

A map of San Juan County, Washington, showing the islands of Orcas, Shaw, San Juan, and Lopez. The islands are shaded in a dark, textured grey against a light blue background. The names of the islands are printed in white, bold, sans-serif capital letters on their respective landmasses.

# San Juan County Open Space & Conservation Plan

*Prepared for:  
The Board of County  
Commissioners*

*by  
the San Juan County  
Planning Department*

*and  
the Open Space & Conservation  
Committee*

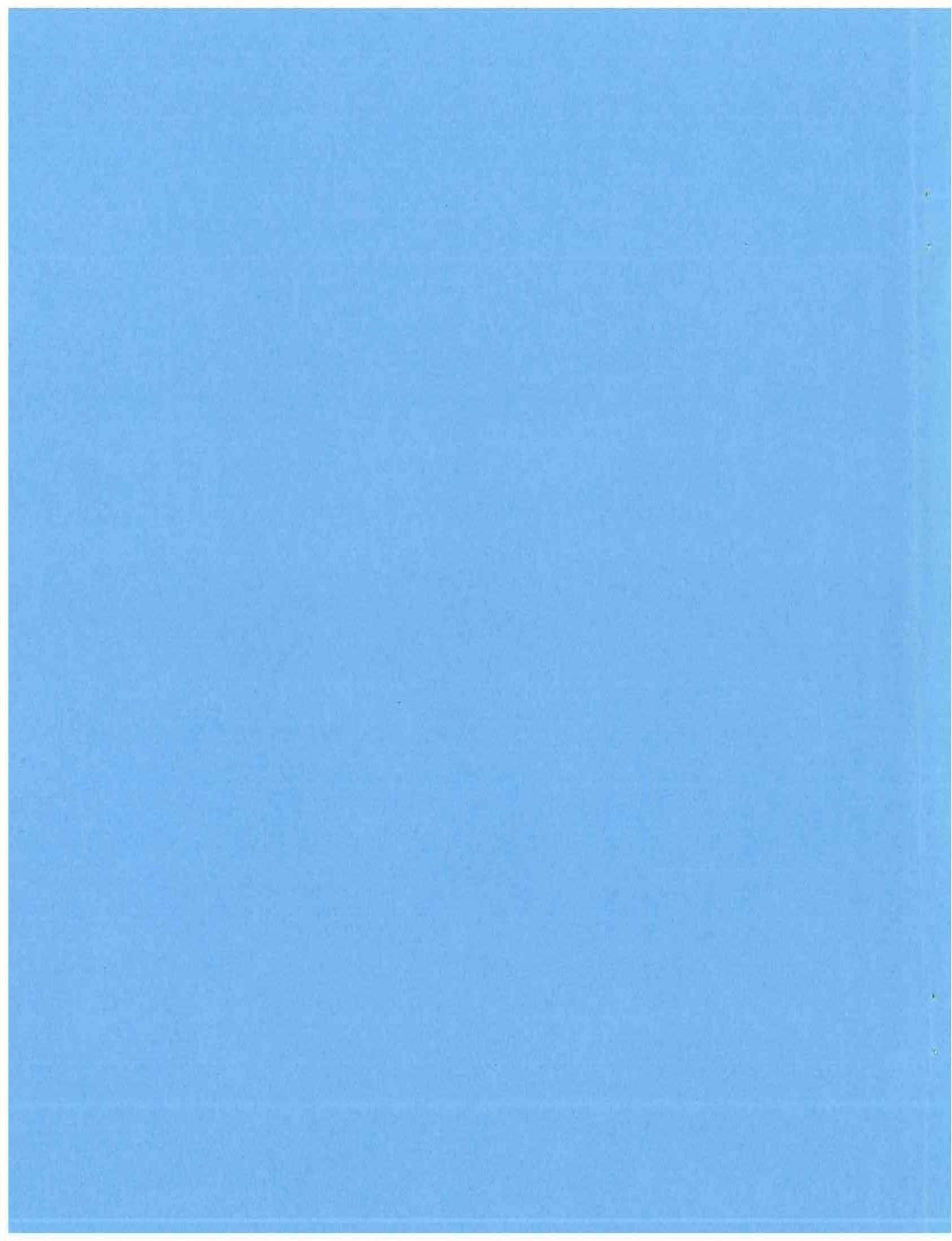
ORCAS

SHAW

SAN JUAN

LOPEZ

**JONES  
&  
JONES**  
ARCHITECTS  
AND  
LANDSCAPE  
ARCHITECTS



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*May 1991*

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**S**an Juan County is an archipelago in Puget Sound, in the northwest corner of Washington State. The glaciated landscape has smoothly rounded valleys bordered by steeply sloped mountains rising to over two thousand feet. This picturesque collection of large and small islands encloses channels, bays and fjords. Widely varying geology, soils, topographic relief and weather patterns create a diverse landscape much appreciated by residents and visitors for its rural qualities and rugged wooded shorelines.

Threats to that beauty clearly exist. Local, state and federal efforts to conserve resources in the San Juan Islands, media coverage of conservation issues, attendance at community meetings, and a 1989 public opinion survey, all confirm the importance of our open space resources and our concern for protecting them for future generations.

Change in a growing community creates conflict. Visible change, especially to natural and aesthetic resources, inspires action. This planning effort was initiated by concerned citizens, with the support of local government.

During the year in which this plan was prepared, San Juan County voters passed a local land bank tax for acquiring conservation lands. At the state level, House Bill 2929, the Growth Management Act (GMA) was passed requiring many counties in the state to prepare resource inventories and comprehensive plans to protect some of the same resource qualities San Juan County residents have identified in this plan.

In the spring of 1990 San Juan County, with a matching grant from The San Juan Preservation Trust, initiated an open space and conservation planning process. The Open Space and Conservation Committee (OSCC), composed of 16 citizens representing the three major islands and a number of small islands, was appointed by the Board of County Commissioners.

The mission of the committee was to develop a plan to identify and protect those open spaces, vistas and view corridors that substantially contribute to the sense of ruralness that now prevails in most of the county. An additional goal, which proved very important to the general public, was to identify and protect natural resources, especially wildlife habitat, whether important visual resources or significant in their own right.

This plan presents the methods used for identifying significant open space resources, factors working to degrade those resources, and the effectiveness of open space conservation tools presently available. The plan presents specific recommendations for action to conserve open space resources.

### What is Open Space?

Community participation in the preparation of this plan provided insight into what the residents consider significant elements of the character of the San Juans. Open space in the San Juans refers to areas committed to rural land uses including farming and forestry, natural areas, and others not developed for urban uses. Open space includes woods and pastures, undeveloped shorelines and hillsides. Pastoral landscapes, views of water and distant mountains, prominent geographic features, and the visual diversity of the county are open space resources the community considers significant.

Community participants indicated that farm structures and small villages significantly contribute to the rural quality of the landscape, and that building forms, site layout and materials not commonly associated with traditional rural development practices often detract from that character and the open space qualities of the islands.

Wildlife habitat, wetlands, and ecological diversity were held to be of special

## I.1 Introduction

*"...develop a plan to identify and protect those open spaces, vistas and view corridors that substantially contribute to the sense of 'ruralness' that now prevails in most of the county..."*



*Pastoral scene with water backdrop, Lopez Island*



*Wetlands on San Juan Island*

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importance to the community, whether they represented a visual resource or not. Though recreation is not the subject of this plan, recreational access to conservation lands is valued as well.

Residents of San Juan County consider these resources important to their quality of life, and want to protect them for future generations.

**Sources of Adverse Change**

Open space is a precious resource. The San Juans are well known nationally for their open, rural character, the island mystique, the nearness of nature, abundant wildlife, the distant mountain views and the accompanying quality of life. But open space is in limited supply and in growing demand.

Conversion of open space and habitat resources to other uses is the most visible pattern of change in the predominantly rural San Juan landscape. Individually, changes in the landscape can range from minute to massive. Cumulatively such changes result in significant losses of open space and habitat, and in deterioration of the quality of life so often referred to by residents.

Community participants in the Open Space and Conservation Plan identified subdivision and rural residential development as the most significant intrusion into the rural quality of the landscape. Unfortunately, rural residential development is one of the least regulated land uses in the County under the current Comprehensive Plan and other land use ordinances.

