

Figure X illustrates where street trees are to be located. On any given street within the Village Commercial District, large shade trees and flowering trees shall be uniform. The following are suggested appropriate trees:

Table X Street Trees

Large-head shade trees:	
<i>Acer Sacarum</i>	Sugar Maple
<i>Aescules Hippocastrum</i>	Horse Chestnut
<i>Quercus Rubra</i>	Red Oak
<i>Quercus Palustrus</i>	Pin Oak
<i>Tillia Cordata</i>	Linden, Basswood
<i>Sorbus aucuparia,</i>	Mountain Ash
Flowering Trees:	
<i>Crataegus Oxycantha</i>	Hawthorn
<i>Malus Floribunda</i>	Crabapple – Fruitless
<i>Prunus Blireiana</i>	Plum

SECTION 27. San Juan County Code 18.20.010 (“A” definitions) and Ord. 2-2014 § 1 are each amended to read as follows:

“Abandon” means to terminate or remove a structure by an affirmative act, such as changing to a new use; or to cease, terminate, or vacate a use or structure through nonaction.

“Abutting” means adjoining as defined herein, but will often have the added component of joining end to end, or sharing an end border.

Accessory Apartment, Accessory Dwelling Unit. See “internal ADU.”

“Accessory dwelling unit (ADU)” means a living area that is accessory to the principal residence, located on the same lot, and that provides for sleeping quarters, kitchen, and sanitation facilities. An ADU may be internal, attached or detached.

“Accessory structure” means a structure detached from a principal building located on the same lot and which is incidental and secondary to the principal building.

“Accessory use” means use of land or of a building or portion thereof incidental and subordinate to the principal use or building and located on the same lot with the principal use.

“Accretion shoreform” means shoreline with a backshore which has been produced by the long-term deposition of sand or gravel by littoral drift from a feeder bluff or other source. Such shoreforms include barrier beaches, points, spits, hooks, and tombolos.

“Acoustical engineer” means, ~~for the purposes of this subarea plan,~~ a professional engineer, licensed in Washington, with a degree in mechanical engineering and membership in the Acoustical Society of America; or a professional engineer with demonstrated education, accreditation and experience to perform and certify noise measurements, as determined by the director.

“Acre” means a unit of measure of land area which consists of 43,560 square feet.

“Activity centers” in San Juan County include villages, hamlets, residential activity centers, island centers, and master planned resorts.

“Adaptive management” means a style of management which relies upon the best available information to make decisions, but implements decisions with a strategy to obtain additional information. The decisions, or their implementation, are then adapted, if necessary, based on the new information.

“Adequate” means acceptable but not excessive.

“Adequate capacity (adequate capital facilities)” means capital facilities and services that have the capacity available to serve development at the time of occupancy or use without decreasing levels of service (LOS) below the standards set forth in the Comprehensive Plan. “Adequate capacity” also includes a financial commitment that is in place to complete the improvements, or noncapital strategies, necessary to provide a specific level of service within six years. (See also “available capacity,” “concurrency,” “levels of service,” and “noncapital alternative strategies.”)

“Adjacent” means either (1) adjoining as defined herein, or (2) being near or in close proximity, implying two objects that are not widely separated, though they may not actually touch. If a conflict arises over the meaning of the term “adjacent” as used in the UDC, the meaning shall be as interpreted by the director.

“Adjacent lands, shoreline” means lands adjacent to the shorelines of the state (outside of shoreline jurisdiction). See RCW 90.58.340.

“Adjoining” means being in physical contact, touching at some point or along a line, having a common point or border, sharing a common boundary, being so joined or united to each other that no third object intervenes.

“Administrator,” “planning director,” and “director” each mean the San Juan County community development and planning department director or a designated representative.

“Adverse” means contrary to one’s interest or welfare; harmful or unfavorable circumstances.

“Adverse impacts” means a condition that creates, imposes, aggravates, or leads to inadequate, impractical, unsafe, or unhealthy conditions on a site proposed for development or on off-site property or facilities.

“Affordable housing” means housing where the occupants pay no more than 30 percent of gross monthly income for total housing costs, including the cost of property taxes and insurance for homeowners and monthly utilities for owners and renters.

“Agriculture” means the science, art, and business of cultivating land and producing crops or raising livestock primarily for commercial sale or use; farming.

“Agricultural activities” means agricultural uses and practices defined in RCW 90.58.065.

“Agricultural commodity” means sheep, cattle, horses, goats, pigs, llamas, alpacas, or any other animal or any distinctive type of agricultural, horticultural, viticultural, floricultural, vegetable, or animal product, including, but not limited to, products qualifying as organic food products under Chapter 15.86 RCW and private sector cultured aquatic products as defined in RCW 19.85.020 and other fish and fish products, either in their natural or processed state, including bees and honey and Christmas trees but not including timber or timber products.

“Agricultural composting” means composting of agricultural waste as an integral component of a system designed to improve soil health and recycling agricultural wastes. Agricultural composting is conducted on lands used for farming and is an agricultural activity. Agricultural composting can include the collection of off-site yard, landscape, or agricultural waste and other compostable materials to be processed into compost, including sales or delivery of finished composted product. Such operation shall be accessory to the primary agricultural activities of the farm operation and shall not generate traffic and/or noise uncommon to a farm operation.

“Agricultural equipment and facilities” means equipment and facilities defined in RCW 90.58.065(2).

“Agricultural processing, retail, and visitor-serving facilities for products” means the commercial processing (preparing for market, packing, and sales) of agricultural commodities, and the on-site facilities for retail display and sale of such agricultural commodity products.

“Agricultural products” includes but is not limited to horticultural, viticultural, floricultural, vegetable, fruit, berry, grain, hops, hay, straw, turf, sod, seed, and apiary products; feed or forage for livestock; Christmas trees; hybrid cottonwood and similar hardwood trees grown as crops and harvested within 20 years of planting; and livestock including both the animals themselves and animal products including but not limited to meat, upland finfish, poultry and poultry products, and dairy products (see RCW 90.58.065(2)).

“Agricultural resource lands” means lands that are primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, livestock, or Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, and have long-term commercial significance for agricultural production (RCW 36.70A.030(2)). Agricultural resource lands is also a land use designation (AG) in the Comprehensive Plan.

“Agricultural sales” means the sales of agricultural products grown, raised or harvested in San Juan County, including processed products whose defining ingredients are produced or harvested in the county. Agricultural sales can include the sale of agricultural promotional materials which shall be accessory to the sale of the primary agricultural products.

“Agricultural soils” means lands with USDA-San Juan County Soil Survey Class II, III, and IV soils or other soil classes where the land is suitable for a particular agricultural use.

“Agricultural wastes” means wastes on farms resulting from the raising or growing of plants and animals including, but not limited to, crop residue, manure and animal bedding, and carcasses of dead animals weighing each or collectively in excess of 15 pounds.

“Agriculture” means the science, art, and business of cultivating land and producing crops or raising livestock primarily for commercial sale or use; farming.

“Agriculture, existing and ongoing” means any agricultural activity conducted on lands defined in RCW 84.34.020(2); agricultural use ceases when the area on which it is conducted is converted to a nonagricultural use.

“Agritourism” means recreational, educational or agricultural-related activities that are accessory to the agricultural activities of the farm operation.

“Aid to navigation” means any visual or electronic device airborne or on the surface which provides point-to-point guidance information or position data to aircraft in flight.

“Aircraft accident safety zone” means an area of land that is designated in order to meet the land use compatibility direction in RCW 36.70A.510 and 36.70.547 for general aviation airports and to implement the health and safety and land use purposes of an airport overlay district, and is shown on the official maps of the overlay district. Guidance for the delineation of these safety zones is provided by the Washington State Department of Transportation, which can be modified in order to address local circumstances as part of the adoption of individual airport overlay districts.

1. “Safety zone 1: Runway protection zone” is an area that has the same dimensions as the FAA runway protection zone. It is a trapezoidally shaped area that extends from the outer boundaries of the primary surface along the extended runway centerline. Where only a portion of the runway is declared as usable (the remainder of the pavement being part of a paved “stopway”), as is the case at Orcas Island airport, the measurements for the zone begin at the threshold line on the pavement which marks the end of the declared usable runway surface.

2. “Safety zone 2: Inner safety zone” is an area that underlies the main departure/approach path. It begins at the end of the runway protection zone (zone 1) and extends out along the extension of the runway centerline.

3. "Safety zone 3: Inner turning zone" is an area where aircraft turn into the direct approach path, or turn out of the departure path. The zone begins at the primary surface and extends out at 30 degrees from both sides of the runway centerline. It connects to the centerline of the inner safety zone (zone 2) with sweeping arcs.

4. "Safety zone 4: Outer safety zone" is an area that underlies the main departure/approach path, after the inner turning zone (zone 3). It extends out from both sides of the extended runway centerline, beginning at the outer edge of the inner turning zone (zone 3) and extending to the outer boundary of zone 6 (or to outer boundary of the horizontal zone if zone 6 is not designated).

5. "Safety zone 5: Sideline safety zone/airport development zone" is an area that is immediately adjacent to the airport and runway area. The standard zone begins at the primary surface, extending out from the extended runway centerline and connecting at its ends to the inner turning zone (zone 3).

6. "Safety zone 6: Traffic pattern zone" is an area that encircles the other five safety zones. The standard area consists of a long oval that is centered longitudinally on the runway, and which envelops the other safety zones. The perimeter is constructed by swinging arcs from a point along the extended runway centerline that is 500 feet from the edge of the primary surface. The arcs are connected by line segments that are extended from the edge of safety zone 5. Zone 6 may or may not be designated for a given airport overlay district.

"Airfield" means a privately owned area of land open to general or limited public use for aircraft operations. An airfield may include related noncommercial services, aircraft maintenance, or fueling facilities.

"Airport" means an area of land or facility publicly owned and open to general public use for aircraft operations, except any airfield or airstrip as defined herein. An airport may include related services and facilities.

"Airport overlay district" means an overlay district which governs use of land in the vicinity and environs of an airport and protects public safety in the area.

"Airstrip" means a privately owned area of land, closed to the public, and restricted to use by the owner for noncommercial aircraft operations and, on an occasional basis, invited guests of the owner.

"Aliquot part" means a parcel of unplatted land which is described by record legal description as a fractional portion of a section, excluding government lots.

"Allowable uses" means the land uses that are allowed under this title, divided into five categories, as identified in SJCC 18.30.050 through 18.30.055 and Tables 18.30.030 and 18.30.040. These are uses allowed outright ("Yes"), provisional ("Prov" or "P"), "P/C" (formerly referred to as discretionary) ("D"), conditional ("C"), and plan amendment ("P.A.") uses.

"Allowed outright use ("Yes" use)" means a use that is allowed outright within a land use designation, and which does not require a project permit, and is identified in Tables 18.30.030 and 18.30.040 by the symbol "Yes." All "Yes" uses are subject to and must comply with all applicable development standards of this title (see Chapter 18.60 SJCC and SJCC 18.80.070).

“Alteration, nonconforming structures” means any change or rearrangement in the supporting members of existing buildings, such as bearing walls, columns, beams, girders, or interior partitions, as well as any changes in doors, windows, means of egress or ingress or any enlargement to or diminution of a building or structure, horizontally or vertically, or the moving of a building from one location to another. This definition excludes normal repair and maintenance, such as painting or roof replacement, but includes more substantial changes.

“Alteration, nonconforming use” means the expansion, modification or intensification of a use that does not conform to the land use regulations of the UDC.

“Angle of repose” means the slope at which a land mass normally will remain stable without artificial means of support. The specific angle is largely dependent on the type(s) of material(s) present in the land mass.

“Animal shelter (kennel)” means a commercial or nonprofit establishment in which animals other than livestock are temporarily housed or boarded, groomed, bred, trained, treated, or sold.

“Antenna” means any apparatus designed for transmitting and/or receiving electromagnetic waves by converting those waves from and to electrical current.

“Antenna array” means one or more antennas and their associated mounting hardware, feed lines, or other appurtenances which share a common attachment device, such as a mounting frame or support structure.

“Appeal, closed-record” means an administrative appeal on the record to the board of County commissioners, following an open-record hearing on a project permit application. A closed-record appeal is on the record made before the decision maker with no or limited new evidence or information allowed to be submitted and only appeal argument allowed (RCW 36.70B.020).

“Appeal, open-record” means a hearing, conducted by the hearing examiner, that creates the County’s record through testimony and submittal of evidence and information, under procedures prescribed by the County by ordinance or resolution when a timely appeal of the director’s decision on a project permit application or a timely appeal of an administrative determination is filed.

“Applicant” means any person who files a permit application with the County and who is either the owner, beneficial owner, contract purchaser, or authorized agent of such owner of the land on which the proposed activity would be located.

“Approach surface” means the FAA imaginary surface that is the lower boundary of an airspace which begins at the ends of the primary surface and extends upward and outward along the extended runway centerline. The initial width of the surface coincides with the width of the primary surface, and expands outward uniformly from the primary surface.

“Approach, transitional, horizontal, and conical surfaces” means the imaginary surfaces that relate to an airport or airfield runway as defined in Federal Aviation Administration (FAA) regulations, 14 CFR Part 77, “Objects Affecting Navigable Airspace,” as amended, and as shown on the approach and clear zone plan for an airport or airfield. They are so-called “imaginary” surfaces because, with the exception of the runway, they cannot be seen.

“Approach, transitional, horizontal, and conical zones” means the zones which apply to the ground areas immediately under a runway approach; transitional, horizontal, and conical surfaces as projected along a vertical axis.

“Aquacultural activities” means use of the land and water for aquacultural purposes including, but not limited to: producing, breeding, or increasing products; rotating and changing products; processing, packing, storing and selling products; composting organic materials; and construction, maintenance and repair of structures and facilities associated with the operation.

“Aquacultural equipment and facilities” includes, but is not limited to: (1) the following used in aquacultural operations: equipment; machinery; constructed shelters, buildings, and ponds; water storage facilities; water diversion, withdrawal, conveyance, and use equipment and facilities such as pumps, pipes, canals, ditches, and drains; (2) farm residences and associated equipment, lands, and facilities; and (3) roadside stands and on-farm markets for products (see RCW 90.58.065(2)).

“Aquacultural products” includes fish, shellfish, or other aquatic animals or plants.

“Aquaculture” means the science or art of cultivating fish, shellfish, or other aquatic animals or plants. Aquaculture does not include the harvest of wild geoduck associated with the state managed wildstock geoduck fishery (see WAC 173-26-020(6)).

“Aquatic environment” means all water bodies under the jurisdiction of the Shoreline Management Act of 1971 and within the boundaries of San Juan County, including the water surface together with the underlying lands and the water column, including but not limited to bays, straits, harbors, coves, estuaries, tidelands, shorelands, and lakes.

“Aquifer” means a body of permeable saturated rock material or soil capable of conducting ground water.

“Aquifer recharge areas” means lands through which precipitation and surface water infiltrate the soil and are transmitted through rocks and soil to create ground water storage.

“Archaeological” means having to do with the scientific study of material remains of past human life and activities.

“Archaeological site” means an area of ancestral human use such as middens, burial grounds, and earthworks.

“Area” means the size of a parcel of land, as expressed in square feet or acres to two decimal places. When a public road right-of-way lies within a tract of land otherwise in contiguous ownership, area within the right-of-way may be included in gross area for the purpose of calculating maximum allowable density. When public road right-of-way abuts a tract of land, area to the centerline may be included in the gross area of the parcel for this purpose.

“Area, nominal” means the approximate area of a parcel of land, such as the aliquot part or the land area in the assessor’s records.

“Area of more intensive rural development (AMIRD)” means a class of rural lands that includes village and hamlet activity centers, residential activity centers, and island centers. AMIRDs were identified and delineated according to the criteria in RCW 36.70A.070 (5)(d). They consist of commercial, industrial, residential, or mixed-use areas in which the kinds, intensities, or densities of use, or the capital facilities and services available, exceed the levels normally associated with

rural development. Thus, these areas recognize and provide for existing compact rural development and uses, and allow for infill in the areas to the level of existing patterns.

“Area of natural terrain obstruction” means an area where the natural land surface penetrates the FAA imaginary surface.

“Area of special flood hazard” means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year, as indicated on the flood insurance rate maps (FIRMs).

“Artisan” means a skilled manual worker or artist who may use tools and/or machinery to pursue a particular art or profession, such as, traditional occupations such as wheelwrights, bakers, grillers, brewers, upholsterers, cabinet makers, carpenters, journeymen, potters, distillers, engravers, weavers, sculptors, masons, painters, photographers, fabricators, glasswrights, jewelers, goldsmiths, silversmiths, coppersmiths, tailors, vintners and taxidermists.

“Artisanal product” means an item or product created through the work of an artisan that is generally produced on a non-industrial, small scale, or small batch basis, and is commonly hand-made using traditional methods or skills.

“Artisan activities” means the creation and sales of artisan products.

