



SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

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MEMO

REPORT DATE: August 7, 2020
TO: San Juan County Council
CC: Chad Yunge, Senior Regional Shoreline Planner, Department of Ecology
Mike Thomas, County Manager
FROM: Erika Shook, AICP, DCD Director ^{ES}
Adam Zack, Planner III ^{AZ}
SUBJECT: An Ordinance to update the Shoreline Master Program (SMP) regulations.
MEETING DATE: August 11, 2020
ATTACHMENT: A. Updated Draft Ordinance
B. Swinomish Tribe comment letter dated August 4, 2020
C. Public Comments
D. Barge Landing Site Lists

PURPOSE: To follow up on six Shoreline Master Program (SMP) topics the County Council requested more information about after the public hearing on July 28, 2020. The six topics are:

- Process for notice of a proposed use of an existing nonconforming temporary barge landing site;
- List of existing nonconforming temporary barge landing sites;
- Notice requirements for administrative shoreline substantial development permits;
- Consistency of proposed amendments with Chapter 18.80 San Juan County Code (SJCC);
- Tree-cutting in the shoreline; and
- Proposed changes to SJCC 18.50.100 Archaeological and historic resources.

Process for notice of a proposed use of an existing nonconforming temporary barge landing site

In the attached draft Ordinance, staff added language to Section 7 that requires a notice of barge landing. The proposal would add a new SJCC 18.50.050(C), which states:

C. Notice of Barge Landing. Prior to landing a barge at an existing nonconforming temporary barge landing site, the operator must submit a Notice of Barge Landing to the Department on forms specified by the Director. The notice must be submitted at least 10 business days prior to the landing.

This would establish a process whereby a barge operator would be required to notify the Department of Community Development (DCD) of a landing at an existing nonconforming barge landing site at least ten business days in advance. This would be an online process, similar to the required certificate of compliance for vacation rental permits. The notice would not be an application and DCD is not issuing a decision. Receipt of the form would not constitute an authorization of the landing. The County will be able to pursue code enforcement on noncompliant barge landings because the notification is not an authorization. This will also reduce the length of time of the review process.

The form would require the operator to certify under penalty of perjury and possible code enforcement that the nonconforming temporary barge landing:

- Is legally established;
- Does not include new development;
- Will not exceed 12 landings in a 24-month period;
- Will not result in any development, as defined under the SMP; and
- Will not increase adverse impacts on, or result in a net loss of, shoreline ecological functions .

List of Existing Nonconforming Barge Landings

Adopting a list of existing nonconforming temporary barge landing sites was requested by public comments. The County Council requested additional information about what would be involved in establishing such a list. The County is not required to adopt a list of existing nonconforming temporary barge landing sites. The County does not maintain similar lists of other nonconforming uses. Adopting a list of existing nonconforming temporary barge landing sites would allow the public to see where these landings are taking place. Requiring adoption of this list will commit additional staff resources to creating and maintaining the list.

Establishing the list through an administrative action is the most efficient way to adopt a list of existing nonconforming temporary barge landing sites. An administrative process will not require public hearings before the Planning Commission and County Council and ultimately an ordinance amending the County Code or Comprehensive Plan (*Plan*). County Code and *Plan* amendments require protracted processes that would add significantly to the staff resources committed to establishing the list. Furthermore, the *Plan* can only be amended once per year. If annually updating this list were included with every Comprehensive Plan amendment process, it could significantly complicate each *Plan* amendment.

The attached draft Ordinance includes new language in Section 11 that establishes an administrative process for adopting a list of existing nonconforming temporary barge landing sites. The proposal would add SJCC 18.50.550(H)(5), which states:

5. The Department shall maintain a list of existing nonconforming [temporary] barge landing sites. The list shall be updated and published annually. Additions or deletions from the list shall be by Director's Administrative Determination pursuant to SJCC 18.10.030(B).

The proposal would allow DCD to keep an annually updated list of existing nonconforming temporary barge landing sites without requiring a legislative action. The list would be created and amended as an Administrative Determination. Annually publishing the list will allow interested members of the public to review the list. Members of the public would be able to submit proposed changes to the list. Attached to this memorandum are the three barge landing lists that DCD uses to determine if a barge landing exists and/or its non-conforming status. These lists would be the initial basis for a single list.

Notice requirements for administrative substantial development permits

Draft Ordinance Sections 4, 13, and 14 propose amendments to make the director the decision-maker for Shoreline Substantial Development permits (SSD) for public pedestrian trails and residential accessory structures that do not meet an exemption threshold in SJCC 18.50.050. Most other SSDs require a Hearing Examiner decision, which requires a public hearing. This is a local choice intended to reduce permit review time for public trails and residential accessory structures.

The process for SSDs is established in SJCC 18.80.110 Shoreline preapplication meetings, permit exemption procedures, and vesting. Draft Ordinance Section 14 amends this section of SJCC. Notice of application is required for all shoreline permits by SJCC 18.80.110(B)(1). The review process has four basic steps:

1. Applicant submits an application;
2. DCD performs a completeness review. Once the application is complete, DCD publishes a notice of application, which begins the 30-day comment period;
3. Notice of application is published in the newspaper, posted on the site and mailed to properties within 300 feet.
4. After the 30-day comment period, DCD issues a decision on the permit; and
5. Notice of the shoreline permit decision is sent to the WA State Department of Ecology and the office of the WA State Attorney General.

Consistency with Chapter 18.80 SJCC

Draft Ordinance Section 14 amends SJCC 18.80.110 to make the director the decision-maker on SSDs for public pedestrian pathways and residential accessory structures that do not meet the exemption threshold. Under the current regulations, the Hearing Examiner (HEX) is the decision-maker for these SSDs. The HEX public hearing is removed from the process by naming the director as the decision-maker.

The attached draft includes a new Section 13 that amends the table in SJCC 18.80.020 to clarify the process for administrative review of SSDs for public pedestrian pathways and residential accessory structures.

In a comment letter dated July 21, 2020, the Friends of the San Juans asked the Council to ensure that changes to SJCC 18.80.110 maintain a public comment period for SSDs. The draft Ordinance may remove the public hearing from the permitting process but still requires public notice and a public comment period.

Tree-Cutting in the Shoreline

Draft Ordinance Section 9 proposes amendments to the SJCC 18.50.450 Forest practices. The amendments clarify that cutting timber solely incidental to preparing land for other uses authorized by the SMP does not require a shoreline permit. In other words, if another development permit authorizes the construction of a single-family home, removing trees from the building site is not a separate shoreline development and would not require an additional shoreline permit. In most cases, the use authorized by the SMP requires a shoreline permit or a certificate of exemption.

A forest practices permit is required by the State if more than 5,000 board feet of lumber will be cut. The proposed amendments do not affect this requirement. Even if timber cutting is solely incidental to preparing

land for another authorized use, if the harvest exceeds 5,000 board feet, a forest practices permit is required. The other requirements of SJCC 18.50.450 apply to forest practices.

In summary, the amendments clarify that an additional shoreline permit is not required for cutting down trees if:

- Tree-cutting is incidental to development authorized by another permit or certificate of exemption, and
- The tree removal is not a forest practice, meaning that cutting does not exceed 5,000 board feet.

The proposed amendment to SJCC 18.50.450(A)(2) states:

2. This section does not apply to the cutting of timber solely incidental to the preparation of land for other uses authorized by a shoreline permit or shoreline certificate of exemption by this chapter is allowed. when the activity is not covered under the Washington State Forest Practices Act, Chapter 76.09 RCW.

Proposed changes to SJCC 18.50.100 Archaeological and historic resources

In a memo dated July 27, 2020, staff recommended amending SJCC 18.50.100 Archaeological and historic resources to require application from the affected tribes for shoreline stabilization measures to protect exposed archaeological resources. The proposed amendments to SJCC 18.50.100(D) in the updated draft Ordinance Section 8 are:

Structural shoreline stabilization measures may be allowed ~~with a shoreline substantial development permit~~ where wind, rain, storms, or waves expose verified archaeological and historic resources. The permit application for the stabilization measures must be submitted by the affected Native American tribe(s). Prior to issuing the permit, the authenticity of the cultural and historic resources must be verified by the DAHP in coordination with ~~the~~ any affected Native American nations.

In a letter dated August 4, 2020, Chairman Steve Edwards of the Swinomish Indian Tribal Community, wrote in support of the proposed changes provided they include an opportunity for all affected tribes comment on any proposed bulkhead under the revised section.

Without the requirement that the affected Native American tribes submit the application, any property owner could apply for shoreline stabilization measures to protect archaeological resources. This code section has been used by at least three private property owners to justify hard shoreline stabilization/bulkhead projects that are not necessary to protect a single-family residence, and that do not meet the other shoreline stabilization requirements found in SJCC 18.50.350 and 18.50.360. The proposed amendments would close this loophole while continuing to allow the affected Native American tribes to request preservation of important archaeological or historical resources.

Summary of Updated Draft Ordinance Sections: The attached draft ordinance integrates the feedback the County Council provided during deliberations on July 28, 2020. Staff made some additional edits for clarity and consistency. Each changed section of the ordinance is summarized below.

Section 4. Amends SJCC 18.50.020 General and Ordinance 21-2018 § 2 to allow the director of Community Development instead of the hearing examiner to make decisions on shoreline substantial development

permit applications for public pedestrian trails and residential accessory structures that do not meet an exemption threshold.