The San Juan Islands are experiencing the same growing pains being felt throughout the Northwest, made all the more acute by their unique geographic isolation. The County population grew at more than twice the rate of Washington State between 1960 and 1990, increasing by nearly 350 per cent to 10,035.

During the decade of the 1980s San Juan County experienced a 28 per cent increase in population, one of the largest increases in any county in the state. In 1988 and 1989, the County remained at the top of the state growth rankings.

New people need new places to live, and growth has brought a surge in new construction: from 1980 to 1985 an average of 274 building permits were issued per year; from 1986 through the end of 1989, that annual average was up to 469. The number of building permits issued in 1990 exceeded 600. Approximately ninety-five percent of the permits issued are for single-family houses (Source: San Juan County Planning Department).



Rural residential encroachment on pastoral scene

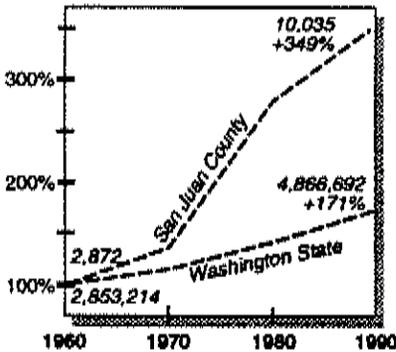


Figure 1.1 Population Growth 1960 to 1990 San Juan County vs Washington State

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**Land Parcels by Size**

	Parcels
Less than 5 acres	10,910
5 to 9.99 acres	2,100
10 to 19.99 acres	924
20 acres or larger	1,520
Total number tax parcels	15,454

**Land Parcels by Use**

	Parcels	Acres
Residential	6,060	20,130
Undeveloped	6,550	31,205
Open Space*	453	14,865
Designated Forest Land*	417	18,390
Other		
Gov'l Parks/Exempt	739	15,125
Commercial/Misc.	1,236	12,165
Totals	15,454	111,880

\* Current Use Taxation categories

**Tax Category by Parcels & Size**

	Parcels	Acres	%
Fair Mkt Value	13,845	63,500	57%
Open Space*	453	14,865	13%
Desig. Forest Land*	417	18,390	17%
Local, State, Federal	630	12,700	11%
Non Profit	109	2,425	2%
Totals	15,454	111,880	

Total County Roads† 1,314 acres (not included above)

Source: County Assessor Data

†San Juan County Public Works Department

Figure 1.2 San Juan County Land Use, 1991.

The County Assessor's records show that over two thirds of the parcels in the County are smaller than five acres, and slightly less than half of the area of the County is residential or undeveloped.

Conversion to non-rural use is clearly the greatest threat to open space resources of the County.

### **Conservation Techniques**

Many tools for conservation and management of visual and environmental quality are available (Figure 2.6). To be most effective, tools should be employed to meet the varied conditions of ownership, resource significance and sensitivity, existing conditions, community will, and funding. Through a coordinated strategy of education, incentives, regulation and acquisition, the San Juan County Open Space and Conservation Plan can protect these valued resources.

Several of these techniques are presently used in the County. These existing measures were evaluated and recommendations are presented which will improve their performance in conserving open space resources.

New conservation initiatives are proposed which are tailored to the specific resources at risk in San Juan County are proposed in this plan.



*Woodland road, San Juan Island*



  
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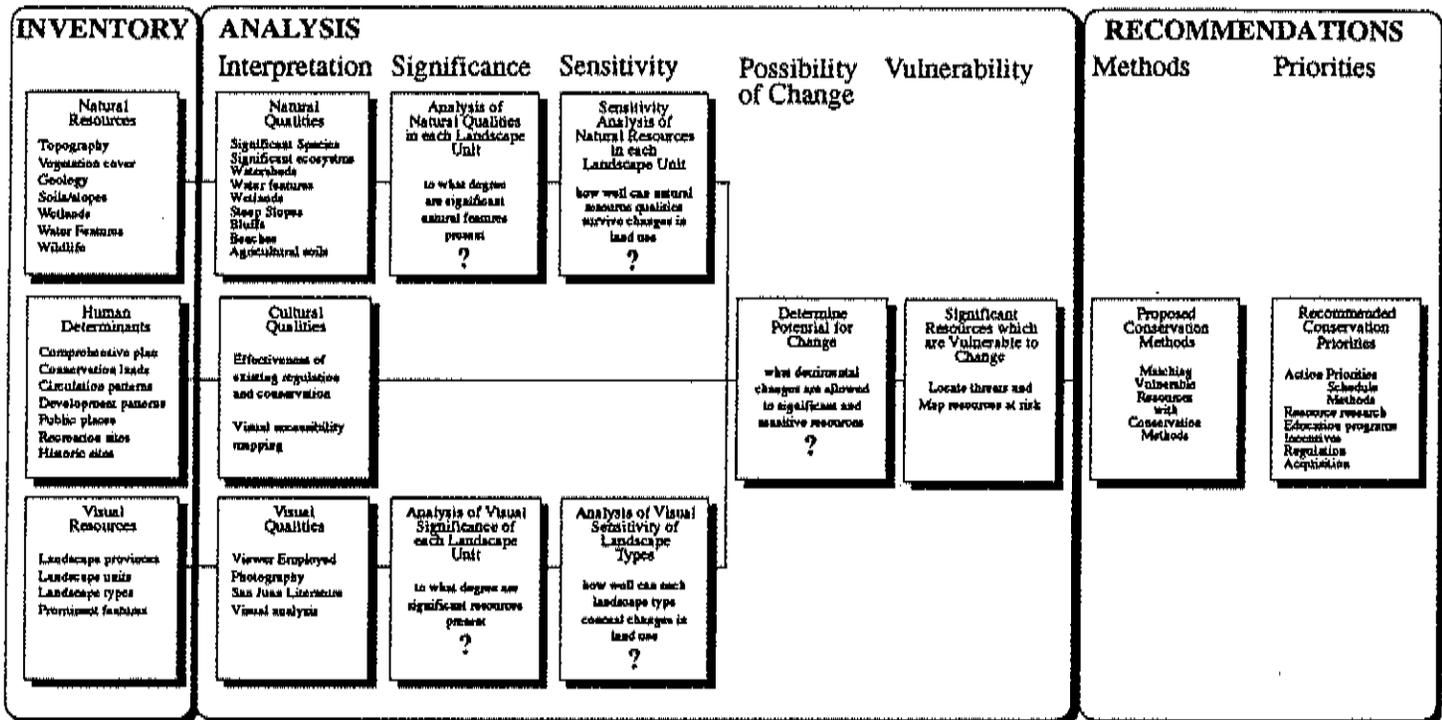
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he open space planning process included the inventory, interpretation, and analysis of natural, visual and human resources and conditions in the County and the development of findings and recommendations for methods to conserve those resources found to be at risk.

Defining the qualities that are rural and the open space resources that are valued in San Juan County was the first step in development of this plan. An extensive community participation process gathered information about public attitudes. Nine public meetings were held in June, July and October of 1990, on San Juan, Orcas and Lopez islands. These provided opportunities for residents of each island to participate; the Open Space and Conservation Committee, representing the community, provided guidance and feedback to the consultant throughout the process.

# I.2 The Open Space Planning Process

Figure 2.1: Process Diagram.



The significance to County residents of specific types of visual and environmental resources was evaluated, scored and weighted to express public preferences. Sensitivity to change and the ability of the landscape to absorb new development were also evaluated.

### Open Space Inventory

An open space inventory was conducted to gather information on the natural features, human determinants and visual resources of the county (Figure 2.1).

Natural resources were mapped using existing information. Information about the human determinants (e.g., existing development patterns and Comprehensive Plan density designations) was collected through maps and information provided by the County along with field studies and research conducted by the consulting team.

To organize the visual resource inventory, an open space geography was mapped for

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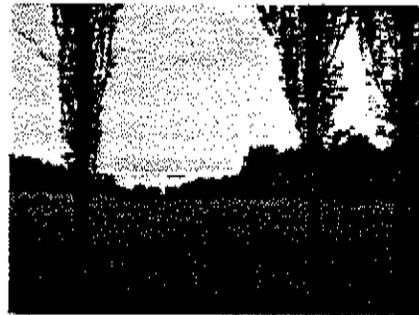
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the islands composed of Landscape Units: areas of distinct character which form spatially enclosed "outdoor rooms."

