

ORDINANCE 14 - 2010

ORDINANCE ESTABLISHING COUNTRY CORNER AS A LIMITED AREA OF MORE INTENSIVE RURAL DEVELOPMENT AND AMENDING THE COMPREHENSIVE PLAN LAND USE ELEMENT AND OFFICIAL MAPS, AMENDING THE EASTSOUND SUBAREA PLAN AND OFFICIAL MAPS, ADDING A NEW SUBSECTION TO SAN JUAN COUNTY CODE CHAPTER 18.30, AND REPEALING ORDINANCE 5-2010

BACKGROUND

- A. San Juan County has adopted a Comprehensive Plan, Development Code, and Official Maps pursuant to the Growth Management Act ("GMA"), Chapter 36.70A RCW.
- B. RCW 36.70A.070(5)(d) authorizes counties to establish limited areas of more intensive rural development ("LAMIRDs").
- C. Section B.2.3.B of the San Juan County Comprehensive Plan, and San Juan County Code (SJCC) Sections 18.30.010(B), 18.30.030 (Table 3.1), 18.30.190, and 18.30.200 contain goals, policies, standards, requirements and interim regulations for areas of more intensive rural development.
- D. The County Council desires to amend the San Juan County Comprehensive Plan Section B. 2.3.B.2 (Table 2) to identify Country Corner as an Island Center activity center.
- E. The County Council desires to adopt an activity center plan and development regulations for the Country Corner to carry out San Juan County Comprehensive Plan Section B.2.3.B.6.
- F. Ordinance 13-2005 identified a locale outside of the Eastsound Urban Growth Area ("UGA") as a LAMIRD Study Area that encompassed 135 acres of land, approximately 102 acres of which were zoned for residential densities of two or more units per acre.
- G. The required characteristics of LAMIRDs, the logical outer boundary of the LAMIRD, appropriate development standards, and allowed and prohibited uses were discussed at seven properly advertised public meetings that were held at the fire station in Eastsound between January and August, 2009. Draft documents, memos and other staff reports were made available at the meetings.
- H. An Environmental Checklist was prepared and a Determination of No Significant Impact for this non-project action was published on 19 August, 2009.
- I. The Comprehensive Plan and Unified Development Code Amendments were given the material ID # of 14741 by the Department of Commerce upon receipt of the County's 60-day notice.

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- J. The San Juan County Council makes the following findings:
- I. Ordinance 13-2005 modified the Eastsound UGA boundaries and established the Country Corner LAMIRD Study Area in what had once been part of the Eastsound UGA. However, Ordinance 13-2005 did not amend the land use designations applicable to parcels removed from the UGA. Consequently, some parcels inside the LAMIRD Study Area retained land use designations which allow development at a density higher than generally permitted in the County's rural lands.
  - II. A moratorium on land divisions which create parcels smaller than five acres in size has been in effect in the LAMIRD Study Area to prevent urban growth while the County completes the process of designating a LAMIRD and adopting an appropriate plan for the Study Area.
  - III. The County held seven public planning meetings on Orcas Island between January and August, 2009 to discuss and take input on the proposed LAMIRD. The meetings were advertised and open to the public.
  - IV. As part of the public process development standards and land use tables for the LAMIRD were developed through public comment and input.
  - V. There are approximately 102 acres currently designated at densities of two or more units per acre within the LAMIRD study area.
  - VI. There are currently approximately 48 residential units within the residential districts.
  - VII. The proposed ordinance will result in the designation of 102 acres of a new residential land use district in the Eastsound Subarea plan titled Eastsound Rural Residential one unit per two acres (16.55.240).
  - VIII. The proposed Country Corner LAMIRD includes parcels that had commercial uses in place by 1990 and thus it is based on a logical outer boundary and is compatible with the San Juan County Comprehensive Plan.
  - IX. The proposed allowed uses in the Country Corner Commercial district are compatible with the LAMIRD designation.
  - X. The Country Corner LAMIRD contains 6 parcels and a combined area of 16.29 acres.
  - XI. Country Corner has water service from the Eastsound Water Users Association that predates the GMA.

- XII. The Service Park parcels, outside of the commercial LAMIRD, will retain their current zoning.
- XIII. The most appropriate zoning designation for the .18 acre EWUA well site is Service Park.
- XIV. The public was provided notice and an opportunity to review and comment on the Country Corner LAMIRD plan, in conformance with Comprehensive Plan Section D.3, SJCC 18.90.010, SJCC 18.90.020, SJCC 18.80.050, RCW 36.32.120, and RCW 36.70A.140.
- XV. The Country Corner LAMIRD plan was considered by the Planning Commission at a properly noticed public hearing held on September 18, 2009, which was continued to September 23, 2009.
- XVI. After considering the evidence in the record the Planning Commission issued findings and a recommendation to approve the Country Corner LAMIRD Plan with changes.
- XVII. This Ordinance was considered by the County Council during a properly noticed public hearing held on February 8, 2010, at which time the public had the opportunity to comment. This hearing and written public comment was continued to March 9, 2010 and further continued to April 27, 2010.
- XVIII. This Ordinance is part of the 2009 annual docket of comprehensive plan and development code amendments, adoption of which is scheduled to occur in 2010.
- XIX. The Council concurs with the staff and Planning Commission analysis, conclusions and recommendations as presented in the staff reports and the Planning Commission Findings and Recommendations, but finds that changes are necessary to assure that the ordinance meets the requirements of the Comprehensive Plan and GMA. These changes are included in this ordinance.
- XX. After considering the evidence in the record, the County Council decided to approve this ordinance.