The updated draft clarifies that residential accessory structures do not include shoreline stabilization, boathouses and overwater structures. This clarification was requested by the Department of Ecology.

Section 7. Amends SJCC 18.50.050 Exemptions from substantial development permit requirements – Normal residential appurtenances and Ordinance 11-2017 § 6 in subsection 1 to provide the updated fair market value of \$7,047 in September 2017. In subsection (2)(i), permit requirements for existing temporary barge landing sites are clarified. These do not require a certificate of exemption if the proposed use is consistent with the historic transport of cargo at the site and frequency of the historic use.

The updated draft also includes a new SJCC 18.50.050(C), which establishes a process whereby a barge landing operator would be required to notify the Department of Community Development (DCD) of a landing at an existing nonconforming barge landing site at least ten business days in advance. This change is discussed on page 2 of this memo.

Section 8. Amends SJCC 18.50.100 Archaeological and historic resources to require application from the affected tribes for shoreline stabilization measures to protect exposed archaeological resources. This amendment is discussed further on page 4 of this memo.

Section 9. Amends SJCC 18.50.450 Forest Practices and Ordinance 11-2017 § 20 in subsection 2. The amendments clarify that cutting timber solely incidental to preparing land for other uses authorized by the SMP is not considered development and does not require a shoreline permit. These changes are discussed further on page 5 of this memo.

Section 11. Amends SJCC 18.50.550 Transportation facilities and parking and Ordinance 11-2017 § 25 in item H to clarify the permitting requirements for existing nonconforming temporary barge landings. The updated draft ordinance adds a new requirement that DCD will maintain a list of existing nonconforming temporary barge landing sites, discussed on page 1 of this memo. Existing barge landing site lists are attached to this memorandum as Attachment D.

Section 13. This section is new to this draft of the Ordinance. Section 13 amends SJCC 18.80.020 and Ordinance 2-2014 §7 to ensure that Table 8.1 is consistent with other changes to Chapter 18.80 SJCC that make the Administrator the decision-maker on shoreline substantial development permits for public pedestrian pathways and residential accessory structures.

ORDINANCE NO. ____ - 2020

AN ORDINANCE TO UPDATE THE SHORELINE MASTER PROGRAM REGULATIONS; AMENDING SAN JUAN COUNTY CODE (SJCC) 18.20.020, 18.20.140, 18.20.190, 18.50.020, 18.50.030, 18.50.040, 18.50.050, 18.50.450, 18.50.540, 18.50.550, 18.50.600, 18.80.020, 18.80.110 AND 15.12.030

BACKGROUND

A. In accordance with the Shoreline Management Act (SMA) (Chapter 90.58 RCW) and implementation regulations Washington Administrative Code Chapter 173-96, and 173-97, San Juan County recently completed a comprehensive update of its Shoreline Master Program including Section B, Element 3 of the Comprehensive Plan; and shoreline management regulations in Ordinance 11-2017.

B. Periodic reviews of the San Juan County Shoreline Master Program are required by RCW 90.58.080.

C. According to WAC 173-26-090(2)(d)(i)(A) and (B) the minimum scope of review established by the SMA is:

(A) To assure that the master program complies with applicable law and guidelines in effect at the time of the review; and

(B) To assure consistency of the master program with the local government's comprehensive plan and development regulations adopted under chapter 36.70A RCW, if applicable, and other local requirements.

D. The periodic review addresses changes in requirements of the SMA and guideline requirements that occurred since the comprehensive update and changes for consistency with revised comprehensive plans and regulations, together with any changes deemed necessary to reflect changed circumstances, new information or improved data.

E. There is no minimum requirement to comprehensively revise shoreline inventory and characterization reports or restoration plans in the periodic update.

F. Staff used the Washington State Department of Ecology's (Ecology) periodic review checklist to determine what amendments were needed to be consistent with state laws, rules and updated guidance adopted through 2019.

1. The proposed ordinance is consistent with the provisions of RCW 90.58.080 and WAC 173-26-090(2)(d)(i)(A) and (B).

2. The proposed ordinance is consistent with the provisions of XXXXXXXXXXXX

1 3. XXXXXX
2

3 **G.** The County Council makes the following conclusions: XXXXXXXXXXXXXXXX
4

5 **NOW, THEREFORE, BE IT ORDAINED** by the County Council of San Juan County,
6 State of Washington, as follows:
7

8 **SECTION 1. SJCC 18.20.020 and Ordinance 1-2016 §68 are each amended to read**
9 **as follows:**

10 **18.20.020 “B” definitions.**

11 “Barge landing site, permanent” means any location established for the purpose of landing a barge
12 (including powered landing craft) for more than a temporary use. (See also “log storage or transfer
13 site.”)

14 “Barge landing site, temporary” means a location where a limited number of landings are allowed
15 that will not result in permanent disturbance of the earth, development or permanent adverse
16 impacts on shoreline ecological functions.

17 “Base flood” means the flood having a one percent chance of being equaled or exceeded in any
18 given year; also known as the “100-year flood,” as shown on the FIRM maps.

19 “Base flood elevation” means the elevation for which there is a one percent chance in any given
20 year that flood levels will equal or exceed it.

21 “Beach enhancement/restoration” means a process of restoring a beach to a state more closely
22 resembling a natural beach using beach feeding, vegetation, drift sills, and other nonintrusive
23 means.

24 “Bed and breakfast inn” means a hospitality commercial use containing three to five lodging units
25 without cooking facilities, which provides overnight accommodation and breakfast meals in a
26 proprietor- or owner-occupied existing single-family residence and additional legal structures or
27 up to 10 lodging units in an existing historic structure.

28 “Bed and breakfast residence” means a hospitality commercial use containing one to two lodging
29 units without cooking facilities, which provides overnight accommodation and breakfast meals in
30 an owner-occupied existing single-family residence.

- 1 “Beneficial owner” means an individual who is a member of a family corporation, trust, or a
2 partnership, and who is related by blood, adoption, marriage, or domestic partnership to all other
3 members of the corporation, trust or partnership.
- 4 “Best available science” means current scientific information used in the process of designating,
5 protecting, or restoring critical area functions and values, that is derived from a valid scientific
6 process as described in WAC 365-195-900 through 365-195-925.
- 7 “Best management practices (BMPs)” means systems of practices, schedules of activities,
8 prohibitions, maintenance procedures, and structural or management measures that prevent or
9 minimize the release of pollutants or other adverse impacts to the environment.
- 10 “Binding site plan” is a method of division of land intended primarily for projects such as
11 condominiums, residential clusters or planned unit developments, industrial parks and shopping
12 centers, which are developed as a whole rather than for sale of individual lots for development.
- 13 “Biodiesel” means biodiesel as defined by RCW 19.112.010.
- 14 “Biofiltration system” means a water filtration system using biological processes.
- 15 “Boat launch, ramp or retrieval system” means an area, structure, or equipment used to launch or
16 retrieve boats.
- 17 “Boathouse” means an enclosed structure designed and used for the storage of boats and boat
18 equipment.
- 19 “Boating facilities” means development and uses that support access to shoreline waters for
20 purposes of boating such as marinas, covered moorages, boathouses, ramps, marine railways,
21 mooring buoys, piers, docks and floats serving five or more single-family residences, or
22 multifamily units.
- 23 “Bonus-density residential district” means a district in which a density bonus is permitted for
24 affordable housing. The official maps indicate both the base density permitted without a density
25 bonus and the maximum density permitted with a density bonus for affordable housing.
- 26 “Boundary line adjustment” means a change in the location of the boundary or boundaries between
27 parcels of land to correct errors.

1 “Boundary line modification” means a change in the location of the boundary or boundaries
2 between parcels of land; provided, that no additional parcels are created, except that a change in a
3 land description to correct errors is not to be considered a boundary line modification.

4 “Breakwater” means protective structures that are normally built offshore to protect beaches,
5 bluffs, dunes, or harbor areas from wave action.

6 “Buffer zone, strip, or area” means either an area designed to separate incompatible uses or
7 activities, or a contiguous area that helps moderate adverse impacts associated with adjacent land
8 uses and that is necessary for the continued maintenance, function, and structural stability of the
9 protected area. Different types of buffers perform different functions.

10 “Building envelope” means:

- 11 1. A three-dimensional space in which a building or structure may be built;
- 12 2. A plat restriction for the purpose of defining lot coverage areas for individual lots, or for
13 describing shoreline building setbacks.

14 “Bulk fuel storage plant or terminal” means an area where flammable or combustible liquids are
15 received by tank vessel, pipelines, tank car, or tank vehicle and are stored or blended in bulk for
16 the purpose of distributing such liquids by tank vessel, pipeline, tank car, tank vehicle, portable
17 tank, or container (see International Fire Code).

18 “Bulk fuel storage (retail)” means the storage of fuel in structures or tanks for subsequent retail
19 sale.

20 “Bulk fuel storage (wholesale)” means the storage of fuel in structures or tanks for subsequent
21 wholesale distribution.

22 “Bulkheads or seawalls” means structures erected parallel to and near the high water mark for the
23 purpose of protecting the adjacent bank or uplands from the action of waves or currents.

