ORDINANCE NO. 1–2000

WHEREAS, upon adoption of the 1990 Washington State Growth Management Act (GMA), Chapter 36.70A RCW, San Juan County was among those counties given the option to decline to plan under the GMA but, on July 24, 1990, by Resolution No. 113–1990, the Board of County Commissioners (Board) elected not to withdraw from participation in the requirements of the GMA; and

WHEREAS, the Waldron Subarea Plan was adopted in the form of Ordinance No. 7–1995 on July 5, 1995 in anticipation of the County's Comprehensive Plan, by a process determined by the Western Washington Growth Management Hearings Board to be in accordance with the requirements of the GMA and County Code; and

WHEREAS, after expending due effort to assure public participation, the Board on June 15, 1998 passed Ordinance No. 2–1998 adopting a new Comprehensive Plan, Official Maps, and development regulations and controls including shoreline elements; and

WHEREAS, the County obtained the necessary state agency approvals, and on December 16, 1998 a Notice of Adoption of Ordinance No. 2–1998 was published in the local newspaper of record, effective December 20, 1998; and

WHEREAS, the GMA in Section 36.70A.080(2) allows for the optional use of subarea plans as part of comprehensive planning; and

WHEREAS, the San Juan County Comprehensive Plan of 1998 authorizes in Section B.2.6.A the establishment of subarea plans for village activity centers, specific geographic areas, or for resources in order to better address the unique needs and interests of those areas, environments, or functions; and

WHEREAS, the Comprehensive Plan requires that a subarea plan provide policies and regulations to address the effects of land use activities and provide criteria to ensure compatibility of land uses within the subarea; and

WHEREAS, the GMA requires subarea plans to be consistent with the Comprehensive Plan; and

WHEREAS, the Comprehensive Plan in Section B.2.6.B provides for the continued authority of existing subarea plans, subject to a review of the consistency of the subarea plans with the new Comprehensive Plan, its Official Maps, and the Unified Development Code (new SJCC Title 18; UDC) within 18 months of the effective date of the Plan; and

WHEREAS, Ordinance No. 2–1998 and Resolution No. 60–1998 further direct that a review be made of the consistency of the six existing subarea plans with the Comprehensive Plan within 18 months of the effective date of the Plan; and

C: PA(2)
AUD
PLANNING
PERMIT CENTER
BINDER

WHEREAS, in March of 1999 a "Petition for Review" was filed with the Growth Management Hearings Board, alleging that the Waldron Subarea Plan is inconsistent with the GMA and Comprehensive Plan (and its Vision Statement), and that the consistency review should have been completed before adopting the Comp Plan; and

WHEREAS, on May 10, 1999 the County submitted an offer for settlement to the petitioners, which was accepted by the petitioners on or before May 13th; and

WHEREAS, the settlement stipulated that all aspects of the County's consistency review (excepting any required review by the Washington Department of Ecology) of the Waldron Subarea Plan be completed within 180 days of the date that the Growth Management Hearings Board signed an order continuing Case No. 99–2–0008; and

WHEREAS, the Growth Management Hearings Board entered such an order on June 11, 1999, and on August 20, 1999 granted an extension of time through December 13, 1999, and on November 16, 1999 granted a further extension of time to January 12, 2000; and

WHEREAS, the Planning Department reviewed the consistency of the policies and regulations of the Waldron Subarea Plan with the County Comprehensive Plan and UDC, and submitted a report of its findings and recommendations to the Planning Commission and Board, and made these available to the public and to the Washington Department of Community, Trade, and Economic Development and other agencies for review and comment; and

WHEREAS, a public meeting was held before the Board on October 27, 1999 to receive comment on the staff report and consistency review of the Waldron Subarea Plan, as identified in the meeting notice as published on October 13, 1999 in the official county newspaper; and

WHEREAS, the Planning Commission held a duly advertised public hearing on November 19, 1999 to receive comment on the staff report and consistency review, as identified in the hearing notice as published on October 27, 1999 in the official county newspaper, and submitted its findings and recommendations to the Board; and

WHEREAS, the Board held a duly advertised public hearing on December 8, 1999 to consider the consistency review of the Waldron Subarea Plan and the amendments recommended by the Planning Commission, as identified in the hearing notice as published on November 24, 1999 in the official county newspaper, and continued the hearing to January 11 and 26, 2000 for deliberation only, and made changes to the Waldron Subarea Plan to address identified inconsistencies;

NOW THEREFORE, the Board makes the following FINDINGS:

A. County Diversity

1. The County has historically practiced a policy of encouraging complimentary differences between its constituent islands.

2. The Board of County Commissioners finds that this policy has benefited the health and welfare of the citizens of the County by providing economic, environmental and cultural diversity.

B. Waldron Island Limited Development District Subarea Plan

1. The findings and conclusions set forth in Paragraphs 1-4, 6 and 7 of Ordinance 7-1995 are found to continue to apply to Waldron Island and are hereby ratified and confirmed, as follows:

   a. No fire protection district or similar municipal entity furnishing such service exists to serve Waldron.

   b. On the basis of the 1976 ground water study by Richard Rongey and particularly in light of the Uniform Building Code now in effect, the best information currently available indicates that there is insufficient ground water on Waldron to supply the needs of all residences (including for fire protection) that could now be built on Waldron as it is presently subdivided, and that establishment of a water utility on Waldron in an attempt to make water available for further subdivisions and commercial uses would further decrease Waldron's aquifer.

   c. In order to protect the health and safety of the inhabitants of Waldron, prioritization and regulation of water use by control of the uses to which land on Waldron is put are necessary until additional sufficient and economically feasible sources of water are placed in use to serve Waldron for the preservation of the public health and welfare.

   d. There are approximately six miles of county road on Waldron. These are typically 30-foot-wide easements and surfaces are graveled. There are no road signs or paved roads and none are planned or desired in the foreseeable future. Waldron is not served by Washington State Ferries and public boat access is limited to the county dock at Cowlitz Bay. There are no plans for the state or county to fund any public facilities on Waldron, other than maintenance and repair of the dock and roads.

   e. This plan will accomplish the terms and objectives originally intended by the adoption of Resolution 113–1976 and its codification as SJCC 16.36, Waldron Limited Use Area.

   f. On March 29, 1995, this plan was circulated to state agencies, including the Department of Trade and Economic Development for comments regarding consistency with the Growth Management Act and no comments were received indicating any inconsistency with the Act.

2. The purpose and approach of the Waldron Island Limited Development District Subarea Plan is to maintain the existing rural, residential and agricultural character of the island. This is a legitimate public purpose and is consistent with the policies of the San Juan County Comprehensive Plan and the Growth Management Act.

3. The Waldron Subarea Plan recognizes the limited availability of governmental services and capital facilities that exist or are planned for the island, and is designed to protect the public interest in health, safety, the natural environment, and fiscal responsibility.