Eleven different Landscape Types were found to occur within these units based on topography, vegetation and proximity to the shore.



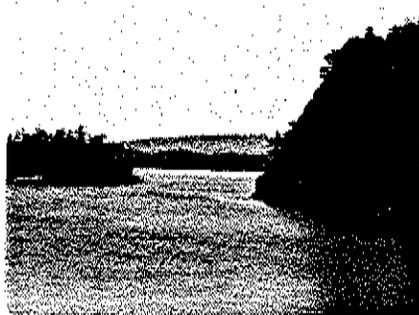
*Prominent geographic feature and pastoral landscape*



*Water and mountain view, especially over a pastoral landscape*



*Rural residential development detracts from pastoral landscape*



*Undeveloped shoreline*

*Viewer Employed Photography (VEP) was used to help identify community preferences and threats to open space resources.*

### **Viewer Employed Photography**

The visual resources within each Landscape Unit were documented through field studies and a community photographic exercise called Viewer Employed Photography (VEP). The community participated in identifying the open space resources by providing photographic views of what individuals considered significant features, positive and negative. Participants were given film, a map and a form to record the location, subject and quality of the scenes photographed.

The VEP responses were used to help determine:

- significant views
- significant viewer locations
- significant open space resources
- identity of detracting elements
- landscape sensitivity to detracting elements
- priorities for conservation action

The pastoral landscape, farm structures, and farming activities were the most commonly photographed features contributing to the open space quality of the County. Undeveloped shorelines, hillsides and ridgelines were also cited. Features detracting from the scene included large and non-traditional structures, land clearing, and non-farm development in farmland.

Individual features and classes of significant features were identified and mapped. This geography of open space resources was presented to the community at subsequent public meetings (see Appendix 1.3).

Field studies and public input at workshops were used to locate, characterize, and map significant open space resources for consideration in the Open Space and Conservation Plan.

### **Human Determinants**

The inventory process included collecting and mapping information on circulation patterns, existing development patterns, historic sites, public places and existing conservation lands. Existing programs, policies and regulations which control the significant resources and possible threats to their integrity were also evaluated.

The principal tools the County employs to control land use are the Comprehensive Plan, the Shoreline Master Program, the local implementing ordinance for the State Environmental Policy Act, and the Land Division Ordinance. The County also has property tax incentive programs which encourage maintenance of open space, agriculture, and forest lands.

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**Resource Interpretation and Analysis**

The resource analysis process (Figure 2.2) established which open space resources are significant to the community, how sensitive those resources are to adverse change, and the possibilities for adverse change. The combination of these factors was used to determine the vulnerability of open space resources. The recommendations are intended to concentrate conservation action on those areas and resources with high vulnerability.

Figure 2.2 Analysis Structure



**Significance**

Significance is an expression of the relative importance of various landscape elements to the community. An understanding of important landscape elements and their relative significance was gained by analyzing community opinion information collected prior to this plan, collecting preference and significance data, and from literature about the San Juan Islands. The VEP exercise, OSCC exercises, surveys, comments, and questionnaires were used to determine what elements of the physical landscape are meaningful or significant to residents.

The following significant landscape elements and landscape conditions were identified: wildlife habitat, wetlands, pastoral landscapes and active agriculture, water and mountain views, undeveloped hillsides, ridges, woodlands, shorelines and small islands, prominent geographic features, rural development patterns, ecological and visual diversity, sharp definition of edges in the landscape (contrast), and the uniqueness of a landscape feature.

Criteria were developed to test for the presence and relative quality of these significant open space resources in each Landscape Unit in the county. A scoring system, weighted to emphasize public preferences, was developed for use in determining the significance of open space resources within a landscape unit or an individual parcel. A rating scale of medium, high, very high and extremely high (one to four) was used.

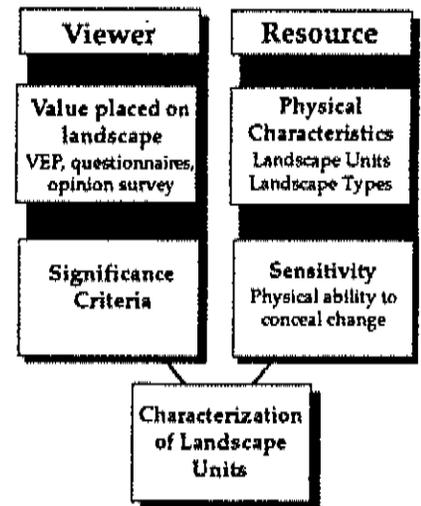
**Sensitivity**

Once significance was identified, the sensitivity of each open space resource type was evaluated in terms of the sensitivities of Landscape Types in which they occur, to determine its ability to absorb or withstand change without detrimental effect (see Open Space Resource Types - Findings and Recommendations). The sensitivity of wildlife habitat, wetlands and other significant natural resources must be evaluated on a resource-specific basis, based on the further studies recommended in this plan.

Landscape Types vary in their ability to absorb change. (See Appendix 1.1). Because rural residential development is the most common cause of change in the San Juan County landscape, visual sensitivity of the was evaluated by determining whether rural residential development is can be seen in the various landscape types found in the County. Wooded landscape types, for instance, are much more capable of concealing change than flat open landscape types (Figure 2.4).

Visual sensitivity is partly determined by visual accessibility. Accessibility was

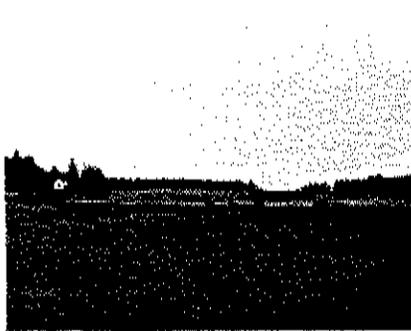
Figure 2.3 Visual Analysis



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*Figure 2.4 Concealing Change. Rolling wooded Landscape Types offer greater opportunity for concealing rural residential development than Flat open Landscape Types.*

*Figure 2.5 Potential for Change Based on existing subdivision and comprehensive plan designations*

3	Very High	≤ 2 acres per unit or ≤ 300' lot width
2	High	≤ 10 acres per unit
1	Medium	> 10 acres per unit
0	Low	Conservation Lands

determined based on the presence of main roads, scenic routes identified by the community, ferry routes, main boating channels and public places. The relative sensitivity of an area can be established by combining the sensitivity of a Landscape Type with the visual accessibility of the particular place (See Appendix 1.7: Visual Sensitivity).

**Potential for Change**

Assessing the potential for change helps identify which significant and sensitive resources are at peril. Factors controlling potential for change include ownerships, existing land division, real estate market factors and land use regulations.

Of these, conservation ownership, existing land division and land use regulations can be observed and partially controlled. Real estate market factors, such as aesthetics, accessibility, septic suitability, water availability, ease of construction, etc., and their effect on development decisionmaking, however, are unpredictable and cannot be easily controlled. In a desirable market such as the San Juans, one has to assume that if change is allowed then it could occur at any time. For this reason this plan does not try to predict the market forces that could precipitate or prevent changes in the landscape.

Rural residential development possible under present land use ordinances and conservation ownerships or other legal limitations attached to the landscape, were used to determine the potential for change. Once mapped, these factors were compared to the significant and sensitive resources present to help form the basis for the conservation strategy. The comparison suggests 1) the urgency of taking conservation action, and 2) what sort of action is necessary or most important.

A ranking was used to indicate degrees of potential for change (Figure 2.5). A low ranking (0) indicates that there is very little possibility of detrimental change happening within the landscape. Only properties under a strict conservation ownership fall into this category, such as the National Wildlife Refuges, and land owned or managed by The Nature Conservancy, and State Parks.

A medium ranking (1) was applied to areas with a Comprehensive Plan density designation and existing land divisions greater than ten acres per unit. This indicates that change is possible, but because of the maximum potential density, there is a possibility to locate new construction so it does not have a detrimental effect on significant and sensitive open space resources. This assumes that new land use regulations can be implemented to effectively control the location of new construction in relation to significant and sensitive open space resources. In areas with medium potential for change, very significant and very sensitive resources should be protected as opportunities arise.