24

25 **SECTION 2. SJCC 18.20.140 and Ordinance 1-2016 §74 are each amended to read**
26 **as follows:**

27 **18.20.140 “N” Definitions.**

28

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

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

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

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

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

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

16 “Net use area” means the area used to calculate the required number of parking spaces for
17 developments in Eastsound as specified in Table 22. Net use area is the gross floor area excluding
18 the following:

19 1. Circulation areas such as entries and weather vestibules, lobbies, hallways and corridors,
20 stairways, elevators and similar areas which do not have customer/patron uses other than for
21 circulation of people; and

22 2. Mechanical, custodial and storage areas such as mechanical rooms and chases/shafts,
23 electrical/utility rooms and vaults, toilets, custodial rooms, and areas used solely for storage.

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

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

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

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

13 “Nonconforming” means an existing use, structure, site, or lot that conformed to the applicable
14 codes in effect on the date of its creation but that no longer complies because of changes in code
15 requirements. Nonconformity is different than and not to be confused with illegality (see “illegal
16 use”). Legal nonconforming lots, structures, and uses are commonly referred to as
17 “grandfathered.”

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

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

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

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

1 “Normal residential appurtenance, shoreline” means a structure or development that is necessarily
2 connected to the use and enjoyment of a single-family residence and which is expressly defined in
3 WAC 173-27-040 and in Chapter 18.50 SJCC, for purposes of exemption from shoreline
4 substantial development permit requirements in accordance with WAC 173-27-040(g). Structures
5 and activities considered normal residential appurtenances include accessory dwelling units ~~or~~
6 ~~other detached residential structures~~, garages, sheds, decks and patios attached to primary
7 structures, private pedestrian pathways, stairways to access shorelines including those constructed
8 prior to the construction of a residence on lots intended for single-family development, ramps,
9 ~~patios~~, fences, driveways, utilities, on-site sewage disposal systems, antennas, solar arrays, ~~wind~~
10 ~~power~~ generators serving a single structure, satellite dishes, boat houses landward of the primary
11 residential structure served by marine railways that require a substantial development permit,
12 official registered historic structures, and grading which does not exceed 250 cubic yards and
13 which does not involve placement of fill in any wetland or waterward of the OHWM.

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

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

19 **SECTION 3. SJCC 18.20.190 and Ordinance 21-2018 §1 are each amended to read**
20 **as follows:**

21
22 **18.20.190 “S” definitions.**

23
24 “Sale” means the transfer for consideration of legal or beneficial ownership.
25

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

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

29 “Seaward” means to or toward the sea.

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

- 1 “Security barrier” means a locked, impenetrable wall or fence that completely seals an area from
2 unauthorized entry or trespass.
- 3 “Sedimentation” means the process by which material is transported and deposited by water or
4 wind.
- 5 “Seismic hazard areas” means areas subject to severe risk of damage as a result of earthquake-
6 induced ground shaking, slope failure, settlement, or soil liquefaction.
- 7 “Septage” means the mixture of solid, semi-solid, and liquid wastes, scum, and sludge that is
8 pumped from within septic tanks, pump chambers, holding tanks, and other septic system
9 components.
- 10 “Service area” means an area identified by a public water system that includes existing and future
11 service.
- 12 “Service range” means the area within eight driving miles measured from the property boundary
13 on ferry-served islands and existing facilities on each non-ferry-served island.
- 14 “Setback” means the distance a structure is placed behind a specified line or topographic feature.
- 15 “Sewerage treatment facilities” means the management, storage, collection, transportation,
16 treatment, utilization, and processing of sewage from a municipal or community sewage treatment
17 plant, not including community drain fields.
- 18 “Shooting range” means a facility specifically designed and used for safe shooting practice with
19 firearms and/or for archery practice, with individual or group firing positions for specific
20 weaponry.
- 21 “Shore process corridor” means the land-water zone within which certain geological, biological,
22 and hydraulic actions and interchanges critical to the integrity of the shoreline take place, for
23 example, a feeder bluff-driftway-accretion shoreform system.
- 24 “Shorelands” means lands extending landward for 200 feet in all directions as measured on a
25 horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas
26 landward 200 feet from such floodways; and all wetlands and river deltas associated with the
27 streams, lakes, and tidal waters which are subject to the provisions of Chapter 90.58 RCW, the
28 same to be designated as to location by the Department of Ecology.

1 “Shoreline access point” means a road end or other area that provides physical or visual access to
2 the tidelands and waterfront to the public. Shoreline access points may include one or more of the
3 following:

- 4 1. Signposts;
- 5 2. Benches and tables;
- 6 3. Parking areas;
- 7 4. Paths;
- 8 5. Public pedestrian trails;
- 9 6. Boat ramps without lifts;
- 10 7. Gates;
- 11 8. Staircases; or
- 12 9. Other shoreline access features.

13 “Shoreline development” means a use consisting of the construction or exterior alteration of
14 structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals;
15 bulkheading; driving of piling; placing of obstructions; or any project of permanent or temporary
16 nature which interferes with the normal public use of the surface of the waters overlying lands
17 subject to Chapter 90.58 RCW at any stage of water level. It does not include dismantling or
18 removing structures if there is no other associated development or redevelopment
19 (RCW 90.58.030; WAC 173-27-030).

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

26 “Shoreline modifications” means those human actions that modify the physical configuration or
27 qualities of the shoreline area, usually through the construction of a physical element such as a

1 dike, breakwater, pier, weir, dredged basin, fill, bulkhead, or other shoreline structure. They can
2 include other actions, such as clearing, grading, or application of chemicals.

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

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

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

- 15 1. Shorelines of statewide significance;
- 16 2. Shorelines on segments of streams upstream of a point where the mean annual flow is 20
17 cubic feet per second or less, and the wetlands associated with such upstream segments; and
- 18 3. Shorelines on lakes less than 20 acres in size and wetlands associated with such small
19 lakes (RCW 90.58.030).

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

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

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

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

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

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

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

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

14 “Siting” means the method and form of placement of a use or development on a specific area of a
15 subject property.

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

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

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

22 “Soft shoreline stabilization” means shore erosion control structures and measures that maintain
23 or enhance ecological functions composed of primarily natural and semi-rigid or flexible materials,
24 bioengineering tailored to site-specific natural conditions, and vegetation, organized in a nonlinear,
25 sloping arrangement, that dissipates wave energy and minimize erosion in a way that is similar to
26 natural shoreline processes.

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

- 1 “Solid waste” means all putrescible and nonputrescible solid and semi-solid wastes, except wastes
2 identified in WAC 173-304-015, such as junk vehicles, garbage, rubbish, ashes, industrial wastes,
3 swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded
4 commodities, but excluding agricultural wastes and crop residues returned to the soil at agronomic
5 rates. This includes all liquid, solid and semi-solid materials which are not the primary products
6 of public, private, industrial, commercial, mining and agricultural operations. Solid waste includes
7 but is not limited to sludge from wastewater treatment plants and septage from septic tanks, wood
8 waste, dangerous waste, and problem wastes. Unrecovered residues from recycling operations are
9 considered solid waste.
- 10 “Solid waste disposal” means the act or process of disposing of rubbish and garbage.
- 11 “Solid waste transfer station” means a fixed, supplemental collection and transportation facility,
12 used by persons and route collection vehicles to deposit collected solid waste from off site into a
13 larger transfer vehicle for transport to a permanent disposal site. Solid waste transfer stations
14 include recycling centers. (See “recycling center.”)
- 15 “Sound” means an oscillation in pressure, particle displacement, particle velocity, or other physical
16 parameter in a medium with internal forces that causes compression and rarefaction of that
17 medium, including any characteristics of sound, such as duration, intensity, and frequency.
- 18 “Source of contamination” means a facility or disposal or storage site for material that impairs the
19 quality of groundwater to a degree that creates a potential hazard to the environment, public health,
20 or interferes with a beneficial use.
- 21 “Special flood hazard” means land in the floodplain subject to a one percent or greater chance of
22 flooding in any given year.
- 23 “Static level” means the stable equilibrium level of the water in a well which rises in the well
24 column, without being influenced by pumping.
- 25 “Stocking level” means a quantitative measure of the area occupied by trees. Also referred to as
26 stand density.
- 27 “Storage yard” means an outdoor area used for the storage of equipment, vehicles and materials.
- 28 “Stream” means a watercourse with a defined bed and banks, not including manmade ditches,
29 canals, or other entirely artificial watercourses, except where they exist in a natural watercourse
30 (see WAC 220-110-020). Streams are classified in WAC 222-16-030 and 222-16-031.