“Assembly facility” means a facility designed and used for the gathering of people, or in which they may come together in a body, such as a meeting hall, community club or center, church, etc. (See also “community club or facility” and “religious assembly facility.”)

“Assessor’s parcel number” means a geocoding number assigned by the assessor’s office for property tax assessment purposes only.

“At grade” means at ground level.

“Attached accessory dwelling unit (AADU)” means an ADU which is internal to or attached to the principal residence by (1) a common wall, or (2) a continuous roof and exterior wall enclosures, or (3) a continuous roof no less than six feet in width, the area of which is included in the living area of the ADU.

“Automotive fuel station” means any building, land area, or other premises used for the retail dispensing or sales of vehicular fuels, but at which there is no servicing or repair of automobiles.

“Automotive repair station” means any building, land area, or other premises used for the retail servicing or repair of automobiles, but at which there is no dispensing or sales of vehicular fuels.

“Automotive service station” means any building, land area, or other premises used for the retail dispensing or sales of vehicular fuels and the servicing or repair of automobiles.

“Automobile wrecking and junk (or salvage) yards” means an outdoor area used for the wrecking, storage, and recycling/salvage of wrecked or abandoned vehicles for scrap metal and/or parts. (See “junk yard or salvage facility.”)

“Available capital facilities (available capacity)” means capital facilities or services that are in place (“existing capacity”), or for which a financial commitment is in place to provide the facilities or services within a specified time (“planned capacity”). “Available capacity” consists of existing plus planned capacity. (See also “adequate capacity,” “concurrency,” and “levels of service.”)

“Average tree height” means the mean height of existing trees within a 150-foot radius of the facility site.

“Average vehicular trips” means the average number of all vehicles entering or leaving a site during a defined period.

SECTION 28. San Juan County Code 18.020.030 (“C” definitions) and Ord. 26-2012 § 4 are each amended to read as follows:

“Calendar decade” means a 10-year period beginning January 1st of any year evenly divisible by 10.

“Campground and camping facilities” means a facility in which sites are offered for less than 30 days for persons using tents or other personal, portable overnight shelters.

“Camping” means to reside for less than thirty (30) days in a tent or other personal, portable overnight shelters.

“Capital facilities” means physical structures or facilities owned or operated by a government entity which provides or supports a public service.

“Capital improvements” means improvements to land, structures, initial furnishings, and selected equipment.

“Carrier” means a provider of telecommunications services.

“Channel” means an open conduit for water either naturally or artificially created, but does not include artificially created irrigation, return flow, or stock watering channels. (See WAC 173-14-030 (8)(b); see also “stream.”)

“Civic and cultural facilities” means structures and related activity areas used by organizations providing educational, social, religious or recreational services to the community; including performance halls, government service offices, facilities for religious assembly, colleges, primary and secondary schools, museums, and libraries.

“Class I beach” means a beach or shore having dependable, geologically fully developed, and normally dry backshore.

“Class II beach” means a beach or shore having only marginally, geologically partially developed and not dependably dry backshore.

“Class III beach” means a beach or shore having no dry backshore.

“Clearing” means the destruction or removal, by hand or with mechanical means, of vegetative ground cover or trees including, but not limited to, root material or topsoil material.

“Cluster development” means the massing of development on one or more parts of a property.

“Co-applicant” means all persons and/or entities joining with an applicant in an application for a project or development permit, including the owners of the subject property and any tenants proposing to conduct a development or activity subject to a permit.

“Co-location” means the shared use of a building, tower or telecommunication mount and/or site by more than one licensed carrier. Additionally, to satisfy the definition of “co-location” on a wireless tower, the mounting of a new proposed antenna must not: (1) increase the approved height of the wireless tower by more than the minimal amount required by Section 6409 of the

Middle Class Tax Relief Act (2012) by more than 10 percent; or (2) involve the installation of more than four new equipment cabinets or one new equipment shelter to serve the wireless tower; or (3) involve adding an appurtenance to the body of the wireless tower that would protrude from the edge of the wireless tower more than 20 feet; or (4) involve excavation outside the current wireless tower site, defined as the current boundaries of the leased or owned property surrounding the wireless tower and any access or utility easements currently related to the site; or (5) interfere with the camouflage or disguise of the wireless tower.

“Coastal high hazard areas” means the areas within any areas of special flood hazard that are subject to high velocity waters, including but not limited to storm surge or tsunamis.

“Commercial communication facilities” means a facility for the broadcast of signals for television, HDTV, and commercial radio stations and refers to the lease area and easements, all towers, antennas, mounts, transmission cables, equipment shelters or cabinets and any other installation to facilitate the broadcast of radio and television. Personal wireless service facilities and joint-use wireless facilities are not “commercial communication facilities.”

“Commercial composting” means the collection of off-site and/or public drop-off of yard, landscape, agricultural wastes and other compostable materials to be processed into compost, including sales, pick-up and/or delivery of finished composted products.

“Commercial mobile radio services” or “CMRS” means any of several technologies using radio signals at various frequencies to send and receive voice, data and video.

“Commercial recreational facility” means a place designed and equipped for the conduct of sports and leisure-time activities which is operated as a business and open to the public for a fee (see “indoor recreational facilities and outdoor recreational facilities”).

“Commercial sign” means any object, device, display or structure that is used for attracting attention to any commercial use, product, service, or activity.

“Commercial use” means activity involving the sale of goods or services.

“Common area” means any area contained within the boundaries of a proposed land division or within a multifamily residential development and owned by the lot owners as tenants-in-common, joint tenancy, or through an association or nonprofit association, and provided specifically for the common use of the residents.

“Community club or facility” means a not-for-profit use that provides social, health, recreational, cultural, or educational facilities to a community.

“Community development and planning department” means the San Juan County community development and planning department, the former San Juan County permit center and the former San Juan County planning department.

“Community dock,” for purposes of SJCC 18.50.190(C)(8) and 18.50.340(G), means a dock serving three or more residential waterfront properties.

“Community structure” means a structure which is intended for the common use of the residents of a particular subdivision or community.

“Composting” means the biological degradation and transformation of organic solid waste under controlled conditions designed to promote aerobic decomposition. Natural decay of organic solid waste under uncontrolled conditions is not composting.

“Comprehensive Plan” means the San Juan County Comprehensive Plan and all of its goals, objectives, policies, documents, and maps.

“Concurrency” means a condition in which an adequate capacity of capital and transportation facilities and services is available to support development at the time that the impacts of development occur. (See also “adequate capacity,” “available capacity,” and “levels of service.”)

“Concurrency facilities” means the public facilities and services for which concurrency is required in accordance with the policies of the Comprehensive Plan. They include transportation facilities (ferry service and parking areas, Types 1 and 2 public docks, intersections in activity centers or urban growth areas, and collector public roads), and “Category A” capital facilities (County solid waste and recycling facilities); community water systems that serve urban growth areas, AMIRDs (village, hamlet, and residential activity centers and island centers), or master planned resort activity centers; and community sewage treatment facilities that serve village and master planned resort activity centers.

“Concurrency test” means the comparison of a project’s impact on concurrency facilities to the available capacity, including existing and planned capacity, of the concurrency facilities.

“Conditional use” means a use that is identified in Tables 18.30.030 and 18.30.040 by the symbol “C” and which requires a conditional use permit.

“Conditional use permit” means a permit issued by San Juan County stating that the land uses and activities meet all criteria set forth in local ordinances, and all conditions of approval in accordance with the procedural requirements of SJCC 18.80.100.

“Conditional use, shoreline” means a use, development, or substantial development which is classified as a conditional use in the Shoreline Master Program (SMP; see Element 3 of the Plan and Chapter 18.50 SJCC), or which is not classified within the SMP.

“Condominium” means the division of a building or land pursuant to the Horizontal Property Regimes Act, Chapter 64.32 RCW, or to the Condominium Act, Chapter 64.34 RCW.

“Conical surface” means the FAA imaginary surface that is the lower boundary of an airspace which extends outward and upward from the periphery of the horizontal surface.

“Conservancy designation” means the land use designation of the Comprehensive Plan designed to protect valuable natural resources, wildlife, historical, and scenic areas.

“Conservancy environment, shoreline” means an environment designation that is applied to areas which are largely free of intensive development.

“Consolidated formation” means any geologic formation in which the earth materials have become firm and coherent through natural rock-forming processes.

“Construction contractor yards and offices” means service establishments primarily engaged in general contracting or subcontracting in the building construction trades. These include administrative offices, workshops and the indoor or outdoor storage of tools, equipment, materials, and vehicles.

“Contiguous” means adjoining as defined herein, but will often have the added component of sharing the common boundary for a considerable distance, along the whole or most of one side or border.

Contract purchaser. See “applicant.”

“Correctional facility” means any facility operated by or under contract to a public agency for the confinement of individuals accused or convicted of criminal or delinquent activity.

“Cottage enterprise” means a commercial or manufacturing activity conducted in whole or in part in either the resident’s single-family dwelling unit or in an accessory building, but is of a scale larger than a home occupation.

“County” means San Juan County, Washington, its board, commissions, and departments.

“Covered moorage” means a pier and/or float or system of floats covered by a roof.

“Critical areas” means geologically hazardous areas, frequently flooded areas, critical aquifer recharge areas, wetlands, and fish and wildlife conservation areas, all as defined in this chapter and regulated in SJCC 18.35.020 through 18.35.140.

“Critical area functions and values” means the beneficial roles served by critical areas and the values people derive from these roles including, water quality protection and enhancement; fish and wildlife habitat; food chain support; flood storage, conveyance, and attenuation; ground water recharge and discharge; erosion control; wave attenuation; protection from hazards; water infiltration; fine sediment control; shade/microclimate; large woody debris; litterfall/organic matter; maintenance of hydrologic function; slope stability; aesthetics; property value; economic development; recreation; carbon sequestration; and within shoreline jurisdiction, shoreline ecological functions and processes.

“Critical water resource areas” means selected watersheds and critical aquifers where resources are potentially threatened by salt water intrusion or primary contaminants or limited due to poor recharge.

“Cul-de-sac” means a road closed at one end by an area of sufficient size for turning vehicles around.

“Current use” means the use of land or improvements at the time of permit application.

SECTION 29. San Juan County Code 18.020.050 (“E” definitions) and Ord. 10-2012 §§ 4, are each amended to read as follows:

~~“Eastsound Subarea Plan” means the document containing the Eastsound Subarea Plan and official map.~~

“Eastsound swale” means the swale lying west of the boundary of the Village Commercial and Village Residential/Institutional districts as shown on the official Eastsound Subarea Plan map and Figure 120–1.

“Eating establishment” means a use providing preparation and retail sale of food and beverages.

“Ecology (WDOE)” means the State of Washington Department of Ecology.

“Electrical lines” means electrical service, distribution and transmission lines and ancillary support structures and enclosures.

“Emergency” means an immediate danger to public health or safety or of serious environmental degradation.

“Endangered species” means a species which is in danger of extinction throughout all or a significant portion of its range, as classified by the Washington Department of Fish and Wildlife, WAC 232-120-14 and the Washington Department of Natural Resources, Washington Natural Heritage Plan.

“Environmental checklist” means a form prescribed by the director and the state of Washington to identify the potential environmental impacts of a given proposal.

“Environmental impact statement (EIS)” means a draft, final, or supplemental written document that reviews the likely significant and nonsignificant adverse and positive impacts of a proposal, ways to avoid, minimize or lessen the adverse impacts, and alternatives to the proposal.

“Environmentally sensitive area(s) (ESA)” means critical area(s).

“Equivalent residential unit (ERU)” is a way to express water or sewage system use by nonresidential customers as an equivalent number of residential customers. An ERU is usually calculated using average daily demand figures.

“Erosion” means the detachment and movement of soil or rock by water, wind, ice, or gravity.

“Erosion hazard areas” means areas characterized by soils identified in the USDA-San Juan County Soil Survey as having severe water erosion hazards:

1. The Pickett Soil portion within the Pickett-Rock Outcrop Complex – PrD only where slope exceeds 15 percent;
2. PrE;
3. The Roche Soil portion within the Roche-Rock Outcrop Complex, 30 to 70 percent slopes – RxE; and
4. Roche gravelly loam, eight to 15 percent slopes – RgC.

“Essential public facility (EPF)” means a facility that provides a necessary public service as its primary mission, and that is difficult to site. EPFs include, but are not limited to, 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 and facilities determined to be an essential public facility under SJCC 18.30.055. Essential public facilities of County- or statewide significance also include, but are not limited to: passenger and vehicle ferry terminals (public); public elementary and secondary schools facilities; County sheriff facilities; solid waste collection, transfer and disposal facilities; County recycling facilities; County roads, County docks, County boat launching and County barge landing sites and facilities; County equipment storage and maintenance yards; County septage handling and treatment facilities; primary electrical transmission and distribution systems including systems owned and operated by OPALCO; fire stations and emergency service facilities; public libraries; post offices; County parks; County administrative offices; facilities for communications for public emergency services; community water systems; those community sewage systems serving urban growth areas (UGAs), activity centers and master planned resorts; and general aviation airports.

“Estuaries” means the zone in which fresh and saltwaters mingle and affect the total land and water habitat. They are often referred to as “flats,” “mud bays,” “marshes,” or “saltchucks.”

“Excavation” means the mechanical removal of earth.

“Existing use” means the use of a lot or structure or improvements at the time of the enactment of the Unified Development Code (this code).

“Experimental aquaculture” means an aquaculture project that uses methods or technologies which are unprecedented or unproven in the state of Washington.

“Extraction” means the commercial removal of naturally occurring materials from the earth, excluding water.

SECTION 30. San Juan County Code 18.020.080 (“H” definitions) and Ord. 26-2012 § 8 are each amended to read as follows:

“Habitat” means the place or type of site where a plant or animal naturally or normally lives and grows.

“Hamlet” means an activity center with high-density residential areas and a small commercial center that provides goods and services to surrounding rural residential, rural, and resource uses.

“Hangars” means covered areas and enclosed structures for housing and/or repairing aircraft.

“Hard structural shoreline stabilization measures” means shore erosion control structures and measures composed of hard surfaces, arranged with primarily linear and vertical or near-vertical faces that armor the shoreline and prevent erosion. These measures include bulkheads, rip-rap, groins, retaining walls and similar structures composed of materials such as boulders, gabions, dimensional lumber, and concrete.

“Hazard tree” means a tree that a certified arborist has determined has: (1) a high probability of falling due to a debilitating disease or a structural defect; and (2) potential for significant property damage or personal injury if it falls.

“Heavy equipment rental” means a site for the storage and retrieval of large pieces of machinery or large vehicles usually associated with construction available for the public’s use, which may include additional and complementary retail activities.

“Heavy industrial use” means a use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials; a use engaged in storage of, or manufacturing processes using flammable, hazardous or explosive materials.

“Height” means the vertical distance measured from the average existing grade beneath a structure or object along a plumb line to the highest point of a structure or object.

“Height of building” means the vertical distance above a reference datum measured to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the average height of the highest gable of a pitched or hip roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

1. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above lowest grade; or

2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in subsection (1) of this definition is more than 10 feet above lowest grade.

The height of a stepped or terraced building is the maximum height of any segment of the building (cf. Uniform Building Code).

“Height, shoreline” means the height of shoreline structures, measured from average grade level to the highest point of a structure; provided, that television antennas, chimneys, and similar appurtenances shall not be used in calculating height, except where they obstruct the view of the shoreline of a substantial number of residences on areas adjoining such shorelines, excluding temporary construction equipment (WAC 173-27-030).

“Helipads” means areas for the landing and take-off of rotary-wing aircraft, but not adequate for fixed-wing aircraft.

“Herbaceous balds and bluffs” means native plant areas located on shallow soils over bedrock, often on steep, exposed slopes with few trees, which support grasses, herbaceous plants, dwarf shrubs, brittle prickly pear cactus, mosses and lichens adapted for survival on shallow soils amid seasonally dry conditions. Trees that may be present include Douglas fir, Pacific madrone, and Garry oak.

“Herbaceous vegetation” means non-woody vascular plants.

“Historic camps” means, for the purposes of determining allowable uses, nonprofit recreational and educational camping facilities owned by a nonprofit entity and in continuous operation since October 2, 1979.

“Historic educational and scientific facilities” means, for the purposes of determining allowable uses, educational and scientific facilities in continuous operation since October 2, 1979.

“Historic resort” means, for the purposes of determining allowable uses, a resort established prior to and in continuous operation since October 2, 1979.

“Historic site, structure or landmark” means a site, structure or building of outstanding archaeological, historical or cultural significance. This is shown by its designation as such by the National or Washington State Register of Historic Places or an adopted San Juan County Historic Preservation Plan, designation as an historic landmark, or any such structure or feature for which the State Historic Preservation Officer has made a determination of significance pursuant to Section 106 of the National Historic Preservation Act.

“Home occupation” means any commercial activity carried out by a resident of a single-family residence and conducted as an incidental and accessory use of the residence.