4. In light of the limited public investment in public service and facilities, it is an appropriate function of the subarea plan to address infrastructure and public facility needs, and to choose to accept a lower level of service as adequate. The subarea plan's policy of allowing only small-scale developments on the uplands and shorelines which reflect, preserve, and support the existing character of Waldron Island, and which place limited demands on infrastructure and public facilities, is consistent with and helps to implement the locally accepted adequate level of service. It is consistent with the GMA's direction and with the policies of the Comprehensive Plan for capital facilities and land-use planning, and with the preservation of the environment and rural character of this island and subarea.

5. The maintenance of the existing rural, residential and agricultural character of the island, and the limited public investment in public services and facilities, also warrant reasonable regulation of the demands of transient users on the services, facilities and infrastructure available and planned for on Waldron Island. This approach is consistent with the direction and policies of the GMA and Comprehensive Plan.

6. The Waldron Subarea Plan allows some additional uses in some land-use districts and shoreline environments. These uses are consistent with policy direction in the subarea plan for small-scale development and low demand for public services and infrastructure. They and the other allowed uses for the land-use districts provide a sufficiently broad range of economically viable uses of land that will be available to all residents and property owners of Waldron Island without compromising those aspects of the Waldron environment and community that the Subarea Plan is intended to protect. The modification by the subarea plan of the list of allowed and prohibited uses for the land-use districts on the island in order to provide economic opportunities consistent with preserving the environment and rural character of Waldron Island is consistent with GMA direction for land-use planning and economic opportunities, and with the policies of the Comprehensive Plan.

7. The shorelines of Waldron Island contain land designated as Rural Farm-Forest, Conservancy, and Natural. Private docks are not allowed on Waldron Island. On other islands of the county, private docks may potentially be permited under the county's Shoreline Master Program on shorelines other than those designated as Natural environments. This difference in approach is an appropriate specification for the conditions at Waldron Island:

   a. Unlike most other areas in the county, for many years Waldron Island has had only the one county dock and one private dock. There is no existing pattern of moorage development on the island.

   b. The island's shoreline is highly exposed to wind and wave action, and there are few if any locations where docks of a small or moderate scale could withstand these conditions on a year-round basis.

c. Use of the county dock by island residents in lieu of having private docks is common and accepted practice of long standing. Mooring buoys may also be, and have been permitted in some locations.

d. Generally, once a dock is approved in a given area, it is difficult to avoid further dock approvals and proliferation of these facilities in the same area over time.

e. The marine and intertidal conditions on the shores of the island are almost completely unaffected by the physical and biological impacts of moorage development. Eelgrass is abundant along much of the island's shorelines, and marine habitat quality is high.

Through this measure, the subarea plan and the county seek to preserve and maintain the unique experience of Waldron Island, and its valuable and increasingly rare, unspoiled shorelines.

8. The Waldron Subarea Plan prohibits docking facilities for floatplane use, although the county's Unified Development Code allows them with limitations on county shorelines other than those designated as Natural environments. This difference in approach is an appropriate specification for the conditions at Waldron Island:

a. Conditions a) through e) in Finding 7 are also noted here.

b. Waldron is, on the whole, characterized by extremely low ambient noise levels which are lower than on most other populated islands in the county.

c. There is no existing pattern of moorage development for floatplane use on the island, and no existing pattern of floatplane usage.

d. The Waldron Subarea Plan does not affect the landing or take-off of floatplanes. A floatplane may tie-up to a mooring buoy, anchor offshore, or be brought up onto a beach.

This measure is an appropriate action to reduce or avoid environmental impacts and to preserve and maintain the unique experience of Waldron Island and its valuable and increasingly rare unspoiled shorelines, and is consistent with the disallowance of new private docks on the island.

9. The Waldron Subarea Plan underwent SEPA analysis prior to adoption, and a threshold determination of nonsignificance was prepared and notice was published on March 29, 1995. A final environmental impact statement was prepared for the Comprehensive Plan, and notice was published on October 2, 1996. A supplemental environmental impact statement was prepared for the Comprehensive Plan, and notice was published on November 12, 1997. As per direction in WAC 197–11–230(3) and 197–11–600(1), (2), (3)(b), and (4)(a), the existing environmental documents were used to meet SEPA responsibilities and no new threshold determination is necessary.

10. As required by RCW 90.58.340, the Waldron Subarea Plan has been reviewed by the county and the state for its conformance with the policy and regulations of the Shoreline Management Act, and with the Shoreline Master Program policies of the San Juan County Comprehensive Plan. The Waldron Subarea Plan has provided for levels and types of uses and activities that are reasonable and appropriate to the local circumstances. This is an appropriate approach for the conditions at Waldron Island to reduce or avoid environmental impacts and to preserve and maintain the unique experience of Waldron Island and its valuable and increasingly rare unspoiled shorelines while still maintaining an appropriate level of development activities and uses, and is consistent with the direction and policies of the Shoreline Management Act, GMA, and the Comp Plan.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS FOR SAN JUAN COUNTY AS FOLLOWS:

1. The Board hereby directs that the changes shown in redline-strikeout format in the attached Exhibit "A" be made to the Waldron Island Limited Development District Subarea Plan, Chapter 16.36 San Juan County Code.
2. With the amendments in Exhibit A, the Waldron Subarea Plan are confirmed to be consistent with the 1998 Comprehensive Plan of San Juan County, with the Growth Management Act, RCW 37.70A, and the Shoreline Management Act, RCW 90.58.
3. The Board determines that the Standing Committee for the Waldron Subarea Plan shall have seven members. The Board will appoint the first Standing Committee for the oversight of the Waldron Subarea Plan at its earliest opportunity. Once a Standing Committee is appointed, the Board will direct it to commence the review and update of its subarea plan as provided in the UDC §9.5.7 and new SJCC §16.36.105.
4. The Board gives the following direction on Waldron Island water resource matters:
   a. The current updating of the 1976 groundwater/hydrology report should be completed by August 31, 2000. The study should be undertaken in an unbiased and professional manner, and the water-related measures in the subarea plan should be reviewed based on the findings of the study.
   b. The groundwater/hydrology report should be updated at least every six years thereafter.
   c. The Health and Community Services Department, or the lead department for water certifications and planning in the future, should be the lead for coordinating with Waldron Island in scoping and reviewing future updates to the groundwater/ hydrology report. The Health Department shall work together with the Waldron Island community to recommend to the Board an equitable mechanism for the funding of these future updates.
5. The Board directs the Waldron Island community, with the assistance of the Planning Department, to consider alternatives to the prohibition on power and water easements

crossing parcel boundaries in order to regulate water use and the maximum allowable residential development on the island. The Planning Department will report to the Planning Commission and to the Board with its recommendations. The alternatives considered should include the reduction of the maximum allowable densities, the allowance of Group B community water systems, and the possible development of other water management procedures or a water district that would allow additional future water demands only if the groundwater hydrology can reasonably sustain it. Future subdivisions may be approved only if the new water demand to sustain the subsequent allowable development can be met.