**NOW, THEREFORE, BE IT ORDAINED** by the County Council of San Juan County, Washington, as follows:

Section 1. Amendment to San Juan County Comprehensive Plan Official Maps. The San Juan County Comprehensive Plan Official Maps are amended as shown on attached Exhibit 1. The Director of the Community Development and Planning Department shall show the changes as indicated on the next publication of the Official Maps.

Section 2. Eastsound Subarea Plan Official Map Amendment. The San Juan County Eastsound Subarea Plan Official Map is amended as shown on attached Exhibit 1. The Director of the Community Development and Planning Department shall show the changes as indicated on the next publication of the Official Maps.

Section 3. Comprehensive Plan Amendment. San Juan County Comprehensive Plan Section B, Element 2, Section 2.3.B.2 is amended to read as follows:

Activity centers should be designated on the *Comprehensive Plan* Official Maps where existing or proposed uses and services meet the above definitions. Activity centers designated on the *Comprehensive Plan* Official Maps are identified in Table 2, *below*.

**Table 2. Summary of Activity Centers.**

<b>Location</b>	<b>Designation</b>
Orcas Landing	Village Activity Center
Olga	Hamlet Activity Center
Deer Harbor	Hamlet Activity Center
Doe Bay	Hamlet Activity Center
Westsound	Hamlet Activity Center
W. Beach Rd./Crow Valley Rd.—Orcas	Island Center
Center Rd./School Road—Lopez	Island Center
<u>Country Corner</u>	<u>Island Center</u>

Section 4. Eastsound Subarea Plan Amendment. San Juan County Code Section 16.55.200 and Ordinance 13-2000 are each amended to read as follows:

A. The following districts are hereby created based on existing land use patterns, natural features and land capabilities, coordination with the Shoreline Master Program, and the needs and desires of the Orcas community as expressed in the goals and policies of this plan. The districts are:

1. Village commercial;
2. Village residential;
3. Service and light industrial;
4. Eastsound residential four units per acre, Eastsound residential two units per acre, Eastsound residential one unit per acre, Eastsound Rural Residential one unit per two acres, and Eastsound rural residential one unit per five acres, and Eastsound residential 4- to 12-units-per-acre districts;
5. Conservancy overlay;
6. Natural;
7. Marina;

8. Airport use;
9. Eastsound rural;
10. Service park.

B. These districts apply to land areas within Eastsound as described on the official map. ~~Figure 200-1 shows the location and boundaries of the districts.~~

C. On the official map some designations are noted with the letter "P" to identify those locations where site planning is required under SJCC 18.60.220. This planning is necessary to ensure that development at less than four units per acre density will not preclude possible future development at urban-level densities (four units per acre or higher). New residential development in such areas is subject to approval by the administrator for this purpose.

Section 5. Eastsound Subarea Plan Amendment. Section 16.55.240 of the Eastsound Sub Area Plan is amended to read as follows:

16.55.240 Eastsound residential four units per acre, Eastsound residential two units per acre, Eastsound residential one unit per acre, Eastsound Rural Residential one unit per two acres, and Eastsound rural residential one unit per five acres, ~~and Eastsound residential 4 to 12 units per acre districts.~~

Note: See also SJCC 16.55.300, General development standards, for permit, landscaping, parking, architectural design, signs, lighting, etc., requirements.

A. Purpose.

1. To provide for a mix of residential densities in areas already in residential use;
2. To acknowledge the existing medium density residential areas and allow other uses which are or can be made compatible with residential use;
3. To provide a buffer of moderate land use intensity between the airport and adjoining industrial uses and the rural residential areas outside the geographic boundaries of this plan; and
4. To provide for the phased development of the southeast quadrant of the Eastsound planning area in a way that protects wetlands, open space and natural habitat; provides for orderly extension of urban services; and provides opportunities for affordable housing.

B. Allowable Uses. Land uses not specifically listed in this subsection as either allowable or prohibited may be allowed subject to conditional use permit approval. Allowable uses are subject to the required permits and use limitations and site development and performance standards stated in this section.

The following uses are allowable in the Eastsound residential four units per acre, Eastsound residential two units per acre, Eastsound residential one unit per acre, Eastsound Rural Residential one unit per two acres, and Eastsound rural residential one unit per five acres, ~~and Eastsound residential 4 to 12 units per acre districts:~~

Commercial:

1. Day nursery
2. Home day care

3. Transient lodging
4. ~~Small commercial services or retail businesses that support a planned unit development in the Eastsound residential 4 to 12 units per acre district, as provided by SJCC 18.60.220.~~

Institutional:

1. Community club or community organization facility that principally serves the adjacent neighborhood
2. Religious assembly
3. School
4. ~~Offices for a nonprofit housing provider owning or operating a planned unit development project in the Eastsound residential 4 to 12 units per acre district, as provided by SJCC 18.60.220.~~

Recreational:

1. Park without camping facilities

Residential:

1. Single-family residential units
2. Home occupations
3. Multifamily residential units (in Eastsound rural residential one unit per five acre districts only)
4. Rural residential cluster development (in Eastsound rural residential one unit per five acre districts only), as provided by the standards in SJCC 18.60.230 and the procedures in SJCC 18.80.180
5. ~~Planned unit development (in Eastsound residential 4 to 12 units per acre district only), including common kitchen, meeting or recreation spaces for residents and their guests, as provided by the standards in SJCC 18.60.220 and the procedures in SJCC 18.80.160~~

Transportation:

1. Parking, on-site, and driveways serving allowable uses
2. Streets, public and private
3. Hangars for noncommercial aircraft storage when accessory to a single-family residence on land adjacent to the airport use district

Utilities:

1. Water, power, cable TV, telephone and sewer distribution lines (but sewer distribution lines are not allowed in Eastsound rural residential one unit per five acre districts)
2. Sewer and water treatment facilities (but not allowed in Eastsound rural residential one unit per five acre districts)

The following uses are prohibited in the Eastsound residential four units per acre, Eastsound residential two units per acre, Eastsound residential one unit per acre, Eastsound Rural Residential one unit per two acres, and Eastsound rural residential one unit per five acres districts, ~~and Eastsound residential 4 to 12 units per acre districts:~~

Commercial/Industrial:

1. Airport and airport-related use
2. Automotive services

3. Adult day care
4. Equipment rental service
5. Laundry/laundromat
6. Manufacturing
7. Offices
8. Restaurant
9. Retail commercial
10. Theater, commercial

Note: ~~Small commercial services or retail businesses that support a planned unit development in the Eastsound residential 4 to 12 units per acre district are allowed as provided by SJCC 18.60.220.~~

Institutional:

1. Community club or community organization facility that principally serves the island-wide community
2. Library
3. Museum
4. Post office

~~Residential:~~

- ~~1. Accessory dwelling units in planned unit developments in the Eastsound residential 4 to 12 units per acre district, except as provided by SJCC 18.60.220~~

Transportation:

1. Parking, off-site

Utilities:

1. Utility service offices
2. Utility storage building

C. Residential Density.

1. Maximum residential density shall be as shown on the official map.
- ~~2. Minimum residential density in the Eastsound residential 4 to 12 units per acre district shall be four units per acre.~~
- ~~3. Maximum residential density in the Eastsound residential 4 to 12 units per acre district:
  - a. Without a planned unit development application: four units per acre.
  - b. With a planned unit development application: the base allowable residential density is four units per acre, and the maximum allowable density is 12 units per acre. Additional residential units above the base density will be allowed as provided in SJCC 18.60.220 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.~~

D. Required Permits and Use Limitations.

1. Single-family dwelling units shall be allowed outright, subject to density standards in this section.
2. Multifamily developments containing two to four units shall be subject to site plan review and those containing five or more units shall be subject to conditional use permit approval.

3. Home occupations, adult family homes and in-home day care facilities which exceed standards for these uses set out in SJCC 18.60.180 shall be allowed only as provided above and in subsection (D)(6) of this section.

4. Construction of or improvements to streets, pedestrian paths and off-site parking areas shall be subject to site plan review requirements. (Parking spaces, driveways and paths required for an allowable use shall not require a permit separate from any permit required for the use served; provided, that a road access permit must be granted for construction of any driveway entering a public road.)

5. Transient lodging shall be allowed subject to site plan review, limited to two guest rooms located within the principal residence of the operator, and food service shall be limited to breakfast served to overnight guests only.

6. Other allowable nonresidential uses shall be subject to conditional use permit approval.

7. New commercial, institutional and recreational developments with primary access from the Mount Baker Road Bypass shall be required to obtain or provide for shared access with at least one adjoining parcel by establishing common driveway easements and/or locating access at property lines.

8. Rural residential cluster development is allowed only in the Eastsound rural residential one unit per five acres designation as provided by the standards in SJCC 18.60.230 and the procedures in SJCC 18.80.180, subject to the applicable provisions of the Unified Development Code and this subarea plan.

~~9. Planned unit development shall be allowed in the Eastsound residential 4 to 12 units per acre district as provided by the standards in SJCC 18.60.220 and the procedures in SJCC 18.80.160, subject to the applicable provisions of the Unified Development Code and this subarea plan.~~

#### E. Site Development and Performance Standards.

1. Building Height. No building shall exceed 32 feet measured from average grade to the highest point of the highest roof structure, excluding church spires if the base is no larger than five percent of the building floor area.

##### 2. Building Setbacks.

a. No structure shall be built within 40 feet of the centerline of a public right-of-way.

b. Structures shall be set back from side property lines by at least 10 feet. Rear yards shall be at least 20 feet except that one-story garages and storage sheds may be located not less than three feet from the rear property line. Architectural appendages (i.e., roof overhangs, chimneys, bay windows, and decks not over 30 inches above grade) may extend two feet into required yards.

3. Outdoor Storage. Outdoor storage of recreational vehicles associated with residential use shall be screened from view from adjoining properties and from the shoreline by fencing, vegetation or other means. Other outdoor storage shall be screened from public roads and from the shoreline. Any such screen shall be at least five feet high. Any outdoor storage associated with any nonresidential use allowed in this district shall also be so screened before any occupancy permit is issued.