- 1 “Street frontage” means the length along a street which a structure, business, or lot abuts or fronts.
- 2 “Structure” means a permanent or temporary edifice or building or any piece of work artificially
3 built up or composed of parts joined together in some definite manner, whether installed on, above,
4 or below the surface of the ground or water, except for vessels (WAC 173-27-030).
- 5 “Subarea plan” means a detailed plan consistent with but more specific than this code or the
6 Comprehensive Plan. It may be a detailed land use plan for a specific geographic area, or a
7 functional long-range plan for a land use or resource issue of Countywide concern.
- 8 “Subdivision, alteration of” means the alteration of lots or changes in dedications or restrictions or
9 easements shown on the face of a plat of a subdivision or short subdivision; except as provided by
10 RCW 58.17.040(6) for boundary line adjustments.
- 11 “Subdivision (long)” means a division or redivision of land, normally into five or more parcels,
12 but under special circumstances for subdivision into two or more parcels, as provided by this code
13 and Chapter 58.17 RCW.
- 14 “Subdivision, short” means subdivision of land into no more than four parcels, as provided by this
15 code and Chapter 58.17 RCW.
- 16 “Subdivision, vacation of” means the removal of lots, boundaries, roads, dedications, restrictions,
17 or easements of a recorded subdivision or short subdivision.
- 18 “Substantial alteration” means any alteration, where the total cost of all alterations such as
19 electrical, mechanical, plumbing, and structural changes for a building or facility within any 12-
20 month period or single development permit application amounts to 50 percent or more of the value
21 of the building or facility. In determining the current value of the building or facility, the assessor’s
22 fair market value, or a current appraisal acceptable to the County, may be used.
- 23 “Substantial development” means any development of which the total cost, or fair market value,
24 exceeds the dollar threshold established by the Washington State Office of Financial Management
25 (RCW 90.58.030(3)(e)); except for the exemptions specified in WAC 173-27-040,
26 Chapter 18.50 SJCC, or any development which materially interferes with the normal public use
27 of the water or shorelines of the state.
- 28 “Substantial improvement” means any maintenance, repair, structural modification, addition or
29 other improvement of a structure, the cost of which equals or exceeds 50 percent of the market

1 value of the structure either before the maintenance, repair, modification, or addition is started or
2 before the damage occurred, if the structure had been damaged and is being restored.

3 “Substantial storage space” means a development in the service and light industrial and service
4 park land use districts in which the ratio of covered and uncovered storage space to retail space is
5 greater than two.

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

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

9 **SECTION 4. SJCC 18.50.020 and Ordinance 21-2018 §2 are each amended to read**
10 **as follows:**

11 **18.50.020 General.**
12

13 A. Title. This chapter of the San Juan County Unified Development Code (UDC), together with
14 Element 3 of the Comprehensive Plan, the official maps and common descriptions of shoreline
15 designation boundaries that do not follow property lines (Ordinance 1-2016, Exhibit D), Section
16 2(B) Figures 130-6, 130-7 of the Eastsound Subarea Plan, SJCC 18.30.480, the Eastsound
17 Waterfront Access Plan, and SJCC 18.80.110, is the Shoreline Master Program (SMP) for San
18 Juan County, Washington.

19 B. Short Title. The short title of this chapter and Element 3 of the Comprehensive Plan is the
20 “SMP.”

21 C. Authority.

22 1. The provisions of this chapter are adopted pursuant to RCW 90.58.140(1) through (3)
23 and 90.58.200, the SMA, Chapters 173-26 and 173-27 WAC, and Element 3 of the
24 Comprehensive Plan. Except when specifically exempted by statute, all proposed uses and
25 development occurring within shoreline jurisdiction must conform to Chapter 90.58 RCW,
26 the SMA, and this SMP.

27 2. As provided in RCW 90.58.900, the SMA is exempt from the rule of strict construction.
28 The SMA and the SMP are liberally construed to give full effect to the purposes, goals,
29 objectives, and policies for which the SMA and this SMP were enacted and adopted.

1 3. The SMA and the SMP comprise the basic state and local law regulating the use of
2 shorelines in the County. Unless specifically provided otherwise, if the provisions of the
3 SMP conflict with other applicable state or local policies, subarea plans, or other regulations,
4 the most restrictive regulation controls.

5 D. Official Map.

6 1. The official maps are part of the SMP. The map shows all areas of the County under the
7 jurisdiction of the SMP and the official shoreline designations established by Element 3 of
8 the Comprehensive Plan for all affected lands and waters.

9 2. There are four official copies of the map. Two are maintained by the department, one is
10 archived by the San Juan County auditor, and one is submitted to the Washington
11 Department of Ecology (WDOE). Amendments to the map are promptly recorded on the
12 official copies.

13 3. No part of the map may be altered or amended without the approval of the WDOE, except
14 those changes provided for in subsection (D)(4) of this section.

15 4. Where questions arise regarding the precise boundaries of any shoreline designation, the
16 director will make the final determination, subject to the provisions of SJCC 18.80.140.
17 Unofficial copies of the map may be prepared for administrative purposes as needed.

18 5. All areas that are not mapped in shoreline jurisdiction, but meet the jurisdictional criteria
19 in RCW 90.58.030(f) per WAC 173-26-211(2)(e), are assigned a conservancy designation
20 until the shoreline can be redesignated through an SMP amendment.

21 E. Responsibilities of Department Director and Planning Commission.

22 1. Director.

23 a. The director:

24 i. makes written recommendations to the decision-maker regarding shoreline
25 permit applications, provides technical and administrative assistance to the
26 hearing examiner as required, and provides such technical assistance to the
27 planning commission and County council as may be needed; and

1 ii. is the local decision-maker on shoreline substantial development permit
2 applications for public pedestrian trails and residential accessory structures
3 (excluding shoreline stabilization, boathouses and overwater structures) that do
4 not meet an exemption threshold in SJCC 18.50.050; and

5 b. The director has the overall administrative responsibility for the SMP including:

- 6 i. Establishing the procedures and preparing the forms deemed essential for the
7 administration of the SMP;
- 8 ii. Advising applicants for permits and other interested persons of the policies,
9 regulations, and procedures established by the SMP and the SMA;
- 10 iii. Making administrative interpretations of the SMP, as necessary;
- 11 iv. Collecting required fees;
- 12 v. Determining that applications are proper and complete prior to review;
- 13 vi. Making field inspections; and
- 14 vii. Seeking compliance with the provisions of the SMP and the SMA and with
15 conditions attached to a shoreline permit issued by the County.

16 2. The department and planning commission have authority to review and recommend
17 revisions to the SMP.

18 3. The department shall document all project review actions in the shoreline jurisdiction
19 and evaluate the cumulative effects of such development on shoreline conditions. The
20 cumulative effects evaluation shall be conducted every four years and consider:

- 21 a. Permit applications, decisions, environmental reports, and other data from
22 authorized shoreline exemptions and permits and GIS maps;
 - 23 b. Aerial and LIDAR photographs;
 - 24 c. Other available data; and
 - 25 d. Field observations.
- 26

1 **SECTION 5. SJCC 18.50.030 and Ordinance 11-2017 §4 are each amended to read**
2 **as follows:**

3 **18.50.030 General applicability.**
4

5 ~~A. Relationship to Comprehensive Plan.~~ This SMP provides land use regulations to implement the
6 goals and policies of the Comprehensive Plan Element 3, SMP. These regulations apply to all of
7 the land and waters of the County that fall under the jurisdiction of the SMA. These regulations
8 do not apply to development and uses beyond the jurisdictional limits of the SMA unless a
9 proposed development involves both jurisdictional and non-jurisdictional land and the upslope
10 land development is likely to adversely affect shoreline ecological functions.

11 ~~B. Applicability to Persons.~~ This SMP applies to every person, individual, firm, partnership,
12 association, organization, corporation, local or state governmental agency, public or municipal
13 corporation, or other nonfederal entity that develops, owns, leases, or manages lands, wetlands, or
14 waters that fall under the jurisdiction of the SMA, except for the right of any person established
15 by treaty to which the United States is a party.

16 C. Applicability to Federal Agencies.

17 1. Federal agencies are subject to this SMP and the SMA, as provided by the Coastal Zone
18 Management Act (16 U.S.C. 1451 et seq.; WAC 173-27-060(1)).

19 2. ~~The shoreline permit system applies to nonfederal activities constituting developments or~~
20 ~~conditional uses undertaken on lands subject to nonfederal ownership, lease, or easement~~
21 ~~even though such lands may fall within the external boundaries of federally owned lands.~~
22 Those nonfederal lands lying within the exterior boundaries of federal lands and those federal
23 lands leased to other persons, which fall within the definition of shorelands, shall be subject
24 to the jurisdiction of Chapter 90.58 RCW. Areas and uses in those areas that are under
25 exclusive federal jurisdiction as established through federal or state statutes are not subject
26 to the jurisdiction of Chapter 90.58 RCW.

27 3. The shoreline permit system applies to development and uses undertaken on lands not
28 federally owned but under lease, easement, license, or other similar property right of the
29 federal government.

30 ~~D. Applicability to Developments, Uses, Structures, and Activities.~~ This SMP applies to all
31 developments, uses, and structures, as well as activities regulated by SJCC 18.50.130. Unless
32 otherwise authorized, shoreline development without a project permit, shoreline substantial

1 development permit, shoreline conditional use permit, shoreline variance, or certificate of
2 exemption is prohibited.

3 E. Developments not required to obtain shoreline permits or local reviews. Requirements to
4 obtain a substantial development permit, conditional use permit, variance, letter of exemption, or
5 other review to implement the SMA do not apply to the following:

6 1. Remedial actions pursuant to RCW 90.58.355. Remedial actions conducted by any
7 person at a facility pursuant to a consent decree, order, or agreed order issued pursuant to
8 Chapter 70.105D RCW, or the WDOE when it conducts a remedial action under Chapter
9 70.105D RCW;

10 2. Boatyard improvements to meet national pollutant discharge elimination system
11 (NPDES) permit requirements pursuant to RCW 90.58.355. Any person installing site
12 improvements for stormwater treatment in an existing boatyard facility needed to meet
13 requirements of a NPDES stormwater general permit;

14 3. WSDOT facility maintenance and safety improvements pursuant to RCW 90.58.356.
15 Washington State Department of Transportation projects and activities meeting the
16 conditions of RCW 90.58.356;

17 4. Projects consistent with an environmental excellence program agreement pursuant to
18 RCW 90.58.045; and

19 5. Projects authorized through the Washington Energy Facility Site Evaluation Council
20 process pursuant to Chapter 80.50 RCW.