If a satisfactory alternative(s) can be developed, the Board will at that time consider amendments to the subarea plan's restrictions on power and water easements.

DONE this 1st day of ~~January~~ February 2000.

BOARD OF COUNTY COMMISSIONERS
SAN JUAN COUNTY, WASHINGTON

Rhea Y. Miller, Chair

Darcie Nielsen, Member

OPPOSED

John B. Evans, Member

ATTEST: Si A. Stephens, Auditor
and Ex-Officio Clerk of the Board

By: Lillian Hamel 2/1/00
Lillian Hamel – Clerk

APPROVED AS TO FORM ONLY

Randall K. Gaylord
San Juan County Prosecuting Attorney

By: Randall K. Gaylord

Exhibit A. Amendments to the Waldron Subarea Plan (SJCC 16.36) for Consistency with the San Juan County Comprehensive Plan

Exhibit A:

Amendments to the Waldron Subarea Plan (SJCC 16.36) for Consistency with the San Juan County Comprehensive Plan

San Juan County Code
Chapter 16.36
WALDRON LIMITED DEVELOPMENT DISTRICT ~~(LDD)~~ SUBAREA PLAN

Section

16.36.010 Statement of purpose.
16.36.020 Authority—Island process.
16.36.030 Description and character of Waldron Island.
16.36.040 Applicability.
16.36.050 General goals and values.
16.36.060 Specific goals, policies and regulations.
16.36.070 Definitions.
16.36.080 Appeals.
16.36.090 Interpretation, nonrepeal by implication.
16.36.100 Amendments.
16.36.~~080~~105 Standing Committee; Updating the Subarea Plan ~~Date of review, amendment or repeal of ordinance~~.

16.36.010 Statement of purpose.

The purpose of the Waldron Island Limited Development District Subarea Plan is to recognize and preserve Waldron Island (as described in "the Description and Character of Waldron Island"), which in its present condition is irreplaceable as a resource that nurtures its life forms, including human beings.

16.36.020 Authority—Island process.

~~The authority invoked by the San Juan County board of commissioners in adopting t~~This ~~LDD~~ subarea plan is adopted by Ordinance No. 7–1995 pursuant to ~~is~~ Article 11, Section 11, of the Washington State Constitution, Chapter 43.21C (State Environmental Policy Act), Chapter 90.58 (including without limitation RCW 90.58.340) (Shoreline Management Act), Chapter 36.70 (Planning Enabling Act) and Chapter 36.70A (Growth Management Act) RCW, and SJCC Sections 16.44.170(C) and 16.44.250 of the 1979 San Juan County Comprehensive Plan (succeeded by the 1998 Comprehensive Plan, regulations recodified in the Unified Development Code (UDC), Title 18 SJCC), without intending to rely on any one such authority separately.

The Waldron Island community has long held a goal of autonomy for the maximum opportunity for residents and property owners to participate in decisions whose outcome may affect the character of the island. Acting at the unanimous written invitation of the commissioners of the County dated March 10, 1975, the Waldron Island community immediately developed goals and policies for the Waldron Island Comprehensive Plan in 1975, and The Waldron Island Land Use Plan in 1976. As a result, the BOCC ~~board of commissioners~~ placed the island under the protection of San Juan County Resolution No. 113–1976, passed by the BOCC ~~board of commissioners~~ August 2, 1976, and subsequently, in 1979, also under former SJCC 16.44.170(B) (Limited Development District).

This ~~LDD~~ subarea plan (SJCC Chapter 16.36) was developed by the Waldron Island community through a series of weekly and bi-weekly public meetings beginning in October 1992. These meetings were announced to

all Waldron residents and property owners, and all were welcome to attend and/or to submit comments in writing. A preliminary draft Limited Development District ~~LDD~~ subarea plan was submitted to all residents and property owners for comment, and a final draft was approved by written ballot by a vote of 152 (82 percent) to 34 (18 percent). Adoption of this LDD subarea plan ~~will~~ integrated all previous documents referenced above, and provided specification and clarification where necessary.

The subarea plan was continued as SJCC 16.36 as part of the 1998 Comprehensive Plan and UDC, subject to consistency review with the countywide Comprehensive Plan.

16.36.030 Description and character of Waldron Island.

Overview—While Waldron is frequently characterized by the "amenities" it does not have, it is rich in attributes highly valued by the majority of its residents and property owners. Fields and forest, rock and beaches, clean air and water are a part of everyday life, as are litter-free, unpaved roads with minimal motor vehicle traffic. Children have a sense of almost complete safety, a rare and fragile almost unheard of state of grace in this day and age. Privacy and quiet prevail: sounds of engines and machinery with their attendant pollutants, physical hazards and disruptions do not predominate in any area. With no retail outlet or commercial entertainment or outdoor-area lighting, Waldron nights are dark. The small size of the resident population allows for intimate participation in matters affecting the community. The limited opportunities for earning money are to a great extent offset by the limited opportunities for spending it, and by ways to meet one's needs in creative, non-monetary ways. There is no ferry service. There are no public utilities. There are no public facilities to attract people to Waldron. There is only one private dock. ~~Tourism is~~ Commercial recreation facilities are prohibited and development restricted under Waldron's designation as a Limited Development District ~~(LDD)~~. Waldron is not a wilderness, but the environment is relatively unspoiled.

Geography—Waldron is located northwest of Orcas Island. It is a distinctive geologic and geographic area isolated from the other San Juan Islands by wide, deep channels which can be treacherous with strong currents and storms. Roughly triangular in shape, it contains about 2,900 acres or four and one-half square miles. Point Disney on the south rises 600 feet, Sandy Point stretches to the west, and Point Hammond to the north. Waldron is exposed to the Straits of Georgia on its northern and eastern shores. There is no secure all-weather anchorage.

Water Supplies—As a part of its preparation of the 1976 Waldron Land Use Plan the Waldron community funded a "Report on Ground Water on Waldron Island" ~~for the Island~~ by geologist Richard J. Rongey. That report examined the Island hydrogeological system and presented conclusions and observations that indicate significant limitations exist to the supply of potable water. There are no surface water sources. The Rongey report estimated total annual recharge at 1,300 acre-feet. About 75 to 80 percent of that occurs within the eastern half of the Island (this area coincides generally with the area designated as a potential critical aquifer recharge area in Section 3.6.7 of the UDC, Title 18 SJCC, formerly 16.60.520~~500~~). Of that amount it is estimated that not more than half the available recharge could likely be intercepted by wells.

Waldron's geology also indicates potential for significant saltwater intrusion in some areas and this will also affect the volume of water available for withdrawal for human use. The status report for groundwater and hydrology on the island ~~Rongey report~~ should be updated with existing well data and maintained as up-to-date to provide a means to monitor and reassess effects of changes in demands on the water supply over time.

