

**Ordinance No. \_\_\_\_\_ - 2008**

**AN ORDINANCE AMENDING SAN JUAN COUNTY'S COMPREHENSIVE PLAN TO ALLOW FOR ESSENTIAL PUBLIC FACILITIES**

- A. RCW 36.70A.200(5) (the Growth Management Act or GMA) states that no comprehensive plan or development regulation may preclude the siting of essential public facilities; and
- B. There are many kinds of essential public facilities with different siting and design requirements; and
- C. For San Juan County, some essential public facilities are located within 200 feet of the shoreline, and are also subject to the requirements of the Shoreline Management Act; and
- D. Amendments to the goals, policies and regulations of San Juan County's Shoreline Master Program are necessary in order to comply with the essential public facility requirements of the GMA; and
- E. In *Futurewise et al vs. WWGMHB and City of Anacortes* (No. 80396-0, July 31, 2008), the Washington State Supreme Court indicated that shoreline comprehensive plan and development code amendments necessary to comply with the GMA must be submitted for approval of the Washington Department of Ecology; and
- F. Though the process for gaining Ecology approval of GMA amendments to the Shoreline Master Program is not clear, San Juan County wishes to follow the guidance provided by the Supreme Court, incorporate the necessary changes into its Shoreline Master Program, and submit the amendments to the Department of Ecology for approval; and
- G. The islands of San Juan County vary in their need for public services; and
- H. In some cases San Juan County's established land use districts do not provide adequate locations for all essential public facilities; and
- I. In some cases San Juan County's development standards may preclude the siting and approval of essential public facilities;

**FINDINGS.** The County Council makes the following findings:

- J. An environmental checklist was prepared evaluating potential environmental effects of the proposed amendments to the County Code, a notice of Determination of Non-significance was published on September 24, 2008, and the notice was provided to federal, state and local agencies in accordance with San Juan County Code 18.80.050 and WAC 197-11-340.
- K. The 60-day notice on the amendments, as required by RCW 36.70A.106, was provided to the Department of Community, Trade and Economic Development on September 12, 2008, and was assigned a Material ID No. 13437 .
- L. These amendments are being considered as part of the 2008 docket of code amendments.

- M. Efforts to involve and inform the public included:
- A Planning Commission workshop held September 19, 2008;
  - A mailing to service providers on September 22, 2008;
  - Two public meetings held the morning and evening of October 2, 2008;
- N. The County Planning Commission conducted a duly advertised public hearing on October 10, 2008 received public testimony and provided findings and recommendations on the proposed amendments. The Planning Commission findings are as follows:
1. The Planning Commission considers San Juan County unique in its island aspect and its limited land space, which leads them to be extremely cautious of its development. The Planning Commission would like all Essential Public Facility applications to go through the process outlined in the proposed ordinance.
  2. The reason for the limitation of Essential Public Facilities to the state list, is that the Planning Commission finds that Essential Public Facilities will vary from island to island. By defining additional Essential Public Facilities through the application process, the County can do a better job of permitting Essential Public Facilities.
  3. Given the current legal separation of the State Growth Management Act and Shoreline Management Act, the Planning Commission finds that the defining of Essential Public Facility role of barge landing sites needs to be addressed.
- O. The County Council conducted a duly advertised public hearing on November 4, 2008 and received public testimony.
- P. The County Council (agreed/ disagreed) with the findings and recommendations of the Planning Commission.

NOW THEREFORE IT IS ORDAINED AS FOLLOWS:

**SECTION 1.** Comprehensive Plan Section B, Element 2 (Land Use), Section 2.2 D (Essential Public Facilities) shall be repealed.

~~Goal: To ensure that the land use needs for essential public facilities are identified and provided for as a necessary component of a coordinated land use system.~~

~~Policies (2.2.D.1-2):~~

- ~~1. In coordination with the Town of Friday Harbor, ensure that sufficient lands are available in all land classes to accommodate essential public facilities where appropriate.~~
- ~~2. Establish criteria for the siting and design of essential public facilities to:~~
  - ~~a. maximize the efficiency of services provided;~~
  - ~~b. minimize public costs;~~
  - ~~c. minimize impacts on the natural and rural environment; and~~
  - ~~d. be reasonably compatible with surrounding land uses.~~

- ~~3. Prevent the siting of incompatible uses adjacent to general aviation airports.~~
- ~~4. The County may not preclude the siting of essential public facilities within the County; however siting decisions shall be based on adopted policies and procedures.~~

**SECTION 2.** Comprehensive Plan Appendix 2, Joint Planning Policies with the Town of Friday Harbor, and other County-wide Planning Policies shall be amended as follows:

**Policies for Siting and Design of Essential Public Capital Facilities  
of County or State-Wide Significance.**

~~Recognizing the diverse essential public facility needs of San Juan County's many islands, following are the policies of the Town and County for addressing the siting and development of essential public capital facilities of county or state-wide significance in the capital facilities elements of their comprehensive plans.~~

**Policy 1** ~~The capital facilities elements should identify existing and proposed public capital facilities. Essential Public Facilities (EPFs) are facilities that provide a necessary public service as their primary mission, and that are difficult to site. EPFs include those facilities listed in RCW 36.70A.200; any facility that appears on the list maintained by the State Office of Financial Management under RCW 36.70A.200(4); secure community transition facilities as defined in RCW 71.09.020; state education facilities; state or regional transportation facilities as defined in RCW 47.06.140; general aviation airports; state and local correctional facilities; solid waste handling facilities; in-patient facilities including group homes, substance-abuse and mental health facilities; and facilities determined to be an EFP under UDC 18.30.050 E.~~

~~Essential public capital facilities of county or state-wide significance include, but are not limited to: passenger and vehicle ferry terminals (public); public elementary and secondary schools; solid waste collection, transfer and disposal facilities; county roads and county docks; county equipment storage and maintenance yards; county septage handling and treatment facilities; primary electrical transmission and distribution system; fire stations and emergency service facilities; public libraries; post offices; parks; county administrative offices; and general aviation airports.~~