4. Utilities. Utilities installed to serve new development shall be underground.

5. Open Space and Lot Coverage. The following maximum lot coverage (area covered by structures) and minimum open space (area not occupied by buildings, parking or driveways) standards shall be met in all new development other than single-family dwelling units:

a. Open space shall be maintained in its natural condition or landscaped; applications for permits required by this plan or the Shoreline Master Program shall specify open space and identify existing or proposed landscape features.

b. The minimum open space required shall be 30 percent of the total site area.

c. Maximum lot coverage by buildings shall be 30 percent of the total site area.

6. Landscaping. New development shall be designed to conserve natural site features to the extent possible. Landscaped buffers shall be required along public street frontage in all new development except single-family dwelling units, and screening shall be required along property lines in all multifamily residential and nonresidential developments.

7. Required Clustering. All residential developments of five or more units or any residential development on a parcel or parcels in common ownership of 10 acres or more shall be required to be designed as a cluster of buildings and appurtenances. A minimum of 30 percent of the site shall be retained in open space. All cluster development shall be connected to public water and sewer systems. All projects developed in accordance with these requirements shall be exempt for the conditional use permit requirements of subsection (D)(2) of this section, and will be processed under the site plan review procedures, unless other requirements of the Land Division Ordinance (Chapter 18.70 SJCC) also apply.

8. On the official map some designations are annotated with the letter "P" to identify those locations where site planning is required under SJCC 18.60.220. This planning is necessary to ensure that development at less than four units per acre density will not preclude possible future development at urban-level densities (four units per acre or higher). New residential development in such areas is subject to approval by the administrator for this purpose.

9. Within the Eastsound rural residential one unit per five acre designation:

a. Minimum parcel size shall be one-half acre; and

b. Capital facilities and services are subject to SJCC 18.60.250.

~~10. The standards in this subsection (E) may be modified for a planned unit development in the Eastsound residential 4 to 12 units per acre district as provided in SJCC 18.60.220.~~

~~11. Resource Land Buffer. A buffer area of at least 50 feet shall be maintained from the boundary of any property designated as forest resource land. No new structure shall be allowed within the buffer that houses a residential occupancy, or a commercial occupancy which provides lodging or food service to visitors.~~

~~12. Limitation on Development in the Eastsound Residential 4 to 12 Units Per Acre District. In order to insure orderly development and expansion of urban services to areas not currently served, development within the Eastsound residential 4 to 12 units per acre land-use district is limited to 300 dwelling units prior to the year 2020. The following objectives for the entire district shall be considered in subdivisions and planned unit developments on individual parcels within the district.~~

~~a. The total area within the district is expected to be allocated approximately as follows prior to the year 2020:~~

~~i. Forty percent for permanent open space for wetland, open space and habitat protection. This open space area does not include the required open space area within tracts or planned unit developments, and is expected to be located primarily within the parcel owned by the San Juan County land bank.~~

~~ii. Thirty percent for residential development at densities from four to 12 dwelling units per acre, or for other uses permitted in the Eastsound residential 4- to 12 units per acre district, including the open space area required within tracts and planned unit developments.~~

~~iii. Thirty percent reserve for future development for uses permitted within the district.~~

~~b. Development should take place first in areas adjacent to existing developed areas or major transportation corridors. Development reserve should be in interior areas or areas more distant from developed areas and transportation corridors.~~

~~c. Development should provide a link for expansion of urban services to the existing developed area near the intersection of Terrill Beach Road/Olga Road and Crescent Beach Road.~~

NEW SECTION. Section 6. A new section is added to San Juan County Code Chapter 18.30 under the subchapter heading "Country Corner Island Center Plan" to read as follows:

**A. Amendments.** All future amendments to this section of the San Juan County Code will follow the legislative procedures detailed in SJCC 18.90.020.

**B. Applicability.** This subsection applies to all land and land use activity and to all structures and facilities within Country Corner as shown on the official map.

**C. Land Use District.** The official map depicts one (1) land use district within the Country Corner Island Center; the Country Corner Commercial District (CCC). This district exists:

- i. To provide for a service/commercial center to the east of Eastsound which accommodates commercial services, construction related activities along with office and retail uses that are necessary and important components of the local economy.
- ii. To allow for development that preserves the existing character, natural features and visual qualities by imposing specific development standards, including building height, setbacks and landscaped buffers between districts and open space.
- iii. To allow for a mixture of commercial uses and accessory residential units while protecting adjoining residential areas from incompatible commercial and industrial activities.

**D. Relationship to Eastsound Subarea Plan.**

The area designated as Country Corner on the official map is part of the Eastsound Subarea. Issues not explicitly addressed in the Country Corner Plan are subject to SJCC Chapter 16.55 (Eastsound Subarea Plan).

**E. Relationship to San Juan County Unified Development Code.**

Issues that are not explicitly addressed in either the Country Corner Plan or the Eastsound Subarea Plan are subject to the San Juan County Unified Development Code (UDC), SJCC Title 18. Following SJCC 18.10.050(G), however, where the regulations in the Country Corner Plan conflict with those of the Eastsound Subarea Plan or UDC, the Country Corner Plan regulations shall control.

**F. Allowed Uses.**

All development and uses within Country Corner shall conform to the Table of Permitted Land uses in the following Tables.