21 **SECTION 6. SJCC 18.50.040 and Ordinance 11-2017 §5 are each amended to read**
22 **as follows:**

23 **18.50.040 Exemptions from shoreline substantial development permit requirements –**
24 **General requirements.**
25

26 A. Exemption from the shoreline substantial development permit requirements under this section
27 does not constitute an exemption from the policies of the SMA, the regulations of this SMP, or
28 other applicable County, state, or federal permit requirements.

1 B. Exemption procedures are provided in SJCC 18.80.110(F). Exemptions are construed narrowly
2 in accordance with WAC 173-27-040(1)(a). If any part of a project is not eligible for an exemption,
3 a shoreline substantial development permit is required for the entire project.

4 C. Certificates of exemption are required for certain developments under SJCC 18.50.050(B). A
5 use classified as a conditional use, or a use not named or contemplated in this chapter, is allowed
6 subject to a conditional use permit and is ineligible for a shoreline substantial development permit
7 exemption.

8 D. The following developments, as defined in WAC 173-27-040, are not shoreline substantial
9 developments and require a certificate of exemption when not considered as part of a larger project
10 or development permit:

11 1. With the exception of docks, any development, use, structure or activity whose total cost
12 or fair market value, whichever is higher, does not exceed the maximum exempt amount
13 allowed by state law (~~\$6,416 as of October 2012~~ \$7,047 in September 2017) in accordance
14 with WAC 173-27-040(2)(a), if such development does not materially interfere with the
15 normal public use of the water or shorelines of the state. The total cost or fair market value
16 of the development includes the fair market value of any donated, contributed or found labor,
17 equipment, or materials.

18 2. Normal maintenance or repair of existing structures or developments including those
19 damaged by fire, accident, or the elements in accordance with WAC 173-27-040(2)(b).

20 3. Construction of a protective structural shoreline stabilization measure associated with
21 existing single-family residences in accordance with WAC 173-27-040(2)(c).

22 4. Emergency construction necessary to protect property from damage by the elements, in
23 accordance with WAC 173-27-040(2)(d). Flooding or other seasonal events that can be
24 anticipated and may occur but are not immediately imminent are not an emergency.

25 5. Construction and practices necessary for farming, irrigation, and ranching activities,
26 including agricultural service roads and utilities on shorelands, construction and maintenance
27 of a barn or similar agricultural structure and the construction and maintenance of irrigation
28 structures such as head gates, pumping facilities, and irrigation channels in accordance with
29 WAC 173-27-040(2)(e); provided, that a feedlot of any size, all processing plants, other
30 activities of a commercial nature, and alteration of the contour of the shorelands by leveling

1 or filling (other than that which results from normal cultivation) are not considered normal
2 or necessary farming or ranching activities.

3 6. Construction or modification of navigational aids such as channel markers and anchor
4 buoys in accordance with WAC 173-27-040(2)(f).

5 7. Construction of a single-family residence, including normal residential appurtenances, for
6 the use of the beneficial owner and their family is exempt from shoreline substantial
7 development permit requirements. For the purposes of this SMP, the beneficial owner is an
8 individual who may be a land owner, lessee, contract purchaser, or a member of a family
9 corporation, trust, or partnership, and who is related by blood, adoption, marriage or
10 domestic partnership to all other members of the corporation, trust or partnership. For the
11 construction of more than one single-family residence, a shoreline substantial development
12 permit is required in accordance with WAC 173-27-040(2)(g). Exempt normal residential
13 appurtenances are defined in SJCC 18.20.140 and regulated by SJCC 18.50.050.

14 8. Construction of a dock, including a community dock, designed for pleasure craft only, for
15 the private, noncommercial use of the owner, lessee, or contract purchaser of single- and
16 multiple-family residences in accordance with WAC 173-27-040(2)(h). This exception
17 applies if either:

18 a. In salt waters, the fair market value of the dock does not exceed \$2,500; or

19 b. In fresh waters, the fair market value of the dock does not exceed: ~~\$10,000, but if~~
20 ~~subsequent construction having a fair market value exceeding \$2,500 occurs within five~~
21 ~~years of completion of the prior construction, the subsequent construction is considered~~
22 ~~a substantial development.~~

23 i. Twenty-two thousand five hundred dollars (\$22,500) for docks that are
24 constructed to replace existing docks, and are of equal or lesser square footage than
25 the existing dock being replaced, or

26 ii. Eleven thousand two hundred (\$11,200) dollars for all other docks constructed
27 in fresh waters.

28 If subsequent construction occurs within five years of completion of prior construction, and
29 the combined fair market value of the subsequent and prior construction exceeds the amount
30 specified above, the subsequent construction is considered a substantial development.

1 9. Operation, maintenance, or construction of canals, waterways, drains, reservoirs, or other
2 facilities that now exist or are hereafter created or developed as part of an irrigation system
3 for the primary purpose of making use of the system waters, including return flow and
4 artificially stored groundwater from the irrigation of lands in accordance with WAC 173-27-
5 040(2)(i).

6 10. The marking of property lines or corners on state-owned lands, when such marking does
7 not significantly interfere with normal public use of the surface of the water in accordance
8 with WAC 173-27-040(2)(j).

9 11. Operation and maintenance of any system of dikes, ditches, drains, or other facilities
10 existing on September 8, 1975, that were created, developed, or utilized primarily as part of
11 an agricultural drainage or diking system in accordance with WAC 173-27-040(2)(k).

12 12. Site exploration and investigation activities that are prerequisite to preparation of an
13 application for development authorization under this SMP in accordance with WAC 173-27-
14 040(2)(m) if:

- 15 a. The activity does not interfere with the normal public use of the surface waters;
- 16 b. The activity will have no significant adverse impact on the environment such as fish,
17 wildlife, fish or wildlife habitat, water quality, and aesthetic values;
- 18 c. The activity does not involve the installation of any structure, and upon completion
19 of the activity the vegetation and land configuration of the site are restored to conditions
20 existing before the activity;
- 21 d. A private entity seeking development authorization under this section first posts a
22 financial guarantee or provides other evidence of financial responsibility to the County
23 to ensure that the site is restored to preexisting condition; and
- 24 e. The activity is not subject to the permit requirements of RCW 90.58.550.

25 13. The process of removing or controlling an aquatic noxious weed, as defined in state law,
26 through the use of herbicides or other treatment methods that are recommended in a final
27 environmental impact statement published by the U.S. Department of Agriculture or the
28 WDOE jointly with other state agencies under Chapter 43.21C RCW in accordance with
29 WAC 173-27-040(2)(n). In order to qualify as exempt, noxious weed control must meet the
30 following County requirements:

1 a. Aquatic weed control must only occur when native plant communities and associated
2 habitats are threatened or where a water-dependent use is restricted by the presence of
3 weeds. Aquatic weed control must occur in compliance with all other applicable laws
4 and standards.

5 b. Aquatic weeds will be controlled by hand pulling or mechanical harvesting that does
6 not disturb the sea bed, or entail placement of aqua-screens. If the action is being
7 proposed for the retention of existing water depth for navigation, it is considered normal
8 maintenance and repair.

9 c. The control of aquatic weeds by derooting, rotovating, or other methods that disturb
10 the sea bed or benthos in order to maintain the pre-existing water depth for navigation
11 in an area covered by a previous permit is considered normal maintenance and repair.
12 The control of aquatic weeds by similar methods in any other circumstance requires a
13 shoreline substantial development permit.

14 d. Use of herbicides to control aquatic weeds is prohibited except where no feasible
15 alternative exists and weed control complies with all state rules and regulations.

16 14. Watershed restoration projects in accordance with WAC 173-27-040(2)(o) including a
17 public or private project designed to improve fish or wildlife habitat or fish passage that
18 conforms to the provisions of RCW 77.55.181.

19 15. Habitat enhancement projects that conform to the provisions of RCW 77.55.181 and
20 RCW 90.58.147 are consistent with local shoreline master programs. A public or private
21 project that is designed to improve fish or wildlife habitat or fish passage is in accordance
22 with WAC 173-27-040(2)(p) and RCW 77.55.181, when all of the following apply:

23 a. The project has been approved by the Washington Department of Fish and Wildlife
24 (WDFW);

25 b. The project has received hydraulic project approval by the WDFW pursuant to
26 Chapter 77.55 RCW; and

27 c. The County has determined that the project is substantially consistent with this SMP.

28 16. The external or internal retrofitting of an existing structure with the exclusive purpose
29 of compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. §12101 et seq.)
30 or to otherwise provide physical access to the structure by individuals with disabilities.

1 **SECTION 7. SJCC 18.50.050 and Ordinance 11-2017 §6 are each amended to read**
2 **as follows:**

3 **18.50.050 Exemptions from substantial development permit requirements —Normal**
4 **residential appurtenances.**
5

6 A. Normal residential appurtenances are structures or development that are necessarily connected
7 to the use and enjoyment of a single-family residence and that are expressly defined in
8 SJCC 18.20.140. Hard structural shoreline stabilization measures and other shoreline
9 modifications or over-water structures are not considered normal appurtenant structures. Normal
10 residential appurtenance exemptions also include:

11 1. Construction or renovation of structures with fair market value of less than the maximum
12 value allowed by WAC 173-27-040(2)(a) (~~\$6,416 in October 2012~~ \$7,047 in September
13 2017).