Population and Land Ownership—Settlers arrived in the 1860s. Farming, fishing, logging, cutting cord wood for limekilns and work in the sandstone quarry on Mt. Disney maintained the population into the 1920s. With the closing of the quarry and the decline in farming and fishing livelihoods home-based businesses, off-island work and retirement incomes have maintained the population. In historical times Waldron's population reached its highest point when the quarry was in operation. Since that time the population has been fewer than 100 full-time residents with a substantial increase in the summer.

Landowners on Waldron include a mix of full-time and part-time residents. The Nature Conservancy has been a land holder on Waldron since 1972, and is now the largest single landowner. A few parcels of land are owned by descendants of early settlers and Native Americans.

Population Growth Potential—As part of its work to prepare a County Comprehensive Plan under the Growth Management Act, the planning department calculated potential build-out for the islands, including Waldron. The calculations were based on (a) a 1990 census count of 70 Waldron residents; (b) an average annual growth rate of 2.5 percent (for planning purposes only); (c) a household size of 2.5 persons; and (d) the existing density standards according to the existing Comprehensive Plan and Shoreline Master Program. The analysis yielded~~s~~ a potential build-out with a possible population of 626 in about 75 years, or nine times the current population. While this projection is not necessarily likely it does underscore the importance of careful planning if the character and resources of Waldron are to be preserved.

Services on Waldron

Tax-supported services:

- Kindergarten through eighth grade public school. The school building is available to the community for public meetings and social events.
- Approximately four miles of unpaved County roads and road maintenance.
- One County dock on Cowlitz Bay with a "load-and-unload-only" float and a hand operated hoist.
- Emergency forest fire fighting service available through the DNR (Department of Natural Resources) office in Sedro Woolley.

Non-tax-supported services:

- U.S. Post Office with mail delivery three times a week. There is no home delivery.
- A restricted privately owned airstrip (used with permission of the owner) served by small commercial airlines.
- Privately arranged boat service.
- Twice yearly propane delivery.
- Privately contracted UPS delivery.
- Geographically limited cellular phone service.
- Emergency Med Flight service by individual subscription.
- A private cellular phone and message service.

There are no public water, sewer, power, or any wired communication utilities. There is no hotel, motel, marina, golf course, bed and breakfast, store, restaurant, medical facility, theater or service station.

Volunteered services:

- Upkeep on several miles of traditional-access non-county roads.
- Cemetery maintenance.
- Informal fire fighting and general crisis response.
- Oil spill damage control.
- Cooperative food buying club.
- School upkeep by work parties.
- Recycling of aluminum and glass.

Economy—From earliest times Waldron residents have looked for creative ways to make a living. It continues to require creativity as well as flexibility. Some current economic activities on Waldron include, but are

not limited to: specialty agriculture (garlic, flowers, herbs, nursery stock, market vegetables); home occupation/cottage industry (hand-forged carving tools, bookbinding, limited edition publishing from handset type, arts and crafts), home care of elderly; home caretaking; small scale logging and lumber milling; building construction; mechanical, electrical and other technical services: massage therapy; medical consultation; freight hauling service; other miscellaneous goods and services benefiting primarily the residents and landowners of Waldron; and public employment by the Postal Service, school and public works department.

Some residents commute to jobs off-island or leave for seasonal employment. Some are supported by fixed incomes. Some products are taken off-island to be sold. Some are sold through a mail-order catalog. No economic activity on Waldron is supported by people coming to the island to purchase goods and/or services. There is no commercial tourism and no commercial tourist facility.

Waldron Community Meeting (WCM)—Waldron has a notable history of community participation in deciding and acting on matters of community importance, including land use planning. The WCM was formed originally as a group of island residents and landowners representing the Waldron "neighborhood" in the development of the first County Comprehensive Plan in 1973. Community meetings began to be held monthly in 1976, when Waldron petitioned the County to adopt interim zoning for the Island and presented a land use plan for Waldron. The WCM has continued to meet monthly for the last 20 years, with regular participation by nonresident landowners. ~~Waldron may or may not choose to propose that the WCM serve as the advisory body to the County for the purposes of this plan but t~~Through the WCM Waldron has demonstrated its dedication to planning actively for its own future.

16.36.040 Applicability.

A. Comprehensive Plan and Unified Development Code (UDC). This Waldron Subarea Plan provides goals, policies and land use regulations additional to those of the San Juan County Comprehensive Plan and the UDC (Title 18 SJCC), as amended, and shall apply to all land and to all land use activity, and to all structures and facilities, within ~~that~~ the area of Waldron Island as described on the ~~o~~Official ~~m~~Maps. This subarea plan has been reviewed and found to be consistent with the Comprehensive Plan. In the event of any conflict between regulations in this subarea plan and the UDC ~~Comprehensive Plan~~, (except the Shoreline Master Program—*see below*), the regulations of the subarea plan ~~most restrictive provision~~ shall control ~~prevail~~. All other provisions and language of the ~~Comprehensive Plan~~ UDC shall retain their full force and effect.

B. Shoreline Master Program. The provisions of this subarea plan are also additional to those of the San Juan County Shoreline Master Program (Section B.3 of the 1998 Comprehensive Plan and Section 5 of the UDC, Title 18 SJCC). All developments within the jurisdiction of the Shoreline Master Program shall be subject to Section B.3 of the Comprehensive Plan, Section 5 of the UDC, Title 18 ~~Chapter 16.40~~ SJCC and this subarea plan. In the event of any conflict between this subarea plan and the Shoreline Master Program, the more restrictive ~~latter~~ shall prevail. ~~(This shall be the case unless and until the Shoreline Master Program is amended to impose the more restrictive provision in the event of a conflict between the Master Program and other applicable County regulations.)~~

16.36.050 General goals and values.

Waldron offers its inhabitants the opportunity to live in close harmony with their environment, with self sufficiency and self-reliance, not just as individuals, but as a community. Many Waldron residents and property owners recognize Waldron Island as a connected ecosystem, rather than a collection of unrelated parts connected only by geography. Many regard the land as a resource which, with proper stewardship, will provide spiritual and physical sustenance for generations to come. With this ethic the Waldron community has been steadfast in its desire to discourage attractions that conflict with the present character of Waldron.

Values of the Waldron community and characteristics of Waldron Island which are paramount include:

- The peace, quiet and solitude of a relatively unspoiled environment.

- Largely natural and undisturbed shorelines.
- Forests providing an important element in the total environment as well as a sustainable resource and an opportunity to restore old-growth characteristics.
- Uncontaminated aquifers.
- A mix of forested and cleared areas.
- A low population density.
- Opposition to tourism on Waldron.
- Low impacts of noise, traffic, light, air and water pollution.
- A diversity of people and life styles in an equitable mix of full-time and part-time residents.
- Dwellings compatible with their natural environment, therefore minimally disruptive of their surroundings.
- A network of narrow unpaved roads and paths, providing for basic transportation without being invasive, and conforming to rather than altering the terrain.
- The desire of the community to participate in matters relating to land use.
- No ferry service to other islands or the mainland.