A high ranking (2) was applied to areas with a Comprehensive Plan density designation and existing land divisions of greater than 2 acres up to and including 10 acres per unit. Therefore, changes on many parcels within any given area could individually and/or cumulatively have a detrimental effect on open space resources. Within this range of densities or lot sizes there still may exist latitude, with adequate regulatory tools, to control the location of new construction to minimize impacts. In areas with this level of potential for change, the most significant and sensitive resources need immediate and specific conservation action. Less significant and sensitive resources should be protected as opportunities arise.

A very high ranking (3) was applied to areas with a Comprehensive Plan density designation and existing land divisions of two acres or less per unit or lot widths of less

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than 300 feet (inland lots only). This indicates that great potential for change exists on many parcels within close proximity; such changes could individually and/or cumulatively have a devastating effect on open space resources. There is little latitude within this range of densities or lot sizes for controlling the location of new construction to minimize impacts. In areas with this level of potential for change, all significant resources need immediate conservation action. Very significant and very sensitive resources should be considered for acquisition, a concerted effort should be made to educate all parties involved in potential new construction, and uses in these areas should be more carefully regulated, possibly including changes to allowable densities.

### Evaluation of Conservation Tools

Existing conservation tools were evaluated and improvements are recommended. Existing conservation techniques available in San Juan County include the land use provisions in the Comprehensive Plan and other ordinances, property tax incentives for maintaining rural land uses, the acquisition activities of the land bank and conservation agencies and organizations, and management activities of public agencies holding interest in open space resources. Despite these measures, the community still is greatly concerned for the losses it sees in significant open space resources.

This plan identifies the strengths and shortcomings of the conservation tools available. It recommends new educational initiatives that should be pursued in the County to raise landowner appreciation for open space resources, and to inform development professionals active in the County of the conservation opportunities and requirements applicable to their clients.

Amendments to the existing Comprehensive Plan, land use regulations, the State Environmental Policy Act implementing ordinance, and the Shoreline Master Program, are recommended as are new ordinances which would provide opportunities to increase protection of open space resources identified in the plan. Procedures for determining acquisition priority are also proposed to help guide the implementation of the new Land Bank Fund approved by the voters in November, 1990.

Finally, recommendations are made for additional resource studies, especially related to natural resources, and other County actions necessary to protect open space resources.

### Figure 2.6 Conservation Tools

#### *Educational Approaches*

*Technical assistance*  
*Cooperative management*  
*Registration*  
*Program coordination*

#### *Financing and Tax Incentives*

*Differential Assessment of Real Property*  
*Loans & Grants*  
*Revolving Funds*  
*(for purchase & resale with restrictions)*  
*Estate Planning*  
*(Death Tax Benefits & Donation Tax Incentives)*

#### *Regulatory Approaches*

*Land Use Regulations*  
*Subdivision Regulations*  
*Transferable Development Rights*

#### *Acquisition Alternatives*

*Fee simple*  
*Easements (less than fee)*  
*Purchase & Sellback (Leaseback)*  
*Life or Term Estates*  
*Donations & Bargain Sales*  
*Exchange*  
*Leases and Special Use Permits*  
*Land Trusts*  
*other Not-for-Profit Organizations*

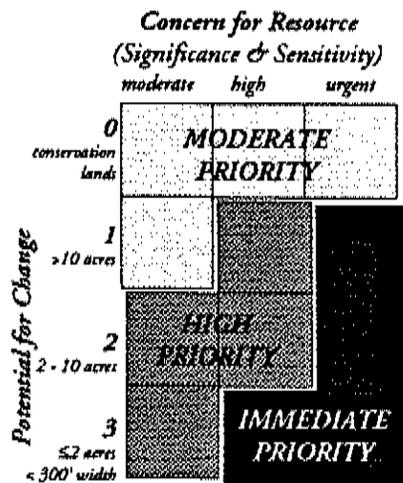
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**Implementation**

The final element of the process is implementation of the plan recommendations. The fast pace of change in the county suggests urgency, and the need to proceed as quickly as possible with all phases of the recommendations.

Action on the state and county level during the course of the planning effort has provided momentum, structure and new tools for conservation of open space resources. The Growth Management Act and the programs developed by the state to help local government implement it, and the local Land Bank bill ordinance, have direct bearing on open space conservation.

Implementation will take time so priorities must be set. Priorities for action must be based on the vulnerability of the open space resources. The County must use all tools available to us: information, education, incentives, regulation, and acquisition. Priorities for each of these are provided in the findings and recommendations for Conservation Techniques.

Figure 2.7 Priorities for action

## General

### 3.1 General Findings & Recommendations

*Purpose of the plan is: "...to identify and protect those open spaces, vistas and view corridors that substantially contribute to the sense of 'ruralness' that now prevails in most of the county..."*

*The plan established the following open space resources as the most significant to the community:*

- Wetlands
- Wildlife habitat
- Pastoral landscapes
- Water, shoreline and mountain view landscapes
- Prominent geographic features
- Areas of diverse natural landscape elements and contrasting edges between elements
- Unique features

**C**ommunity response during the Open Space and Conservation planning process confirmed the common desire for protecting the rural character and natural resources of San Juan County. The process identified the specific values attributed by the public to natural and open space resources and further identified these as valuable assets to the environmental quality and the quality of life in San Juan County.

The following findings summarize the results of this process.

**Finding 1:** The most significant open space resources to the community are:

- Wetlands
- Habitat
- Pastoral landscapes
- Water, shoreline and mountain view landscapes
- Prominent geographic features
- Areas of diverse natural landscape elements and edges between elements
- Unique features

These significant resources are sensitive in specific ways to the effects land use changes and land development.

**Finding 2:** Significant open space resources are sensitive to the detrimental effects of rural residential development.

**Finding 3:** Land division and rural residential construction, with accompanying clearing, grading, driveways, outbuildings and utilities, are the most common development activity in San Juan County and comprise the single most common negative impact on open space resources.

**Finding 4:** The existing conservation programs, including conservation ownerships, land use regulation, and current use taxation, do not adequately protect open space resources from the effects of subdivision and rural residential development.

**Finding 5:** Protecting the complex open space resources of the county will require the broad implementation of the full variety of new and amended conservation techniques available, including acquisition, regulation, incentives, and education.

**Finding 6:** The protection of wetlands, wildlife habitat and important plant communities requires up-to-date comprehensive information.

**Finding 7:** Open space resources should be protected as whole areas, not as isolated remnants in an otherwise spoiled landscape. Buffer zones should be added where appropriate to further help defend areas with some level of existing protection.

**Finding 8:** Significant open space resources visually accessible from public places — main roads, ferry routes and boating channels, are particularly sensitive to potential change.

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## 3.2.1 Wetlands

**Recommendation 1:**  
*Adopt a county wetlands ordinance*

**Recommendation 2:**  
*Prepare a comprehensive wetlands inventory*

### Wetlands Significance Rating

*Test: Areas that are inundated or saturated by ground or surface water at a frequency or duration sufficient to support a prevalence of hydric vegetation under normal conditions.*

*Scoring (pending adoption of a county wetlands ordinance)*

*NWI Mapped in the National Wetlands Inventory  
no entry No wetlands mapped*

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### Significance

The ecological health of the landscape was emphasized by many, throughout the public participation process as a most important element of the open space and conservation plan. Many participants view wetlands as an important natural resource, providing valuable wildlife habitat and serving an important function in the freshwater cycle. State and national attention is similarly focused on the importance of wetlands, thus requiring more local protection of these areas.

In conjunction with the current commitment to identify and protect critical areas as defined in the 1990 Growth Management Act, the county should adopt a wetlands protection ordinance based on the model developed by the Department of Ecology and tailored to local conditions. It should specify a classification system for wetlands, minimum standards for protective buffers based on wetland type and sensitivity, and restrict land use and development in and adjoining wetlands to prevent adverse impacts on them. It should either establish a permit system for implementation of the ordinance or incorporate the existing permit requirements by amendment to the Comprehensive Plan.

On an interim basis, the ordinance should refer to the National Wetland Inventory maps produced by the US Fish and Wildlife Service. Because these maps have not been field-checked, however, they are not complete. A comprehensive wetland inventory which specifically identifies the location, type, functions and values of wetlands countywide is necessary for the most effective implementation of a wetlands protection ordinance.