14 2. Private pedestrian pathways, stairways and ramps; provided, that a written certificate of
15 exemption is obtained, and all of the following criteria are met:

16 a. The total cost or fair market value of the improvements does not exceed the maximum
17 allowed by WAC 173-27-040(2)(a);

18 b. Roofs or roof covering materials such as awnings are not allowed for purposes of this
19 exemption;

20 c. All materials must be finished in subdued natural earth colors;

21 d. No construction or placement seaward or below the OHWM is allowed unless the
22 stairways or ramps are connected to an exempt or permitted dock;

23 e. No other shoreline access exists or is feasible;

24 f. The maximum vertical height of the stairway is 15 feet and the maximum width of
25 the structure is five feet. One intermediate landing or platform with a maximum size of
26 five feet by five feet is allowed. Stairways proposed for exposed areas of the shoreline
27 are not allowed on rock faces or bluffs that exceed a 60-degree angle; and

28 g. The project complies with the bank stability and geologically hazardous area
29 requirements of SJCC 18.50.130.

1 B. Certificates of Exemption.

2 1. The director may approve or deny applications for an exemption from a shoreline
3 substantial development permit for uses and developments listed in SJCC 18.50.040 and
4 subsection (A) of this section. Approved certificates must describe the specific exemption
5 that is being applied to the development and indicate that a proposal is consistent with the
6 SMP and the SMA. The certificate of exemption may contain conditions or mitigation
7 measures required for consistency with the SMP and SMA. The denial of an exemption must
8 include written findings. The director’s approval or denial of a certificate of exemption may
9 be appealed under SJCC 18.80.140.

10 2. When not part of an approved development or project permit a certificate of exemption is
11 required for:

- 12 a. Dredging;
- 13 b. Flood hazard control structures;
- 14 c. Archaeological or historic site alteration;
- 15 d. Clearing, grading, fill, excavation and vegetation removal;
- 16 e. Dock construction, repair, replacement, or enlargement;
- 17 f. Structural shoreline stabilization, repair, replacement, or enlargement;
- 18 g. Any residential, commercial or industrial development project within the natural and
19 aquatic designations;
- 20 h. Small scale shellfish aquaculture consistent with the provisions of
21 SJCC 18.50.230(B);
- 22 i. New temporary barge landing sites. Existing nonconforming temporary barge
23 landing sites do not require a certificate of exemption if the proposed use is consistent
24 with the historic transport of cargo at the site and frequency of the historic use; and
- 25 j. Private pedestrian pathways, stairways and ramps.

26 3. Whenever an exempt activity also requires an ACOE Section 10 permit under the Rivers
27 and Harbors Act of 1899, or a Section 404 permit under the Federal Water Pollution Control

1 Act of 1972, a copy of the certificate of exemption is sent to the applicant and the WDOE in
2 accordance with WAC 173-27-050.

3 4. A certificate of exemption is not required for residential development, including normal
4 residential appurtenant structures, when a project or development permit application is
5 required. ~~In addition to the conditional use permit required by SJCC 18.50.540(D)(3), normal
6 residential appurtenances that are not considered as part of the original development permit
7 are required to obtain a certificate of exemption.~~

8 5. A certificate of exemption is not required prior to emergency actions taken pursuant to
9 WAC 173-27-040(2)(d). Post emergency applications must be submitted in accordance with
10 SJCC 18.35.030(A).

11 C. Notice of Barge Landing. Prior to landing a barge at an existing nonconforming temporary
12 barge landing site, the operator must submit a Notice of Barge Landing to the Department on forms
13 specified by the Director. The notice must be submitted at least 10 business days prior to the
14 landing.

15 **SECTION 8. SJCC 18.50.100 and Ordinance 1-2016 § 15 are each amended to read**
16 **as follows: [from the recommended motion]**

17 A. When an application for a development permit is received for an area known to be
18 archaeologically significant, the applicant must submit a cultural resources report with the permit
19 application. The department will forward this report to the Native American nations and
20 Washington State Department of Archaeology and Historic Preservation (DAHP) with a request
21 for comments within 10 working days. The County will not take final action on the application
22 until the comment period has ended. If the application is approved by the County, conditions may
23 be attached reflecting the recommendations of the archaeologist regarding preservation or
24 protection of the site.

25 B. All development permits will contain a provision advising the permit holder that if during
26 excavation or development of the site an area of potential archaeological significance is uncovered,
27 all activity in the immediate vicinity of the find must be halted immediately, and the director, the
28 DAHP and affected Native American nations must be notified at once.

29 C. Additional regulations to protect archaeological and historic resources are established in SJCC
30 18.60.210.

1 D. Structural shoreline stabilization measures may be allowed ~~with a shoreline substantial~~
2 ~~development permit~~ where wind, rain, storms, or waves expose verified archaeological and historic
3 resources. The permit application for the stabilization measures must be submitted by the affected
4 Native American tribe(s). Prior to issuing the permit, the authenticity of the cultural and historic
5 resources must be verified by the DAHP in coordination with ~~the~~ all affected Native American
6 nations.

7 **SECTION 9. SJCC 18.50.450 and Ordinance 11-2017 §20 are each amended to read**
8 **as follows:**

9 **18.50.450 Forest practices.**

10
11 A. General Regulations.

12 1. In any 10-year period, no more than 30 percent of marketable trees may be harvested on
13 a parcel located within the shoreline jurisdiction in accordance with WAC 222-30-110. Other
14 timber harvesting may be allowed in limited instances where the topography, soil conditions
15 or silviculture practices necessary for regeneration render selective logging ecologically
16 detrimental.

17 2. This section does not apply to ~~the~~ cutting of timber solely incidental to the preparation
18 of land for other uses authorized by a shoreline permit or shoreline certificate of exemption
19 by this chapter is allowed. when the activity is not covered under the Washington State Forest
20 Practices Act, Chapter 76.09 RCW.

21 3. If there is a likelihood of conversion to nonforest uses, forest practice conversions and
22 other Class IV general forest practices shall:

- 23 a. Result in no net loss of shoreline ecological functions;
- 24 b. Maintain the ecological quality of the watershed’s hydrologic system;
- 25 c. Prevent significant adverse impacts to other shoreline uses, resources, and values;
- 26 and
- 27 d. Provide a benefit with respect to the objectives of the SMA such as navigation,
- 28 recreation and public access.

1 B. Activities covered under the Washington State Forest Practices Act, Chapter 76.09 RCW,
2 except for conversion to other uses, are exempt from the vegetation management standards in this
3 section.

4 C. Regulations by Designation.

5 1. Natural. Forest management practices are allowed in this designation only if no other
6 means of control will work to control a fire, halt the spread of disease or damaging insects,
7 or to clean up and restore an area devastated by a natural disaster such as fire, storm, disease,
8 or insect attack. No roads may be constructed except those necessary to cope with the
9 emergency situation.

10 **SECTION 10. SJCC 18.50.540 and Ordinance 11-2017 §24 are each amended to read**
11 **as follows:**

12 **18.50.540 Residential development.**

13 A. Regulations – Location and Design.

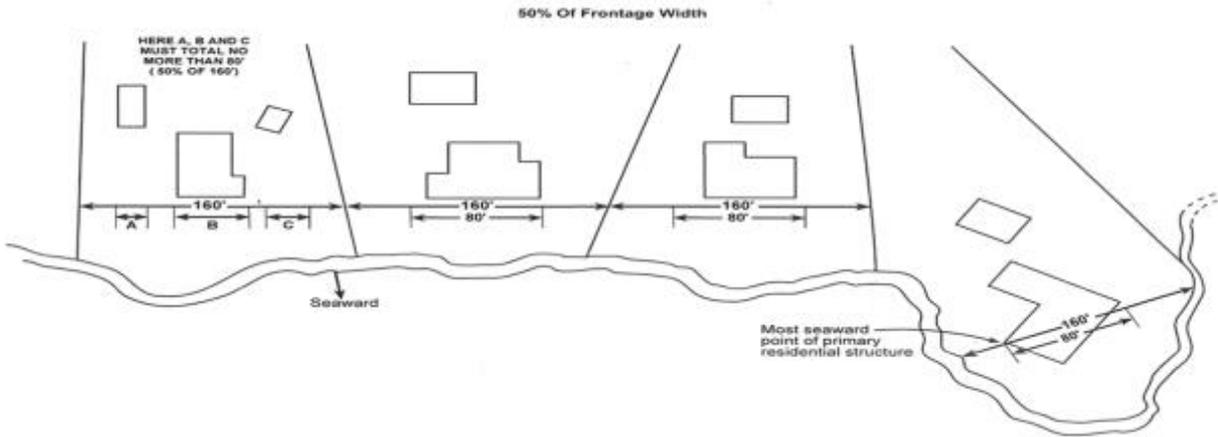
14 1. Residential development is only allowed landward of the OHWM, except as specifically
15 allowed for live aboard vessels in subsection (E) of this section.

16 2. Developments on waterfront lots may not cover more than 50 percent of the width of the
17 lot as measured by the shortest straight line distance from lot line to lot line through the most
18 seaward point of the primary residential structure. Developments with multiple structures
19 shall ensure that the combined width of all the structures does not exceed 50 percent of the
20 width of the single lot. However, on lots less than 80 feet wide at the most seaward point of
21 the proposed residential structure, the structure may cover an area up to 40 feet wide as long
22 as a minimum setback of 10 feet from side property boundaries is maintained. With the
23 exception of patios, pedestrian pathways, stairways and ramps, all appurtenant structures
24 must be placed landward of the primary residential structure. See Figure 18.50.540 below.