Policy:

- The policies and regulations contained in this subarea plan are designated as substantive SEPA policies in accordance with Section 8.5.8.c(1).ii of the UDC (Title 18 SJCC), and RCW 43.21C.060.

16.36.060 Specific goals, policies and regulations.

A. Water Resources.

Goals:

- To ensure a clean, fresh water supply for Waldron Island use by preserving and protecting the aquifers, recharge areas and surface water collection and runoff areas. Water should be conserved for the health and safety of the inhabitants of Waldron.

Policies:

1. Ensure that fresh water is not depleted to the point where salt water intrusion occurs.
2. Ensure that land use, including agriculture, forestry and land development activities, does not contaminate water resources or otherwise compromise the ongoing quantity and reliability of the resource.
3. Encourage conservation of water resources.
4. Encourage water catchment and holding systems where allowed by adopted public health policies or County codes.
5. Prevent commercial or "large-scale" (*see* Definitions) export of water.
6. Ensure that old abandoned wells are sealed and capped and not used for toxic refuse disposal.
7. Encourage farmers to use water conserving irrigation practices, including use of surface water whenever practical and feasible.
8. The 1976 "Report on Ground Water on Waldron Island," by Richard J. Rongey, ~~will be~~ as updated, ~~within one year of plan adoption~~ will be ~~and~~ maintained as up-to-date by San Juan County and the Waldron community.

Regulations:

1. Land use priority on Waldron shall be first to residential and agricultural uses. If land is to be used for nonresidential or nonagricultural purposes, the user must demonstrate to the satisfaction of the County prior to commencement of such use that the use of the water will not jeopardize the amount of water remaining on the island necessary for the health and safety (including without limitation for fire protection) of the inhabitants.
2. Except for drainfields, sewage treatment facilities for multiple dwellings shall be prohibited.
3. No structure shall contain more than two toilets that use potable water for flushing.
4. The commercial or large-scale export of water from Waldron Island is prohibited.

B. Utilities and Power Generation.

Goals:

- To preserve the peace and quiet which is a paramount value of Waldron Island; to encourage and promote the use of renewable energy sources such as solar and wind; and to discourage the use of nonrenewable energy sources such as fossil fuels and public power.
- To promote conservation through encouragement of a low-consumption life style.

Policies:

1. Recognize that the character of Waldron to be fostered by this plan is influenced by the lack of public utilities.
2. Underground electrical lines are preferred for aesthetic reasons except where blasting is necessary for installation.
3. Solar and wind power generation facilities which supply power to living quarters are recognized as normal accessories ~~appurtenances~~ to single-family residences. Solar and wind power generation facilities serving other uses ~~single agricultural enterprises~~ shall ~~not~~ be permitted as provided under Table 3.2 in Section 3.2.1 of the UDC, Title 18 SJCC ~~subject to permit requirements for utilities in SJCC 16.44.165(C);~~. ~~h~~However, any such facilities located within Shoreline Master Program jurisdiction shall ~~not be construed to be exempt from~~ be subject to applicable shoreline permit requirements.
4. Installed motor generator sounds, which by reason of their intensity, frequency or duration disturb the peace and quiet of any person, should be discouraged.
5. Installed motor generators should not cause a noise disturbance at any other dwelling on property other than that on which each is installed.
6. Encourage the use of storage batteries that will supply sufficient household power to eliminate generator noise during evening and nighttime hours.

Regulations:

1. ~~No new easements shall be created for electric power transmission.~~ No land use permit or building permit shall be issued for any building or use located on property which benefits from an easement, license or lease for the purpose of electric power distribution or transmission, except where the easement is with the county franchise authority for the sole purpose of serving the property abutting the county road right-of-way.
2. All outdoor electric lines within multiple-home power systems shall be underground; however, when locating electric distribution lines pursuant to UDC Section 4.32, the presence of ledge rock is a "reasonable and practical" basis for locating distribution lines above ground ~~except where ledge rock is encountered~~.
3. Installed motor generators shall be sound-suppressed using muffler(s), sandbags, baffles, earth berms or other construction or materials and or contained within a sound-insulated enclosure.

4. For each parcel ~~No new easements for water service shall be created to serve any subdivision~~ created after July 5, 1995, when no permit to appropriate water is required by the state, water availability must be satisfied from sources within the exterior boundaries of the parcel to which the use is applied.

C. Extraction.

Goals:

- To provide guidance in case of any application or permit for extraction on Waldron the following goals and policies are provided.
- To prevent disfigurement of the land, or depletion of a resource, from mining, drilling or blasting and to prevent damage to the road system and shoreline from transportation of large scale amounts of sand, rock, earth, gravel, or other valuable minerals, or petroleum, natural gas, peat or water.

Policies:

1. "Large-scale" (*see* Definitions) extraction, of sand, rock, earth, gravel, or other valuable minerals, or petroleum, natural gas, or peat ~~or water, of a scale sufficient~~ for ~~economically feasible~~ off-island use should not be permitted.

   ~~As used in this plan, large scale means 100 cubic yards or more in one year on one parcel or owned by one person.~~
2. There should be no large-scale ~~(as defined in item 1, above)~~ transport off-island of minerals, sand, rock, gravel, and other valuable aggregate or metallic substances, or petroleum, natural gas, or peat ~~or water~~.
3. Rock crushing, clay bulking, concrete batching, asphalt mixing, blasting and other resource processing activities and facilities accessory to any large-scale ~~(as defined in item 1, above)~~ commercial extraction operation should not be permitted.
4. Exploration for commercial quantities of minerals, sand, rock, earth, gravel and other valuable aggregate or metallic substances, or petroleum or natural gas or peat ~~or water~~ should not be permitted.
5. Blasting should not be used to extract minerals for commercial purposes.
6. Extraction of ~~commercial quantities of~~ minerals, sand, rock, earth, gravel and other valuable aggregate or metallic substances, or petroleum or natural gas or peat ~~or water~~ should not produce any significant adverse environmental impacts that cannot be mitigated to nonsignificant levels.

Regulations~~s~~:

~~1.~~ ~~No e~~Extraction of minerals, sand, rock, earth, gravel, aggregate, metallic substances, petroleum, natural gas, or peat ~~or water~~ shall ~~,~~ be prohibited on Waldron to the extent such extraction, or the manner thereof, or the transport of the materials extracted, would cause a significant adverse environmental impact that cannot be satisfactorily mitigated to nonsignificant levels ~~, be permitted on Waldron~~.

~~2. The policies and regulations contained in this section are formally designated substantive SEPA policy in accordance with RCW 43.21C.060.~~

D. Recreation.

Goal:

To ~~protect the privacy of Waldron residents and~~ preserve the ~~island's~~ rural character of Waldron Island.