**Table 1** (1,2,3,4,5,6)

<b>COMMERCIAL LAND USES</b>	<b>CCC</b>
Animal Hospitals, Shelters and Veterinary Clinics	C
Automotive Service, Fuel and Repairs	P
Bed and Breakfast Inn (up to 5 units total)	D
Bed and Breakfast Residence	N
Camping Facilities	N
Day Care with 1-6 Children	C
Day Care with 7+ Children	D
Drinking Establishment	C
Eating Establishment	C
Equipment Rental Services	P
Hotel/Motel	N
Indoor Entertainment Facility	P
Landscaping, Nurseries and retail Plant sales	D
Nursing Homes	N
Personal Wireless Communication Facility	C
Personal and Professional Services	Y
Residential Care Facilities [up to 6 persons]	N
Residential Care Facilities [9-15 persons]	N
Camps, New	N
Resorts, New	N
Retail Sales and Services <sup>7</sup>	Y/C
Vacation rental of residence or ADU	N
Mini-Storage, and Moving Storage Facilities	C
Laundromat	C
Car Wash	N
Un-Named Commercial Uses	C

<b>INDUSTRIAL LAND USES</b>	<b>CCC</b>
Bulk Fuel Storage Facility	N
Concrete and Concrete Batch Plants	N
Construction Yard and Related Businesses	C
Feed Lots	N
Garbage and Solid Waste Transfer Stations	N
Heavy Industrial	N
Light Industrial	N
Light Manufacturing	C
Lumber Mills Stationary	N
Outdoor Storage Yards	N
Recycling Center	N
Recycling Collection Point	N
Resource Processing accessory to Extraction Operations	N
Mining and Mineral Extraction Activities	N
Reclamation of Mineral Extraction Sites	N
Wholesale Distribution Outlets	N
Wrecking and Salvage Yards	N
Storage and Treatment of Sewerage, Sludge, and Septage - Lagoon Systems	N
Un-Named Industrial Uses	N

<b>INSTITUTIONAL LAND USES</b>	<b>CCC</b>
College	N
Community Club or Community Organization Assembly Facility	D
Emergency Services	D
Government Offices	N
Institutional Camps	N
Library	N
Museum	N
Post Office	N
Religious Assembly Facility	C
School, Primary and Secondary	N
Technical School / Adult Education Facility	N
Un-Named Institutional Uses	C

<b>RECREATIONAL LAND USES</b>	<b>CCC</b>
Camping Facilities in Public Parks	N
Indoor Recreation Facilities	D
Outdoor Recreation Developments	C
Parks	P
Playing Fields	C
Recreational Vehicle Parks	N
Outdoor Shooting Ranges	N
Un-Named Recreational Uses	C

<b>RESIDENTIAL LAND USES</b>	<b>CCC</b>
Cottage Enterprise	D
Farm Labor Accommodations for persons employed in agricultural production on the premises	C
Farm Stay	N
Home Occupation	Y
Mobile Home Parks	N
Multi-family Residential Units (3+ units)	N
Single-family Residential, (or apartment), only as an accessory to an allowable nonresidential use	Y
Two-family Residential (duplex)	N
Vacation Rental of Residential or Accessory Dwelling Unit	N
Un-Named Residential Uses	C

<b>TRANSPORTATION LAND USES</b>	<b>CCC</b>
Airfields	N
Airports	N
Airstrips	N
Hangars	N
Helipads	N
Helipads, Emergency Services	N
Parking Lots Commercial	C
Parking Structures	C
Streets, Public	Y
Streets, Private	Y
Trails and Paths, Public	Y
Un-Named Transportation Uses	D

<b>UTILITIES LAND USES</b>	<b>CCC</b>
Commercial Communication Facilities	N
Commercial Power Generation Facilities (except small single family wind turbines)	N
Community Sewerage Treatment Facilities	N
Storage and Treatment of Sewerage, Sludge, and Septage - Systems other than lagoons	N
Utility Distribution Lines	Y
Utility Facilities	C
Utility Substations	N
Utility Transmission Lines	Y
Community Water Systems	D
Water Treatment Facilities	D
Un-Named Utility Uses	C

<b>AGRICULTURAL &amp; FORESTRY LAND USES</b>	<b>CCC</b>
Agricultural and Aquacultural Processing, Retail, and Visitor-Serving Facilities for Products	Y/C <sup>8</sup>
Agricultural Uses and Activities	<del>C</del> <sup>D</sup>
Forest Practices, no processing	N
Lumber Mills, portable(Existing)	N
Retail Sales of Agricultural Products	Y <sup>9</sup>
Small Scale Slaughterhouses	N
Un-named Agricultural and Forestry Uses	C

**Notes:**

1. All land uses in all districts must meet the general regulations in SJCC 16.55.300 and SJCC 18.30.050 unless otherwise stated therein.
2. Overlay districts and subarea plans provide policies and regulations in addition to those of the underlying land-use districts for certain land areas and for uses that warrant specific recognition and management. For any land use or development proposal located entirely or partly within an overlay district, or within the jurisdiction of a subarea plan, the applicable provisions of the overlay district or subarea plan as provided in SJCC 18.30 shall prevail over any conflicting provisions of Title 18.

**3. Categories of Uses:**

**Y** = Uses allowed outright (*i.e.*, without a project permit), subject to the applicable development standards (Section 6); if a building or other construction permit is required, this use is subject to administrative consistency review; *see* SJCC 18.80.070.

**P** = Provisional use subject to administrative consistency review for compliance with SJCC 18.60 development standards and SJCC 18.40 performance standards specific to the use; *see* SJCC 18.80.080.