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**Figure
18.50.540**



The lot width requirement does not apply to normal residential appurtenances and accessory structures thirty inches or less in height.

3. The maximum allowed height for residential structures is 35 feet above average grade level. An exception to allow residential structures to exceed the 35-foot height limitation may be allowed with a shoreline conditional use permit. In order for the height exception to be approved, the applicant must demonstrate that:

- a. The structure will not result in significant adverse visual impacts;
- b. The structure will not interfere with normal public and visual access to the water; and
- c. There are compensating factors that make a taller structure desirable from the standpoint of the public interest.

4. Developments on circular lots in the Decatur Northwest subdivision must comply with the setback and development standards approved in that land division and are not required to meet the shoreline setbacks.

B. Prohibited Uses and Activities. Except as provided in the live aboard provisions in subsection (E) of this section, new residential structures and their normal residential appurtenant structures are prohibited over-water or floating on the water.

C. Regulations – Buffers and Setback Standards.

1 1. On all nonbedrock shorelines, coastal geologic buffers consistent with
2 SJCC 18.35.130 are required. The required geotechnical report must demonstrate that the
3 proposed buffer will be sufficient to avoid the need for new protective structural shoreline
4 stabilization measures for the life of the structure (75 years).

5 2. Development may also be subject to critical buffers and restrictions in SJCC 18.50.130.

6 3. If a lot has screening vegetation within 50 feet of the OHWM the aesthetic setback is 50
7 feet from the top of the bank. In all other cases, the aesthetic setback is 100 feet from the top
8 of the bank.

9 4. Where there is no clear top of the bank, structures shall be set back from the OHWM.

10 5. Trees stocking levels must be maintained consistent with SJCC 18.35.130(B).

11 6. If existing houses on waterfront lots adjoining the project site are closer to the top of bank
12 or OHWM than any specified minimum setback or buffer and may potentially block the view
13 of the proposed residential structure, a lesser setback or buffer of not less than 35 feet may
14 be authorized for a residential structure by the director if:

15 a. Adverse impacts to shoreline critical areas are identified by a qualified professional;

16 b. Adverse impacts are mitigated in conformance with
17 SJCC 18.50.140, 18.50.150 and 18.50.160; and

18 c. The proposed setback or buffer is the greater of:

19 i. The waterward side of a line between the most waterward points of the houses
20 on the adjoining lots, and

21 ii. The average of the distances from the OHWM to the most waterward points of
22 the houses on adjoining lots.

23
24 **D. Regulations – Normal Residential Appurtenances and Accessory Structures.**

25 1. ~~With the exception of private pedestrian pathways, stairways, ramps, patios, and decks~~
26 ~~attached to the primary structure, and boathouses served by marine railways, normal~~
27 ~~residential appurtenances that are not water dependent are not allowed seaward of the most~~
28 ~~landward extent of the residence. The director may authorize an alternative location without~~

1 ~~requiring a shoreline variance by issuing a written administrative determination. To be~~
2 ~~approved, the director must find that:~~

3 ~~a. Application of this regulation would result in greater adverse impacts on shoreline~~
4 ~~ecological functions; or~~

5 ~~b. The restriction conflicts with other applicable regulations of this SMP.~~

6 Normal residential appurtenant and accessory structures are not allowed in critical area
7 buffers required by SJCC 18.50.120 except for:

8 a. Private pedestrian pathways, stairways, ramps, and boathouses served by marine
9 railways, and

10 b. Temporary fencing for shoreline habitat and natural systems enhancement
11 projects approved pursuant to SJCC 18.50.590.

12 The critical area buffers required by SJCC 18.50.120, 18.50.130 and Chapter 18.35 SJCC
13 must be met to achieve the no net loss standard in SJCC 18.50.120.

14 A no net loss report may not be used to meet the critical area requirements because
15 avoidance, the first step in the mitigation sequence analysis required by SJCC 18.50.120(B)
16 and 18.50.140, cannot be met.

17 2. ~~Accessory dwelling units must comply with SJCC 18.40.240.~~

18 Normal residential appurtenant and accessory structures are not allowed in the shoreline
19 aesthetic buffer except for:

20 a. Private pedestrian pathways, stairways, ramps, and boathouses served by marine
21 railways and normal residential appurtenances;

22 b. Normal residential appurtenant structures and accessory structures less than thirty
23 inches in height; and

24 c. Temporary fencing for shoreline habitat and natural systems enhancement
25 projects approved pursuant to SJCC 18.50.590.

26 3. ~~Normal residential appurtenances that are not identified in the definition in~~
27 ~~SJCC 18.20.140 are allowed with a conditional use permit. Accessory dwelling units must~~
28 ~~comply with SJCC 18.40.240.~~

1 E. Live Aboard Vessels.

- 2 1. Live aboard vessels are only allowed within marinas.
- 3 2. Marinas located on state tidelands must provide facilities in the upland for disposal of
4 sewage, oil, grey water, and solid waste consistent with federal, state and local laws and
5 follow best management practices. Twenty-five percent of the total number of slips may be
6 used for live aboard vessels.
- 7 3. Marinas located outside of state owned tidelands that do not provide facilities for the
8 upland disposal of sewage, oil, grey water, and solid wastes consistent with local, state and
9 federal laws but follow best management practices are allowed to use 10 percent of the total
10 number of slips for live aboard vessels.
- 11 4. All applicants proposing live aboard vessel moorage must demonstrate:
 - 12 a. The specific locations of the live aboard vessel slips will not result in a net loss of
13 shoreline ecological functions; and
 - 14 b. Residents will have access to an on-site potable water system and either a restroom
15 or an on-site pump-out facility.

16 F. Regulations by Designation.

- 17 1. Natural. Residential development is prohibited in this designation, except that the owner
18 of an existing parcel of record may construct one single-family residence and appurtenant
19 structures. Vacation rental of a single-family residence or accessory dwelling unit is
20 prohibited. Alteration of natural topography and vegetation is restricted to the minimum
21 square footage necessary for the construction of the structures and their access. Shoreline
22 modification is prohibited.

23 **SECTION 11. SJCC 18.50.550 and Ordinance 11-2017 §25 are each amended to read**
24 **as follows:**

25 **18.50.550 Transportation facilities and parking.**

26
27 A. Regulations – General.

1 1. Transportation facilities and parking must be planned, located, designed, constructed and
2 managed to have the least possible impact on shoreline ecological functions and result in no
3 net loss of shoreline ecological functions.

4 2. Transportation facility and parking applications must include documentation to
5 demonstrate that the proposal will not adversely impact existing or planned water-dependent
6 uses.

7 3. Provisions for pedestrian access to or along the water shall be included in the plans for all
8 new public transportation facilities and parking.

9 4. Commercial watercraft and seaplane operations at public access points require a
10 conditional use permit.

11 B. Regulations – Roads (Public and Private).

12 1. Construction of major collector roads is prohibited in shoreline areas where an alternative
13 alignment landward of the shoreline jurisdiction is feasible.

14 2. Major collector roads that must be constructed through the shoreline jurisdiction shall
15 follow the shortest, most direct route possible, consistent with protection of the shoreline
16 ecological functions, and the shore process corridor and its operating systems.

17 3. Public road alignments shall be designed to fit the topography to minimize alterations to
18 natural site conditions.

19 4. Access roads must be located according to the following preferences:

20 a. Outside of shoreline jurisdiction; or

21 b. Landward of water-oriented uses unless it can be shown that such facilities are shoreline
22 dependent.

23 5. Roadside vegetation shall be controlled.

24 6. Roads shall not be constructed on or seaward of a beach berm.

25 7. Roads shall be set back behind the tops of feeder bluffs to avoid the need for shoreline
26 stabilization for a minimum of 75 years. The setback shall be determined by a qualified
27 professional.

1 C. Regulations – Parking.

2 1. A parking lot may be located within shoreline jurisdiction if the applicant can demonstrate
3 that it:

- 4 a. Is an essential accessory to an allowed use;
- 5 b. Could not feasibly be located outside of the shoreline jurisdiction; and
- 6 c. Can be constructed, used and maintained in a manner that will result in no net loss of
7 shoreline ecological functions.

8 2. Parking and holding lots serving ferry terminals, marinas, community docks, and port
9 facilities may be allowed within the shoreline jurisdiction with a shoreline conditional use
10 permit. Parking lots and their accessory use, such as restrooms, commercial services, and
11 access roads, must be located according to the following preferences:

- 12 a. Outside of the shoreline jurisdiction; or
- 13 b. Landward of water-oriented uses unless it can be shown that such facilities are shoreline
14 dependent.

15 3. Parking areas for shoreline access use are allowed.

16 4. Parking over-water is prohibited.

17 5. Parking lots for shoreline uses must provide access to the shoreline and safe and
18 convenient pedestrian circulation within the parking lot.

19 6. Where feasible, shared parking is preferred for all types of shoreline development.

20 D. Regulations – Airports, Airfields, Airstrips and Runways.

21 1. New airports, airfields, airstrips, and runways are prohibited except airstrips on non-ferry-
22 served islands may be allowed on private property with a conditional use permit.

23 2. Existing airports, airfields, airstrips and runways may be repaired, maintained or expanded
24 consistent with the provisions of SJCC 18.50.090.