~~Essential public facilities on San Juan Island include: town streets; town equipment storage and maintenance yards; municipal sewer system; municipal water system and associated watershed; and town hall administrative offices.~~

**Location and Design Policies**

**Policy 2** ~~In coordination with the Town of Friday Harbor, ensure that sufficient lands are available to accommodate essential public facilities (EPFs).~~

**Policy 3** ~~Regulations and policies may not preclude the siting and construction of EPFs. When possible, EPFs shall comply with existing regulations and policies. When this is not possible, or when existing, non-conforming facilities need to be expanded, special siting, design and approval procedures should be developed that:~~

- a. Consider impacts on existing land uses, resource lands, open space, scenic resources, and the natural and rural environment;
- b. Consider the quality of service provided and the economic, social and environmental costs and benefits to the public.
- c. Include the public in selecting sites and developing alternatives to mitigate negative impacts;
- d. Require EPFs to provide reasonable mitigation of negative impacts. An application for approval of an EPF Conditional Use Permit may however, not be denied because impacts are not fully mitigated. The essential public facilities elements should, to the greatest extent possible, establish criteria for the siting of new facilities which:
  - i. Provide for the protection of critical areas and resource lands; and
  - ii. Provide for urban services; and
  - iii. Are consistent with adopted land use regulations; and
  - iv. Ensure compatibility between capital facilities and residential uses.
- e. Prevent the siting of incompatible uses adjacent to general aviation airports.

**Policy 4 2** ~~Essential public facilities should not be located within frequently flooded or geologically hazardous areas resource lands, or critical areas unless no practicable alternative exists and then only to the minimum extent possible and in accordance with applicable regulations.~~

**Policy 53** ~~On San Juan, Lopez and Orcas Islands, new public schools and government administrative offices should be located only within the Town, a UGA, or a Village district, or other area where unless adequate water supplies and sewage disposal exist without new extensions of urban services.~~

**Policy 64** ~~Other facilities, except parks, should not be located outside an urban growth area or village district unless its the nature of their operations warrants a rural location.~~

**Policy 5** ~~The siting of any essential public facility must be compatible with existing land uses and with the applicable comprehensive plan for the area affected.~~

#### **Location Policies for San Juan Island**

**Policy 76** The Town of Friday Harbor and San Juan County should avoid duplication of facilities and facilities sites when they could reasonably and practically be shared among the two jurisdictions for common or multiple purposes, particularly those that, by their nature, warrant a rural location.

**Policy 87** The Town and the County should maintain a standing task force of elected and appointed representatives, including representatives of the Port of Friday Harbor as appropriate, to develop specific siting criteria for a given facility, and to analyze and rank potential sites; such analysis must include evaluation of consistency with the applicable comprehensive plan.

**Policy ~~98~~**—The Town and the County should ensure that public involvement in siting decisions is fostered to the greatest extent possible by holding public meetings and otherwise distributing information at the earliest possible point in the decision process, in addition to public notices and hearings that may be required by law.

**Other Policies**

**Policies for Other Capital Facilities of County or State Wide Significance**

**Policy ~~19~~**The capital facilities elements should require facilities or facilities improvements to accommodate the impacts of new development to be in place at the time of development, or require a financial commitment to be in place to complete the improvements within six years.

**Policy ~~24~~**The capital facilities elements should be designed to achieve consistency with county or state plans and policies for the siting of public capital facilities.

**Policy ~~31~~**Capital facilities element policies should be designed to serve development envisioned or authorized by the comprehensive plans of both jurisdictions.

**Policy ~~41~~**The capital facilities elements should be designed to achieve consistency between both jurisdictions' plans for capital facilities.

**Policy ~~51~~**The capital facilities elements should establish and maintain standards for the level of service for both existing and future public capital facilities.

**Policy ~~61~~** The capital facilities elements should establish criteria for the siting of new public capital facilities which:

- a. Provide for the protection of critical areas and resource lands; and
- b. Provide for urban services; and
- c. Are consistent with adopted land use regulations; and
- d. Ensure compatibility between capital facilities and residential uses.

**Policy ~~71~~** The capital facilities elements should identify the timing and methods of financing for expansion or new construction of public capital facilities.

**SECTION 3.** Comprehensive Plan Section B, Element 7 (Capital Facilities), Section 7.3 B (Community Water Systems that Serve UGAs, AMIRDs, and MPR Activity Centers) shall be amended as follows.

**7.3.B Community Water Systems That Serve UGAs, AMIRDs, and MPR Activity Centers**

Goal: To ensure that designated urban growth areas, AMIRDs (areas of more intensive rural development), or Master Planned Resort activity centers are served by community water supply systems and that plans for future development are in place.

Policies (7.3.B.1-9):

- ~~1.~~ Community water systems which serve urban growth areas, AMIRDs (areas of more intensive rural development), or Master Planned Resort activity centers should be considered essential public facilities.
- ~~12.~~ New *development* within urban growth areas, AMIRDs (areas of more intensive rural development), or Master Planned Resort activity center boundaries should be served by approved community water systems.
- ~~23.~~ New land *development* should be required to contribute to a community water system facility. Standards for exceptions should consider existing sources of water or alternative systems.
- ~~34.~~ The LOS measurement for community water systems should be based on system capacity and calculated as follows:

$$EC / AC = OC$$

Where

EC = Existing Connections (expressed in Equivalent Residential Units. Existing connections include those memberships that are purchased but not yet connected)

AC = Approved Connections and planned capacity (or the system capacity, expressed in Equivalent Residential Units. Approved connections include the total number of connections approved for the system by the County or State)

OC = Operating Capacity (the portion of total system capacity that is committed to serving existing connections and memberships)

- ~~45.~~ Service providers should develop Water System Plans (WSP) for community water systems which serve urban growth areas, AMIRDs (areas of more intensive rural development), or Master Planned Resort Activity Centers. WSP's should include an inventory, analyze existing facilities, identify a schedule of needed improvements, a financial program, and an operations program. Details of WSP requirements are outlined in WAC 248-54-065. Each plan should include an analysis of the community water system's ability to serve existing and potential land use development and population growth.