**D** = Discretionary Use: A discretionary use subject to administrative permit approval and consistency with SJCC 18.60 development standards. The Administrator may require a conditional use permit based on project impacts (*see* SJCC 18.80.090 and Table 8.2.)

**C** = Conditional use subject to public notice and permit hearing procedure; *see* SJCC 18.80.100.

**N** = Prohibited use.

4. The assignment of allowed and prohibited uses may not directly or indirectly preclude the siting of "essential public facilities."
5. In all Activity Center land-use districts the transient rental of a residence or guest house may be allowed by provisional ("P") permit only if the owner or lessee demonstrates that the residence or guest house in question was used for transient rental on or before June 1, 1997; otherwise, a conditional use ("C") permit is required.
6. Forest Practices (including timber harvesting), except for Class IV General (*see* Section 4.12), are regulated by the Washington Department of Natural Resources.
7. Retail operations with a footprint of 4,000 sq. ft. or less are allowed outright (Y). Retail operations with a footprint larger than 4,000 sq ft are required to obtain a Conditional Use permit (C).
8. Agricultural or Aquacultural Processing, Retail, and Visitor-Serving Facilities for Products with a 4,000 sq. ft. footprint or less are allowed outright, facilities with a footprint that is larger than 4,000 sq. ft. are required to obtain a Conditional Use permit.
9. Agricultural retail sales with a footprint of 4,000 sq. ft. or less are allowed outright, facilities with a footprint that is larger than 4,000 sq. ft. are required to obtain a Conditional Use permit.

**G. Development Standards.**

Table 2.

Development Standards	
Country Corner Commercial	
Maximum Density	One (1) residential unit per half (½) acre. Residential development permitted only as an accessory to an allowable Commercial Use <sup>1</sup> .
Minimum Lot Size	½ acre
Minimum Setback <sup>2, 3, 4, 5</sup> Front or Road <sup>6</sup> (feet)  Rear and Side	35 ft Crescent Beach Road/ 50 ft Terrill Beach/Olga Road 5 <sup>7</sup> /15 <sup>7</sup> ft
Maximum Building Dimensions	10, 000 sq ft Footprint
Building Height <sup>8</sup> (feet)	30 <sup>9</sup> ft
Lot Coverage <sup>10</sup>	40%
Minimum open space <sup>11</sup>	30%
Landscaping	10 ft buffer along public road frontage with Landscaping Screen C; 15 ft buffer between commercial and residential districts with Landscaping Screen A.
Parking	Parking that requires cars to reverse into the County Right of Way will not be permitted under any condition.

**Notes:**

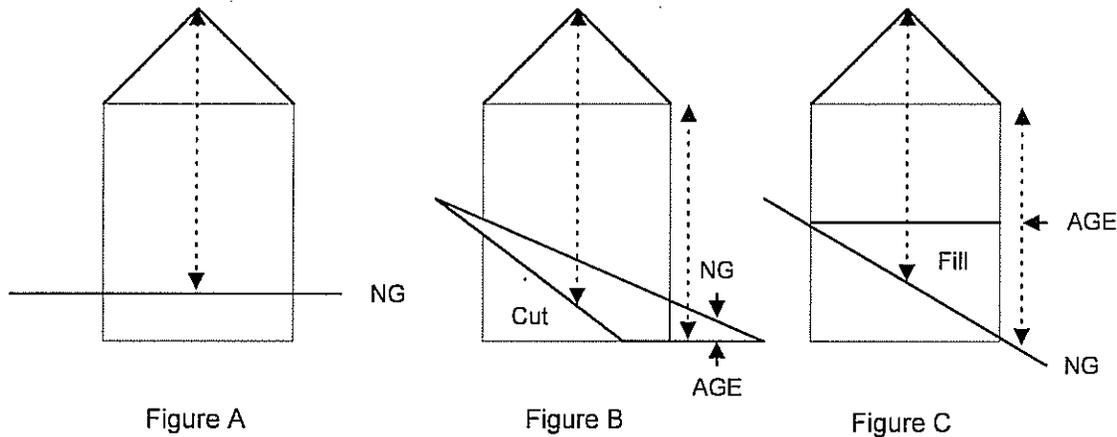
1. The construction of residential units shall only occur simultaneously or after the development of the commercial use. In no case, may the construction of new residential units be permitted prior to the allowable commercial use. All residential units must be located within the same structure/building as the commercial use.
2. Setbacks from roads 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.
3. Fences are exempt from setback requirements, except when they impair sight lines at intersections, as determined by the County Engineer.
4. 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, water pipes, water valves and vaults, and other items as approved by the Director.
5. 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.

6. New development shall be required to maintain a 10 ft landscaped buffer along public street frontage. This landscaped strip will be created and maintained with a minimum of a 'Screen C' in conformance with SJCC 18.60.160(E)(4).
7. New development will require a minimum 5 ft. setback on parcels beside other Country Corner Commercial properties. Where parcels abut residential uses and zones there is a minimum 15 ft. setback which must include 'Screen A' landscaping in conformance with SJCC 18.60.160(D)(1).
8. 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.
9. A height bonus allowing a maximum height of 32 feet will be granted for those buildings with a minimum roof pitch of 6:12.
10. Lot Coverage is the area of the lot covered by structures as determined by measurement of the physical footprint of the structures.
11. Open Space (area not occupied by buildings, parking or driveways), shall be maintained in its natural condition or landscaped in conformance with SJCC 18.60.160.