### Sensitivity

Wetlands are sensitive to direct disruption through clearing, grading, construction or inappropriate use, and to indirect disruption through flooding, impaired drainage, and pollution.

**Goal:** Protect wetland areas difficult to replace or which support Priority Habitats and Species from detrimental effects of new construction.

### Objectives:

- 1) Protect wetlands resources from clearing, grading or construction which could directly or indirectly alter the soils, vegetation, noise levels, air quality, water quality and quantity, or disrupt wildlife;
- 2) Provide setbacks and buffer zones between wetlands and new construction;
- 3) Mitigate direct and indirect impacts from permitted new construction through setbacks and buffers and restoration, enhancement or creation of wetlands. (See: Regulations: Environmentally Sensitive Areas, and Land Clearing ordinances)
- 4) Conduct a comprehensive wetlands inventory to address the complex biological and water resources issues involved in effective wetland management in San Juan County. (See: Information: Recommendations for additional study)

## Open Space Resources

**Significance**

The diverse landscape of San Juan County provides habitat for a number of wildlife species, some listed as threatened or endangered. The seasonal range or habitat features necessary for the continued viability of these species are protected under federal, state and local regulations designed to maintain and/or improve the long term health of the species locally and on a regional scale.

Threatened and endangered plant species are protected under state and federal legislation, which can and should be reinforced with local conservation action. Unlisted plant and animal species of local significance which are not listed are not presently protected, but they could be, under an Environmentally Sensitive Areas ordinance and amendments to the Comprehensive Plan.

The Washington Department of Wildlife maintains records of the occurrence of endangered, threatened and sensitive wildlife species, and the Department of Natural Resources Natural Heritage Program retains similar records for plant species. Species not qualifying for state or federal level monitoring but which are important locally have not been named, and their habitats have not been identified. They must be identified to conserve those habitats. The county should enlist assistance of the WDW and the DNR Natural Heritage Program to provide the information necessary to identify these resources and evaluate the need for their protection.

**Sensitivity**

Wildlife habitat is sensitive to destruction through removal of habitat features or, in some cases, by introduction of incompatible elements. Habitat management objectives need to be composed on a species-specific basis. Generally they rely on preventing disruption of existing vegetation, drainage, and circulation patterns, and preventing the introduction of structures, vehicles, people, sources of noise and non-native species.

**Goal:** Protect species of local significance not presently listed as threatened or endangered by using a new State Department of Wildlife Priority Habitats and Species program. In order to adequately understand the requirements of such species, a local Priority Habitats and Species inventory should be undertaken. (See: Information: Recommendations for additional study)

**Goal:** Develop an Environmentally Sensitive Areas ordinance which includes a process for identification and protection of Priority Habitats and Species.

**Objectives:**

- 1) Protect and enhance the priority habitat features. No encroachment should be allowed which would disrupt these features or the wildlife being protected.
- 2) Mitigate direct and indirect impacts from permitted new construction by controlling location, screening, restoring, and enhancing or creating habitat resources. (See: Regulation: SEPA Implementation, Environmentally Sensitive Areas)

## 3.2.2 Habitat

**Recommendation 1:**

*Conduct studies to identify endangered, threatened, sensitive and locally significant plant and animal species and their habitats and evaluate the need for their protection.*

**Recommendation 2:**

*Include provisions in the Environmentally Sensitive Areas, ordinance for protecting wildlife habitat as significant species are identified.*

**Habitat Significance Rating**

*Test: Seasonal range or habitat element with which Priority Species have a primary association, and which, if altered, may reduce the likelihood that the species will maintain and reproduce at current or increased rates over the long-term.*

*Test: An area that contains native plant species or plant communities of federal, state or local significance.*

**Scoring**

*Listed Federal or state listed Priority Species.*

*(future) Priority Species of local significance.*

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## Open Space Resources

### 3.2.3 Pastoral Landscapes

**Recommendation:**

*Amend county land use and development regulations to require conservation approaches in all land divisions and development approvals to:*

- 1) *Minimize areas converted to non-agricultural uses.*
- 2) *Prevent abandonment of sensitive pasture areas to woodland.*
- 3) *Apply site design guidelines when authorizing new development which will minimize visual intrusion on the resource.*

#### Pastoral Landscape Significance Rating

*Test 1: Active agricultural areas*

*Test 2: Areas of Prime Farmland*

*Test 3: Rolling Open and Flat Open landscape types not dominated by non-agricultural development*

**Scoring**

3 *Unit is dominated by:*

*Active agricultural areas or Prime Farmland*

2 *Unit is dominated by:*

*Open landscape types or*

*Unit contains (but is not dominated by) Active Ag or Prime Farmland*

1 *Unit contains (but is not dominated by) Rolling Open or Flat Open landscape types*

0 *No pastoral landscapes evident*

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**Significance**

Pastoral landscapes are highly valued open space resources in San Juan County. They are among the most commonly cited open space resources in the various public preference tests conducted and reviewed in preparation of this plan as well as in the literature reviewed. Pastoral landscapes are important to the San Juans for their appearance as well as their functional value in supporting a rural economy and way of life.

Agricultural artifacts such as barns and equipment, and livestock, hay bales and the farmers themselves, enhanced those landscapes where they were present. Non-traditional building forms, materials, and site arrangement, especially associated with non-agricultural residences, and trailers, detracted from these qualities and have a negative effect on an area broader than the specific site.

**Sensitivity**

The open character of pastoral landscapes provides little opportunity for concealment of changes in land use. Rolling open landscape types can be less sensitive if topography favors concealment from visual access. Woodlots within open landscapes can conceal some non-agricultural development. Pastoral landscapes are primarily sensitive to development of non-agricultural structures in and adjacent to open pasture areas. Impacts are cumulative and can have functional as well as aesthetic ramifications.

County land use and development regulations should be amended to require conservation measures in all land divisions and development approvals within pastoral landscapes.

**Goal:** Conserve pastoral landscapes and agricultural uses in the county.

**Objectives:**

- 1) Maintain agricultural use or the possibility for future agricultural uses, especially where agricultural soils and/or existing agricultural management are found.
- 2) Reduce encroachment on existing or potential agricultural uses by minimizing areas converted to other uses and maintaining opportunities for aggregating adjacent pasture areas in separate ownerships for possible agricultural use.
- 3) Prevent the abandonment and conversion of sensitive pasture areas to woodland.
- 4) Maintain the appearance of open pastures by locating permitted non-agricultural development out of public view or by screening it from view.
- 5) Apply site design guidelines in authorizing new development, which will minimize visual intrusion on the resource.

(See: Regulation: Environmentally Sensitive Areas, Clearing, and Conservation Overlay District ordinances; Comprehensive Plan amendments and redesignations, SEPA policies, and acquisition criteria.)

## Open Space Resources

**Significance**

Views of Puget Sound, the straits, channels, fjords, small islands, and undeveloped shorelines of the San Juans as well as the lakes contained within the islands are often-mentioned visual resources in the county. Those bounded by the distant Cascade or Olympic Mountains are particularly prized, and if these views occur with a pastoral foreground, they comprise the quintessential San Juan view. These qualities in part define the unique character of the islands. Publicly accessible views with some or all of these characteristics are common and precious but are easily disrupted by residential or other development.

**Sensitivity**

Water, shoreline and mountain view landscapes are sensitive to blockage or degradation by new construction or vegetation, mainly in the foreground. New construction on distant shorelines can also degrade the resource.

**Goal:** Protect significant water and mountain views from blockage or degradation from new construction.

**Objectives:**

- 1) Locate new development to avoid blocking views from public thoroughfares and places.
- 2) Locate and/or screen new development to reduce its visibility within water and mountain view landscapes or view corridors.
- 3) Locate and/or screen new development to reduce its visibility across water from public thoroughfares, including boating channels, and public places. (See: Regulation: Environmentally Sensitive Areas and Clearing ordinances; Comprehensive Plan amendments and redesignations, and SEPA policies.)
- 4) Pursue acquisition of scenic easements and encourage participation in a current use taxation program for vulnerable water, shoreline, and mountain view landscapes. (See: Acquisition)

## 3.2.4 Water, Shoreline and Mountain View Landscapes

**Recommendation:**  
*Adopt new ordinances and amendments to the comprehensive plan to protect water, shoreline and mountain view landscapes by:*

- 1) *locating new development to avoid degrading views from public thoroughfares and places,*
- 2) *locating and/or screening development to reduce its visibility within view corridors,*
- 3) *locating and/or screening to reduce visibility across water from public places and thoroughfares.*

**Water, Shoreline and Mountain View Landscape Significance Rating**

**Test:** Water, shorelines or distant mountains visible as a dominant feature from or within the unit. Includes salt water, open water wetlands, ponds and lakes, shorelines without visible development, and the Olympic and Cascade mountains.