**Facility and Service providers are responsible for reporting their facility capacities to the County, and for fulfilling the concurrency responsibilities of Policy 7.2.B.2(a)(4). In addition, those providers not controlled by the County but who require a membership or other commitment as a condition of service shall account for their available capacity in both of the following ways:**

- a. "Available Capacity". The existing capacity of the concurrency facility, plus the planned capacity, reduced by the capacity that is already used or that is reserved or committed for use in the future,
- b. "Available Capacity Minus Potential Demand by Approved Projects". The available capacity, minus the capacity that potentially would be used by approved new development projects, 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.

56. LOS standards for community water systems serving urban growth areas, AMIRDs (areas of more intensive rural development), or Master Planned Resort activity centers are listed in Table 4, *below*.

**Table 4. LOS for Community Water Systems.**

Category-A Capital Facility	Level of Service (LOS) Standards (Operating Capacity, in percent) <sup>1</sup>					
	A	B	C	D	E	F
<b>Eastsound Water User's Association</b>	<80	80	85	90	95	>95
<b>Fisherman Bay Water User's Association</b>	<80	80	85	90	95	>95
<b>Roche Harbor Water System, Inc.</b>	<80	80	85	90	95	>95
<b>Deer Harbor</b>	<80	80	85	90	95	>95
<b>Doe Bay Water User's Association</b>	<80	80	85	90	95	>95
<b>Olga Water User's, Inc.</b>	<80	80	85	90	95	>95
<b>Orcas Landing, Inc.</b>	<80	80	85	90	95	>95
<b>Westsound Water Users Association</b>	<80	80	85	90	95	>95
<b>Rosario Water System</b>	<80	80	85	90	95	>95

<sup>1</sup> Operating Capacity = Percent of system capacity committed to serving existing connections and memberships.

67. Establish LOS F as adequate for the community water systems in Table 4 above. This means that, for County planning purposes, the community water systems listed above are considered to have adequate distribution capacity if they have sufficient capacity or planned capacity as defined by the San Juan County Code. (For providers who are not controlled by the County and who require a membership or other commitment as a condition of service, available capacity should be reduced by the potential additional demand of approved projects.) When water distribution facilities reach 85 percent of system capacity the service provider should be required to develop formal plans addressing how additional distribution capacity will be provided. These plans should be submitted to the County for review. If a community water system does not plan to expand or provide additional service then additional development will not be permitted to occur for that system or service area once the system reaches 100 percent capacity.

78. When community water systems fall below LOS C, the County and individual service providers should initiate response mechanisms as follows:

- a. The County should re-evaluate the LOS standard to determine if it is appropriate. If it is no longer considered appropriate, revise the LOS standards in policy 7, *above*.
- b. Facility and service providers may increase community water system facility capacity by:
  - (1) Remodeling/expanding existing community water system facilities; or
  - (2) Repairing leaks in existing community water system facilities; or
  - (3) Developing new water sources; or
  - (4) Implementing conservation measures, including restrictions on some uses of water, such as watering lawns and washing automobiles.
- c. The County may decrease demand for community water system facilities and services by:
  - (1) Evaluating the goals and policies contained in the Land Use Element and Shoreline Master Program that affect the rate and amount of residential, commercial, recreational, and industrial growth allowed; or
  - (2) Re-evaluating the concurrency policies contained in this Element and revise the concurrency standards if appropriate; or
  - (3) Implementing a moratorium on new development within community water system service boundaries.

89. Adopt and enforce a concurrency management ordinance which would prohibit development approval if the development causes the LOS for community water system facilities to decline below the LOS in Policy 7, *above*, unless improvements or strategies to accommodate the impacts of development are made concurrently with the development..

**SECTION 4.** Comprehensive Plan Section B, Element 7 (Capital Facilities), Section 7.3 C (Community Sewage Treatment Facilities that Serve UGAs, AMIRDs, and MPR Activity Centers) shall be amended as follows.

**7.3.C Community Sewage Treatment Facilities That Serve UGAs, AMIRDs, and MPR Activity Centers**

Goal: To ensure that designated urban growth areas, AMIRDs (areas of more intensive rural development), or Master Planned Resort activity centers are served by community sewage treatment facilities and that plans for serving future development are in place.

Policies (7.3.C.1-10):

~~1. Community sewage treatment facilities which serve urban growth areas, AMIRDs (areas of more intensive rural development), or Master Planned Resort activity centers should be considered essential public facilities.~~

~~County septage collection and treatment facilities should also be considered essential public facilities.~~

12. Land *development* within urban growth areas, Master Planned Resort activity centers, or Village activity centers which is expected to have an impact equal to or greater than a single family residence should be served by community sewage treatment facilities.

23. Community sewage treatment service providers should develop capital improvement plans which:

- a. Delineate service area boundaries;
- b. Inventory existing and approved development within service area boundaries;
- c. Inventory potential development within service area boundaries under the County *Comprehensive Plan* and other applicable plan designations;
- d. Establish the available community sewage treatment facility service capacity;
- e. Adopt LOS standards and response mechanisms;
- f. Contain a schedule of capital improvements necessary to maintain the community sewage treatment facility at the adopted LOS, including project, timing, cost, and funding source.

**Facility and Service providers are responsible for reporting their facility capacities to the County, and for fulfilling the concurrency responsibilities of Policy 7.2.B.2(a)(4). In addition, those providers not controlled by the County but who require a membership or other commitment as a condition of service shall account for their available capacity in both of the following ways:**

- (1) "Available Capacity". The existing capacity of the concurrency facility, plus the planned capacity, reduced by the capacity that is already used or that is reserved or committed for use in the future; and
- (2) "Available Capacity Minus Potential Demand by Approved Projects". The available capacity, minus the capacity that potentially would be used by approved new development projects, 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.