**H. Building Height Measurement.** No structure shall exceed 30 feet above grade, measured as described in the illustration below. Structure height limit measurement methods are as follows:

- a. Where the natural grade remains unchanged the structure height shall be measured by a plumb line from every point on the roof to the natural grade (NG). Natural grade shall mean the existing grade prior to any human modification. See Figure A, below.
- b. Where the natural grade has been cut at any point around the structure footprint, the structure height shall be measured as by a plumb line from every point on the roof to the altered grade elevation (AGE). See Figure B, below.
- c. Where fill material has been added to the natural grade, the structure height shall be measured as by a plumb line from every point on the roof to the natural grade, regardless of the height of fill. See Figure C, below.



Section 7. Repeal of Ordinance 5-2010.

Ordinance 5-2010 regarding a moratorium on subdivisions in the Country Corner LAMIRD Study Area is repealed.

Section 8. 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 9. 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 10. Effective Date.

This ordinance shall take effect and be in full force and effect ten days after adoption by the County Council.

Section 11. Codification.

Section 4, Section 5, and Section 6 shall be codified.

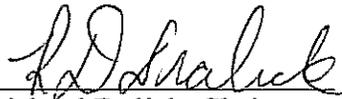
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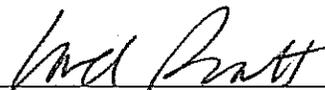
ADOPTED this 27<sup>th</sup> day of April 2010.

**COUNTY COUNCIL  
SAN JUAN COUNTY, WASHINGTON**

ATTEST: Clerk of the Council

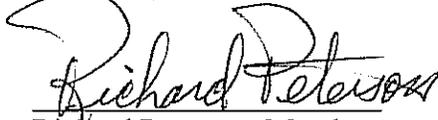
By:   
Ingrid Gabriel – Clerk  
Date: 4-27-2010

  
Richard Fralick, Chair  
District 4, Orcas West/Waldron

  
Lovel Pratt, Vice-Chair  
District 1, San Juan South

REVIEWED BY COUNTY  
ADMINISTRATOR

  
Pete Rose Date: 4-20-2010

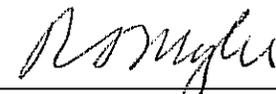
  
Richard Peterson, Member  
District 2, San Juan North

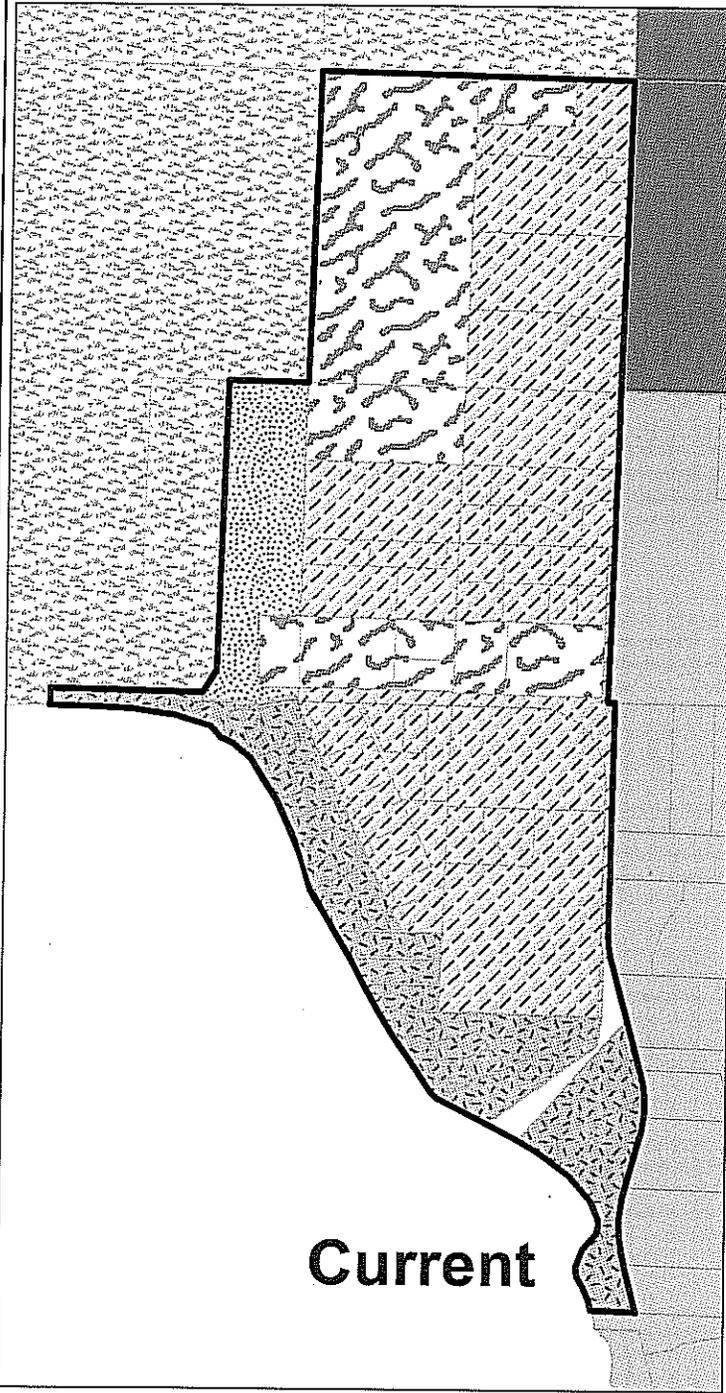
APPROVED AS TO FORM ONLY  
RANDALL K. GAYLORD