**Scoring**

- 3 Feature at the end of a pastoral vista or  
Feature from a publicly accessible viewpoint
- 2 Water/mountain view with poor public access
- 1 Minor presence or no public access
- 0 No water or mountain views

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## 3.2.5 Prominent Geographic Features

### Significance

Within the regional landscape of San Juan County a number of features are memorable because of their position or scale in the landscape. They are emblematic of the sense of the region or are strongly identified with a particular place, and thus are important natural landmarks.

In the San Juan Islands, mountains, lakes, harbors and some hillsides provide dramatic punctuation to the experience of the islands. Prominent topographic features often exist in stark contrasts, such as extremely steep slopes plunging into the channel, or bounding a flat pastoral landscape. These memorable slopes, shorelines, ridges, and pastures are generally undeveloped. Other features such as lakes, bays, harbors and public docks are important way-finding features and points of interest. More attention is afforded the visual quality of the shore and uplands surrounding them.

Focal points are geographic features which may be less dramatic than landmarks but which occupy a prominent position in the landscape because of circulation and gathering patterns. Hillsides which form a visual and/or physical boundary to a path of travel are examples of such landmarks, which are scrutinized by all passersby.

### Sensitivity

Prominent geographic features are powerful visual elements which draw extra scrutiny to a specific area. Incongruous elements may become particularly visible.

**Goal:** Protect Prominent Geographic Features from degradation from new construction.

### Objectives:

- 1) Prevent new construction in areas which will degrade the open space quality of Prominent Geographic Features.
- 2) Locate and screen permitted construction to minimize disruption or to blend with the surrounding landscape features. (See: Regulation: Environmentally Sensitive Areas, Clearing, and Conservation Overlay District ordinances; Comprehensive Plan amendments and redesignations, and SEPA policies).
- 3) Pursue acquisition of scenic easements and encourage participation in a current use taxation program for vulnerable prominent geographic features. (See: Acquisition)

#### Recommendation:

*Prominent geographic features should be conserved by*

- 1) *preventing detrimental new development*
- 2) *minimizing the visibility of permitted new development and*
- 3) *acquiring interest in vulnerable prominent geographic features*

### Prominent Geographic Features Significance Rating

*Test: Presence of prominent geographic features such as natural landmarks, focal points, exposed slopes, lakes, bays, harbors and public docks.*

#### Scoring

- 4 *Natural landmark or focal point with a steep open slope*
- 3 *Bay-of-Islands, Focal Point or Natural Landmark*
- 2 *Lake, pond and open water*
- 1 *Bay, harbor or point of arrival*

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**Significance**

Diversity of elements within the landscape was described as significant in several ways in the public participation process. Diversity refers to both visual and ecological qualities of the landscape. As a visual quality, diversity refers to the variety of different landforms and landscape types which occur in the County. Respondents indicated that more variety is better, or that the changes in landform, vegetation, relationships to the water, etc., are interesting and desirable characteristics in the landscape.

Some respondents also indicated they favor diversity because it suggests that there are edges and transition areas which they felt were positive natural resources features as wildlife habitat. While this is true for some species, this could result in conditions unfavorable for species requiring large areas of homogeneous habitat features. Ecological diversity must therefore be addressed on an individual species basis to optimize habitat features for selected priority species.

For the purposes of this plan, diversity addresses the visual aspects of variety in the landscape as a contributing characteristic to the overall quality of an entire landscape unit. Reducing diversity by eliminating one type of land cover, or by introducing a development pattern which dominates the landscape, reduces the overall value of the open space resource.

Landscape edges occur where there is contrast between different land forms and land covers. Contrast is important because it helps to define and emphasize the visual qualities of each element of the landscape.

**Sensitivity**

Diverse landscapes are sensitive to disruption through clearing, development or even revegetation which would tend to dominate or homogenize the land cover or land form.

**Goal:** Maintain the visual and ecological diversity of county landscapes.

**Objectives:**

- 1) Preventing disruption of diversity by land use and development which, through clearing, revegetation or construction, would homogenize or introduce a dominant visual character.
- 2) Prevent the creation of a development pattern which dominates the diverse open space qualities found in an area.
- 3) Screen permitted new development from public views.
- 4) Emulate the native landform, land cover, and development patterns with permitted new construction. (See: Regulation: Clearing, and Design Review ordinances; Comprehensive Plan amendments and redesignations, SEPA policies.)

**Goal:** Protect the character of high contrast edges between land forms and land covers.

**Objective:**

Conserve landscape edges by controlling the location of clearing and new construction to prevent interruption of high contrast edges. (See: Regulation: Clearing, and Design Review ordinances; Comprehensive Plan amendments, and SEPA policies.)

See Appendix for Diversity and Landscape Edges significance rating.

## 3.2.6 Diverse Natural Landscapes and Landscape Edges

**Recommendation:**

*Areas of diverse natural landscape elements should be maintained by*

- 1) *preventing disruption of diversity by land use and development which would introduce a dominant visual character, and*
- 2) *screening new development from public views.*

**Recommendation:**

*High contrast edges should be protected by preventing disruption through placement of structures or clearing and grading operations.*

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## Open Space Resources

### 3.2.7

## Contributing to Existing Resource Conservation Areas

**Recommendations:**

*Adopt acquisition priorities to protect and enhance resources which contribute to the quality of an existing conservation area;*

*Adopt ordinances which require location and/or screening of new construction to prevent degrading the open space qualities of existing conservation areas.*

**Recommendation:**

*Adopt conservation measures which address the whole scene where significant open space resources dominate.*

**Significance**

A common principle which emerged throughout the public participation process and in resource conservation in general, is to protect resources in adequate quantities to maintain their viability. County residents expressed the need for conservation activities to protect more than vestigial examples of the valued landscape. This suggests protecting entire landscape scenes which exhibit the significant open space features of the county.

A related concept to add buffer areas to existing conservation lands, thus increasing the resource area protected. The open space resources of areas adjacent to existing conservation lands would make valuable additions or which could provide important buffer zones to such land.

**Sensitivity**

Existing conservation lands are sensitive to disruption from adjacent development and degradation of the adjoining landscape which contributes to their open space value.

**Goal:** Protect open space values of existing conservation areas.

**Objectives:**

1) Protect and enhance resources which can contribute to the quality of an existing open space conservation area. 2) Locate and screen permitted new construction to prevent degradation of the open space qualities of conservation areas. (See: Regulation: Environmentally Sensitive Areas, Comprehensive Plan, Conservation Overlay District, and Clearing ordinances.) 3) Pursue acquisition of scenic easements or other interest in property which could contribute to the open space value of existing conservation lands or protection thereof. (See: Acquisition)

**Goal:** Protect adequate quantities of open space resources to maintain the viability of the resource.

**Objective:**

Conserve whole scenes where significant open space resources dominate.

**Contributing to Existing Resource Conservation Areas Significance Rating**

**Test:** Landscape contains highly rated areas (Wetlands, Habitat, Pastoral Landscape, Water, Shoreline & Mountain Views, Prominent Geographic Features, Contrast, and/or Uniqueness) with little or no existing development adjacent to existing parks, public shorelines, conservation easements or public or private conservation lands or sensitive natural areas.

**Scoring**

Highly rated areas adjacent to existing or proposed conservation areas

- 3 Significance score 3 / existing development score 3
- 2 Significance score 2 / existing development score 3 or Significance score 3 / existing development score 2
- 1 Significance and existing development score of 2 or 1
- 0 No existing conservation or sensitive natural areas present or no appropriate additions adjacent

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The following findings and recommendations address four types of conservation tools.

### Findings

Information is essential for good resource conservation decisionmaking. Information on open space resources is available and has been assembled for use as part of this plan (see Bibliography, Maps), but it is not complete. Additional sources and methods of using information would improve open space resource conservation, including current aerial photography of the County, a geographic information system, and natural and cultural resource studies.