34. The following general sewer plans have been adopted and included in this *Plan* by reference:

- a. *General Sewer Plan*—Roche Harbor Area (Ordinance No. 1–1995)

45. The County and independent sewer districts should work cooperatively to develop fair and consistent policies and incentives to phase out private sewer/septic systems in areas served by community sewage treatment facilities.
56. The LOS measurement for community sewage treatment facilities will be based on system capacity and calculated as follows:

$$EC / AC = OC$$

Where

- EC = Existing Connections (expressed in Equivalent Residential Units. Existing connections include those memberships that are purchased but not yet connected)
- AC = Approved Connections and planned capacity (or the system capacity, expressed in Equivalent Residential Units. Approved connections include the total number of connections approved for the system by the County or State)
- OC = Operating Capacity (the portion of total system capacity that is committed to serving existing connections and memberships)

67. LOS standards for community sewage treatment facilities which serve Village activity centers are listed in Table 5, *below*.
78. Establish LOS F as adequate for community sewage treatment facilities in Table 5. This means that, for County planning purposes, the community sewage treatment facilities listed above are considered to have adequate treatment capacity if they have sufficient existing capacity or planned capacity as defined by the San Juan County Code. (For providers who are not controlled by the County and who require a membership or other commitment as a condition of service, available capacity should be reduced by the potential additional demand of approved projects.)

When sewage treatment facilities reach 85 percent of system capacity the service provider will be required to develop formal plans addressing how additional treatment capacity will be provided. These plans will be submitted to the County for review. If a community sewage treatment system does not plan to expand or provide additional service then additional development will not be permitted to occur for that system or service area once the system reaches 100 percent capacity.

**Table 5. LOS for Community Sewage Treatment Facilities.**

Category-A Capital Facility	Level of Service (LOS) Standards (Operating Capacity, in percent) <sup>1</sup>					
	A	B	C	D	E	F
Eastsound Sewer District	<80	80	85	90	95	>95

<b>Orcas Landing Sewer System</b>	<80	80	85	90	95	>95
<b>Roche Harbor Sewer System</b>	<80	80	85	90	95	>95
<b>Rosario Sewer System</b>	<80	80	85	90	95	>95
<b>Fisherman Bay Sewer System</b>	<80	80	85	90	95	>95

<sup>1</sup> Operating Capacity = Percent of system capacity committed to serving existing connections and memberships.

89. When community sewage treatment facilities fall below LOS C, the County and individual service providers should initiate response mechanisms as follows:

- a. The County should re-evaluate the LOS standard to determine if it is appropriate. If it is no longer considered appropriate, revise the LOS standards in Policy 8, *above*.
- b. Facility and service providers may increase community sewage treatment facility capacity by:
  - (1) Remodeling and/or expanding existing community sewage treatment facilities; or
  - (2) Constructing new community sewage treatment facilities.
- c. The County may decrease demand for community sewage treatment facilities and services by:
  - (1) Evaluating the goals and policies contained in the Land Use Element and Shoreline Master Program that affect the rate and amount of residential, commercial, recreational, and industrial growth allowed;
  - (2) Re-evaluating the concurrency policies contained in this Element and revise the concurrency standards if appropriate; or
  - (3) Implementing a moratorium on new development within community sewage treatment facility service boundaries until capacity can be expanded.

940. Adopt and enforce a concurrency management ordinance which would prohibit development approval if the development causes the LOS for community sewage treatment facilities to decline below the LOS in Policy 8, *above*, unless improvements or strategies to accommodate the impacts of development are made concurrently with the development.

**SECTION 5.** Comprehensive Plan Section B, Element 7 (Capital Facilities), Section 7.4 A (Category-B Capital Facilities and Services, County Government Services) shall be amended as follows.

**7.4 CATEGORY-B CAPITAL FACILITIES AND SERVICES**

**7.4.A County Government Services**

**1. General Administration**

Goal: To provide adequate building space to facilitate maximum efficiency of government administration and the most effective provision of government services to County residents.

Policies (7.4.A.1.1-5):

1. County government administrative buildings should be measured on a county-wide basis.
2. The LOS measurement for County government administration facilities should be calculated as follows:

$$\text{ASF} / \text{CR} = \text{SFA}$$

where

ASF = Administrative Square Feet

CR = County Residents

SFA = Square Feet Available

3. LOS standards for County government administration facilities are listed in Table 6, *below*.

**Table 6. LOS for County Government Administration Buildings.**

LOS Measurement	Level of Service (LOS) Standards					
	A	B	C	D	E	F
Building Square Feet per Capita	>2.75	2.75	2.70	2.65	2.60	<2.60

4. Establish LOS C as adequate for County government administrative facilities. This means that the County should maintain the same amount of administrative square feet per capita that existed in 1993.
5. When County government administrative buildings fall below established LOS standards the following response mechanisms should be considered:
  - a. Re-evaluate the LOS standard to determine if it is appropriate. If it is no longer considered appropriate, revise the LOS standards in Policy 4, *above*.
  - b. Increase County government administrative facility capacity by:

- (1) Constructing additional County government administrative facilities; or
- (2) Remodeling existing County government administrative facilities; or
- (3) Renting, leasing, or purchasing appropriate building space from private property owners; or
- (4) Implementing flextime, evening, and night shifts to use existing facilities more efficiently.

c. Decrease demand for County government administrative facilities by:

- (1) Contracting with the private sector to provide additional services; or
- (2) Evaluating the goals and policies contained in the Land Use Element and Shoreline Master Program that affect the rate and amount of residential, commercial, recreational, and industrial growth allowed.

**2. County Sheriff**

Goal: To provide adequate building space to facilitate maximum efficiency and timely provision of public safety, law enforcement, and emergency services.