“Horizontal surface” means the FAA imaginary surface that is the lower boundary of a horizontal airspace that is located above the airport and forms an elongated oval above the runway.

“Hospitality commercial use” means restaurants and transient lodging establishments and associated guest facilities available for short-term accommodation for a period not to exceed 30 days.

“Hotel” means a hospitality commercial use containing three or more individually rented lodging units (in one or more buildings), which provides sleeping accommodations, with or without

meals or the facilities for preparing meals, for travelers and transient guests, and which does not meet the definitions of “bed and breakfast inn,” “bed and breakfast residence,” or “vacation rentals of a residence or an ADU.”

“Houseboat” means a building constructed on a float and used wholly or in part for human habitation, which does not have the following characteristics of a vessel: a seaworthy hull design which meets U.S. Coast Guard standards for flotation, safety equipment, and fuel, electrical and ventilation systems; capability for travel in open water and for use for water transportation in general; permanent equipment for water travel including a method for steering and propulsion, deck fittings, navigational equipment and marine hardware; and registration as a vessel with federal, state, and local agencies.

“Household” means one or more related or unrelated persons occupying a dwelling unit.

“Hydric soil” means soil that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part, as determined by following the methods described in the currently accepted Federal Manual for Identifying and Delineating Jurisdictional Wetlands. San Juan County soil map units that are dominantly comprised of hydric soils as identified in the Soil Survey of San Juan County, Washington (USDA, 2009), are: Coveland loam, zero to five percent slopes; Coupeville loam, zero to five percent slopes; Limepoint-Sholander complex, zero to eight percent slopes; Shalcar muck, zero to two percent slopes; Semiahmoo muck, zero to two percent slopes; Coveland-Mitchellbay complex, two to 15 percent slopes; Bazal-Mitchellbay complex, zero to five percent slopes; Orcas peat, zero to two percent slopes; and Dugualla muck, zero to two percent slopes. Other soils not classified as hydric by the Soil Conservation Service may still meet the hydric soil criteria.

“Hydrophytic vegetation” means macrophytic plant life growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content, as determined by following the methods described in the currently accepted Federal Manual for Identifying and Delineating Jurisdictional Wetlands.

SECTION 31. San Juan County Code 18.020.140 (“N” definitions) and Ord. 2-2014 § 4 are each amended to read as follows:

“National Pollutant Discharge Elimination System (NPDES)” means a joint federal and state permitting system for the control, monitoring, and reduction of point-sources of pollution, established under the Federal Water Pollution Control Act (Clean Water Act) (Public Law 92-500).

“National Register of Historic Places” means the official federal list, established by the National Historic Preservation Act, of sites, districts, buildings, structures and objects significant in the nation’s history and prehistory, or whose artistic or architectural value is unique.

“Native vegetation” means plant species which are indigenous to San Juan County.

“Natural designation” means the land use designation of the Comprehensive Plan that is designed to preserve unusual or valuable natural resource systems by the regulation of all activities or uses which might degrade or alter the natural characteristics which make these areas unusual or valuable.

“Natural environment (shoreline)” means the Shoreline Master Program designation designed to preserve unusual or valuable natural resource systems by regulating all potential uses which might degrade or alter the natural characteristics that make the area unusual or valuable.

“Natural or existing topography” means the topography of the lot, parcel, or tract of real property immediately prior to any site preparation or grading, including excavation or filling.

“Natural system (shoreline)” means a group of related objects or forces existing in nature: for example, a shore process corridor.

“Net use area” means the area used to calculate the required number of parking spaces for developments in Eastsound as specified in Table 300-1. Net use area is the gross floor area excluding the following:

1. Circulation areas such as entries and weather vestibules, lobbies, hallways and corridors, stairways, elevators and similar areas which do not have customer/patron uses other than for circulation of people; and
2. Mechanical, custodial and storage areas such as mechanical rooms and chases/shafts, electrical/utility rooms and vaults, toilets, custodial rooms, and areas used solely for storage.

“New and expanding aquacultural activities” means aquacultural activities that expand beyond the current geographic footprint existing on the effective date of the ordinance codified in this section (see “aquacultural activities”).

“No net loss” means the requirement that development and vegetation removal not result in net harm in the aggregate to the existing functions and values of the ecosystem that includes the adversely impacted or lost critical areas. The no net loss standard in WAC 365-196-830 requires that where development regulations allow harm to critical area functions and values, they must require compensatory mitigation of the harm unless alternative means of protecting critical areas exist such as best management practices or a combination of regulatory and nonregulatory programs.

“Noise” means any sound not occurring in the natural environment which causes or tends to cause an adverse psychological or physiological effect on humans.

“Noise exposure forecast level” means the level of predicted noise exposure or areas within the vicinity of an airport due to aircraft operations at some future date based on noise levels and duration at the time of prediction.

“Noncapital alternative strategies” means programs, strategies, or methods that contribute to achieving and maintaining adequate levels of service (as set forth in the Comprehensive Plan) for concurrency facilities by means other than by constructing structural improvements. These strategies include but are not limited to reduction of need or demand for a facility or service (as by education efforts or increased efficiency of use), provision of a noncapital substitute, and use of alternative methods to provide capacity. (See also “adequate capacity,” “available capacity,” “concurrency,” and “level of service.”)

“Nonconforming” means an existing use, structure, site, or lot that conformed to the applicable codes in effect on the date of its creation but that no longer complies because of changes in code requirements. Nonconformity is different than and not to be confused with illegality (see “illegal

use”). Legal nonconforming lots, structures, and uses are commonly referred to as “grandfathered.”

“Nonconforming lot” means an existing lot that does not conform to the area, width, depth, or street frontage regulations of the land use designation where it is located.

“Nonconforming structure” means an existing structure that does not conform to the dimensional regulations, including but not limited to setback, height, lot coverage, density, and building configuration regulations of the land use designation where it is located due to changes in code requirements. (See also “alteration, nonconforming structures.”)

“Nonconforming use” means an existing use of a structure or of land that does not conform to the regulations of the land use designation where use exists due to changes in code requirements. (See also “alteration, nonconforming use.”)

“Nonconsumptive use” means a use which does not permanently deplete, degrade, or destroy the resource involved.

“Nonpoint source” means the release of waste or other flows which occurs over a broad or undefined area. Releases which can be described as confined to a small area, such as discharges from a pipe or conduit, are referred to as “point-source discharges.” (See also “point-source discharge.”)

“Normal appurtenance, shoreline” means a structure or development that is necessarily connected to the use and enjoyment of a single-family residence and which is expressly defined in WAC 173-27-040 and in Chapter 18.50 SJCC, for purposes of exemption from shoreline substantial development permit requirements in accordance with WAC 173-27-040(g). (See also “shoreline exemption.”)

“Nursery” means lands or greenhouses used to raise flowers, shrubs, and plants for commercial purposes.

“Nursing home (long-term health care facility)” means a facility or residence that provides health or long-term care services to residents, including nursing or other supportive or restorative health services on a 24-hour basis (RCW 43.190.020).

SECTION 32. San Juan County Code 18.020.150 (“O” definitions) and Ord. 7-2005 § 2 are each amended to read as follows:

“Off-site compensation” means:

1. Replacement of a wetland on a site different from the site on which a wetland has been or will be impacted by a regulated activity, or
2. As a consequence of and in compensation for unavoidable adverse impact to wetlands, the protection of similar but unprotected wetlands in another location.

“Off-street parking” means an area of land located outside of any public right-of-way or private roadway and used for vehicular parking.

“Office” means a commercial use which provides business, professional, or personal services to customers.

“Official maps” means the maps identified in the Comprehensive Plan as the “official maps.” (See SJCC 18.10.040(B).) These maps show the applicable land use designation(s) and maximum allowable density for all property in the County.

“On-site compensation” means replacement of a wetland at or adjacent to the site on which a wetland has been impacted by a regulated activity.

“On-site waste disposal” means any one of several means for disposal of sanitary waste on the property from which it is generated (e.g., septic tank and drainfield).

“Open-record hearing” means a hearing, conducted by a single hearing body or officer authorized by San Juan County to conduct such hearings, that creates the County’s record through testimony and submittal of evidence and information, under procedures prescribed by ordinance or resolution. An open-record hearing may be held prior to the County’s decision on a project permit to be known as an “open-record predecision hearing.” An open-record hearing may held on an appeal, to be known as an “open-record appeal hearing,” if no open-record predecision hearing has been held on the project permit (RCW 36.70B.020(3)).

“Open space” means lands committed to farming and forestry uses and any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment.

“Open space,” in Eastsound development standards, means the surface area of a lot or lots within a single development which is in natural vegetation or landscaped, including paving for pedestrian use but excluding buildings, parking areas and driveways.

“Open space resources” means those significant landscape characteristics identified in the Open Space and Conservation Plan and the open space taxation program as wetlands; wildlife habitats; pastoral landscapes; water; shoreline and mountain views; prominent geographic features; areas of diverse natural landscape elements and edges between elements; and unique features.

“Open space resources of high conservation priority” means significant open space resources identified in the Open Space and Conservation Plan and ranked for conservation priority based on their natural, cultural, and visual qualities and their sensitivity and vulnerability to change.

“Operator” means any person who is in actual physical or electronic control of a powered watercraft, motor vehicle, aircraft, off highway vehicle, or any other engine driven vehicle.

“Ordinary high water mark (OHWM)” means that mark on all lakes, streams, and tidal water that will be found by examining the beds and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from abutting upland, in respect to vegetation, as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by a local government or the Department of Ecology; provided, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining saltwater shall be the line of mean higher high tide and the ordinary high water mark adjoining fresh water shall be the line of mean high water (RCW 90.58.030).

“Out-of-kind compensation, wetland” means to replace a wetland with a substitute wetland whose characteristics do not closely approximate those to be lost or degraded by a regulated activity. (See “off-site compensation,” “on-site compensation,” “wetland, compensatory mitigation” and “wetland, in-kind compensation.”)

Outdoor ~~R~~ recreational ~~F~~ facility. See “Recreational development.”

Outdoor ~~S~~ shooting ~~R~~ range. See “Shooting range.”

“Outdoor storage” means the storage of goods and materials out-of-doors for periods exceeding 48 hours. (See also “storage yard.”)

“Overburden” means material overlying a deposit of useful geological materials.

“Overlay district” means a district that provides policies and regulations in addition to those of other sections in this code for certain land areas and for uses which warrant specific recognition and management. Except as otherwise provided in SJCC 18.35.005 through 18.35.150, the provisions of an overlay district shall prevail over any conflicting provisions of this code for the duration of the overlay district, subject to RCW Title 36.

“Owner” means an individual, firm, trust, association, syndicate, partnership, or corporation having sufficient property interest to seek development of land.

“Owner-occupied” means the residential occupancy of a building or property by the owner.

SECTION 33. San Juan County Code 18.020.180 (“R” definitions) and Ord. 26-2012 § 16 are each amended to read as follows:

“Radio-frequency (RF) engineer” means a person qualified by education, training, or experience to certify audio frequency measurements.

“RCW” means the Revised Code of Washington.

“Recording” means the filing of a document(s) for recordation with the County auditor.

“Recreational development” means parks and facilities for camping, indoor and outdoor sports, and similar developments.

“Recreational vehicle park” means a commercially developed tract of land in which two or more recreational vehicle sites are established as the principal use of the land.

“Recreational vehicle (RV)” means a vehicle designed primarily for recreational camping or travel use that has its own motive power or is mounted on or towed by another vehicle, including travel trailers, fifth-wheel trailers, folding camping trailers, truck campers, and motor homes (RCW 43.22.335).

“Recycling” means the process of segregating solid waste for sale, processing, and beneficial use. Materials which can be removed through recycling include but are not limited to newsprint, cardboard, aluminum, glass, plastics, and ferrous metal. Recycling does not include combustion of solid waste or preparation of a fuel from solid waste.

“Recycling center” means an area, with or without buildings, upon which used materials are separated and processed for shipment.

“Recycling collection” means public drop-off and temporary storage of recyclables. Sorting and processing of recyclables occurs off the site.

“Recycling collection and/or processing” means public drop-off of recyclables with sorting and/or processing on the site.

“Regular use,” for the purposes of SJCC 18.50.190(C)(8) and 18.50.340(G), means a pattern of use that is intensive and sustained, including, but not limited to, daily commuter use.

“Related use” means a use in the Eastsound Service Light Industrial and Service Park Districts for retail purposes that is connected logically, causally or by shared characteristics to another allowable use.

“Religious assembly facility” means a facility designed and used primarily for ceremonies, rituals, and education pertaining to a particular system of spiritual beliefs.

“Residential activity center” means an area of more intensive rural development (AMIRD) characterized by existing residential areas that have existing development patterns at nonrural densities (see RCW 36.70A.070(5)(d)).

“Residential care facility” means a facility that provides care for at least five, but not more than 15, functionally disabled persons that is not licensed pursuant to Chapter 70.128 RCW.

“Residential development” means development of land with dwelling units for nontransient occupancy. For the purposes of this code, accessory dwelling units, garages, and other similar structures accessory to a dwelling unit shall also be considered residential development unless regulated otherwise by this code or subarea plans. (See also “dwelling unit” and “accessory dwelling unit (ADU).”)

“Resort” means a land area devoted to providing commercial recreational facilities and related lodgings, sales, and personal services primarily serving vacationers, which may or may not include residential uses. (See also “master planned resort.”)

“Resource-based activities” means activities related to the harvesting, processing, manufacture, storage, and sale of agricultural, forestry or mineral products, including, but not limited to, wineries, nurseries, lumber mills, and gravel-processing plants.

“Resource lands” means agricultural, forest, and mineral lands that have long-term commercial significance.

“Restoration” means to return to an original or like condition.

“Restriction” means a limitation placed upon the use of parcel(s) of land.

“Revetment” means structures of materials such as stone or concrete built to protect a scarp, embankment, or shore structure against erosion by waves or currents.

“Right to farm provisions” means provisions intended to enhance and encourage agricultural operations by recognizing agricultural activities as essential rural activities that do not constitute a nuisance.

“Right to forestry provisions” means provisions intended to enhance and encourage sustainable forestry operations by recognizing forestry activities as essential rural activities that do not constitute a nuisance.

“Riprap” means a layer, facing, or protecting mound of stones placed to prevent erosion, scour, or sloughing of a structure or embankment.

“Road” means an improved and maintained public or private right-of-way which provides vehicular access to abutting properties, and which may also include provision for public utilities, pedestrian access, cut and fill slopes, and drainage.

“Road end” means:

1. A road closed at one end which may be designed for future road extensions.
2. The point at which a public road meets the tidelands.

“Road, local access” means a road that functions solely to provide access to two or more properties.

“Road, major collector” means:

1. Roads designated as major collector roads in the transportation element of the Comprehensive Plan.
2. A road whose principal function is to collect and distribute traffic from minor collector and local access roads.

“Road, minor collector” means:

1. Roads designated as minor collector roads in the transportation element of the Comprehensive Plan.
2. A road whose principal function is to collect and distribute traffic from local access roads.

“Road, primary” means any existing or proposed road designated as an arterial or collector road in the transportation element of the Comprehensive Plan or so designated by the San Juan County engineer.

“Rockfall hazard areas” means slopes which are subject to rockfall, particularly those areas which have existing evidence of rockfalls, such as piles of talus at the base of cliffs, a lack of vegetation on a slope, or scarps.

“Runoff” means water that is not absorbed into the soil but rather flows along the ground surface following the topography.

“Runway” means the defined area at an airport, airfield, or airstrip indicated for landing and takeoff of aircraft along its length.

“Rural character” means a quality of the landscape dominated by pastoral, agricultural, forested, and natural areas interspersed with single-family homes and farm structures. Rural character refers to the patterns of land use and development established by the Comprehensive Plan:

1. In which open space, the natural landscape, and vegetation predominate over the built environment;
2. That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;
3. That provide visual landscapes that are traditionally found in rural areas and communities;
4. That are compatible with the use of the land by wildlife and for fish and wildlife habitat;
5. That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;

6. That generally do not require the extension of urban governmental services; and
7. That are consistent with the protection of natural surface water flows and ground water and surface water recharge and discharge areas.

“Rural commercial designation” means the land use designation of the Comprehensive Plan designed to provide opportunities for some commercial uses to be located in rural areas.

“Rural commercial uses” means the use of land or the use or construction of structures or facilities involving the retail sale of goods or services which is either unsuitable for an activity center or is better suited to rural lands and that does not require urban governmental services.

“Rural environment” means the Shoreline Master Program designation that is designed to protect, maintain, and enhance the rural character of the County’s shoreline. Rural environments are intended to retain the pastoral, forested, and natural landscape qualities of the islands while providing protection from expansion of urban and suburban forms of land uses.

“Rural farm-forest designation” means the land use designation of the Comprehensive Plan designed to protect rural, agriculture and timber areas from urban and suburban forms of development.