Policies~~y~~:

1. Public access to Waldron shorelines should be limited to public shorelines and existing public access (as of July 5, 1995 ~~the date of adoption of this plan~~), except where new shoreline development permits or

conditional uses are required to provide new or additional public access per Section 5.4.7 of the UDC (Title 18 SJCC), and the Shoreline Management Act, RCW 90.58, in which cases access should be limited to passive recreational use.

2. Any proposal which would allow new public park facilities to be established on Waldron should be discouraged before the Parks Board and the BOCC.

Regulations:

~~1. No public park facilities shall be established on Waldron.~~

• ~~2.~~ No commercial recreational facilities shall be established on Waldron.

E. Transportation and Public Facilities.

Goal:

- Public (tax-supported) and private transportation facilities should serve the needs of the residents without altering the rural, isolated character of Waldron. The impacts of noise and loss of privacy brought about by increases in aircraft and boat travel to Waldron should be minimized.

Policies:

1. There should be no more than one County dock facility. ~~The present single County dock facility and system of unpaved County roads should be preserved.~~
2. Additional docks or aircraft landing areas (public or private) should not be permitted.
3. The present system of unpaved County roads should be preserved. Single lanes with gravel surfaces and turnouts should be the design standard for County roads. No paving or oiling should be permitted.
4. Scheduled state ferry vehicle-carrying boat service to Waldron Island should not be permitted by the state.

Regulations:

~~1. There shall be no more than one County dock.~~

~~2. Single lanes with gravel surfaces and turnouts shall be the design standard for County roads. No paving or oiling shall be permitted.~~

1~~3~~. Scheduled privately-owned and/or operated vehicle-carrying boat service (*see also* Policy 4) is prohibited.

2~~4~~. No more than one airstrip shall be allowed on Waldron and shall be a transportation facility only. No airfields or airports shall be allowed. The existing (and any other if the existing airstrip is displaced, even if only temporarily), private airstrip shall adhere to the following regulations governing its use.

a. Rights to the use of said airstrip shall not be granted appurtenant to the ownership or sale of any real property, now or in the future.

b. For so long as the airstrip remains open for aircraft use, rights to use of said airstrip shall be enjoyed equally by all residents and landowners of Waldron Island without discrimination or prejudice.

c. No provisions for airplane taxiways, tie-down areas or other facilities related to the use of the airstrip shall be established on any other lots.

d. All aircraft shall be restricted to the confines of the airstrip.

e. A tie-down area shall be designated on the airstrip and limited to 100 feet in width and 150 feet in depth.

f. No alteration or intensification of the use of said private airstrip shall be made except after application for, and approval of, a conditional use permit issued under the regulations and policies established for conditional uses within San Juan County at the time of the application.

g. The Waldron community shall be allowed to erect and maintain signs directing departing traffic to turn east and control noise.

3~~5~~. Docking facilities for float planes shall not be permitted.

4~~6~~. Private or public helicopter landing areas on Waldron are prohibited. Landings ~~except for areas designated~~ for emergency use only (medical emergencies and fire fighting) are allowed.

5~~7~~. No breakwaters are permitted.

6~~8~~. Private docks at new locations are prohibited. Any existing private dock may be modified, repaired, or replaced, subject to the provisions of the County Shoreline Master Program, Comp Plan Section B.3 and UDC Section 5 (Title 18 SJCC). ~~No additional private docks are permitted.~~

F. Residential Development.

Goals:

- Encourage a residential development ethic consistent with the natural beauty of Waldron and the self-reliant character of its community as described in "The Description and Character of Waldron."
- To preserve the character of the Waldron Community by ensuring that future residential development does not cause significant adverse environmental effects and is consistent with the prevalent low demand and impact on public facilities and services ~~low-consumption lifestyle~~.

Policies:

1. Maintain (insofar as possible) the ~~current~~ maximum allowable residential density designations as shown on ~~official~~ San Juan County Official ~~m~~Maps of December 1998 ~~(as of April 1994)~~. Any proposed amendments to the Comprehensive Plan and its Official Maps which would allow an increase in residential density will be discouraged before the Planning commission and BOCC.
2. Encourage a wise and conservative use of resources in constructing homes and other structures.
3. Minimize the area of alteration of the land caused by clearing, filling and grading.
4. Allow home occupations and cottage enterprises as a recognized part of single-family residential use.
5. Protect community health and safety by encouraging houses of sizes that tend to conserve limited island resources and do not put undue strain on Waldron's limited infrastructure (limited road sizes, limited dock and ramp facilities for importing building materials and heating fuel, no fire protection and limited aquifer recharge areas).

Regulations:

1. Maximum Allowable Residential Density shall conform to the designations on the ~~official~~ San Juan County Comprehensive Plan Official ~~m~~Maps ~~(as of April 1994)~~. ~~No amendments which would allow an increase in residential density shall be permitted.~~

~~2. Multi-family dwelling units other than a primary residence and a guest house on a single parcel are prohibited.~~

2~~3~~. In addition to the requirements of the UDC, n~~N~~ew residential structures ~~residences~~ shall not exceed 3,400 square feet in net use area, excluding attached or unattached garages, guest houses or other similar accessory structures.

3~~4~~. Home occupations and cottage enterprises that meet the definitions of ~~home occupations~~ in Section 2.3 of the UDC and the qualifying standards in Sections 6.16 and 4.13 of the UDC, Title 18 SJCC and Section .060(G) ~~16.36.070~~ of this subarea plan shall be allowed.

G. Economy.

Goals:

- To uphold an economy in keeping with the physical and social environment of Waldron Island and its rural homestead character.
- To encourage only those small-scale enterprises which place only minimal demands on Waldron's limited infrastructure and facilities.
- To restrict commercial, industrial, and institutional uses which place an undue burden on existing infrastructure and facilities.
- To restrict commercial, industrial, and institutional uses that cause significant adverse environmental impacts.