Policies (7.4.A.2.1-7):

~~1. County Sheriff facilities should be considered essential public facilities.~~

12. County Sheriff facilities should be measured separately on San Juan, Orcas, and Lopez islands.

23. The LOS measurements for County Sheriff facilities should be calculated using the following two formulae:

$$EO / IR = EP$$

where

EO = Enforcement Officers  
 IR = Island Residents  
 EP = Enforcement Provided

$$SSF / EO = EAS$$

where

SSF = Station Square Feet  
 EO = Enforcement Officers  
 EAS = Enforcement Administrative Space

34. LOS standards for County Sheriff facilities are listed in Tables 7, 8, and 9, *below*.

**Table 7. LOS for San Juan Island Sheriff Facilities.**

LOS Measurement (per Capita)	Level of Service (LOS) Standards					
	A	B	C	D	E	F

<b>Enforcement Officers</b>	>.0010	.0010	.00095	.00090	.00085	<.00085
<b>Station Square Feet</b>	>.325	.325	.300	.275	.250	<.250

**Table 8. LOS for Orcas Island Sheriff Facilities.**

LOS Measurement (per Capita)	Level of Service (LOS) Standards					
	A	B	C	D	E	F
<b>Enforcement Officers</b>	>.0010	.0010	.00095	.00090	.00085	<.00085
<b>Station Square Feet</b>	>.130	.130	.120	.110	.100	<.100

**Table 9. LOS for Lopez Island Sheriff Facilities.**

LOS Measurement (per Capita)	Level of Service (LOS) Standards					
	A	B	C	D	E	F
<b>Enforcement Officers</b>	>.0010	.0010	.00095	.00090	.00085	<.00085
<b>Station Square Feet</b>	>.425	.425	.400	.375	.350	<.350

45. Establish LOS B as adequate for Sheriff enforcement officers on San Juan, Orcas, and Lopez Islands.

56. Establish LOS B as adequate for Station Square Feet/Capita on San Juan, Orcas, and Lopez islands.

67. When County Sheriff facilities fall below established LOS standards the following response mechanisms should be considered:

- a. Re-evaluate the LOS standards to determine if it is appropriate. If it is no longer considered appropriate, revise the LOS standards in Policies 5 and 6, *above*.
- b. Increase County Sheriff facility capacity by:
  - (1) Constructing additional County Sheriff facilities; or
  - (2) Remodeling existing County Sheriff facilities; or
  - (3) Renting, leasing, or purchasing appropriate additional building space.
- c. Decrease demand for County Sheriff facilities and services by:

- (1) Evaluating the goals and policies contained in the Land Use Element and Shoreline Master Program that affect the rate and amount of residential, commercial, recreational, and industrial growth allowed; or
- (2) Implementing public educational programs, such as D.A.R.E.; or
- (3) Implementing crime prevention programs, such as Neighborhood Watch.

**3. Public Works**

Goal: To provide adequate building and yard space to facilitate maximum efficiency of public works administration and maintenance functions and the effective provision of public works services.

Policies (7.4.A.3.1-7):

- ~~1. County public works facilities should be considered essential public facilities.~~
- 12. County public works facilities should be measured separately on San Juan, Orcas, Lopez, Shaw, Waldron, and Decatur islands.
- 23. The LOS measurement for County public works facilities should be calculated using the following two formulae:

**BSF / IR = PWBS**

Where

- BSF = Building Square Feet
- IR = Island Residents
- PWBS = Public Works Space

**A / IR = PWA**

where

- A = Acreage
- IR = Island Residents
- PWA = Public Works Acreage

34. LOS standards for County public works facilities are listed in Tables 10, 11, 12, 13, 14, 15, below.

**Table 10. LOS for San Juan Island Public Works Facilities.**

LOS Measurement	Level of Service (LOS) Standards					
	A	B	C	D	E	F
<b>Building Square Feet per Capita</b>	>1.75	1.75	1.70	1.65	1.60	<1.60
<b>Acreage per Capita</b>	>.0020	.0020	.0015	.0010	.0005	<.0005

**Table 11. LOS for Orcas Island Public Works Facilities.**

LOS Measurement	Level of Service (LOS) Standards					
	A	B	C	D	E	F

<b>Building Square Feet per Capita</b>	>2.55	2.55	2.50	2.45	2.40	<2.40
<b>Acreage per Capita</b>	>.0016	.0014	.0012	.0010	.0008	<.0008

**Table 12. LOS for Lopez Island Public Works Facilities.**

LOS Measurement	Level of Service (LOS) Standards					
	A	B	C	D	E	F
<b>Building Square Feet per Capita</b>	>3.00	3.00	2.90	2.80	2.70	<2.70
<b>Acreage per Capita</b>	>.0018	.0018	.0016	.0014	.0012	<.0012

**Table 13. LOS for Shaw Island Public Works Facilities.**

LOS Measurement	Level of Service (LOS) Standards					
	A	B	C	D	E	F
<b>Building Square Feet per Capita</b>	>9.00	9.00	8.00	7.00	6.00	<6.00
<b>Acreage per Capita</b>	>.005	.005	.004	.003	.002	<.002

**Table 14. LOS for Waldron Island Public Works Facilities.**

LOS Measurement	Level of Service (LOS) Standards					
	A	B	C	D	E	F
<b>Acreage per Capita</b>	>.004	.004	.003	.002	.001	<.001

**Table 15. LOS for Decatur Island Public Works Facilities.**

LOS Measurement	Level of Service (LOS) Standards					
	A	B	C	D	E	F
<b>Acreage per Capita</b>	>.075	.075	.070	.065	.060	<.060

45. Establish LOS B as adequate for Public Works building square feet on San Juan, Orcas, Lopez, and Shaw islands.

56. Establish LOS C as adequate for Public Works acreage on San Juan, Orcas, Lopez, Shaw, Waldron, and Decatur islands.
67. When the LOS for County public works buildings and grounds falls below the established LOS initiate response mechanisms as follows:
- a. Re-evaluate the LOS standard to determine if it is appropriate. If it is no longer considered appropriate, revise the LOS standards in Policies 5 and 6, *above*.
  - b. Increase County public works facility capacity by:
    - (1) Contracting with the private sector to provide additional capacity.
    - (2) Constructing or purchasing additional County public works building space or acreage; or
    - (3) Remodeling existing County public works facilities; or
    - (4) Renting, leasing, or purchasing appropriate building space or acreage; or
    - (5) Implementing flextime, evening, and night shifts to use existing facilities more efficiently.

#### **4. County Parks and Recreation**

Goal: To provide residents with a range of recreational opportunities that are in keeping with the character of the islands.