To conserve sensitive habitat areas of species not already identified by state or federal authorities as endangered, threatened, or sensitive, but which are nevertheless recognized within the county as locally significant, the County should enlist the aid of the Washington Department of Wildlife Priority Habitats and Species Project and the Washington Department of Natural Resources Natural Heritage Program to identify these resources and evaluate needs and opportunities for their protection.

A comprehensive wetlands inventory should be conducted to identify the types, locations, and particular functions and values of wetlands found in the County.

### Recommendations

- 1) The County should develop a geographic information system which is capable of cross-referencing County Assessor's data on land parcels and tax classification with resource data, resource management plans and land use regulations.
- 2) The County should enlist the aid of the Washington Department of Wildlife Priority Habitats and Species Project and the Washington Department of Natural Resources Natural Heritage Program to identify these resources and evaluate needs and opportunities for their protection.
- 3) The County should maintain current aerial photographs of the County and update these at regular intervals for both new information and comparative purposes.
- 4) The County should maintain up to date records of active agricultural use. The Board of Commissioners should request that the County Extension Agent work with an agricultural open space committee to maintain up to date records of active agricultural use and use a geographic information system to record the information so it is available to others.
- 5) The County should conduct a comprehensive wetland inventory which specifically identifies the locations, types, functions and values of wetlands countywide.
- 6) The Land Bank Commission should establish an annual record of its evaluations of properties for acquisition. Information from parcel evaluations by the Land Bank Commission should be compiled and made available to resource libraries and used by the County to update its resource information regularly.
- 7) The County should enlist assistance of the island Historical Societies to conduct a comprehensive cultural resource inventory and establish county eligibility as a Certified Local Government for state and federal grants to better protect significant prehistoric sites and historic structures and sites.
- 8) The County and local conservation organizations should enlist the aid of state and federal resource management agencies to provide technical assistance and educational programs to land owners for open space resource conservation.
- 9) The County should review the Open Space and Conservation Plan at least once every two years to incorporate new information and make modifications to resource evaluation criteria and implementation goals and objectives as appropriate.

## 3.3.1 Information

### Recommendation 1:

*The county should prepare:*

- a) a wetlands inventory
- b) a priority habitats and species inventory
- c) a significant plant species inventory

### Recommendation 2:

*The county should conduct a survey of historic properties and become a Certified Local Government.*

### Recommendation 3:

*Develop a geographic information system for resource protection, coordination and management.*

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## Conservation Techniques

### 3.3.2 Education

#### Educational Approaches

*Open Space library*

*Seminars and speakers' bureau*

*Technical assistance*

#### Advantages & Disadvantages

+ *Can be achieved quickly*

+ *Minimal cost to agencies*

+ *Land remains in private ownership*

+ *Facilitate agency data gathering*

+ *Low cost to agency*

- *Ineffective against economic pressures*

- *Not permanent, binding or enforceable*

- *Not universally applicable*

- *Not economically feasible for most owners*

#### Findings

Education about open space resources is critical for their conservation. It is the conservation tool with the broadest application and can have enormous effect. Effective education should involve landowners, developers, and their agents in exploring alternative site planning and design approaches that will conserve sensitive open space resources. Although the regulation of architectural design is not recommended, some educational effort should be focused on helping builders appreciate the vernacular architectural styles and characteristics that complement the open space qualities of the County.

Broad access to education materials is essential. A library of educational materials will be helpful to the Land Bank Commission and to property owners and their agents, including loggers, surveyors, realtors, architects and builders. The County should encourage and assist community and professional organizations in compiling educational materials and in sponsoring seminars for their members and the general public.

#### Recommendations

- 1) The County and island library districts should establish Open Space Resource Libraries in the public libraries, the planning department, and the Land Bank Commission regarding open space resource qualities, conservation techniques and the San Juan County Open Space and Conservation Plan. The Land Bank Commission should serve as the main library and dispense new materials to branch locations.
- 2) The Land Bank Commission should produce a Land Owner's Guide to San Juan County, and distribute it to real estate purchasers at the time of payment of the 1% excise tax. The guide should address: Background and resource significance • Threats to the resources • Need for protection • Opportunities and responsibilities of ownership • Programs available to help land owners protect resources. The guide should also inform land owners of opportunities for less-than-fee acquisition and tax incentives for resource conservation.
- 3) The County should assist local professional, community service and conservation organizations to produce conservation and development seminars and develop a speakers bureau. These should be designed to inform residents, regulators, policymakers, and the building industry of the values and responsibilities accompanying open space resources.

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## Conservation Techniques

**Findings**

**General.** Incentives to property owners for defraying or foregoing development which detracts from the quality of open space resources are valuable conservation tools. They can also be expensive, or cumbersome to administer.

**Property Tax Relief.** San Juan County Open Space Taxation and Designated Forest Land programs offer differential assessment of property according to its "current use" and help property owners to continue in agriculture or forestry in spite of rising taxes. But these programs are voluntary, so they do not assure long term conservation benefits.

**Conservation Easements.** The Land Bank Commission and The San Juan Preservation Trust offer owners opportunity to sell or donate easements or other interest in their property to conserve it. In the case of donations there can be significant income tax advantages. The Land Bank Commission can also purchase property and attach conservation restrictions before reselling it.

**Density Bonuses.** The County can offer density bonuses in return for clustering development. This had the disadvantages of increasing density on sensitive properties and increasing overall density allowed in the islands.

**Density Criteria.** As an incentive for open space resource conservation in land developments, the County can adopt a criterion in the Comprehensive Plan allowing the maximum residential densities in areas with vulnerable resources only if Open Space and Conservation Plan objectives are met.

**Expedited Permit Processing.** Convenience is another inexpensive incentive the County can offer in return for conservation of open space resources. The County can use the authority given in the state subdivision statute to increase the number of lots which can be created through the short plat process, subject to compliance with conservation objectives. This could reduce plat processing time considerably.

**Recognition.** Without great expense, the County could offer a program of recognition for achievement in conservation actions.

**Transfer of Development Rights.** A program to allow the transfer of development rights among different properties would require significant time and money to administer. Another difficulty with a TDR program is how and where to assign "receiving properties," or those which are assigned the density transferred from conservation properties.

**Recommendations**

- 1) The Board of County Commissioners should appoint a task force to explore all types of incentives to conserve open space resources permanently.
- 2) The library of conservation techniques recommended under Education, above, should include information on various tax incentive programs.
- 3) The Board of County Commissioners should actively pursue state legislation allowing transfers of property between all current use taxation programs.
- 4) The Land Bank Commission should pursue opportunities to educate property owners about easement benefits and acquire easements for open space resource conservation.
- 5) Density bonuses should not be allowed; instead, open space resource conservation should be adopted by the County as a criterion for approval of maximum densities possible under the Comprehensive Plan.
- 6) The Board of County Commissioners should direct the Planning Department to establish ways to expedite the processing of development applications which clearly

### 3.3.3 Incentives

*Incentives**Differential Assessment of Real Property (Current Use Taxation)*

- + Reduces financial pressure to convert
- + Maintains private ownership, traditional uses
- + Maintains some tax income from property
- + Most effective with accompanying regulation
- No long term protection
- Requires willing participation of owner

*Transfer Taxes (Land Bank)*

- + No cost to agency
- + Produces revenue for acquisition
- Not permanent

*Loans & Grants*

- + Passing through state & federal funds
- + No cost to local agencies
- + Increases good will of owners toward agency
- Lack of state & federal funding

*Revolving Funds (for purchase & resale with restrictions)*

- + Ability to act quickly
- Difficult to establish and administer
- Subject to resale value of restricted property

*Conservation Easement Donation & Bargain Sale Tax Incentives*

- + No cost to local agencies
- + Reduces financial pressure to convert
- + Maintains private ownership, traditional uses
- + Maintains some tax income from property
- + Most effective with accompanying regulation
- + Long term protection
- Requires willing participation of owner

*Conservation Recognition Program*

- + No cost to local agencies
- + Increases good will of owners toward agency
- Not permanent

*Maximum CompPlan Density or Density Bonuses for Clustering/Conservation*

- + No cost to local agencies
- Could increase overall density

*Expedited Permit Processing*

- + No cost to local agency

*Transfer of Development Rights*

- + Provides some control over location of higher densities
- Complicated and costly to administer

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contribute to the enhancement and conservation of open space resources.

