for the purpose of affordable housing development, subject to such conditions and limitations as the County may require.

4. Site Design.

- a. The site design of the rural residential cluster development shall comply with the site design guidelines of subsection (G) of this section.
- b. The site design of the project as a whole shall comply with the applicable dimensional standards of Table 6.1 or 6.2 in SJCC 18.60.050 with respect to adjacent properties.

5. Maximum Allowable Residential Density and Number of Dwelling Units.

- a. A rural residential cluster development shall not be subject to the density requirements of the land use district in which it is located, except for such requirements in which rural residential development is regulated by name.

- b. A rural residential cluster development shall have a maximum density of two units per acre and a maximum of eight dwelling units.
- 6. **Allowed and Accessory Uses, and Accessory Structures.** Only residential uses are allowed except as provided below. Accessory residential units are prohibited. Accessory uses shall be limited to those appropriate and necessary to residential and agricultural use, including the following:
 - a. Agricultural buildings for housing of animals, storage of agricultural equipment or products, maintenance of equipment used on the site, or processing of agricultural products grown on the site, if otherwise permitted in the district in which the project is located;
 - b. Structures for the on-site sale of products grown or manufactured on the site, not to exceed 500 square feet of floor area, if otherwise permitted in the district in which the project is located;
 - c. Common kitchen, meeting or recreation spaces for residents and their guests;
 - d. Offices for a nonprofit housing provider owning or operating the project, not to exceed 500 square feet of floor area.

The total enclosed floor area of structures including dwelling units and accessory structures shall not exceed 1,500 square feet per dwelling unit.
- 7. **Access to Shorelines – Common Easements.** A rural residential cluster adjacent to water and subject to the jurisdiction of the Shoreline Master Program shall dedicate a common area for residents’ access to the shoreline area.
- 8. **Water Quality.** Meet the requirements specified in SJCC 18.60.020, 18.60.060(B) and 18.60.070.
- 9. **Water Quantity.** Demonstrate adequate and available water to serve the development (*see also* SJCC 18.60.020).
- 10. **Stormwater Management.** Meet the requirements and standards of SJCC 18.60.060(B) and (C) and 18.60.070.
- 11. Open space and landscaped areas shall be designed as an integrated part of the rural residential cluster rather than as an isolated element. A landscaping plan shall be prepared consistent with the requirements of and incorporating the development standards in SJCC 18.60.160. Landscape screening shall be established along the perimeter, appropriate to the project and its surrounding environment, if required by the administrator. All existing trees greater than six inches in diameter at breast

height within the project area and its buffer areas shall be retained whenever feasible.

- 12. Roads, streets, and access drives within and adjacent to the rural residential cluster shall meet the requirements specified in SJCC 18.60.080 through 18.60.180 and Table 6.3 in SJCC 18.60.100.
- 13. Parking shall be screened from view from public rights-of-way.

D. Limitation on Number of Rural Residential Clusters. The number of rural residential cluster developments shall not exceed the following:

- 1. On San Juan, Orcas, Lopez and Shaw Islands combined, outside of village, hamlet or residential activity centers:
 - a. Not more than three clusters in any one calendar year;
 - b. In any calendar decade:
 - i. Not more than 100 dwelling units; and
 - ii. Not more than 50 dwelling units on any one island.
- 2. On other islands, not more than 10 dwelling units on any one island per calendar decade.
- 3. The administrator shall establish procedures for submitting applications for rural residential cluster developments, and may establish criteria for competitive evaluation of such applications if more applications are received than may be approved for a given calendar year period. Such evaluation may consider the location of the proposed clusters in relation to identified housing need; the number of units provided; the availability of units to income groups and household types, including families with children, in greatest need of affordable housing; the current allocation of such clusters among the various islands; the design and location of the clusters for which applications are received; and the demonstrated ability of the applicant to perform based on financial and other factors. In developing such criteria and evaluating competing projects, the administrator shall consult with the housing advisory board.

E. Timely Development Required. Rural residential cluster developments are intended to meet a portion of the County’s needs for affordable housing, and the expectation that rural residential cluster developments will be constructed promptly following approval is an important consideration in evaluating such projects. Approval of a rural residential cluster may be withdrawn if the applicant does not meet any of the following milestones for development of the proposed project:

1. Building permits issued for at least 50 percent of the units; no later than six months from approval;
2. Project 50 percent complete; no later than 12 months from approval;
3. Project constructed and all units available for occupancy; no later than 18 months from approval.

F. Separation. A rural residential cluster development located outside of a village, hamlet or residential activity center shall not be developed in such a way that any habitable structure is located within 1,200 feet of a habitable structure in another rural residential cluster development located outside of a village, hamlet or residential activity center.