Policies (7.4.A.4.1-9):

- 1. County parks and recreation facilities should be measured on each of the four ferry-served islands.
- 2. The County should strive to serve the recreational needs of residents.
- 3. The County should review and revise as necessary its adopted *Parks and Recreation Plan* at least once every six years and should regularly attempt to determine recreational needs on each of the major islands and to evaluate existing recreational facilities in terms of their ability to respond to those needs.
- 4. The County should acquire and develop appropriate property, as needed to meet the County's current and anticipated recreational needs.
- 5. The County should consider the plans and programs of local, state, and federal jurisdictions and agencies when formulating its own plans and programs, and should cooperate with such agencies to improve County residents' recreational opportunities.
- 6. The LOS measurements for County parks and recreation should be as follows:

- Acres of Park per Capita
- Number of Public Beach Access Points per Capita
- Number of Boat Launches per Capita
- Number of Day Use and Overnight Camping Sites per Capita
- Miles of Developed Hiking Trail per Capita

7. LOS standards for park and recreation facilities and opportunities are listed in Tables 16, 17, 18, and 19, *below* (see Appendix 7 for existing facility capacity).

**Table 16. LOS for San Juan Island County Park Facilities.**

LOS Measurement (per Capita)	Level of Service (LOS) Standards					
	A	B	C	D	E	F
<b>Park Acres</b>	>.00210	.00210	.00200	.00190	.00180	<.0018 0
<b>Public Beach Access Points</b>	>.00030	.00030	.00025	.00020	.00015	<.0001 5
<b>Boat Launch Sites</b>	>.00017	.00017	.00016	.00015	.00014	<.0001 4
<b>Day Use Sites</b>	>.00070	.00070	.00060	.00050	.00040	<.0004 0
<b>Overnight Camping Sites</b>	>.00345	.00345	.00325	.00300	.00275	<.0027 5
<b>Miles of Developed Hiking Trails</b>	>0	0	0	0	0	0

**Table 17. LOS for Orcas Island County Park Facilities.**

LOS Measurement (per Capita)	Level of Service (LOS) Standards					
	A	B	C	D	E	F
<b>Park Acres</b>	>.00027	.00027	.00026	.00025	.00024	<.0002 4
<b>Public Beach Access Points</b>	>.00017	.00017	.00016	.00015	.00014	<.0001 4
<b>Boat Launch Sites</b>	>0	0	0	0	0	0
<b>Day Use Sites</b>	>.00100	.00100	.00095	.00090	.00085	<.0008 5
<b>Overnight Camping Sites</b>	>0	0	0	0	0	0

<b>Miles of Developed Hiking Trails</b>	>0	0	0	0	0	0
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**Table 18. LOS for Lopez Island County Park Facilities.**

<b>LOS Measurement (per Capita)</b>	<b>Level of Service (LOS) Standards</b>					
	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
<b>Park Acres</b>	>.0313	.0313	.0300	.0275	.0250	<.0250
<b>Public Beach Access Points</b>	>.0018	.0018	.0017	.0016	.0015	<.0015
<b>Boat Launch Sites</b>	>.0013	.0013	.0012	.0011	.0010	<.0010
<b>Day Use Sites</b>	>.0050	.0050	.0048	.0046	.0044	<.0044
<b>Overnight Camping Sites</b>	>.0100	.0100	.0090	.0080	.0007	<.0007
<b>Miles of Developed Hiking Trails</b>	>0	0	0	0	0	0

**Table 19. LOS for Shaw Island County Park Facilities.**

<b>LOS Measurement (per Capita)</b>	<b>Level of Service (LOS) Standards</b>					
	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
<b>Park Acres</b>	>.1930	.1930	.1900	.1880	.1860	<.1860
<b>Public Beach Access Points</b>	>.0060	.0060	.0058	.0056	.0054	<.0054
<b>Boat Launch Sites</b>	>.0030	.0030	.0028	.0026	.0024	<.0024
<b>Day Use Sites</b>	>.0160	.0160	.0158	.0156	.0154	<.0154
<b>Overnight Camping Sites</b>	>.0387	.0387	.0380	.0375	.0370	<.0370
<b>Miles of Developed Hiking Trails</b>	>0	0	0	0	0	0

8. Establish LOS B as adequate for County park acreage, beach access points, boat launches, day use sites, camp sites and hiking trails.
9. When facilities fall below established LOS standards initiate response mechanisms as follows:
  - a. Re-evaluate the LOS standard to determine if it is appropriate. If it is no longer considered appropriate, revise the LOS standards in Policy 8, *above*.

b. Increase park and recreation facility capacity by:

- (1) Encouraging the development of private recreational facilities which meet County park and recreation goals; or
- (2) Working with private property owners to allow public recreation opportunities on the shoreline; or
- (3) Acquiring and developing appropriate properties for new parks; or
- (4) Developing additional facilities at existing County Parks; or
- (5) Developing County road-ends with marine recreation potential; or
- (6) Acquiring appropriate shoreline properties for public access to marine waters; or
- (7) Acquiring and developing access to existing public shorelines; or
- (8) Work with other public agencies to increase recreation opportunities on the shoreline; or
- (9) Identify bicycle and pedestrian lanes and roadside rest areas on appropriate County roads.
- (10) The County Parks and Recreation Board should investigate methods of identifying and acquiring trails and easements exclusively for recreational pedestrian and equestrian use. Trails should be mapped in a recreational plan and maps should be updated periodically.

c. Decrease demand for park and recreation facilities by:

Evaluating the goals and policies contained in the Land Use Element and Shoreline Master Program that affect the rate and amount of residential, commercial, recreational, and industrial growth allowed.

**SECTION 6.** Comprehensive Plan Section B, Element 7 (Capital Facilities), Section 7.4 B (Category-B Capital Facilities and Services, Public Schools) shall be amended as follows.

**7.4 CATEGORY-B CAPITAL FACILITIES AND SERVICES**

**7.4.B Public Schools**

Goal: To ensure that school-age residents have adequate public school facilities and healthy learning environments.

