



SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

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POLICIES/PROCEDURES/INTERPRETATIONS

Applicability of Eastsound public road frontage requirements to improvements of a fair market value of at least \$50,000

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Issued 04/20/2018
LU Interpretation -2018-01
Eastsound Street Improvements

Code interpretation pursuant to SJCC 18.10.030(A)

ISSUE: SJCC 18.30.700.E requires public road frontage improvements when a property is developed, when an existing use is substantially expanded, when a change of use occurs, or **when improvements of a fair market value of at least \$50,000 are made to the property.** The requirement for frontage improvements based on a fair market value of \$50,000 alone could be interpreted to apply to all projects regardless of whether the project will result in increased traffic volumes or traffic impacts.

ANALYSIS:

It was the intent of this code section to require frontage improvements when there is a change to a property that would increase traffic volumes or impacts as evidenced by the terms “substantially expanded” and “change of use”. The use of the terms “development” and “improvements of a fair market value” were likely intended to capture improvements such as a parking lot or a division of land that don’t include a structure but would still have a traffic impact.

San Juan County code includes the following applicable definitions:

SJCC 18.20.210 “Use” means the purpose that land or building or structures now serve or for which they are occupied, maintained, arranged, designed, or intended.

SJCC 18.20.040 “Development” means the division of a parcel into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any grading, draining, dredging, drilling, filling, paving, excavation, mining, landfill; or any extension of the use of land. (See also “Shoreline development.”) Not all development requires a permit or review.

SJCC 18.20.090 “Improvements” means structures, roads, and other developments of land.

SJCC 18.20.190 "Structure" means a permanent or temporary edifice or building or any piece of work artificially built up or composed of parts joined together in some definite manner, whether installed on, above, or below the surface of the ground or water, except for vessels (WAC 173-27-030).

Interpretation: The requirement to provide road frontage improvements applies to improvements with a market value of at least \$50,000 or developments only if they result in increased traffic volumes or impacts over existing conditions and is/are one of the following:

- 1) A change of use of a property or an existing building;
- 2) An addition to an existing building;
- 3) An expansion of an existing use; or
- 4) A new building.

For the purposes of this policy, a "change of use" of an existing building means a change in occupancy class as defined by the International Residential Code or International Building Code. An interior remodel that doesn't involve a change in occupancy does not require frontage improvements.

For the purposes of this policy, a "change of use" of a property includes a division of land into additional lots and development of a parking lot on a vacant parcel.

The Director will consult the Institute of Transportation Engineers (ITE) Traffic generation manual, 7th edition to determine if there will be an increase in traffic volumes.