“Rural general use designation” means the land use designation of the Comprehensive Plan designed to provide flexibility for a variety of small-scale, low-impact uses to locate on rural lands.

“Rural governmental services” means those public services provided to rural areas at a scale consistent with the rural character of the area.

“Rural industrial designation” means the land use designation of the Comprehensive Plan designed to provide opportunities for some industrial uses to be located in rural areas.

“Rural industrial use” means the use of land or the use or construction of structures or facilities related to the processing, manufacture or storage of finished or partially finished goods which are either unsuitable for an activity center or are better suited to rural lands, and which do not require urban governmental services.

“Rural lands” means the class of land use designations which are intended to preserve the rural character of the islands. Rural land designations include the following: rural general use, rural farm-forest, rural residential, rural industrial, and rural commercial, together with the resource lands and special land use designations (conservancy and natural).

“Rural residential cluster” means a small cluster of residences and related structures that is intended to provide opportunities for affordable housing in rural areas, while remaining compatible with the rural, agricultural and natural character of rural lands and not requiring urban-level services.

“Rural residential designation” means the land use designation in the Comprehensive Plan designed to recognize existing residential development patterns of the rural landscape and provide for a variety of residential living opportunities at densities which maintain the primarily rural residential character of an area.

“Rural residential environment (shoreline)” means the rural shoreline designation intended to protect and enhance existing medium density residential areas on the shoreline and provide for additional areas of this type.

SECTION 34. San Juan County Code 18.020.190 (“S” definitions) and Ord. 26-2012 § 17 are each amended to read as follows:

“Sale” means the transfer for consideration of legal or beneficial ownership.

“Salt water intrusion” means the underground flow of salt water into wells and aquifers.

“Sanctuaries” means places of habitation and refuge for plants and animals.

“Screening” means a method of visually shielding or obscuring a structure or use from view by fencing, walls, trees, or densely planted vegetation.

Seawall. See “bulkhead.”

“Seaward” means to or toward the sea.

“Secondary use” is secondary, or subordinate, to the primary use of the property, e.g., commercial, residential, utilities, etc.

“Security barrier” means a locked, impenetrable wall or fence that completely seals an area from unauthorized entry or trespass.

“Sedimentation” means the process by which material is transported and deposited by water or wind.

“Seismic hazard areas” means areas subject to severe risk of damage as a result of earthquake-induced ground shaking, slope failure, settlement, or soil liquefaction.

“Septage” means the mixture of solid, semi-solid, and liquid wastes, scum, and sludge that is pumped from within septic tanks, pump chambers, holding tanks, and other septic system components.

“Service area” means an area identified by a public water system that includes existing and future service.

“Setback” means the distance a structure is placed behind a specified line or topographic feature.

“Sewerage treatment facilities” means the management, storage, collection, transportation, treatment, utilization, and processing of sewage from a municipal or community sewage treatment plant, not including community drain fields.

“Shooting range” means a facility specifically designed and used for safe shooting practice with firearms and/or for archery practice, with individual or group firing positions for specific weaponry.

“Shore process corridor” means the land-water zone within which certain geological, biological, and hydraulic actions and interchanges critical to the integrity of the shoreline take place, for example, a feeder bluff-driftway-accretion shoreform system.

“Shorelands” means lands extending landward for 200 feet in all directions as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas landward 200 feet from such floodways; and all wetlands and river deltas associated with the

streams, lakes, and tidal waters which are subject to the provisions of Chapter 90.58 RCW, the same to be designated as to location by the Department of Ecology.

“Shoreline berm” means one or several linear mounds of sand and gravel generally paralleling the shore at or landward of the ordinary high water mark that are normally stable because of material size or vegetation.

“Shoreline development” means a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of piling; placing of obstructions; or any project of permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to Chapter 90.58 RCW at any stage of water level (RCW 90.58.030; WAC 173-27-030).

“Shoreline jurisdiction (shorelands or shoreland areas)” means the proper term describing all of the geographic areas covered by the Shoreline Management Act, related rules, and the applicable master program. Those lands extending landward for 200 feet in all directions, as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas landward 200 feet from such floodways; and all wetlands and river deltas associated with the streams, lakes, and tidal waters subject to the SMA. (RCW 90.58.030).

“Shoreline Management Act” means the Shoreline Management Act of 1971 (Chapter 90.58 RCW), as amended.

“Shoreline Master Program (SMP)” means the San Juan County Shoreline Master Program, being Element 3 of the Comprehensive Plan, and Chapter 18.50 SJCC.

“Shoreline modifications” means those human actions that modify the physical configuration or qualities of the shoreline area, usually through the construction of a physical element such as a dike, breakwater, pier, weir, dredged basin, fill, bulkhead, or other shoreline structure. They can include other actions, such as clearing, grading, or application of chemicals.

“Shoreline permit” means a substantial development, shoreline conditional use, or shoreline variance permit.

“Shoreline substantial development permit exemption” means certain developments that meet the precise terms of listed exemptions and are granted exemption from the requirements of the substantial development permit process of the Shoreline Management Act (SMA). An activity that is exempt from the substantial development provisions of the SMA must still be carried out in compliance with policies and standards of the Act and the Master Program (Element 3 of the Plan and Chapter 18.50 SJCC). Shoreline conditional use or variance permits may also still be required even though the activity does not need a substantial development permit (Cf. RCW 90.58.030(3)(e); WAC 173-27-030(7) and 173-27-040).

“Shorelines” means all of the water areas in the state, including reservoirs, and their associated shorelands, together with the lands underlying them, except:

1. Shorelines of statewide significance;
2. Shorelines on segments of streams upstream of a point where the mean annual flow is 20 cubic feet per second or less, and the wetlands associated with such upstream segments; and

3. Shorelines on lakes less than 20 acres in size and wetlands associated with such small lakes (RCW 90.58.030).

“Shorelines hearings board” means the board established by the Shoreline Management Act.

“Shorelines of statewide significance” means, in San Juan County, those areas of Puget Sound and the Strait of Juan de Fuca and adjacent salt waters north to the Canadian line and lying seaward from the line of extreme low tide (RCW 90.58.030).

“Sign” means any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images. Excluded from this definition are signs required by law and the flags of national and state governments.

“Sign, commercial” means a sign that directs attention to a business or profession, to a commodity or service sold, offered, or manufactured, or to an entertainment offered on the premises where the sign is located.

“Sign, freestanding” means a sign not attached to a structure.

“Sign, off-site outdoor advertising” means an outdoor, off-site sign that calls attention to a business, activity, profession, commodity, product, service or entertainment constructed in the form of a free standing “A” with no more than two (2) faces, each no larger than six (6) square feet.

“Sign, temporary” means a sign that will become obsolete after the occurrence of an event or series of discrete events such as for sale or lease signs, and, garage sale signs that are consistent with the provisions for special event signs in SJCC 18.40.400.

“Simple land division” means a division of property meeting the criteria in SJCC 18.70.040.

“Single-family residence” means a dwelling unit designed for and occupied by no more than one family.

“Slaughterhouses, small-scale” means places where animals are butchered and:

1. There is a fee charged for the entire carcass to be returned to the animal owner; or
2. There is a group of residents who butcher their animals in a common area and there is no fee for slaughtering services.

“Small scale” means of a size or intensity which has minimal impacts on the surrounding area and which makes minimal demands on the existing infrastructure.

“Soft shoreline stabilization measures” means shore erosion control structures and measures composed of primarily natural and semi-rigid or flexible materials, logs and vegetation, organized in a nonlinear, sloping arrangement, that dissipate wave energy and minimize erosion in a way that is similar to natural shoreline processes.

“Soil test hole log” means the excavation and written record of soil septic suitability as per health department written guidelines and requirements.

“Solid waste” means all putrescible and nonputrescible solid and semi-solid wastes, except wastes identified in WAC 173-304-015, including but not limited to junk vehicles, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities, but excluding agricultural wastes and crop residues returned to the soil at agronomic rates. This includes all liquid, solid and semi-solid materials which are not the primary products of public, private, industrial, commercial, mining and agricultural operations. Solid waste includes but is not limited to sludge from waste water treatment plants and septage from septic tanks, wood waste, dangerous waste, and problem wastes. Unrecovered residues from recycling operations shall be considered solid waste.

“Solid waste disposal” means the act or process of disposing of rubbish and garbage.

“Solid waste transfer station” means a fixed, supplemental collection and transportation facility, used by persons and route collection vehicles to deposit collected solid waste from off-site into a larger transfer vehicle for transport to a permanent disposal site. Solid waste transfer stations include recycling centers. (See “recycling center.”)²

“Sound” means an oscillation in pressure, particle displacement, particle velocity, or other physical parameter in a medium with internal forces that causes compression and rarefaction of that medium, including any characteristics of sound, such as, duration, intensity, and frequency.

“Source of contamination” means a facility or disposal or storage site for material that impairs the quality of ground water to a degree that creates a potential hazard to the environment, public health, or interferes with a beneficial use.

“Special flood hazard” means land in the floodplain subject to a one percent or greater chance of flooding in any given year.

“Special report” means a technical report or study containing certain site analyses or project evaluations or a plan describing mitigation or monitoring recommendations.

“Spit” means an accretion shoreform which extends seaward from and parallel to the shoreline.

“Static level” means the stable equilibrium level of the water in a well which rises in the well column, without being influenced by pumping.

“Stocking level” means a quantitative measure of the area occupied by trees. Also referred to as stand density.

“Storage yard” means an outdoor area used for the storage of equipment, vehicles and materials.

“Stream” means a watercourse with a defined bed and banks, not including manmade ditches, canals, or other entirely artificial watercourses, except where they exist in a natural watercourse (see WAC 220-110-020). Streams are classified in WAC 222-16-030 and 222-16-031.

“Street frontage” means the length along a street which a structure, business, or lot abuts or fronts.

“Structure” means a permanent or temporary edifice or building or any piece of work artificially built up or composed of parts joined together in some definite manner, whether installed on, above, or below the surface of the ground or water, except for vessels (WAC 173-27-030).

“Subarea plan” means a detailed plan consistent with but more specific than this code or the Comprehensive Plan. It may be a detailed land use plan for a specific geographic area, or a functional long-range plan for a land use or resource issue of County-wide concern.

“Subdivision, alteration of” means the alteration of lots or changes in dedications or restrictions or easements shown on the face of a plat of a subdivision or short subdivision; except as provided by RCW 58.17.040(6) for boundary line adjustments.

“Subdivision (long)” means a division or redivision of land, normally into five or more parcels, but under special circumstances for subdivision into two or more parcels, as provided by this code and Chapter 58.17 RCW.

“Subdivision, short” means subdivision of land into no more than four parcels, as provided by this code and Chapter 58.17 RCW.

“Subdivision, vacation of” means the removal of lots, boundaries, roads, dedications, restrictions, or easements of a recorded subdivision or short subdivision.

“Substantial alteration” means any alteration, where the total cost of all alterations (including but not limited to electrical, mechanical, plumbing, and structural changes) for a building or facility within any 12-month period or single development permit application amounts to 50 percent or more of the value of the building or facility. In determining the current value of the building or facility, the assessor’s fair market value, or a current appraisal acceptable to the County, may be used.

“Substantial development” means any development of which the total cost, or fair market value, exceeds \$2,500 or any development which materially interferes with normal public use of the water or shorelines of the state (RCW 90.58.030(3)(e)); except that developments meeting the precise terms of the exemptions specified in WAC 173-27-040 and Chapter 18.50 SJCC (Shoreline Master Program) shall not be considered substantial developments.

“Substantial improvement” means any maintenance, repair, structural modification, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either before the maintenance, repair, modification, or addition is started or before the damage occurred, if the structure had been damaged and is being restored.

“Substantial storage space” means a development in the Service and Light Industrial and Service Park land use districts in which the ratio of covered and uncovered storage space to retail space is greater than two.

“Subtidal” means the area seaward of the line of extreme low tide.

“Sustainable” means actions or activities which preserve and enhance resources for future generations.

“Swale” means a depressed, vegetated, often wet area of land, or an open drainageway.

“Swamp” means a depressed area flooded most of the year to a depth greater than that of a marsh and characterized by areas of open water amid soft, wetland masses vegetated with trees and shrubs.

SECTION 35. San Juan County Code 18.020.220 (“V” definitions) and Ord. 26-2012 § 19 are each amended to read as follows:

“Vacation rental of a residence or an ADU” means a single-family residential unit or an accessory dwelling unit that is rented (for periods of less than 30 days).

“Vacation, roads and streets” means a statutory procedure by which the County may relinquish its interest in streets, alleys, or easements.

“Variance” means a means to grant relief from the specific bulk, dimensional, or performance standards set forth in this code, and not a means to vary allowable or prohibited uses.

“Vending truck, Food” is a motorized and mobile vehicle that meets the health and safety codes whose primary use is food sales.

“Vending trailer, Food” is a mobile or semi-mobile (detachable wheels) structure that meets the health and safety codes whose primary use is food sales.

“Vessel” includes ships, boats, barges, or any other floating craft which are designed and used for navigation and do not interfere with the normal public use of the water (WAC 173-27-030).

“Vested” means a permit application that is valid and fully complete and for which the law provides that the application will be processed under the regulations in effect on the date of application. Laws regarding vesting include RCW 19.27.095 and 58.17.033.

“Vicinity” means the area within one-half mile of the exterior boundary of a given parcel.

“Villages” are activity centers similar to towns in that they provide similar uses and services but usually have only rural governmental services and are not incorporated.

“Vulnerability assessment” means the evaluation of potential contamination for a specific area that could affect water in a well.

SECTION 36. The San Juan County Comprehensive Plan is hereby amended to include the attached document labeled “Exhibit A,” the Eastsound Subarea Plan.

SECTION 37. The San Juan County Comprehensive Plan Official Map is hereby amended to incorporate the land use designation changes reflected on the document labeled “Exhibit B,” Eastsound Subarea Plan Official Map.

SECTION 38. 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 39. 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 40. Effective Date: This ordinance shall take effect ten (10) working days after the date of the adoption.

SECTION 41. Codification: Sections 2-35 shall be codified after the effective date of this ordinance which is described above.

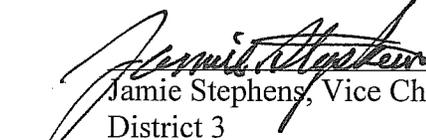
ADOPTED this 15TH day of DECEMBER 2015.

COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON



Bob Jarman, Chair
District 1

ATTEST: Clerk of the Council



Jamie Stephens, Vice Chair
District 3

 1/5/2016
Ingrid Gabriel, Clerk Date


Rick Hughes, Member
District 2

REVIEWED BY COUNTY MANAGER

 12/30/15
Michael J. Thomas Date

PROSECUTOR APPROVED
AS TO FORM ONLY

 12-18-2015
Randall Gaylord Date

Exhibit A: Eastsound Subarea Plan.

Exhibit B: Eastsound Subarea Plan Official Map.

SAN JUAN COUNTY COMPREHENSIVE PLAN

Eastsound Subarea Plan

Council Approved

December 15, 2015

Section 1. Introduction.

- A. History.** From its origins, the Eastsound subarea plan has been an urban plan in a rural county inspired and led by an islandwide local initiative.

In 1978 San Juan County adopted its first comprehensive land use plan and ordinance that largely overlooked Eastsound Village. In order to provide both predictability and a vision for the future, some Eastsound merchants formed the Eastsound Preservation Group and hired Seattle planning consultant Tony Puma to draft a plan for Eastsound Village. That plan articulated the idea of a compact “walking village” as the commercial and cultural center of Orcas Island. The Plan included a map with land use zones for retail, residential and industrial land uses extending from the retail center to the airport. It established the Eastsound Planning Review Committee, appointed from all of Orcas Island to advise the Community Development Department, the Planning Commission and County Council on land use matters in Eastsound.

The plan, adopted in 1981 by County Ordinance 225-1981 and was expanded in scope and area in 1992, 1994, 1996, 2000, 2005, 2010 to include the surrounding small lot residential areas, an Urban Growth Boundary and Limited Area of More Intense Rural Development.

- B. Purpose.** By adopting this plan the County established as its policy the maintenance of a subarea plan to provide land use and development goals, policies and regulations specifically for the Eastsound planning area. Eastsound is the largest unincorporated community in the County. It is the geographic center of Orcas Island and is the commercial and cultural center of the island community.

The Eastsound Subarea Plan, as amended, is to accomplish six (6) goals:

1. Identify, conserve, and enhance the qualities of Eastsound that contribute to people's enjoyment of the place as well as to its functions as the commercial, cultural and residential center of a rural island community and ensure that land uses which adjoin residential uses are compatible with them;
2. Anticipate and manage how change will occur in Eastsound and immediate surroundings, and to provide a tangible vision for future growth so that the qualities that define its character and give it value as a place to live and work are not compromised as growth and change are accommodated;
3. Provide clear standards for development in Eastsound including standards for buildings, streets and sidewalks, utilities, lighting and allowable uses within each land use district;
4. Assure that all Eastsound specific code and land use requirements are considered in the county's Unified Development Code (UDC), Title 18; and
5. Assure that local Eastsound residents play a role in defining the character and growth of the Eastsound Subarea.