Policies (7.4.B.1-8):

- ~~1. Public school facilities should be considered essential public facilities.~~

12. The LOS standards and measurements for public schools on San Juan, Stuart, Orcas, Waldron, Lopez, Decatur, and Shaw islands should be determined by each individual school district. These public schools are unique and have special needs that only the specific school districts can address.
23. If impact fees are to be collected, each school district must develop a cost analysis for providing public education in their respective district and develop a program with the County to establish the fee to be collected through the land development process.
34. If impact fees are to be collected, residential land development should be required to contribute to the provision of public school facilities.
45. Independent school districts should provide the County with public school facility needs on an annual basis.
56. Established LOS standards for public school facilities in each of the school districts should be included in this element.
67. The following response mechanisms should be considered by individual school districts if school facilities fall below established LOS standards:
- a. Re-evaluate the LOS standard to determine if it is appropriate. If it is no longer considered appropriate, then school districts should work with the County to revise the LOS standards.
  - b. Increase County public school facility capacity by:
    - (1) Purchasing additional acreage for new school facilities and/or for new athletic fields; or
    - (2) Constructing additional public school facilities; or
    - (3) Remodeling existing public school facilities; or
    - (4) Renting, leasing, or purchasing appropriate additional building space; or
    - (5) Implementing new scheduling strategies to use existing public school facilities more efficiently.
78. When the school districts have established their LOS standards the County and school districts should consider adopting a concurrency management ordinance which would prohibit new development approval if the development causes the LOS for public school facilities to decline below the adopted LOS standard, unless improvements or strategies to accommodate the impacts of development are made concurrently with the development.

**SECTION 7.** Comprehensive Plan Section B, Element 8 (Utilities), Section 8.3.A (Utility Specific Goals and Policies, Electricity) shall be amended as follows.

### **8.3 UTILITY-SPECIFIC GOALS AND POLICIES**

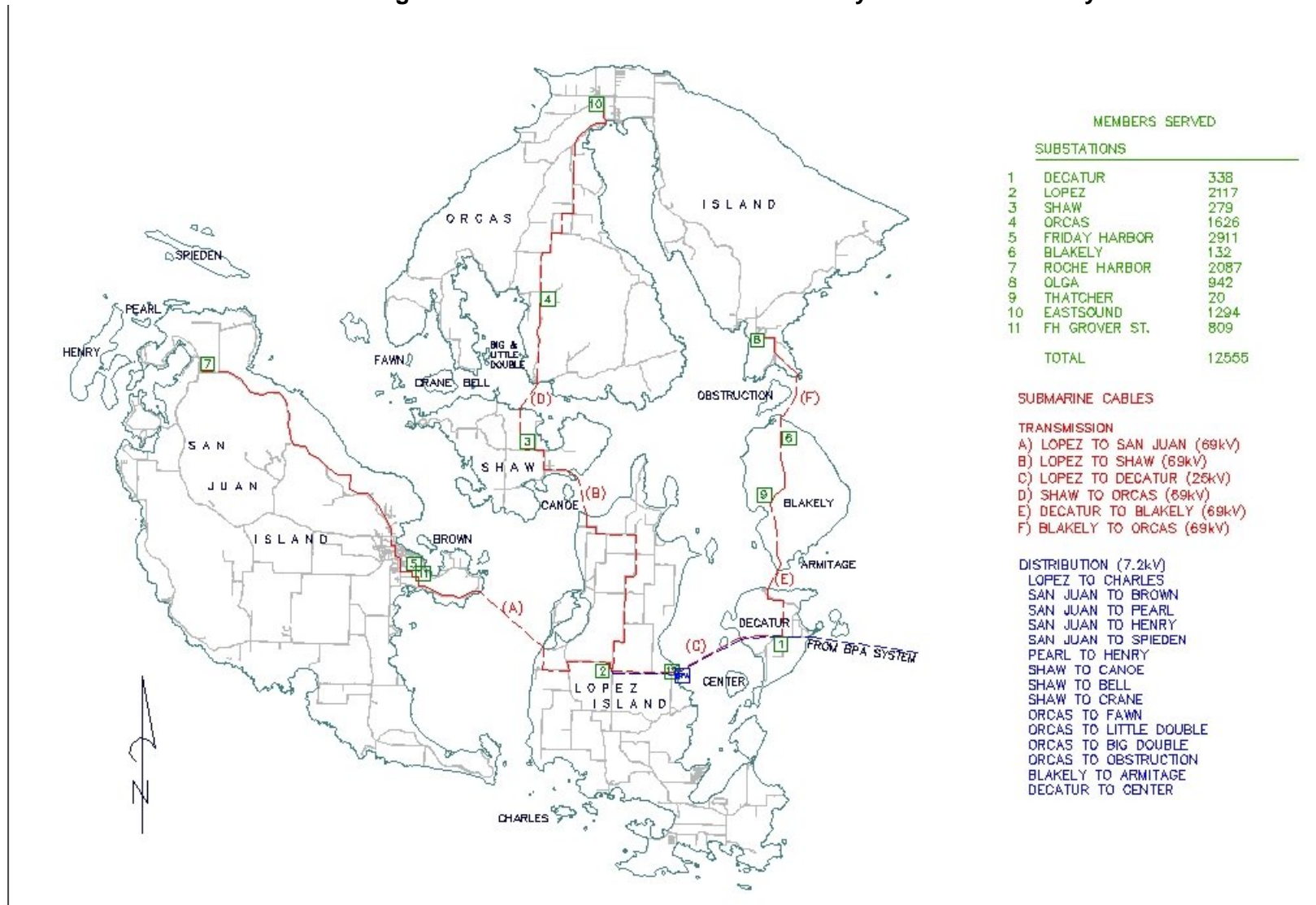
#### **8.3.A Electricity**

Goal: To assist the Orcas Power and Light Company (OPALCO) in achieving its goal as stated in the Cooperative's *Bylaws and Articles of Incorporation*: "to make electric energy available to its members at the lowest cost consistent with sound economy, good management, and the public interest."