G. Design Guidelines. The plot plan (*cf.* SJCC 18.80.020(C)(11)(c)) and building plans shall demonstrate compliance with the following design guidelines. The application submitted for the project shall specifically indicate how the project addresses each of the following design issues:

1. Visual Shielding from Surrounding Uses and County Roads.

- a. The project design shall provide for effective use of terrain, landscape screening, natural vegetation, and the layout and design of structures, to minimize the visibility and the visual impact of the project, as seen from existing residences on surrounding properties, and from County roads.
- b. The administrator may require that a visual study including a visual prototype review period be provided. The building prototype shall be a temporary framework sufficiently visible to clearly and accurately show the proposed volume of structures on the site from those locations from which the structures would be visible.

2. Small-Scale Structures and Articulated Building Surfaces. The visual character of the project shall express the single-family residential character of the project, and shall avoid use of large or bulky structures, large blank surfaces, large retaining walls or other site improvements. In order to minimize the height, bulk and visual impact of the project, the following limitations shall apply:

- a. No structure shall include more than 3,500 square feet of covered floor area.
- b. No structure shall include more than four dwelling units.
- c. No structure shall exceed a building height of two stories or 30 feet.
- d. Any structure incorporating more than one dwelling unit shall provide an obvious

exterior expression of each dwelling unit using one or more of the following methods:

- i. A horizontal setback at least six feet deep between units for a distance of at least 12 feet;
- ii. Articulated surfaces in which a variation of at least six feet in the setback at least six feet wide occurs at least every 30 feet;
- iii. Articulated surfaces in which the horizontal alignment of the exterior wall of adjacent residential units varies by at least 22.5 degrees;
- iv. A difference of at least 22.5 degrees in the horizontal direction of roof pitch, or a difference in roof elevation of at least two feet in height, for a minimum distance of 12 feet, between units;
- v. Other architectural devices approved by the administrator providing at least the visual identification of individual dwelling units provided by subsections (G)(2)(d)(i) through (iv) of this section.

3. Conservation Design. All rural residential cluster development, including development in activity centers, shall be subject to the conservation design standards of SJCC 18.70.060(B)(10). (Ord. 12-2001 § 6; Ord. 11-2000 § 5; Ord. 2-1998 Exh. B § 6.21)

18.60.240 Standards for new and substantially altered development – Eastsound and Lopez Village urban growth areas.

A. Applicability. All new development, and all substantial alterations, within the urban growth areas of Eastsound and Lopez Village.

B. General Regulations.

1. All development subject to this section that is not served by the existing public sewage treatment system:
 - a. Must have sewer capability that meets the design specifications of the sewer district systems for later connection;
 - b. Must connect to the public system within one year of such service becoming available to the development.
2. All development subject to this section that is not served by an existing community Class A water system must connect to the community Class A water system within one year of such service becoming available to the development.
3. For all development subject to this section the applicant must execute and record with the

auditor a statement, binding on the owner, successors, heirs, and assigns, which provides that the owner will not object to the formation of a utility local improvement district for water or sewer.

4. Development and associated improvements and structures shall be located on the property so that they shall not preclude future potential development at a density of four units per acre or greater.
5. Land divisions shall provide remainder lots that will allow an average density with the division of four units or greater.
6. The following note shall be on the face of the plat of all subdivisions and short subdivisions, and on all deeds filed as part of an exempt division:

This land division is located within an urban growth area. This land division has been designed in a manner to allow the future redivision to achieve an average density of four homes per acre.

7. Development applications are exempt from the requirements of subsections (B)(4) through (6) of this section where:
 - a. Commercial development is both within a land use district that does not prohibit residential development or limits it to accessory use, and the area available for future development is less than 0.5 acre.
 - b. Residential development will achieve a residential density of four units per acre or greater.
 - c. Development is within a land use district or density designation that has been indicated on the official maps as not requiring planning to maintain the potential to develop residential densities of four units per acre or greater. (Ord. 11-2000 § 5; Ord. 2-1998 Exh. B § 6.22)

18.60.250 Extension of urban-level capital facilities and services into rural areas.

- A. Applicability.** The administrator shall not approve a development permit application unless it conforms with the standards in this section.
- B. Purpose.** To limit the extension of urban-level capital facilities and services outside of urban growth areas and master planned resorts, while providing a mechanism to allow certain necessary exceptions.
- C. Urban-Level Facilities and Services.** The following are identified as urban-level capital facilities and services:

1. Sewerage treatment systems, sanitary and wastewater sewer systems;
 2. Pressurized, piped fire-suppression flow, as characterized by the presence of hydrants.
- D.** No new urban level facilities and services shall be provided outside of urban growth areas or master planned resorts, or outside of areas of more intensive rural development (AMIRDs).
1. Urban-level services, connections, and contractual commitments to service outside of urban growth areas, master planned resorts and AMIRDs that were completed, were being constructed, or had completed planning and budgeting as of January 1, 2001, are recognized as pre-existing and conforming and may continue.
 2. After January 1, 2001, no new urban-level services, connections, and contractual commitments to service may be made to new or existing development outside of urban growth areas, master planned resorts, and AMIRDs, or within AMIRDs where the urban-level facility or service had not already been established by January 1, 2001.
 3. A rural level of service for water supply and fire protection may include a piped system capable of delivering a pressurized fire-flow, and hydrants, if required by the fire marshal or by the fire hydrant code, Chapter 13.08 SJCC, and if the service is provided at levels that do not exceed those approved by the fire marshal or required by this code.
- E.** Schools and essential public facilities that are located in rural or resource lands are exempted from the service and connection limitations of subsection (D) of this section. Both of the following conditions must be met:
1. The urban-level facilities and services shall be designed and sized specifically to meet and serve the school or essential public facility; and
 2. The urban-level facilities and services shall not be extended to other areas, other facilities, or other users/customers.
- F.** Exceptions to the requirements of subsection (D) of this section may be made through the variance procedures of SJCC 18.80.100. In addition to the criteria for approval of variances, all of the following conditions must be met:
1. The variance is necessary in order to protect basic public health and safety and the environment;
 2. Other alternatives to the extension of urban-level services have first been considered, and it has been determined that none of the alternatives

would adequately and satisfactorily address the problem;

3. The facilities and services are financially supportable at rural densities;
4. The facilities and services do not permit or support urban development;
5. The facilities and services are designed and sized specifically to meet and serve the specific and narrowly defined problem; and
6. The facilities and services are expressly prohibited from being extended to other areas, other facilities, or other users/customers. (Ord. 11–2000 § 5; Ord. 2–1998 Exh. B § 6.23)

18.60.260 Affordable housing.

- A. Purpose.** The purpose of this section is to set forth the conditions under which housing may qualify as affordable housing for the purpose of density bonuses or other provisions of the comprehensive plan or unified development code.
- B.** Affordable housing is housing where the occupants pay no more than 30 percent of gross monthly income for total housing costs, including the cost of property taxes and insurance for homeowners and monthly utilities, excluding telephone, for owners and renters. Except where further specified in the Comprehensive Plan and this code, “affordable housing” refers to such housing serving as the primary residence for very low-, low-, moderate- and middle-income households. The definition of income groups by household size shall be as most recently defined by the U.S. Department of Housing and Urban Development for San Juan County.
- C.** To qualify as affordable to a particular income group and family size, housing shall provide long-term affordability as defined below, and shall have an appropriate size and amenities and have a sufficient number of bedrooms to meet the needs for that family size as determined by the administrator, using appropriate information from the building code, the U.S. Department of Housing and Urban Development and the Washington State Office of Community Development.
- D. Long-Term Affordability.** In order to qualify as affordable housing, housing must provide assurance of affordability to applicable income groups for at least 50 years for ownership housing and 20 years for rental housing by one or more of the following methods:

1. Ownership of land or land and structures by a public agency or nonprofit housing provider;
2. Granting of a restrictive use easement in a form specified by the County for the portions of the site encompassing the affordable units to San Juan County for the purpose of affordable housing development;
3. In the case of rental housing only, the units are subject to a contract with a housing provider which assures their affordability for a minimum of 20 years; or
4. Housing which because of its size, location, amenities, restrictions on development or use, or other characteristics, has been specifically determined by resolution of the board of County commissioners to be affordable.

- E. Permanently Affordable Housing.** In order to qualify as permanently affordable housing, housing must provide assurance of affordability to applicable income groups for at least 99 years by one or more of the following methods:

1. Ownership of land or land and structures by a public agency or nonprofit housing provider with assurance of affordability for at least 99 years;
2. Granting of a restrictive use easement in a form specified by the County for the portions of the site encompassing the affordable units to San Juan County for the purpose of affordable housing development;
3. Housing which because of its size, location, amenities, restrictions on development or use, or other characteristics, has been specifically determined by resolution of the board of County commissioners to be permanently affordable.

- F. Concurrent Development.** Affordable housing units must be developed prior to or at the same time as other allowed residential units in any project granted a density bonus for affordable housing.

- G. Limitation on Credit for Affordable Middle-Income Housing.** No more than 25 percent of the dwelling units counted as affordable housing or permanently affordable housing for the purpose of obtaining a density bonus, use permit, or other special privilege reserved for affordable housing in any project may be for middle-income households. (Ord. 11–2000 § 5; Ord. 2–1998 Exh. B § 6.24)