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6. The purpose of the Eastsound Plan is to provide for the orderly growth of Eastsound while preserving and enhancing the vitality and livability of the entire community. In addition, this plan is to establish a process for action by Orcas Island residents to shape the future form of the islands' residential, commercial and cultural center and the immediate vicinity.

C. Relationship to Other Local Plans and Land Use Regulations. For developments or activities not addressed in the Eastsound Plan, the Comprehensive Plan provides the policies that apply.

Parts of Eastsound are also subject to the Shoreline Master Program (SMP), Chapter 18.50 SJCC. And subject to the SMP policies, which are in Section B.3 of the Comprehensive Plan. The SMP was adopted by the County in 1976 in accordance with the Shoreline Management Act, Chapter 90.58 RCW.

The SMP governs land use and development within 200 feet of the ordinary high water mark on the north and south shores of Eastsound. It contains goals, policies and regulations regarding commercial, residential and industrial development and for marina, dock, bulkhead, fill and other developments on the shorelines. It also includes designations for different shoreline environments in which the SMP regulations may vary. These regulations apply in addition to those of the Eastsound Plan. If the SMP and the Eastsound Plan conflict, the most restrictive provision prevails. For example, if the Eastsound Plan allows a certain use with a district but the SMP does not allow it within the shoreline designation on the property, the SMP would control. Similarly, if the SMP allows a use and this plan does not, this plan prevails.

The SMP also contains permit requirements different than those in the Eastsound Plan. These may apply to a shoreline development proposal even if no permit is required by this plan.

D. Authority.

This subarea plan is adopted pursuant to SJCC 18.30.190 and 18.90.050 of the San Juan County Comprehensive Plan. It was adopted by San Juan County Ordinance No. 225-1981 and amended by Ordinances 43-1983, 62-1992, 12-1994, and 4-1996. (Ord. 4-1996; Ord. 62-1992 § 2) 13-2000, 14-2000 § 7, 13-2005 § 2, and, 14-2010.

E. Official Maps.

Official maps which delineate districts, public facilities, recreation, open area, and transportation facilities are a part of this subarea plan. These maps show the total area covered by this plan and each of the subarea land use district designations. The maps shall be filed and amended in the same manner as other official maps of the Comprehensive Plan, as provided in SJCC 18.10.040, 18.90.020 and 18.90.050.

1. There is hereby made a part of this plan a map which shall be known as the Eastsound Subarea Plan Official Map and referred to as the official map. This shall consist of the original official map adopted by Ordinance No. 62-1992 and all amendments thereto adopted pursuant to SJCC 18.90.020 and 18.90.050. This map shall be filed with the

Eastsound Subarea Plan

County auditor, the County administration office and the Community Development and Planning Department. The planning department shall maintain a reproducible copy of the official map and shall make copies available for purchase.

- 2. The official map identifies the land area subject to this plan and the land use districts created herein. Maps contained in this plan which describe the Eastsound urban growth area boundary, planned transportation facilities and other planned capital improvements, and which identify specific natural features, are elements of the official map and are subject to the amendment procedures in SJCC 18.90.020 and 18.90.050. (Ord. 14–2000 § 7(QQ); Ord. 13–2000; Ord. 4–1996; Ord. 62–1992 § 2) 13-2000, 14-2000 § 7, 13-2005 § 2, and, 14-2010.

Section 2. Applicability.

- A. **General.** This subarea plan, also referred to as the Eastsound Plan, provides goals and policies additional to those of the Comprehensive Plan and shall apply to all land and land use activity, and to all structures and facilities, within that area described on the official map. The UDC will contain regulations to implement the goals and policies of the Eastsound Plan. The provisions of this plan shall prevail over any conflicting provision of other portions of the Comprehensive Plan except as provided in subsection (B) of this section. All other provisions and language of the Comprehensive Plan shall retain their full force and effect.
- B. **Applicability of Shoreline Master Program.** The provisions of this plan are also additional to those of the Shoreline Master Program (Chapter 18.50 SJCC, a subarea plan of the Comprehensive Plan) Chapter 18.50 SJCC contains the regulations portion of the County’s Shoreline Master Program. The provisions of the Eastsound Subarea Plan are also in addition to the policies of the SMP in Section B.3 of the Comprehensive Plan. All developments within jurisdiction of the Shoreline Master Program shall be subject to Chapter 18.50 SJCC and to the SMP Policies which are in Section B.3 of the Comprehensive Plan. In the event of any conflict between the Eastsound Plan provisions and the Shoreline Master Program, the most restrictive shall prevail.
- C. **Amendments.** Amendments to this plan shall be subject to procedures established in the Unified Development Code for adoption of subarea plans set out in Chapter 18.90 SJCC.

Section 3. Eastsound Planning Review Committee.

- A. **Creation.** The Eastsound planning review committee is established under authority of this plan (as adopted by Ordinance No. 225–1981 and as amended by Ordinance No. 62–1992, and all subsequent amendments) by the County Council.
- B. **Composition.** The Eastsound planning review committee shall consist of seven members, resident on Orcas Island, who shall be appointed by the County Council for terms of two years each so that terms of all members do not coincide. Terms of four members shall be for one year from the date of adoption of the ordinance codified in this chapter and the terms of three members shall be for a period of two years from the anniversary of the date of adoption.

- C. **Purpose.** The purpose of the Eastsound planning review committee is to advise the planning department, the planning commission and the County Council on land use and development matters affecting Eastsound.
- D. **Authority.** The Eastsound planning review committee shall have authority and responsibility to:
 1. Review this plan periodically; following such review the committee may recommend to the County Council amendments designed to achieve more effectively the purposes and policies of this plan; review and amendment procedures shall be as set out in SJCC 18.90.050;
 2. Review and comment on all applications for redesignation, long and short plats, and conditional use permits and variances required by this plan, and all applications for shoreline permits for development within Eastsound; and review and comment on all environmental determinations issued according to the State Environmental Policy Act for proposed developments in Eastsound;
 3. Monitor applications and County permit approvals for other developments within Eastsound to enable effective and comprehensive review of this plan;
 4. On request of the Director or on their own initiative, make recommendations regarding the intent or meaning of any provision of this plan;
 5. Fulfill the above responsibilities by action in accordance with bylaws for conduct of the Eastsound planning review committee adopted by the County Council;
 6. As the full committee or a subcommittee appointed by the chair, hold regular meetings with representatives of the Port of Orcas, the public works department, and utility providers for the exchange of information about plans for the extension of services or improvements to facilities within Eastsound; and
 7. In order to enable the committee to fulfill its duties and to be adequately informed about pending land use applications in the subarea, the planning director will provide the committee with: (a) current summary reports of all pending land use applications; and (b) complete copies of all applications requested by EPRC. (Ord. 14–2000 § 7(TT); Ord. 4–1996; Ord. 62–1992 § 2)

Section 4. GENERAL PLAN

A. Existing Conditions.

1. **Form and Character of Eastsound.** The physical features and natural setting are the fundamental elements that form the character of Eastsound. It is located in a natural corridor formed by the hills to the east and west and by salt water to the north and south. It contains a natural water course and wetland, running south from the airport to East Sound, along the west side of this corridor. This supports a dense growth of native trees and shrubs and to the east, in the village, there are still open fields and clumps of evergreens and fruit trees.

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Patterns of land development and movement of people in the area are also important elements of the character of Eastsound, particularly in the village. The village is small, with most buildings no larger than two stories and most shops and services within walking distance of each other. It has a rural character derived from several elements: many businesses are located in small, separate wooden houses which were formerly residences; there is little industrial activity and few businesses occupy large areas of land with buildings or outdoor storage. The predominant development pattern can be characterized as individual buildings on individual lots, separated by side, front and rear yards.

In the early 1990s, a collaboration between SJC Public Works, EPRC, local businesses, property owners, design professionals and passionate gardeners designed and installed curbs, sidewalks, landscaping elements and a variety of on-street parking configurations to create an attractive streetscape along Main Street and North Beach Roads.

Once an island hub for the import and export of goods by water, at Fishing Bay, the village has remained the central marketplace for Orcas. Now, though only one dock remains within the village and the transportation pattern is dominated by cars and trucks. Most Orcas Island residents drive to the village to shop and socialize. Visitors arrive in the village in private vehicles, by foot, bicycle, bus, boat or plane.

Economic change has also contributed to the character of Eastsound. No longer the center of an agricultural community, tourists and seasonal residents are now an important part of the Eastsound and island economies. Some Eastsound businesses could not survive without the increase in trade provided by these groups but these businesses also contribute to the year-round population because the goods, services and amenities they provide enrich the quality of life for residents as well. At the same time, tourism increases demands on community services and as the year-round and seasonal populations and tourism grow, there are greater pressures on the capacity of Eastsound to accommodate these demands while it benefits.

2. Changing Conditions in Eastsound. Among the most significant qualities of Eastsound today is the quality and amount of open space, either in open fields or views to the hills and the water. These will be altered or lost as new development occurs. To protect areas that are critical for community recreation and open space purposes, this plan identifies certain natural features in and around the village for conservation.

The present orientation of the village away from the shoreline has, to a degree, been responsible for the relatively untouched appearance of beaches on the south shore. To maintain this, this plan favors making the village shoreline more accessible to the public visually by discouraging development of individual moorages and encouraging provision of view points open to the public in new waterfront developments.

Since adoption of the Eastsound Plan in 1981 the village and immediate surroundings have experienced considerable change. Given the small scale of the village, new buildings can have a relatively strong impact on the character of the area and new

Eastsound Subarea Plan

uses, particularly commercial uses, can have a major effect on patterns of movement through the village. This plan includes provisions for design of new buildings in a manner that reflects the character and scale of Eastsound, and a circulation plan designed to improve traffic movement and promote a development pattern consistent with the purpose and goals of the plan.

3. Political and Economic Conditions. Eastsound is a small, unincorporated area which is the social and economic center of Orcas Island. It does not have a municipal government or budget for planning, public improvements and maintenance of public facilities. These functions rest with San Juan County government. One purpose of this plan is to serve as a policy guide for County actions in distributing funds for the administration and development of community facilities and services which are now or should be in the future provided to Eastsound to maintain and enhance its role as the community center of Orcas Island.

B. General Goals and Policies.

1.1. Goal. To represent and respond to the specific needs and interests of the Orcas Island community in Eastsound within the County Comprehensive Plan, and to provide a means for community action to shape the future of Eastsound.

1.2. Statement of Intent. Eastsound is an established community and commercial center with land use and development patterns distinct from those of surrounding areas, and as the primary center for Orcas Island it must respond to the diverse needs and interests of the entire Orcas community. The following policies state how the County Comprehensive Plan will recognize the distinct roles and characteristics of Eastsound.

1.3. Policies.

- a. San Juan County will maintain a subarea plan which will guide land use and development in Eastsound in a manner that will accomplish the stated purpose and goals of this plan.
 - i. Land use districts established by this plan should be compatible with and maintain the existing development pattern. This subarea plan will maintain the established land use pattern by containing the most intensive forms of land use and development within the village, with less intensive uses distributed outward toward the perimeters of Eastsound.
 - ii. A mix of uses should be allowed within different land use districts in a manner compatible with the existing development pattern and the goals of this plan.
 - iii. This plan will provide for clustering of units within large scale residential developments in order to maximize the provision of common open space, minimize curb cuts along arterial roadways, and to provide for the efficient provision of utility services. In exchange for waiving the conditional use permit requirement, clustering will be required for large scale residential development, as defined in each residential land use designation.
 - iv. In accordance with overall SJC policies in conformance with the WA State Growth Management Act which provide that 50% of anticipated overall future residential growth shall occur with its Urban Growth Areas, and that adequate provision be made for housing of island residents in all income categories, the Eastsound Urban Growth Area shall be sized accordingly, including applicable seasonal and market factors.

Eastsound Subarea Plan

- b. San Juan County will promote communication and cooperation among agencies and districts whose services and facilities affect Eastsound.

2.1. Goal. Conserve and protect the physical and visual qualities that contribute to the enjoyment of Eastsound and surrounding areas by island residents.

2.2. Statement of Intent. The natural setting of Eastsound and the features of the natural and built environments within it are fundamental to its character. Principal landscape features include wetlands, shorelines, hills, woods and fields that influence the form and visual quality of Eastsound.

The existing patterns of land use and the features of the built environment are also important components of the character of Eastsound. Many Eastsound buildings are or resemble structures built early in local history. By their numbers, locations, and relative harmony in form, scale and materials, they contribute a cohesiveness to the landscape, particularly in the village and its immediate surroundings.

These features of the natural and built environments define the informal, rural and aesthetically pleasing character this plan is designed to maintain and conserve.

2.3. Policies. To accomplish this goal, this plan will:

- a. Identify specific natural features and characteristics and public vistas which warrant conservation and establish policies and standards for land use and development that will conserve them.
- b. Establish minimum building design and site planning standards, based on the scale and character of existing buildings, that promote the visual harmony desired in Eastsound while preserving the present scale and allowing a diversity of individual buildings.
- c. Provide a tangible vision and direction for the future of Eastsound which will enhance the existing character and guide the establishment of:
 - i. A plan for the construction and improvement of public streets with associated on- and off-street parking facilities.

3.1. Goal. Anticipate and manage how growth occurs in Eastsound so that its character is not compromised unnecessarily as growth and change are accommodated.

3.2. Statement of Intent. Population growth and local and regional economic changes experienced since 1981, when the original subarea plan for Eastsound was adopted, have increased pressure on Eastsound to meet the diverse needs and interests of the Orcas Island community. This plan establishes how growth can be accommodated if the community activities, character and visual quality of Eastsound are to be maintained in the face of this pressure.

3.3. Policies.

Eastsound Subarea Plan

- a. Arrange the distribution of various land uses in and around the village in a way that maintains the small-scale of the village and that serves primarily the desires and interests of island residents. Therefore, this plan will:
 - i. Make sufficient land area available to provide for orderly but concentrated commercial growth in the village in a manner responsive to the daily convenience needs of Orcas residents and which conserves natural landscape features that enhance the village character.
 - ii. Encourage location of civic and cultural facilities within the village to maintain its economic and social vitality.
 - iii. Contain and concentrate new commercial uses in the village to reduce vehicular traffic and make the village pleasant and convenient for pedestrians.
 - iv. Encourage multi-family residential development in and around the village so that more island residents can walk, rather than drive, to destinations in the village.
- b. Maintain the historical pattern of residential use in and adjacent to the village and provide for medium- to high-density residential development within an area currently served by central sewer and water systems and within convenient walking distance of schools and services. Therefore, this plan will:
 - i. Encourage development of multi-family housing in and immediately adjoining the village by establishing land use districts to include comparatively high-density residential development, particularly for multi-family developments.
 - ii. Provide for medium-density residential development in areas not adjacent but convenient to the village by establishing a residential use district which includes fewer, or less intensive, nonresidential activities.
 - iii. Encourage new residential development as a secondary, accessory use in areas of Eastsound planned primarily for nonresidential uses.
 - iv. Provide land for and encourage affordable housing alternatives.
 - v. Encourage the remaining agricultural land in Eastsound to be used for agricultural pursuits.
- c. Provide adequate land area for commercial and industrial uses that are not appropriate in the village but that are logically located conveniently to the village, while avoiding conflicts with other land uses. Therefore, this plan will:
 - i. Minimize conflicts between the airport and surrounding residential uses by providing land area between these for uses less intensive than, but not incompatible with, airport use.
- d. Recognize the existing commercial uses on the north shore and allow for additional commercial development which will enhance opportunities for the public to enjoy the shoreline.

4.1. Goal. Allow growth and development in Eastsound which can be supported by central water and sewer systems.

4.2. Policy. To achieve this goal:

- a. Provide information which will support achievement of this goal, including descriptions of existing utilities, their service capacities, and plans for long-term service expansion.
- b. Sewer and water system information should be updated and elaborated with the adoption of a capital facilities plan for Eastsound and its environs that is consistent with the County-wide Comprehensive Plan developed in accordance with the Growth Management Act.
- c. Water and sewer system capital facility planning and construction within Eastsound shall be based upon the Eastsound Subarea Plan land use designations and the uses, densities, and activities allowed by those designations.

5.1. Goal. Develop a transportation system that enhances the character of Eastsound while providing safe and efficient vehicular and pedestrian circulation through and around Eastsound.

5.2. Policy. To achieve this goal:

- a. The Transportation Plan (Figure 130–1) will be used for the orderly and timely acquisition of rights-of-way.
- b. The Transportation Plan will concentrate nonresidential development in the village and direct the pattern of development around the village in a manner that maintains the scale of Eastsound.
- c. A public parking plan will be developed for the village.
- d. In collaboration with property owners, San Juan County Department of Public Works, local design professionals, and engaged citizens, implement the Eastsound streetscape standards throughout the Village Commercial district on an incremental basis.