Policies (8.3.A.1-6):

1. Assist OPALCO when necessary to respond to new, unforeseen conditions and technologies that may affect utility operations and facilities.
2. Coordinate planning to allow for the appropriate location and siting of all necessary existing and future facilities including overhead, underground, and submarine transmission and distribution systems, substations, cable terminals, standby generation, and any other necessary equipment or structures. Existing facilities are shown in Figure 1, *below*.
- ~~3. Consider electric power facilities to be essential public facilities.~~
34. New upland power transmission facilities, substations and submarine transmission cable terminal facilities should be located and sited to minimize adverse impacts to the rural character, shorelines and natural environment of the County.
- ~~4~~5. Allow the testing of new alternative energy sources which are consistent with the goals and policies of this *Plan* and which comply with all attendant regulations.
- ~~5~~6. Develop a process for locating sites deemed appropriate for the location of alternative power generation facilities.

**Figure 1. 2005 OPALCO Service Territory in San Juan County**



**SECTION 8.** Comprehensive Plan Section B, Element 8 (Utilities), Section 8.3.B (Utility Specific Goals and Policies, Telecommunications) shall be amended as follows.

### **8.3 UTILITY-SPECIFIC GOALS AND POLICIES**

#### **8.3.B Telecommunications**

Goal: To promote the widespread availability of communication systems to facilitate communication among members of the public, public institutions, government agencies businesses, and to promote the public service and safety advantages and economic opportunities afforded to the community due to the availability of state-of-the-art telecommunications technology.

Policy (8.3.B.1):

- ~~1. Telecommunications facilities which are developed and operated expressly to carry out emergency services should be considered essential public facilities.~~
12. In keeping with the county's goal to promote the public service, safety advantages and economic opportunities of widespread availability of state-of-the-art telecommunications technology, potentially suitable personal wireless facility locations identified on the Official County Map, per SJCC 16.80.040, as (1) preferred, (2 ) potentially suitable and (3) conditionally suitable locations, should be reviewed and updated every five years.

**SECTION 9.** Comprehensive Plan Section B, Element 3 (Shoreline Master Program, Goals and Policies), Section 3.1 (Introduction) shall be amended as follows.

### **3.1 INTRODUCTION**

#### **3.1.A Purpose**

This element provides goals and policies additional to those of other elements in this *Plan* and applies to all shorelines of the state which include freshwater lakes 20 acres or larger, the area 200 feet landward from the ordinary high water mark, and marine water areas. It is the intent of this program to manage the use and development of the shorelines of San Juan County, giving preference to water-dependent and water-related uses and to encourage shoreline development and use to occur in harmony with natural conditions. Uses that result in long-term over short-term benefits are preferred. Background information for this element can be found in Appendix 1 of the *Comprehensive Plan*.

This element is composed of five sections: overall goals and policies which are the foundation of the Master Program and set the priorities and tone of the whole element; the shoreline environments section which designates segments of the shoreline for specific uses; a section with general policies that apply to all shoreline uses and activities; a section with policies that apply to specific uses of the shoreline; and, the shoreline modification policies section which applies to structural and non-structural modification activities on the shoreline.

#### **3.1.B Relationship of this Element to the Unified Development Code**

The shoreline use regulations which implement the goals and policies of this element are contained in Chapter 5 of the Unified Development Code (UDC). Chapter 5 is essentially Part 2 of the County's Shoreline Master Program with this element of the *Comprehensive Plan*

being Part 1. Except where otherwise stated, the Master Program applicability is coterminous with areas shown on the Official Shoreline Master Program Designated Environments Map. In the event of a conflict between the provisions of the Shoreline Master Program and any other elements of the *Comprehensive Plan* or chapters of the UDC, the most restrictive requirement Master Program controls.

**3.1.C Relationship of this element to goals, policies and regulations necessary to comply with the requirements of the Growth Management Act.** As with all other areas of the County, the goals, policies and regulations for shorelines must comply with the requirements of the Growth Management Act. The core requirements of the Growth Management Act include the requirement to protect Critical Areas and resource lands, to allow for essential public facilities, to concentrate growth in Urban Growth Areas, to require adequate facilities in conjunction with new growth (concurrency), and to involve the public.

To ensure that the Shoreline Master Program and other sections of the Comprehensive Plan and Unified Development Code are internally consistent, and that they comply with the requirements of the Growth Management Act, the following goals and policies are hereby adopted by reference:

- i. Comprehensive Plan Appendix 2, Policies for Siting and Design of Essential Public Capital Facilities; and
- ii. Section B, Element 2, subsections 2.3.D. (Resource Lands) and 2.5.B. (Critical Areas)

**SECTION 10. Savings Clause.**

This ordinance shall not affect any pending suit or proceeding; or any rights acquired; or liability or obligation incurred under the sections amended or repealed; nor shall it affect any proceeding instituted under those sections. All rights and obligations existing prior to adoption of this ordinance shall continue in full force and effect.

**SECTION 11. Severability.**

If any provision of this ordinance or its application to any person is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected. Remaining sections of the ordinance shall be interpreted to give effect to the spirit of the ordinance prior to removal of the portions declared invalid.

**SECTION 12. Effective Date.**

This ordinance shall take effect on December 2, 2008 except for amendments to the goals and policies of the Shoreline Master Program which become effective upon approval by the Washington Department of Ecology.

**SECTION 12. Codification.**

Sections 1-9 shall be codified.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2008.

**COUNTY COUNCIL  
SAN JUAN COUNTY, WASHINGTON**

ATTEST: Clerk of the Council

By: \_\_\_\_\_  
Ann Larson – Clerk Date:

REVIEWED BY COUNTY  
ADMINISTRATOR

\_\_\_\_\_  
Pete Rose Date:

APPROVED AS TO FORM ONLY  
RANDALL K. GAYLORD

By: \_\_\_\_\_  
Date:

\_\_\_\_\_  
Howard Rosenfeld, Chair  
District 3, Friday Harbor

\_\_\_\_\_  
Gene Knapp, Vice-Chair  
District 5, Orcas East

\_\_\_\_\_  
Kevin M. M. Ranker, Member  
District 1, San Juan South

\_\_\_\_\_  
Rich Peterson, Member  
District 2, San Juan North

\_\_\_\_\_  
Alan Lichter, Member  
District 4, Orcas West/Waldron

\_\_\_\_\_  
Bob Myhr, Member  
District 6, Lopez/Shaw