Policies:

1. Protect Waldron residents and landowners from unintended, unanticipated and adverse effects or land uses authorized by irrevocable land use permits.
2. Any commercial, industrial, and/or institutional use should not diminish the existing small-scale, agricultural, and rural homestead character of Waldron.
3. A broad diversity of economic activities and/or uses should be permitted if they reflect, preserve, and support the existing character of Waldron and place minimal demands on existing and infrastructure and facilities, are not exploitative of the natural, social or cultural environment and are commensurate with available resources. Examples of such activities include, but are not limited to: specialty agriculture (such as garlic, flowers, herbs, nursery stock, market vegetables); home occupation or~~/~~ cottage industry (such as hand-forged carving tools, bookbinding, limited edition publishing from handset type, arts and crafts); home health care; caretaking of homes; mail order sales; small scale logging and lumber milling; building construction; mechanical, electrical and other technical services; massage therapy; medical consultation; and freight hauling services. (In accordance with Tables 3.1 and 3.2 in Section 3.2.1 of the UDC (Title 18 SJCC), and with subsection (F) of this subarea plan (SJCC 16.36.060(F)), home occupations and cottage enterprises are residential uses and are not regulated as commercial, industrial or institutional development.)
4. Uses which neither reflect, preserve, nor support the existing character of Waldron Island and place more than minimal demands on existing infrastructure and public facilities should be prohibited. Such uses would typically generate a transient population which would stress the existing infrastructure and public services, and/or would fail to support the traditional small-scale rural, agricultural, and residential uses of Waldron Island. Such uses include, but are not limited to, restaurants, retail stores, grocery stores, commercial facilities, transient accommodations and campgrounds. Such uses also include without limitation extractive commercial enterprises (*cf.* subsection (C) of this subarea plan) and natural resource harvesting that cause significant adverse environmental impacts which cannot be satisfactorily mitigated to nonsignificant levels.
5. Conditional use permits should not adhere to the land and should be a temporary grant of a personal right to alleviate a personal need.

Regulations:

1. Authorization for a special use of land through a County land use permit shall apply only to the original applicant and shall expire in 15 years from the date of issuance. Application for a new permit shall be required to continue the use for each 15-year period thereafter. Such applications shall be approved if the scope, scale and nature of the activity remains in compliance with the original permit.
2. All conditional use permits granted on Waldron shall take into account the possible adverse cumulative effects of other existing permits.
3. The following uses shall be prohibited: marinas; ports; resorts; campgrounds; transient accommodations ~~(as defined herein)~~ by themselves or in combination with any other commercial use (including but not

limited to workshops, seminars and retreats); commercial recreational facilities; restaurants; retail stores; grocery stores; and delicatessens.

4. Commercial, industrial or institutional uses that produce significant adverse effects on the rural residential character ~~,~~ or significant environmental impacts (including traffic levels and ~~,~~ noise) that cannot be satisfactorily mitigated to nonsignificant levels ~~or road maintenance requirements~~, or create undue demands on existing infrastructure and facilities ~~or environmental impacts that cannot be mitigated~~, shall be prohibited.
5. Commercial, industrial or institutional uses that cause significant adverse environmental impacts which cannot be satisfactorily mitigated to nonsignificant levels shall be prohibited. ~~This would not preclude a revised application that would eliminate the significant adverse environmental impacts.~~
6. ~~The policies and regulations contained in this section are formally designated substantive SEPA policy in accordance with RCW 43.21C.060.~~
6. Classification of Uses Defined Specifically for Waldron Island. The following table shall be used in permit processing for Waldron Island in addition to Table 3.2, Section 3.2.1 of the UDC, Title 18 SJCC:

Land Uses	Rural Districts RFF	Special Lands C	Special Lands N
Commercial Uses			
Bed & Breakfast Residence	No	No	No
Bed & Breakfast Inn	No	No	No
Transient Rental of Residence or Guest House (acc. dwell. unit)[1]	No	No	No
Personal and Professional Services	D	No	No
Un-named Commercial Uses	No	No	No
Recreational Uses			
Camping Facilities in public parks	No	No	No
Un-named Commercial Recreational Uses	No	No	No
Residential Uses			
Cottage Enterprise	Prov	Prov	No

Note:

1. The rental of any structure or portion thereof for the purpose of providing lodging for periods less than 30 days, by itself or in combination with any other commercial use.

7. Home occupations. The following standards apply to all home occupations:
   a. The home occupation is located in a dwelling unit, and the primary operator of the home occupation resides on the premises;
   b. The home occupation is for gainful employment;
   c. The resident of the residence provides a service or manufactures a product;
   d. The home occupation meets the standards of UDC Section 6.16;

e. The home occupation is clearly incidental and secondary to the use of the dwelling unit, and residential use of the property is established prior to the operation of a home occupation;

f. No outdoor activity or storage shall be permitted unless it is screened entirely from view from surrounding properties and roads. No outdoor display of goods shall be permitted. In no case shall outdoor area devoted to the home occupation exceed 500 square feet;

g. The home occupation shall not generate noise, vibration, glare, fumes, odors, illumination or electrical interference beyond that normally generated by a single residence. Use of chemicals, industrial solvents or other noxious substances shall be in compliance with federal, state and County safety, fire, structural, storage and disposal standards;

h. No home occupation shall cause an increase in the use of any jointly-used water supply or sewage disposal system without either written consent of all users or authorization from any users' association affected; and

i. Except as incidental to operation of a service or manufacturing operation, no home occupation shall involve on-premises retail sales of goods not manufactured on the premises.

8. Nothing in this subarea plan shall preclude the siting of an essential public facility as identified in the Comprehensive Plan (Sections B.7.1.G, B.7.C.1, and Appendix 2), according to the procedures of Comprehensive Plan Appendix 2 and Section 3.3.5 of the UDC, Title 18 SJCC.

H. Forestry.

Goals:

- To provide guidance in case of any application or permit for forestry on Waldron the following goals and policies are provided.
- To promote, recover and maintain the health and diversity of Waldron's forests.

Policies:

1. Encourage Waldron landowners to preserve their forests, where qualified, by pursuing timber, forest land and open space tax status through state and County provisions and include in any forestry management plan the preservation of old-growth forests and heritage trees.
2. Encourage activities such as small boat building, furniture making, sawmills and handicrafts that add local value to timber harvested on Waldron.
3. The Waldron community will pursue the establishment of a voluntary, island-wide forest management and stewardship plan based on ecosystem forest management and promoting biological diversity in the forests of Waldron.

I. Agriculture.

Goals:

- To provide guidance in case of any application or permit for agricultural use on Waldron the following goals and policies are provided.
- To prevent loss or depletion of agricultural lands (Soil Conservation Service capability Class II, III, and IV soils and other soil classes suitable for particular agricultural uses) so they may serve as a source of food and fiber for existing and future generations.
- To encourage a caring and responsible relationship between farmers and the land being farmed, the surrounding environment and the community.

Policies:

1. Protect agricultural lands from forms of development and agricultural and forestry practices incompatible with long-term, sustainable agricultural production.
2. Encourage owners of agricultural lands that have had their forest cover removed to enter some or all of their land in the agricultural open space program.

J. Involvement in Planning Review ~~Autonomy~~.

Goal:

- To assure the maximum opportunity for island residents to participate in decisions whose outcome could affect the character of the island.