6.1. Goal. Encourage the creation of a combination of public and private off-street parking that will satisfy the parking needs of Orcas Island residents, visitors, and businesses in the Village Commercial District.

6.2. Policy. To achieve this goal:

- a. A public parking plan will be developed for the Village that will:
 - i. Provide sufficient off-street parking to mitigate the need for on-street parking.
 - ii. Encourage development of off-street parking that will be designed and landscaped to minimize the aesthetic impact on the Village.
 - iii. Convert all existing private on-street parking into public on-street parking by appropriate dedication of rights-of-way, as streets in the Village are improved.

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- iv. Provide for the acceptance of fees and the dedication or gift of land and/or easements in lieu of providing required off-street parking or in conjunction with a public road project.
- b. Parking requirements for the Village Commercial District are based upon the following principles:
 - i. Parking in the Village is both a private and public responsibility which requires cooperative efforts between the public and private domain in order to achieve the objectives of this plan.
 - ii. Parking that is open to the public and not restricted as to use shall be encouraged over designated private parking.
 - iii. To the maximum extent possible the County will endeavor to provide additional public parking in conjunction with other public uses which may be established.
 - iv. The development of off-street parking areas open to the public should occur where it will serve substantial portions of the village. A public parking authority should be established to provide for the creation, management and maintenance of such parking areas. Donation of ROW for street improvements should be compensated by a credit to the property owner for each on-street parking space resulting from the donation, against the number of spaces required for the use of the property. The public parking plan will provide for concepts such as payment of a fee, gifts or dedications of land and the grant of visual and physical waterfront public access (pursuant to the Eastsound Waterfront Access Plan), in lieu of providing off-street parking. Owners who give or dedicate land and/or easements shall be compensated by a credit to the property owner for a number of parking spaces equal to the assumed value of the land and/or easements conveyed. Fees collected will be held in a fund to be used exclusively for the acquisition of land and construction of public parking areas.

7.1. Goal. Protect marine and fresh water environments from degradation by storm water.

7.2. Policy. Develop an Eastsound storm water plan and adopt implementation regulations consistent with best management practices. This should be coordinated with a plan for management of the East Sound watershed.

C. Open Space, Historic, and Natural Features.

1.1. Purpose.

- a. To identify and protect specific open spaces and natural features which are key to maintaining the physical character and visual quality of Eastsound.
- b. To protect specific natural resources that contribute to the environmental quality of Eastsound and the surrounding area.

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- c. To identify, recognize, and protect features of the built environment with historical significance.

1.2. Policies.

- a. Enhance the accessibility of the East Sound waterfront to the public by improving the number and quality of shoreline views from within the village and along the East Sound shoreline.
- b. Ensure preservation and conservation of natural resources and natural landscape features in all new development so that natural grades and vegetation are maintained and so that wetlands and specific natural landmarks and other key features are undisturbed.
- c. Establish a process and schedule for acquisition and/or dedication of easements to provide permanent protection of key natural resources and features.
- d. Encourage the County to work and cooperate with the Lummi owners of Madrona Point to provide and maintain public access in conformity with the enabling Covenants (Vol.276, pg.387-9).

1.3. Description (for Regulations see Conservancy Overlay District).

- a. **Lavender Farm Knoll.** This knoll is a natural landmark in central Eastsound.
- b. **Eastsound Swale.** The swale is a natural boundary between the village and the airport and residential area west of the village. The dense vegetation in and along the swale is a prominent visual feature that offers an attractive edge for a pedestrian walkway.

This natural drainageway is a key component of the Eastsound watershed and of East Sound water quality it provides an important public benefit by controlling flooding and by filtering sediments from storm water, which help to maintain surface water quality. Land clearing and development in wetlands results in increased erosion; degradation of water quality from sedimentation and from loss of biofiltration from vegetation; loss of detention capacity which results in flooding; and adversely affects the quality of receiving waters, and therefore degrades fish and shellfish habitat. Also, certain types of land uses and development activities introduce petroleum products, pesticides, herbicides and other pollutants.

- c. **Waterfront Park.** A low-bank parcel at the west edge of the East Sound shoreline provides dramatic views of the water and the Eastsound shoreline. The County acquired it for public park use.
- d. **East Sound Waterfront.** Because the most characteristic and significant natural feature of Eastsound is its location at the head of East Sound, and because a goal of this plan is to increase visual and physical shoreline access to the public, the County and the owners of Village Commercial waterfront property have developed and agreed upon an Eastsound Waterfront Access Plan, which is set

forth herein. Figure 130–6 shows the visual and physical access corridors provided to East Sound.

- e. **Madrona Point Dock and Beach.** This element is identified in this plan as a possible endpoint for a public access path along the beach east from the proposed waterfront park (subsection (C)(3) of this section). A public dock site and beach access from Haven Road have been secured by the County. When completed, the dock will provide the primary moorage facility for transient boat access to dock access to Eastsound. This dock is intended for temporary tie-up use.
- f. **Madrona Point.** This prominent wooded peninsula is of great historic, scenic and cultural importance. Once faced with development into shoreline lots and condominium sites, it was purchased by the Bureau of Indian Affairs for the Lummi Indians on the condition that it be preserved as a natural area.
- g. **Buck Park.** This property is located immediately east of the school and was donated to the community for development of a public park.
- h. **Significant Views.** Views of the water significant to the character and visual quality of Eastsound are identified in Figure 120–1.
- i. **Village Entrance and Edge Features.** The village is entered through three distinctive natural entranceways or “gates” composed of road offsets crowded by adjacent hills and trees. These gates are formed as follows:
 - i. The west gate is the stand of trees and surrounding open area at the waterfront park site and the crowding hill of Landmark Inn opposite together with the large firs at the edge of Lovers’ Lane.
 - ii. The east gate is on Main Street at the east end of Madrona Point at Crescent Beach.
 - iii. The north gate is the North Beach Road entrance to Eastsound, just north of High School Road where Purdue Hill and the trees opposite on the east crowd to the road edge.
- j. **Eastsound entrance and edge features.** The County-owned property at the Terrill Beach and Horseshoe Highway intersection is a prominent site that should be improved and maintained as a roadside park.
- k. **Village Square.** A public space or village square at the center of the retail area. This is necessary as the focal “place” or center of activity of the village. It is to be located at the hub of village social and retail activity and provide space for festivals, formal and informal meetings, information, markets, and parking. This space should be an open, pedestrian area with grass, landscaping and paths, and should adjoin the Historical Museum which currently serves some of the same functions.
- l. **North Shore.** This shoreline has gently sloping sandy beaches and views of Sucia Island, Georgia Strait, and summer sunsets. Three road ends with public access exist within the planning area.

- m. **Wetlands.** All areas shown on the San Juan County 2010 General Locations of Possible_Wetland Inventory Maps. These maps are intended to depict the general locations of known regulated wetlands. The maps do not show specific wetland boundaries or buffers but rather indicate the approximate locations of wetlands. Individual, site specific, investigations and/or wetland delineations may be required in the permit review processes required by this plan or other County land use regulations.
- n. **Western Hill.** The wooded hill west of the village, along Lovers' Lane, is an important view and an enclosing element.
- o. **Mount Baker Edge and View.** The eastern approach to Eastsound on Mount Baker Road and view of Mount Baker from this road. The significant characteristic here is a roadway bordered on one side by open fields (affording the view) and woods on the other.
- p. **Crescent Beach Marsh.** This marsh east of Eastsound is under the Shoreline Master Program jurisdiction as a wetland associated with Ship Bay. A portion of the marsh is owned by the San Juan Preservation Trust. It is recognized as a feature important to Eastsound because drainage from the east end of the village flows to the marsh.
- q. **Regulated Wetlands.** All wetlands listed in the SJC wetlands maps.
- r. **Mount Baker Road Agricultural Property.** The land along Mt. Baker Road from Terrill Beach to North Beach Road. The significant characteristic here is rural open space and views of Mt. Baker.
- s. **Crescent Beach Waterfront.** The waterfront and beach along Crescent Beach from Eastsound Village to Terrill Beach Road. This feature is recognized as important because it is a vital component of the Crescent Beach Marsh wetlands system, with oyster beds, unparalleled marine views, and a sensitive coastal ecology.
- t. **Emmanuel Episcopal Church.** The Emmanuel Church is recognized for its historical significance and reflection of early architectural style in San Juan County. The church is listed on the National Register of Historic Places.
- u. **The Orcas Island Historical Museum.** The museum is recognized for its historical collection and reflection of early history of San Juan County.

Figure 120-1

Eastsound Subarea Plan

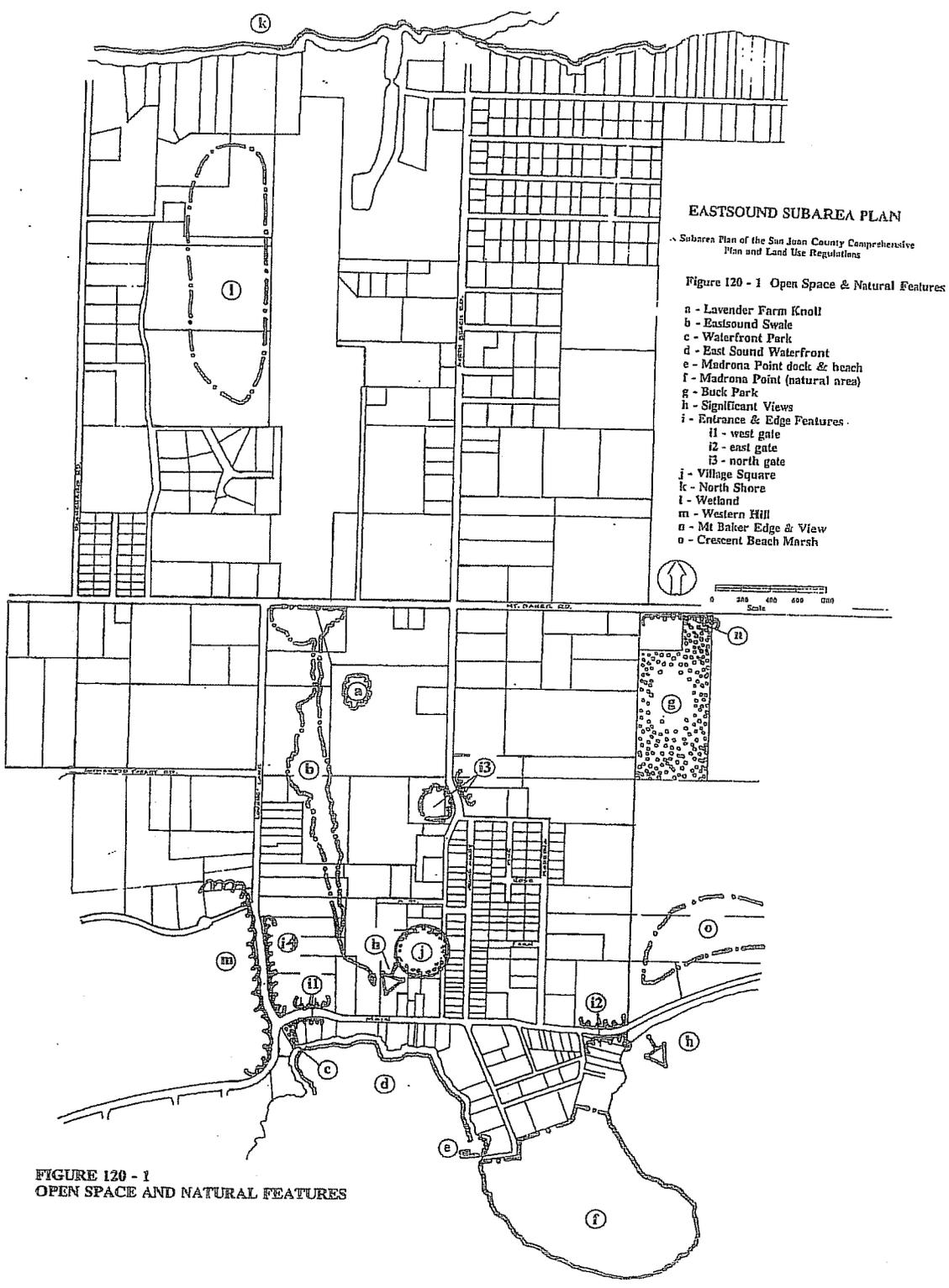


FIGURE 120 - 1
OPEN SPACE AND NATURAL FEATURES

D. Transportation.

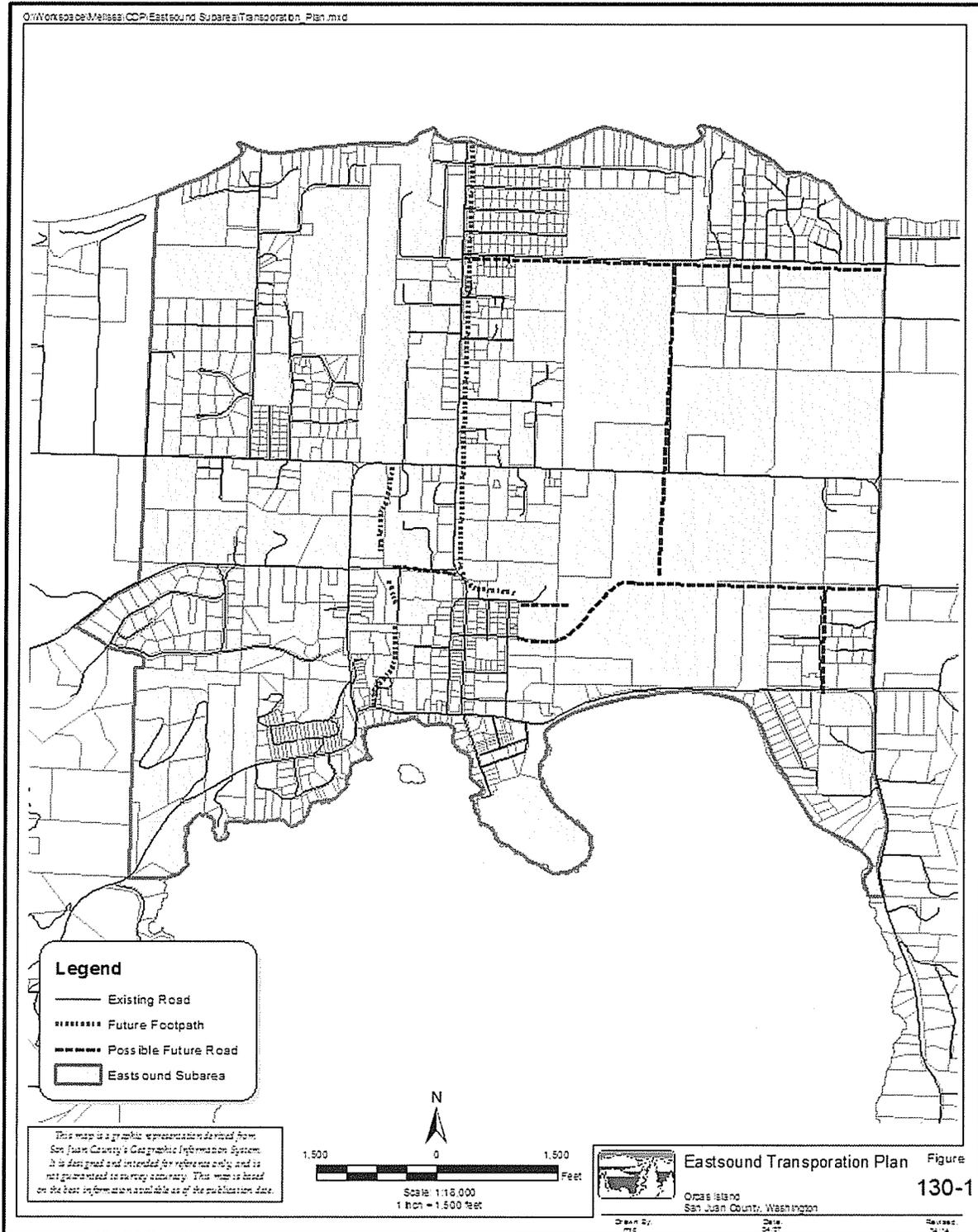
1.1. Purpose.

- a. To provide for the orderly development of roads and paths.
- b. To construct roads and paths consistent with the character of Eastsound and this plan.
- c. To provide for the timely acquisition of road rights-of-way.
- d. To ensure the transportation system serves the land use goals and policies of this plan.
- e. To provide for the participation of property owners in the design of road and path improvements.
- f. To implement a streetscape improvement program for the village that supports the policies of this plan to make the village pleasant and convenient for pedestrians and also provide needed on-street parking.
- g. To create a parking plan that will provide for adequate off-street public parking.