By:   
Date: 4/20/2010

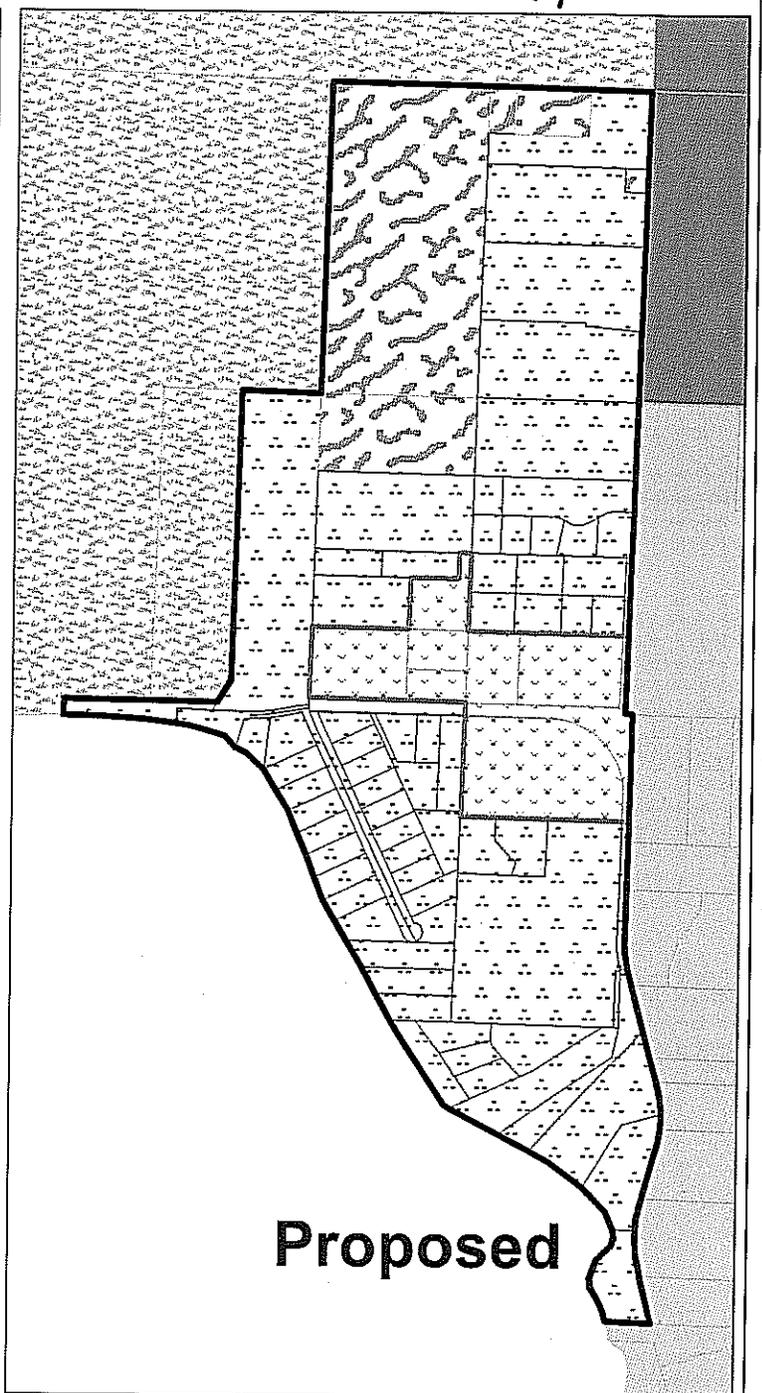
  
Howard Rosenfeld, Member  
District 3, Friday Harbor

  
Gene Knapp, Member  
District 5, Orcas East

  
Bob Myhr, Member  
District 6, Lopez/Shaw



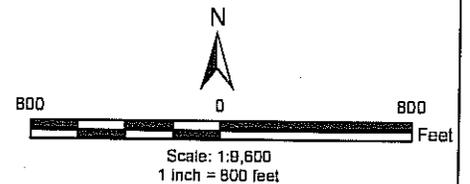
**Current**



**Proposed**

- Legend**
- Country Corner Commercial (residential density of 1 unit/half acre as accessory to allowable commercial use)
  - Eastsound Rural Residential (max. 1 unit/2 acres)
  - Eastsound Rural (max. 1 unit/5 acres)
  - Eastsound Residential 2/acre
  - Eastsound Residential 2/acre P\*
  - Eastsound Residential 4-12/acre (min. 4 - max. 12 units/acre; see SJC 16.55.240)
  - Service Park (residential use allowed only as accessory to commercial, institutional, or industrial use)
  - Forest Resource
  - Rural Farm Forest

*This map is a graphic representation derived from San Juan County's Geographic Information System. It is designed and intended for reference only, and is not guaranteed to survey accuracy. This map is based on the best information available as of the publication date.*



Land Use Designations for the Country Corner Area

Orcas Island  
San Juan County, Washington

Exhibit

1

Drawn by  
MJC

Date  
01/10

Revised:  
02/00