Policies:

1. Develop an advisory process through which Waldron Island residents and landowners can participate in the formation and adoption of policies and making of decisions concerning Waldron Island.
2. Waldron Island residents and landowners have expressed their interest in ~~the intention to~~ establishing an advisory board and/or mediation process which shall operate in accordance with bylaws accepted by the board of County commissioners. The standing committee, in addition to its responsibilities in the subarea plan amendment process, shall also ~~These island residents and landowners support the assignment of responsibility and authority to this body to~~ advise the permit center and planning department or other governmental agencies, the planning commission, and the board of county commissioners, on land use and development matters affecting Waldron Island, and shall review and comment on development applications, consider subarea plan amendments, and other such matters. ~~When formed and bylaws accepted, this body shall review and circulate development applications, consider the addition or amendment of subarea regulations, and generally advise the County planning department and planning commission or other governmental agencies.~~

~~Regulation:~~

~~Upon board of County commissioners approval of an advisory body and its bylaws that body shall then and therefore be empowered to act as advisor or mediator as those bylaws shall provide.~~

16.36.070 Definitions.

For the purpose of this subarea plan, all words shall have their normal and customary meanings, unless specifically defined otherwise in this section or in the UDC, Title 18 SJCC.

"Commercial recreational facility" means a place designed~~ated~~ 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. This includes privately operated campground, health clubs, and businesses that specialize in recreational activities.

~~**"Guest house"** means a detached or attached accessory structure secondary to the main structure, designed or used for irregular or infrequent residential occupancy. However, full-time occupancy of a guest house by persons related to or providing health care to the owner is allowed.~~

~~**"Home occupation"** means a use of a dwelling unit for gainful employment, which is conducted by a resident of a dwelling unit who provides a service or manufactures a product, and which is clearly secondary and subordinate to the residential use of the dwelling unit. The following qualifying criteria also apply and are a part of the definition for the purposes of this subarea plan. (This definition shall apply to Waldron Island notwithstanding any future changes to the home occupation definition in the Comprehensive Plan which may otherwise be adopted for County-wide application.)~~

~~1. The primary operator of the home occupation resides on the premises and no more than two persons other than residents of the dwelling unit are employed in the home occupation.~~

~~a. The home occupation shall be clearly incidental and secondary to use of the dwelling unit or, if an accessory structure is used, within a building no larger than 1,200 square feet. If both the dwelling unit and an accessory building are used the total area devoted to the home occupation shall not exceed 1,200 square feet.~~

~~b. There shall be no exterior indication of the home occupation except that one sign no larger than two square feet, containing only the name of the business, shall be permitted. No outdoor activity or storage shall be permitted unless it is screened entirely from view from surrounding properties and roads. No outdoor display of goods shall be permitted. In no case shall outdoor area devoted to the home occupation exceed 500 square feet.~~

~~c. Average daily traffic generated by the home occupation, including that generated by customers and deliveries, shall not exceed five round trips per day.~~

~~2. Residential use of the property shall be established prior to operation of a home occupation.~~

~~3. The home occupation shall not generate noise, vibration, glare, fumes, odors, illumination or electrical interference beyond that normally generated by a single residence. Use of chemicals, industrial solvents or other noxious substances shall be in compliance with federal, state and County safety, fire, structural, storage and disposal standards.~~

~~4. No home occupation shall cause an increase in the use of any jointly used water supply or sewage disposal system without either written consent of all users or authorization from any users' association affected.~~

~~5. Except as incidental to operation of a service or manufacturing operation, no home occupation shall involve on-premises retail sales of goods not manufactured on the premises.~~

~~6. Parking for the home occupation shall not be located on any County right-of-way.~~

"Installed motor generator" means a motor generator wired to, and furnishing power to, any building.

"Large scale" means 100 cubic yards (or 20,000 gallons in liquid measure) or more in one year on one parcel or owned by one person.

"Ledge rock" means blasting is required for removal.

~~**"Significant adverse environmental impact"** means any environmental effect that would be sufficient to cause a determination of significance under Chapter 43.21C RCW and/or County regulations pursuant thereto.~~

"Transient accommodation" means the rental ~~furnishing for remuneration~~ of any structure or shelter or space or portion thereof for the purpose of providing lodging ~~overnight accommodations, food preparation or sanitary facilities~~ for a periods of less than 30 days, by itself or in combination with any other commercial use.

~~**16.36.080 Date of review, amendment or repeal of ordinance.**~~ [*see* 16.36.105, *below*]

16.36.080 Appeals.

Appeals of actions are governed by Section 8.14 of the UDC, Title 18 SJCC, and applicable statutes.

16.36.090 Interpretation, nonrepeal by implication.

This chapter is intended to protect the health and welfare of the citizens of Waldron Island and of San Juan County, and so shall be interpreted broadly to carry out the policies set forth herein. This chapter shall not be

repealed by implication~~ in the event that general comprehensive or other plans for San Juan County, or areas larger than but including Waldron Island, are adopted~~.

16.36.100 Amendments.

Amendments to this subarea plan shall be subject to procedures established in Section D.3 of the 1998 Comprehensive Plan and in Section 9.5 of the UDC, Title 18 SJCC.

16.36.~~080~~105 Standing committee; updating the subarea plan ~~Date of review, amendment or repeal of ordinance.~~

~~The ordinance codified in this chapter shall automatically come before the San Juan County board of commissioners for review, amendment or repeal at the times, and from time to time, as provided by statute.~~

A. The purpose of the Waldron Island standing committee is to oversee the initial phases of subarea plan amendment, and to advise the permit center, planning department, planning commission and board of county commissioners on land use and development matters affecting Waldron Island.

B. A standing committee of seven members shall be appointed by the BOCC, with members to serve staggered three-year terms. For the initial committee, the terms of four members shall be for a period of two years. Thereafter, all members shall serve three-year terms.

C. The standing committee shall fulfill the responsibilities of Sections 9.5.7.a and .b of the UDC, Title 18 SJCC, and shall have the authority and responsibility to:

1. Conduct a public meeting annually (or more often if it deems necessary) to consider whether amendments should be proposed for the subarea plan, and to accept public comments on the subarea plan;

2. Initiate a review and updating of the subarea plan at least once every five years, and conduct one or more public meetings to accept public comments;

3. If the standing committee determines that amendments should be proposed, forward specific proposals and concerns to the planning director for inclusion in the Comp Plan review process. The planning department will review the subarea plan and the proposals of the standing committee and prepare a report and recommendations for amendments for the planning commission. Following this review, the planning commission and planning department may recommend to the board of county commissioners amendments designed to achieve more effectively and equitably the purposes and policies of the subarea plan.

4. 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 on Waldron Island; and review and comment on all environmental determinations issued according to the State Environmental Policy Act for proposed developments on Waldron Island;

5. Monitor applications and county permit approvals for other developments on Waldron Island to enable effective and comprehensive review of the subarea plan;

6. On request of the administrator or on their own initiative, make recommendations regarding the intent or meaning of any provision of this subarea plan;

7. Fulfill the above responsibilities by action in accordance with bylaws for conduct of the Waldron Island standing committee adopted by the board of county commissioners; and

8. In order to enable the committee to fulfill its duties and to be adequately informed about pending land use applications in the subarea, the administrator will provide the committee

with: (a) current summary reports of all pending land use applications; and (b) complete copies of all applications requested by the standing committee.