1.2. Vehicular Circulation Policies.

- a. Figure 130–1 is the vehicular circulation plan for Eastsound.
- b. The County should acquire rights-of-way shown in Figure 130–1 not currently owned by the County.
- c. Streets within the village should be developed as access and feeder streets, not through streets.
- d. Property owners are responsible for improvements to unopened rights-of-way at the time their property is developed if alternative vehicular access is unavailable.
- e. The County is responsible for all public road development in Eastsound.
- f. Installation of new utility lines and undergrounding of aerial lines shall be coordinated with construction and improvement of public streets to the extent possible.
- g. If and when an alternative access route is desired to serve Eastsound from the east, south of Mount Baker Road, this should be provided by extension of Rose Street to the east. High School Road should then be extended to connect with Rose Street. This alternative access could lead to a reduction of vehicular traffic on Crescent Beach Road.

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1.3. Pedestrian Policies.

- a. The village should be developed in a manner convenient and attractive for pedestrians, with safe and pleasant walks and paths.
- b. The pedestrian path system for Eastsound is shown in Figure 130–1. Public path rights-of-way should have a minimum width of five feet.
- c. Public paths shown in Figure 130–1 should be provided by dedication of easements to the public by the owner at the time the property is developed.

1.4. Parking Policies.

- a. The development of off-street parking areas open to the public should occur where it will serve substantial portions of the village.
- b. The County to increase parking availability within the Eastsound Subarea.

1.5. Airport Development. The Orcas Island airport at Eastsound is owned and operated by the Port of Orcas. The facility is used by private pilots, some resident, and it also provides scheduled passenger service to other islands and to the mainland. To maintain the function of the Mount Baker Road Bypass and to protect the future land use pattern intended by this plan, no runway extension should be allowed south of Mt. Baker Road.

1.6. Transportation Hub. To support and promote multi-modal transportation a Transportation Hub should be developed with community participation on the County Owned Parcel TPN # 271455211 (parcel purchased for Fern St. extension). This goal will guide county improvements and support grant funding, pursuant to an updated Eastsound Transportation Plan, for paths, and street improvements that improve multi-modal transportation into and around Eastsound.

If constructed the Transportation Hub to include (but not limited to) one or more of the following:

- a. ADA Pedestrian pass through and off street transit stop (grass pavers N. Beach to Prune Alley);
- b. Shuttle stop to off-site parking;
- c. Ferry and Hamlets. RIDESHARE location;
- d. Covered area with solar powered lighting from roof panels;
- e. Rainwater catchment for grass pavers, rain gardens and community gardens;
- f. Storage lockers and bike racks/lockers;
- g. Drinking fountain/self-closing water faucet;
- h. Map of walking paths around Eastsound and Public Access to shoreline;
- i. Dedicated spots for food vending trucks or licensed vendors;
- j. Permanent or temporary Kiosks;
- k. Picnic tables with trash and recycling receptacles;
- l. Public art;
- m. Announcements of community events;

n. Emergency Phone

Figure 130 – 7 Locations Map for Waterfront Parcels



Location Figure
for parcels that are in the
"Eastsound Waterfront Access Plan"
(cf. §§16.55.040, 16.55.210(E)(2)(d))

E. Village Plan.

1.1. Figure 140–1 illustrates the elements of open space, historic, and natural features and circulation within the village. The plan includes the extensions of (1) Rose Street to Madrona Street, (2) Enchanted Forest Road from Lovers’ Lane to North Beach Road, and (3) Fern Street from Madrona Street to Lovers’ Lane, in addition to other internal street

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improvements as well as new street construction to improve traffic circulation into and out of the village. (Also, refer to SJCC 16.55.120, Open Space, Historic, and Natural Features, SJCC 16.55.130, Transportation, and SJCC 16.55.250, Conservation Overlay District.)

- 1.2. The village plan includes a location for the village square. The square is intended to satisfy several public functions, including public open space and an informal meeting place. It is located centrally and has convenient connections to public parking, streets, and pedestrian paths.

Figure 140-1

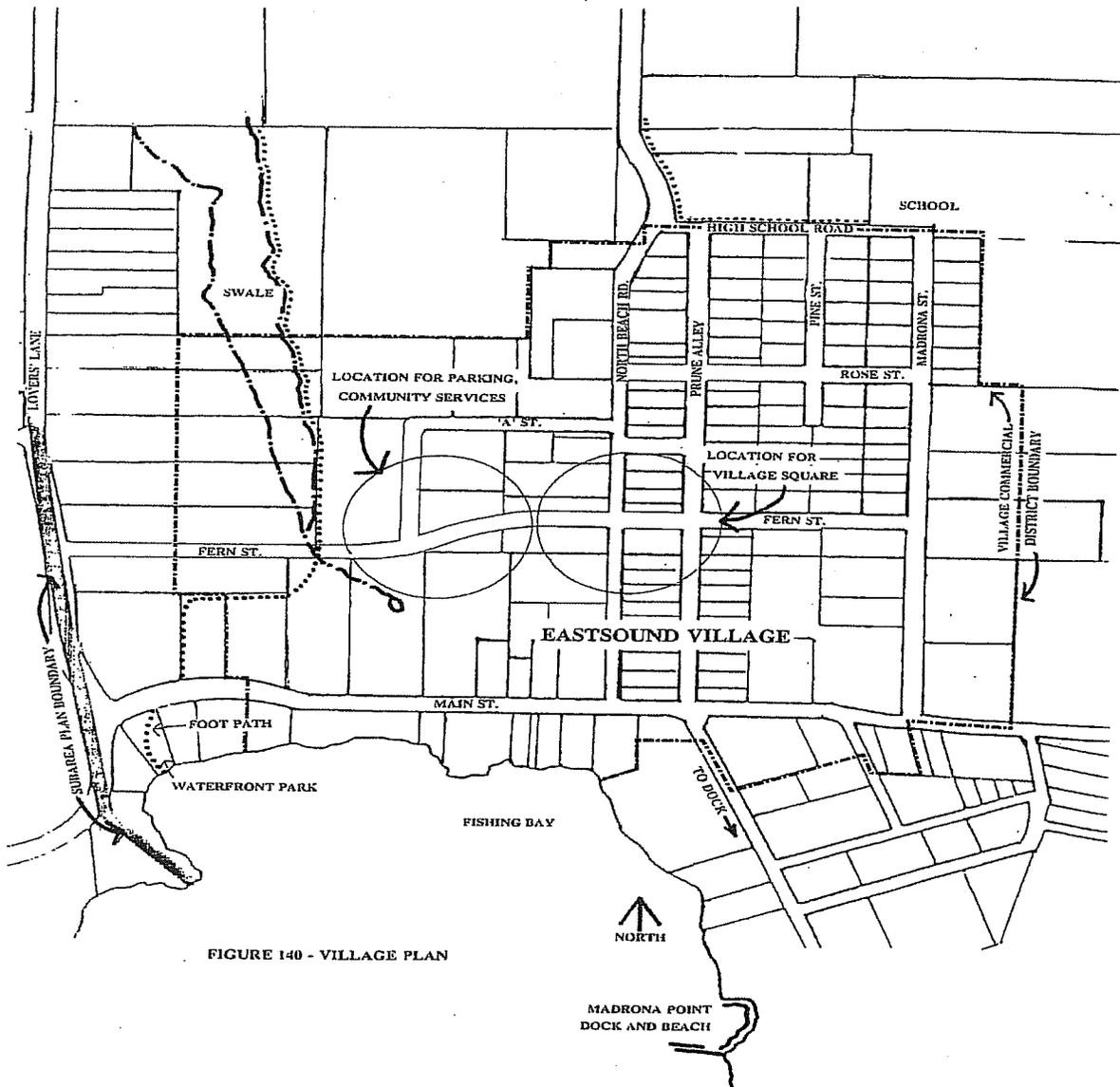


FIGURE 140 - VILLAGE PLAN

F. Utilities.

1.1. Purpose.

- a. Promote cooperation between utility services, the County and property owners to ensure provision of adequate water supply and sewage disposal services, electrical, telephone distribution lines, and broadband services within utility service areas in Eastsound.
- b. Provide direction for improvements to publicly owned and/or maintained storm drainage systems to enhance natural drainage patterns, to maintain and improve quality of receiving waters, including Fishing Bay, and to coordinate such improvements with transportation planning and street construction schedules.
- c. Promote long-range planning for delivery of sewer and water services which is consistent with the land use and parcel patterns provided for in this plan.

1.2. Policies.

- a. **Storm Drainage Policies.** The County should develop a Stormwater Management Plan for Eastsound which will recognize the natural limitations and benefits of the Eastsound swale to detain and filter runoff from streets, parking areas and other impervious surfaces.
- b. **Cable, Telephone, Power, Water and Sewer Utilities.** Utility lines serving new development should be installed underground where feasible to reduce adverse visual impacts and should be installed within road rights-of-way to reduce adverse effects on the physical environment.
- c. **Utility Coordination.** County planning for street construction should be coordinated with improvement plans of public and private utilities.

1.3. Utility Development Standards.

- a. Utility lines serving new or significantly expanded uses shall be installed underground.
- b. Street lighting, if provided, shall have a shielded source (*e.g.*, McGraw-Edison “Concourse” or similar fixtures without bare bulbs) and be uniform throughout the village.

1.4. Existing Utilities. To provide a useful reference the description of existing utilities within the planning area, given below, should be updated and detailed upon adoption of a capital facilities plan for Eastsound.

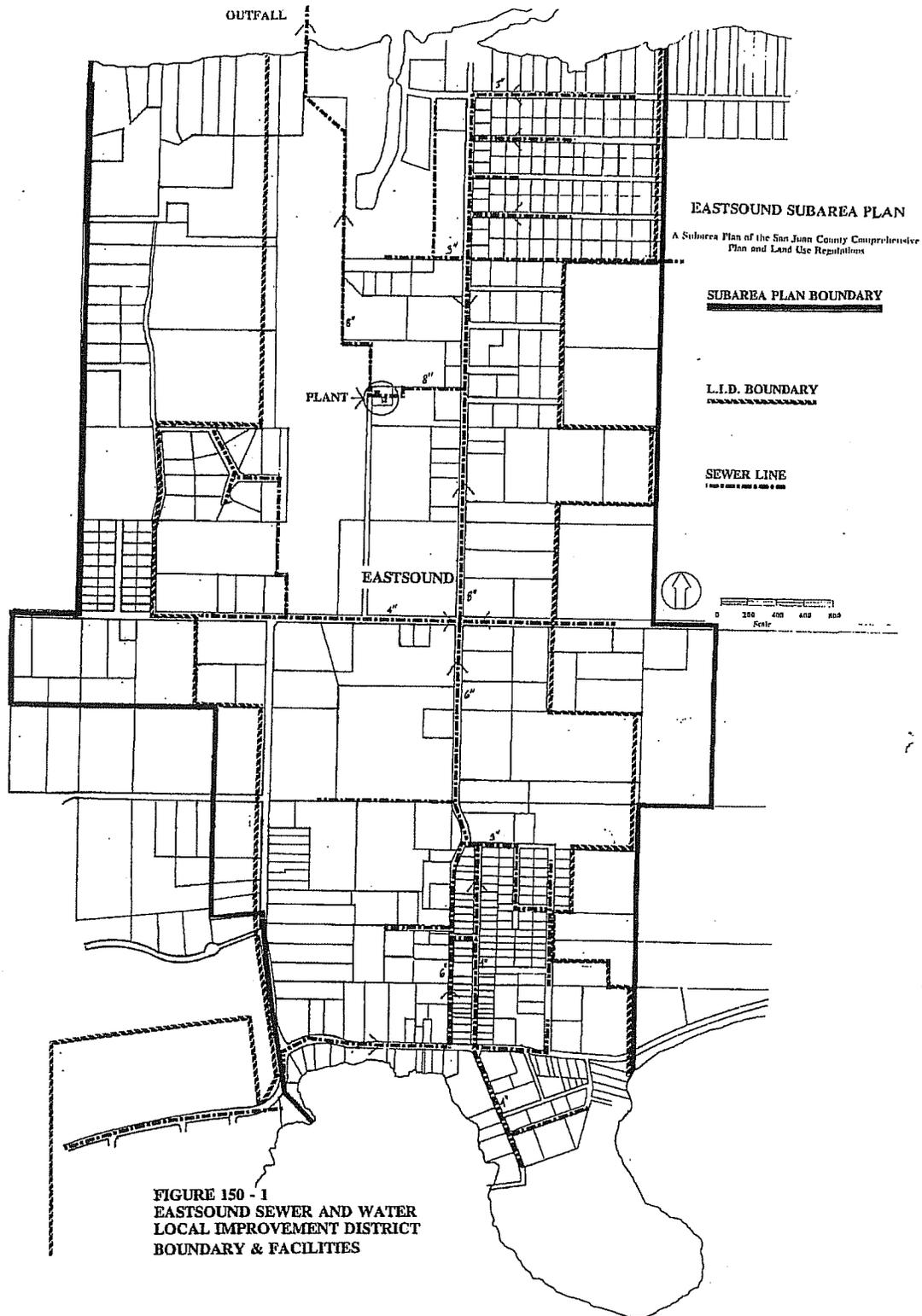
- a. **Sewer.** Sewer service for Eastsound is provided by the Eastsound Sewer and Water District, a public utility supported by a local improvement district. The District is authorized by RCW 57 to protect the public health and safety of the greater Eastsound Community within its WA State Department of Ecology approved service area. Allowable sewer service is presently reduced in size to the Urban Growth Area boundaries. New service connections to the system are only allowable within the boundaries of the Eastsound UGA. Existing connections beyond those boundaries are

legally grandfathered into the sewer system. Installation of the main lines on Blanchard Road (2014) will complete the collection system within the current UGA boundaries. The boundaries of the LID as well as the location of the principal collection facilities are shown on Figure 150–1. In addition, the sewer district is authorized by charter to provide sewer service throughout the subarea.

- i. District facilities fall into three categories:
 - A. All users have an on-site septic tank and effluent pump. The owner is charged for this in addition to the facility charge and the connection fee.
 - B. From the individual septic tank, primary treated effluent is pumped through pressure mains to the treatment plant located by the airport, where effluent receives secondary treatment, aeration and settling, as well as tertiary treatment (chlorination). The current design capacity (2014) is 160,000 gallons per day, serving 600 connections representing 920 equivalent residential units (ERUs). Peak flows and loadings occur during the months of July through September. The most recent capacity averages (2013) for the peak period are 64% (flow) and 77% (loading). The District anticipates that a 50% expansion of primary treatment capacity will be necessary within the remaining ten years of the 2003 Capital Plan, depending on population increase.
 - C. Treated effluent is piped to an outfall in the Straits of Georgia off the north shore of Eastsound.
- ii. District policies require that all development within the LID must connect to the system. On-site construction requires a septic tank of 500 gallons per residential unit equivalent.

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Figure 150-1



- b. **Water.** Water service for Eastsound is provided by the Eastsound Water Users Association (EWUA), a private member-owned utility company. The EWUA adopted a Comprehensive Water System Plan in 1990, most recently updated in 2010, which is used to help guide operations. The plan provides detailed information about system source capacity, water consumption patterns, and long-range plans for system improvements. The entire Eastsound Subarea is located within the boundaries of the EWUA service area and long-range planning takes into consideration the total potential buildout provided for in the subarea plan.

One time fees for new memberships and hookups are used to fund capital expenditures. Monthly usage charges pay for the costs of maintenance and operations. The board of directors is elected by the membership and system operations and fees are controlled by the board and EWUA adopted bylaws.

Water for the system is supplied from drilled wells and the Purdue Lake reservoir located on Buck Mountain. The system is designed and operated to meet state of Washington standards for public water systems. The EWUA reserves the right to give domestic use priority over other uses in the event of a temporary shortage of water.

The existing system is also designed to meet residential fire-flow requirements (500 GPM for 20 minutes) throughout the Eastsound Subarea Plan jurisdiction. The EWUA also designs all new line extensions to meet minimum fire-flow requirements. (Ord. 4–1996; Ord. 62–1992 § 2)

Desalination plant permits provide the basis for future development.

- c. **Power.** Orcas Power and Light Cooperative is responsible for serving the power needs of the community.
- d. **Solid Waste Collection.** San Juan Sanitation is the only company currently licensed to collect solid waste in the County.
- e. **Telecom, data and cable television providers.** Centurylink, Mount Baker Cable, Rockisland, Orcas Online and Opalco are the companies that provide service to Eastsound.

G. Architecture and Site Design.

1.1. Purpose. To establish design guidelines and site planning standards to ensure that new development projects harmonize with, reinforce and strengthen the existing character and scale of Eastsound.

1.2. Intent.

- a. To acknowledge that it is the desire of the community to maintain the existing character and scale of Eastsound; and to recognize that, in the face of growth and development pressures, this requires making conscious choices with regard to form, height, size, placement of buildings on lots, and exterior materials used in new developments in Eastsound.