7) The Board of County Commissioners should direct the Planning Department to report to the Board on a recommendation for increasing the number of lots that can be created legally through the short plat procedure if the project design meets adopted conservation objectives as specified in this plan.

8) The Board of County Commissioners should establish a recognition program for achievement in conservation actions by individuals, property owners, and citizen groups, and solicit nominations to the Board annually. The Board should appoint a citizen committee to select nominees for honors.

### 3.3.4 Regulation

#### Protecting Open Space through Existing and Proposed Ordinances

#### Findings

The County can pursue numerous options to strengthen its ability to conserve open space resources through regulation. However, some open space resources will be more difficult to preserve than others:

- a) Open space qualities such as rural agricultural character are comparatively more difficult to define and regulate.
- b) Some open space resources, such as pasture land and ridgelines, require that comparatively large areas of land remain undeveloped in order to preserve their quality. While clustering can be an effective way to preserve these resources, the potential for this is reduced substantially if the underlying property consists of numerous small parcels in separate ownerships.
- c) County authority to regulate and preclude development of the resource diminishes as the resource area, or its proportion of the area concerned, increases. Priority resources that comprise a large percentage of the underlying parcel should be considered for acquisition.

The most effective conservation strategy will result from both strengthening existing regulations and establishing new ones, because no single ordinance can effectively address all open space concerns without stretching the limits of its legal authority.

The County should pursue a regulatory package that protects priority resources, includes a variety of preservation tools, and can be accomplished within County budget and staff constraints. For instance, definitions and mapping of open space resources can be used for both SEPA and Comprehensive Plan purposes. Similarly, refined Comprehensive Plan policies will strengthen the SEPA policy basis because they are incorporated by reference in the County SEPA ordinance. The County should also look to other well-documented reports and studies, such as the Watershed Ranking Report (1988), that could be adopted by ordinance and used for inventory, mapping or other policy purposes.

New regulatory tools recommended include a Conservation Overlay District Ordinance, an Environmentally Sensitive Areas Ordinance, and a Clearing and Grading Ordinance.

- a) A Conservation Overlay District Ordinance would establish site design criteria for land alteration in areas of the County designated as vulnerable open space resources.
- b) An Environmentally Sensitive Areas Ordinance would define natural and visual open space resources that are also elements of the environment under SEPA, establish performance standards for the conservation of those resources in new developments, and remove any exemption from SEPA requirements which may otherwise apply.
- c) A Clearing and Grading Ordinance would establish review requirements and approval criteria for land clearing which is not governed by the state Forest Practices Act. It would provide a means to control the effects of clearing practices on open space resources and to provide standards for grading associated with development before any required land alteration approvals are granted.

Specific findings and recommendations to amend the existing Comprehensive Plan, SEPA Implementing Ordinance, Shoreline Master Program and Land Division Ordinances are included in Appendix 3.

## 3.3.5 Acquisition

### Acquisition Alternatives

#### Fee simple

- + Positive control of the resources
- + Can be achieved in a timely manner with Land Trust assistance
- Removes property from taxation
- Displaces existing owner/use
- High initial cost to agency
- Maintenance and operating costs to agency
- Requires supervision & enforcement
- Not feasible for entire breadth of resources
- Requires willing seller or condemnation

#### Easements (less than fee)

- + Maintains current ownership and traditional uses
- + Avoids public maintenance & operation costs
- + Some tax revenue maintained
- + Relieves tax burden on owner
- Requires supervision & enforcement
- May be almost as expensive as fee

#### Purchase & Sellback (Leaseback)

- + Less ambiguous than easement
- + Life or Term Estates
- + Does not displace owners
- + Reduced cost to agency
- + Good for long-term protection
- Reduces immediate public access

#### Donations & Bargain Sales

- + Nollow cost to agency
- + Possible tax advantages to owner
- Requires cooperative participation of owner
- Forgone tax revenues
- Not economically feasible for most owners

#### Exchange

- + Opportunity to consolidate parcels
- + No funding necessary
- + Maintains tax status quo
- Complex & time consuming

#### Leases and Special Use Permits

- + Lower cost than acquisition
- + Maintains private ownership, traditional uses
- + Remains taxable
- Short lease terms not permanent protection

#### Land Trusts and Not-for-Profit Organizations

- + Can be more expeditious than public acquisition
- + More flexibility than agencies
- + Greater tax advantages for owner
- Requires willing participation of owner

Acquisition of property interests is the most certain but also the most expensive of open space conservation techniques available.

Acquisition of property interests will be necessary for those resources with the highest degree of vulnerability and which cannot be conserved adequately through regulation, or where an entire property contains vulnerable open space resources.

Acquisition should not result in simple artifacts of the valued resources isolated in an otherwise ruined landscape.

### Recommendations:

Two acquisition principles should guide the Land Bank Commission:

a) **Acquisition Principle I:** Acquisition should focus on those significant resources with the highest vulnerability but which are not or cannot be protected adequately through regulation.

The Land Bank Commission should use and further develop the open space resource evaluation system in Appendix 2 to apply this acquisition principle. (See Appendix 2.4 for an example of parcel evaluation)

b) **Acquisition Principle II:** Acquire property which either wholly encompasses a significant open space scene, or will contribute to or further protect the value of already protected resources.

Based on the findings of resource significance, sensitivity, and the potential for change, the following should receive priority for acquisition in fee or less-than-fee.

- a) Pastoral landscape areas in or adjoining land in active agricultural use.
- b) View corridors identified by the community as both highly significant and highly vulnerable to adverse intrusion.
- c) Prominent geographic features identified by the community as highly significant and highly vulnerable to adverse intrusion.
- d) Properties comprising a major percentage of sensitive and vulnerable open space resources.

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## 4.0 Implementation

**T**o implement the Open Space and Conservation Plan, the San Juan County Board of Commissioners must act on its recommendations. A number of actions can be taken immediately to give direction to the conservation activities of the county and to lay the groundwork for conservation measures to be implemented over time through County funding, political, and administrative processes. Other measures can begin immediately, but will take time to come to fruition. Some recommendations should be coordinated with the required schedule of the Growth Management Act.

### **Immediate**

**The Board of County Commissioners should:**

- 1) Resolve to accept the Open Space and Conservation Plan as guidelines for open space policy. This will establish the findings and recommendations as County policy to guide the activities of the Land Bank Commission, acknowledge the resource inventory data as a source of information for actions enforcing existing plans and regulations, and express commitment to proceed with adoption of the open space and conservation plan and associated implementation actions. It will also coordinate County open space policy with planning required by the Growth Management Act.
- 2) Adopt the Open Space and Conservation Plan by ordinance as a subarea plan (part of the Comprehensive Plan).

### **Next Steps**

**The Board of County Commissioners should:**

- 1) Adopt the Conservation Overlay District Ordinance with site design review criteria and procedures.
- 2) Adopt new SEPA policies to specify policies for conservation of open space resources as elements of SEPA review requirements.
- 3) Amend the Comprehensive Plan, the Shoreline Master Program, and the Land Division Ordinance to incorporate specific references to and procedures for conservation of open space resources.
- 4) Adopt a Clearing Ordinance coordinated with the wetlands ordinance.
- 5) Appoint a task force to explore incentives that would allow for permanent conservation of open space resources and report to the Board within six months of appointment.
- 6) Establish a recognition program for achievement in conservation actions.

**The Land Bank Commission should:**

- 1) Assemble, produce and distribute educational materials as recommended in this Plan.
- 2) Use the acquisition principles, resource information, and evaluation system recommended in this Plan.

**Implementation****To Comply with Requirements of the Growth Management Act****The Board of County Commissioners should:**

- 1) Adopt an **Environmentally Sensitive Areas** ordinance coordinated with the timing of the GMA required for the inventory and regulation of natural resource lands and critical areas.
- 2) Adopt a wetlands protection ordinance based on the Department of Ecology model ordinance.
- 3) Direct the Planning Department to conduct a comprehensive wetlands inventory and classification based on the DOE model ordinance. The inventory should be conducted in such a way that it can be incorporated into a future geographic information system.

**San Juan County**

**Open Space &**

**Conservation**

**Plan**