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- b. To balance the idea that the built environment of Eastsound is not a pristine architectural expression in need of protection and preservation, with the awareness that much of the existing character and scale is nonetheless valued by the community and is threatened by indiscriminate growth and development.
- c. To raise the level of probability that as Eastsound grows, new buildings, while each being different, will complement one another and blend together as parts of a harmonious whole.
- d. To identify the specific elements which define the existing character and scale of the built environment of Eastsound.
- e. To acknowledge that the spaces around buildings contribute to the character and scale and to establish site planning standards so that new development maintains the existing fabric of Eastsound.
- f. To recognize that the changing needs of the community and the businesses which serve it may require some buildings which exceed the size of existing buildings and to ensure that such buildings are designed and constructed in a manner consistent with the purpose and intent of this section.
- g. To recognize that new growth pressures have fostered the need for public improvements in Eastsound including on-street parking, sidewalks and amenities such as landscaping and street trees.

1.3. Design Elements. The character and scale of Eastsound can be defined by describing the elements of the existing development pattern. The elements of this pattern provide the basis for the site planning and development standards in this section.

- a. Eastsound includes a number of buildings which, although not necessarily of historic significance or representing a formal style of architecture, are the result of the efforts of early settlers and craftsmen who approached construction in a straightforward manner; they used basic carpentry skills to create shelter while addressing the problems posed by climate, economic and cultural needs, and available materials.
- b. The following characteristics define the physical and aesthetic character and scale of Eastsound as determined by existing conditions:
 - i. They are placed in the foreground of their lots with a close relationship to the public street and with side yard spaces separating them from adjacent buildings.
 - ii. They are relatively small structures; some are residences converted to commercial use.
 - iii. They are one and two story wood-framed buildings whose principal roofs have a relatively steep slope.
 - iv. They are often accompanied by pleasant and attractive open spaces visible from the street.

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1.4. Policies. In order to accomplish the purpose and intent of this section, the following policies are established:

- a. To acknowledge that these characteristics are most significant in the village and the area immediately surrounding it, architectural standards apply only in the Village Commercial and Village Residential/ Institutional Districts.
- b. To maintain the design elements noted above, which are both diverse and harmonious, it is important that new building construction reflect the mass, height, roof form, and materials found in most existing Eastsound buildings. These characteristics are illustrated in Figure 300–3.
- c. To recognize that prescriptive standards intended to ensure both diversity and harmony of design in new developments may not be responsive to special problems or opportunities, it is desirable that a discretionary option to the strict application of architectural standards be provided.

H. Eastsound Urban Growth Area

1.1. The boundary of the Eastsound Urban Growth Area within the Eastsound planning area is shown on the Eastsound official map.

SECTION 5.

A. Eastsound Landuse Districts.

Eastsound is divided into 11 distinct land use districts and one overlay that impacts specific locations:

- 1. Village Commercial district (minimum four (4) – maximum forty (40) units per acre);
- 2. Village Residential/Institutional district (minimum four (4) – maximum twelve (12) units per acre);
- 3. Service Light and Industrial district;
- 4. Eastsound Residential districts:
 - One (1) per acre P*;
 - Two (2) per acre;
 - Two (2) per acre P*;
 - Four (4) per acre P*;
 - Minimum four (4) – maximum twelve (12) per acre);
- 5. Service Park district;
- 6. Marina district (maximum six (6) – eight (8) units per acre);
- 7. Eastsound Airport district;
- 8. Country Corner Commercial district;

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9. Eastsound rural residential

One (1) unit per five (5) acres);

One (1) unit per (2) acres);

10. Eastsound Rural district;

11. Eastsound Natural district

12. Conservancy overlay.

B. Village Commercial District (minimum four (4) – maximum (40) units per acre);

5.1. Purpose.

- a. To provide for a concentrated village that will centralize commercial and community-wide social and cultural activities in a relatively small area, but which is large enough to allow for reasonable growth;
- b. To retain as much as possible of the existing village character as defined by the general goals and policies in Section 4.B;
- c. To allow for development that preserves the existing character, natural features and visual qualities of the village by imposing specific development standards, including building height and setbacks, open space, and landscaping;
- d. To consolidate development in such a manner to allow walking from one destination to another to the greatest extent possible; and to make walking a pleasant alternative to driving between destinations by specifying street-orientation of buildings and imposing street improvement and landscaping requirements, and by encouraging provision of public pedestrian access to and along the waterfront;
- e. To encourage creation of community parking facilities and the shared use of off-street parking areas in locations that will help promote pedestrian traffic among village destinations; and
- f. To allow a mixture of residential and commercial uses which could generate noise, traffic or evening activities.

C. Village Residential/Institutional District (minimum four (4) – maximum twelve (12) units per acre);

5.2. Purpose.

- a. To provide area adjoining the village commercial district for a mix of single and multiple-family residential uses of moderately high density;
- b. To provide for low-intensity commercial uses which are or can be made compatible with residential uses; and

- c. To provide for civic and cultural facilities that serve the greater island community and which are therefore best located near the village, but which are not desirable within the village itself because of the amount of land required (such as public schools).

D. Service and Light Industrial District.

5.3. Purpose.

- a. To accommodate commercial services and light industrial or construction related activities as well as accessory office and retail sales related to such services and activities which may not be appropriate within the Village Commercial District.
- b. To accommodate the existing airport-related facilities and services which are located outside of the Airport Use District.
- c. To concentrate the above uses around the Eastsound airport where they have already been established.
- d. To concentrate the above uses in a manner that will enable efficient use of the transportation system.
- e. To prohibit new residential development other than residential units accessory to a commercial or industrial use and located within a commercial or industrial building.

E. Eastsound Residential: One (1) unit per acre P*; two (2) units per acre; two (2) units per acre P*; four (4) units per acre P*; minimum four (4) – maximum twelve (12) units per acre Districts.

5.4. Purpose.

- a. To provide for a mix of residential densities in areas already in residential use;
- b. To acknowledge the existing medium density residential areas and allow other uses which are or can be made compatible with residential use; and
- c. 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.

F. Service Park District.

5.5. Purpose.

- a. To provide for a service center at the eastern edge of Eastsound, in a relatively small area characterized by an existing mix of service and residential uses, but which is large enough to allow for reasonable growth.
- b. To allow for development that preserves the existing character, natural features and visual qualities of adjacent properties by imposing specific development standards, including building height, setbacks, open space, and landscaping;

- c. To allow a mixture of commercial service uses and accessory residential units while protecting adjoining residential areas from undesirable commercial and industrial uses which typically generate noise, traffic, or evening activities incompatible with residential neighborhoods;
- d. To prohibit new residential development other than residential units accessory to a commercial or industrial use and located within a commercial or industrial building.

G. Marina (max. 6-8 units per acre) District.

5.6. Purpose.

- a. To recognize the existing marina and resort use established on the north shore and that resort activity here is a desirable influence on commercial and community vitality in the Eastsound area.
- b. To recognize that the marina and resort are uses compatible with the adjacent airport and relatively high density residential development in the adjoining area.
- c. To allow of commercial uses in this area which are compatible with the Shoreline Master Program as applied to the north shore, including the manmade marina shoreline, and which are related to the recreational nature of the existing development.
- d. To allow residential development compatible with the marina and resort and related commercial uses.

H. Eastsound Airport District.

5.7 Purpose.

- a. To accommodate the existing airport and provide for airport-related facilities and services within the airport use district sufficient to meet the air traffic needs of the local citizens.
- b. To allow for new airport-related facilities and services that are compatible with other commercial and residential uses in the subarea and consistent with the adopted Orcas Island Airport Master Plan.
- c. To establish a land use district that is separate and distinct from an airport overlay district as described in SJCC 18.30.180.
- d. To prohibit new residential development.

I. Country Corner Commercial District.

5.8 Purpose.

- a. To provide for a service/commercial center to the east of Eastsound which accommodates commercial services and construction-related activities along with office and retail uses that are necessary and important components of the local economy.

- b. 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.
- c. To allow for a mixture of commercial uses and accessory residential units while protecting adjoining residential areas from incompatible commercial and industrial activities.

J. Eastsound Rural Residential (maximum one (1) unit per five (5) acres); Eastsound Rural Residential maximum one (1) unit per two (2) acres Districts;

5.9 Purpose.

- a. To provide for a mix of residential densities in areas already in residential use;
- b. To acknowledge the existing medium density residential areas and allow other uses which are or can be made compatible with residential use; and
- c. 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.

J. Eastsound Rural (1 unit/5 acres) District.

5.10 Purpose.

- a. To provide a means to conserve those remaining lands within the subarea plan jurisdiction that are used for agricultural purposes.
- b. To foster the preservation of open space and pastoral views within Eastsound.
- c. To recognize that Eastsound is home to a variety of agricultural properties, uses, and activities, which exist in harmony with other residential, commercial, and institutional uses.

I. Eastsound Natural District.

5.11 Purpose.

- a. To preserve areas containing unusual natural resource systems and to regulate all activities or uses which might degrade or alter the natural characteristics which make these areas unusual.
- b. To prevent alteration of natural resource areas which are relatively intolerant of human use.

Section 6. Conservancy Overlay District.

6.1. Purpose.

- a. To provide a means to conserve those specific natural resources and features described in Section 2.1.C, Open Space and Natural Features.
- b. To establish a specific classification for recognition of resources and features which are not of a size or configuration to warrant land use district classification of the entire area surrounding them.
- c. To conserve specific natural resources and features through application of specific standards to carry out the policies for protection of open space and natural features.

Section 7. Implementation.

7.1. Overview and Purpose. This section identifies various ways to implement those elements of this plan which direct physical public improvements within the Eastsound planning area. It describes priorities for funding planned improvements. It is intended for use in the preparation of County capital facilities plans, annual budgeting and other funding decisions affecting Eastsound.

The Eastsound planning review committee should prepare an annual written report or verbal presentation for presentation to the County Council by June 1st of each year which describes the status of any capital projects and planning activities occurring and which recommends priorities for these and other projects for timely consideration in the annual budgeting process.

7.2. Capital Improvements. A description of specific improvement projects follows.

- a. Roads shown in Figure Plan 130–1 are priorities, particularly where proposed right-of-way must be acquired.
- b. Streetscape improvements encompass a range of pedestrian amenities. These include curbs to separate pedestrian and vehicle traffic, walkways, street trees, benches, *etc.*
- c. Parking is a private responsibility but one which requires a cooperative solution if the goals of this plan are to be achieved.
- d. Acquisition, development and maintenance of parks will require funding from various sources: state grant programs and private donations should be pursued for acquisition and development; County general funds should provide for maintenance of park grounds and facilities.
- e. The Eastsound swale is both a distinctive feature of the community and a critical filter for surface water runoff into East Sound. The permanent viability of water quality in East Sound, particularly in and near Fishing Bay, depends on maintaining this wetland function. The County should pursue Clean Water Fund Grant for development of a nonpoint pollution control plan for East Sound which will include stormwater management recommendations to protect marine water quality and the functions of

the swale. The County should acquire rights to manage the swale as part of an Eastsound stormwater system. The County should acquire easements unless fee simple acquisition is necessary.

7.3. Planning Actions. To achieve the goals of this plan, several planning efforts must be pursued.

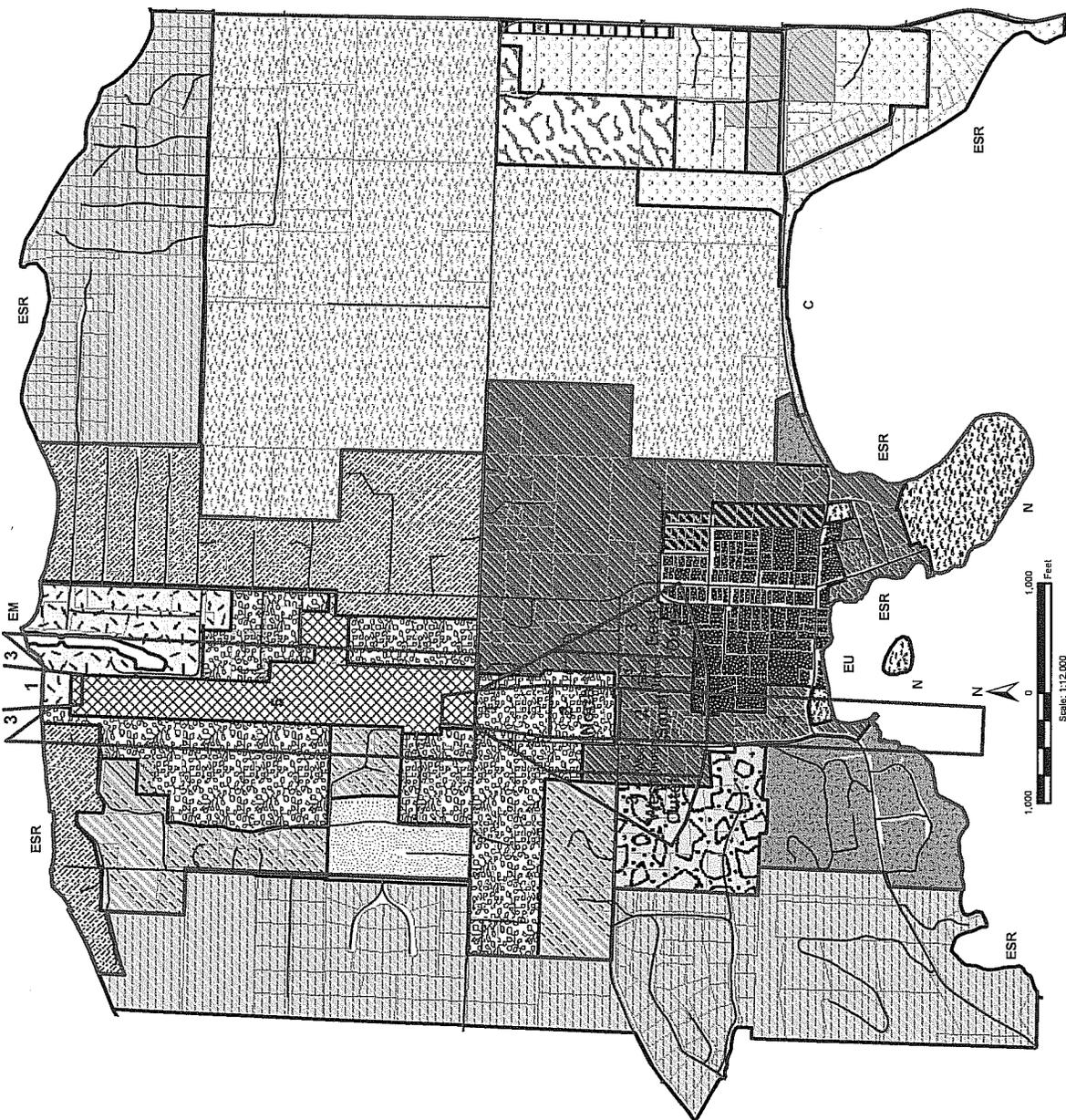
- a. A goal of this plan is the establishment of an effective off-street public parking program for the village.
- b. A capital facilities plan for the Eastsound area should be adopted in accordance with requirements of the State Growth Management Act. This should describe existing sewer, water and fire protection service capacities and plans for long-term service expansion.
- c. A stormwater management plan and regulations should be prepared for Eastsound in concert with a watershed management plan for East Sound.

The San Juan County Comprehensive Plan adopted pursuant to the Growth Management Act includes a housing element and a capital facilities plan for the County, which includes provisions for Eastsound. The subarea plan contains goals, policies, and regulatory provisions to enhance the diversity of housing opportunities and to provide for all necessary capital facilities.

- d. A parks and trails element should be established for this plan. The Eastsound planning review committee should explore the desired scope and effect of this element and establish a work program for development.

EXHIBIT B

- Aircraft Accident Safety Zones
- Eastsound Urban Growth Area
- Density
- Eastsound 50 Foot Buffer
- Eastsound**
- Country Corner Commercial
- Eastsound Airport District (no residential development is allowed)
- Eastsound Rural (max. 1 unit per parcel)
- Eastsound Rural Residential (max. 1 unit/5 acres)
- Eastsound Residential Vacre (max. 1 unit/acre)
- Eastsound Residential 2/acre P
- Eastsound Residential 2/acre
- Eastsound Residential 4/acre P
- Eastsound Residential 4/acre (min. 4 - max. 12 units/acre)
- Eastsound Rural Residential (max. 1 unit/5 acres)
- Marina (max. 6-8 units/acre)
- Service Light Industrial (residential use allowed only as accessory to commercial, institutional, or industrial use)
- Village Park (residential use allowed only as accessory to commercial, institutional, or industrial use)
- Village Commercial (min. 4 - max. 40 units/acre)
- Village Commercial Limited (see S.J.C.C. 16.55.27(0.D.3))
- Village Residential / Institutional (min. 4 - max. 12 units/acre)



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. The information represented in this map is subject to change without notice.



Eastsound Subarea Plan Official Map
 Orcas Island
 San Juan County, Washington

Drawn By: [Signature]
 Date: 12/15