25 E. Regulations – Ferry Terminals. Ferry terminals and their related parking lots shall be located,
26 designed, and constructed to result in no net loss of shoreline ecological functions.

1 F. Regulations – County Docks.

- 2 1. Overnight moorage is prohibited at County docks.
- 3 2. County docks must be designed and located to increase public access and result in no net
- 4 loss of shoreline ecological functions.

5 G. Regulations – Float Plane Facilities.

- 6 1. Use of docks for scheduled commercial float plane service, meaning five or more round
- 7 trips per week according to a published schedule, is only allowed in public or private marinas,
- 8 or established port areas, with a shoreline conditional use permit.
- 9 2. Regular use of docks for float plane access or moorage is allowed only at public or private
- 10 marinas, port areas, or private and community docks with a shoreline conditional use permit.
- 11 3. Use of docks and marinas for irregular float plane service is allowed.
- 12 4. Shoreline conditional use permit applications for float plane use will include the following
- 13 conditions:
 - 14 a. Taxiing patterns must minimize noise impacts on area residents and wildlife, and
 - 15 interference with navigation and moorage;
 - 16 b. Fuel and oil spill clean-up plans and materials, and fire-fighting equipment are required
 - 17 on site. Spill response equipment must be commensurate with the size of the facility and
 - 18 float plane use; and
 - 19 c. Specific hours of the day in which float plane access is allowed.
- 20 5. Float plane access is prohibited at County road ends and parks, and freshwater shorelines
- 21 where public shoreline access exists.

22 H. Regulations – Barge Landing Sites and Facilities.

- 23 1. New Temporary barge landing sites require a certificate of exemption but are exempt
- 24 from a shoreline substantial development permit. These sites shall not exceed 12 landings in
- 25 any 24-month period and must be operated in a manner that will result in no net loss of
- 26 shoreline ecological functions. Existing nonconforming temporary barge landing sites do not

1 require a certificate of exemption if the proposed use is consistent with the historic transport
2 of cargo at the site and frequency of the historic use.

3 2. New permanent barge landing sites and facilities require a shoreline conditional use
4 permit. The shoreline conditional use permit will not be approved unless the applicant can
5 demonstrate that:

- 6 a. The use of barge landing sites and facilities existing on the date of application is not
7 feasible;
- 8 b. An alternative access is not feasible; and
- 9 c. The proposed barge landing schedule will minimize negative off-site impacts.

10 3. All barge landing sites and facilities shall be located, designed, constructed, and
11 maintained in a manner that results in no net loss of shoreline ecological functions and
12 maximizes the opportunity to serve multiple users on an island.

13 4. The use of an unimproved beach as an emergency landing site is allowed. The shoreline
14 exemption required by SJCC 18.50.050 may be processed after the landing activity. Within
15 seven days of the emergency, the agency or person who undertook the landing(s) shall report
16 to the director the extent of the emergency actions and any adverse impacts to shoreline
17 ecological functions caused by the actions. The agency or person who undertook the action
18 is required to mitigate adverse impacts in accordance with the requirements of
19 SJCC 18.50.110 through 18.50.160.

20 5. The Department shall maintain a list of existing nonconforming barge landing sites. The
21 list shall be updated and published annually. Additions or deletions from the list shall be by
22 Director's Administrative Determination pursuant to SJCC 18.10.030(B).

23 I. Regulations – Public Pedestrian Trails.

- 24 1. Public pedestrian trails shall be aligned to avoid or minimize adverse impacts on shoreline
25 ecological functions.
- 26 2. Public pedestrian trails shall be constructed consistent with local, state and federal
27 standards.

28 J. Regulations by Designation.

1 1. Rural Residential. Roads are allowed where no feasible alternative exists. Permanent
2 barge landing sites and facilities are prohibited unless a need has been established by
3 monitoring the use of temporary barge landing sites and a conditional use permit is obtained.

4 2. Conservancy and Rural Farm Forest.

5 a. Public pedestrian trails are allowed in these designations.

6 b. Roads and parking lots serving allowed uses may be allowed if no feasible alternative
7 exists with a shoreline substantial development permit.

8 c. Ferry terminals and scheduled commercial or regular use float planes may be allowed
9 as a conditional use if it can be shown that no feasible alternative exists and that the public
10 interest would be better served by construction of the facility.

11 d. Barge landing sites and facilities may be allowed in the conservancy designation if the
12 site will serve multiple users on the island affected, and the applicant demonstrates that
13 conservancy shoreline resources will not be materially harmed. Permanent barge landing
14 sites require a shoreline conditional use permit and temporary barge landing sites require
15 a certificate of exemption.

16 e. Other transportation facilities are prohibited.

17 3. Natural. With the exception of public pedestrian trails, transportation facilities are
18 prohibited in this designation. Parking lots are prohibited unless there is no feasible
19 alternative and a conditional use permit is obtained.

20 4. Aquatic. Transportation facilities in this designation are limited to facilities serving
21 waterborne traffic such as ferries, boats, kayaks, barges, and float planes.

22 **SECTION 12. SJCC 18.50.600 and Ordinance 11-2017 §27 are each amended to read**
23 **as follows:**

24 **18.50.600 Shoreline developments, uses, structures and activities by designation.**
25

26 A. In addition to the general and specific standards established in Article III of this chapter, for
27 development, uses, structures and activities, Table 18.50.600 indicates if a development, use,
28 structure or activity:

29 1. Is allowed;

- 1 2. Is prohibited;
 - 2 3. Requires a shoreline substantial development permit;
 - 3 4. Requires a shoreline conditional use permit; or
 - 4 5. Is subject to other certificates or conditions.
- 5 B. Certain shoreline developments, uses, structures and activities in some shoreline designations
- 6 are subject to additional regulations. They are marked with an asterisk in Table 18.50.600. A use
- 7 not named or contemplated in this chapter may be allowed subject to a conditional use permit.
- 8 C. Legend for Table 18.50.600, Shoreline development, uses, structures and activities by
- 9 designation:

SD = Subject to shoreline substantial development permit unless exempt per subsection (B) of this section.

CUP = Conditional use permit.

No = Prohibited; the use is not eligible for a variance or conditional use permit.

NA = Not applicable.

* = See the specific regulations for the shoreline designation or type of use in Article III of this chapter.

Table 18.50.600. Shoreline development, uses, structures and activities by designation

	Natural	Conservancy	Rural	Rural Farm Forest	Rural Residential	Urban	Port, Marina and Marine Transportation	Aquatic
Agriculture	CUP*	SD	SD	SD	SD	SD	No	NA
Aquaculture								

Table 18.50.600. Shoreline development, uses, structures and activities by designation

	Natural	Conservancy	Rural	Rural Farm Forest	Rural Residential	Urban	Port, Marina and Marine Transportation	Aquatic
General aquaculture	SD*	SD*	SD	SD	SD*	SD	No	SD*
Small scale shellfish aquaculture	*	*	*	*	*	CUP	No	*
Noncommercial freshwater hatcheries	SD*	SD*	SD*	SD*	No	SD*	No	NA
Finfish net pens	No	No	No	No	No	No	No	No
Commercial geoduck aquaculture	CUP	CUP	CUP	CUP	CUP	CUP	No	CUP
Over-Water Structures¹ Including Boating Facilities								
Ports and water-related port facilities	No	No	No*	No*	No	CUP	SD	SD*
Marina	No	No	SD	No*	No	SD	SD	SD
Boating facilities	No	CUP	SD	SD	SD	SD	SD	SD
Single-family, noncommercial and community use docks, moorage floats and recreation floats	No	SD	SD	SD	SD	SD	SD	SD
Ramps and marine railway and associated boat houses	No	CUP	SD	CUP	CUP	SD	SD	SD
Mooring buoy	NA	NA	NA	NA	NA	NA	NA	SD

Table 18.50.600. Shoreline development, uses, structures and activities by designation

	Natural	Conservancy	Rural	Rural Farm Forest	Rural Residential	Urban	Port, Marina and Marine Transportation	Aquatic
Breakwaters, Jetties and Groins¹								
Breakwater (lakes)	No	SD	SD	SD	SD	SD	SD	NA
Breakwater (marine)	No	CUP*	CUP	CUP	CUP	CUP	CUP	NA
Jetties and groins	No*	No*	CUP	CUP	CUP	CUP	CUP	CUP
Breakwaters, jetties and groins for shoreline restoration projects	SD	SD	SD	SD	SD	SD	SD	SD
Commercial Development								
Water-dependent uses	No	SD*/CUP*	CUP*	No*	No*	SD*	SD*	SD*
Water-related uses	No	SD*/CUP*	CUP*	No*	No*	SD*	SD*	SD*
Water-enjoyment uses	No	SD*/CUP*	CUP*	No*	No*	SD*	SD*	SD*
Non-water-oriented uses*	No	No	No*/CUP*	No*	No*	SD*	No	CUP
Mixed use commercial	No	SD/CUP*	CUP*	No*	No*	SD*	SD*	SD*
Mixed use residential	No	SD	CUP	No	No	SD*	CUP	NA
Dredging and Dredge Material Disposal								
Dredging	No	SD*	SD*	SD*	SD*	SD	SD	SD
Dredge material disposal, in-water	No	No*	SD*	SD*	SD*	SD	SD	No
Dredge material disposal, upland	No	No	SD*	SD*	SD*	SD	SD	NA

Table 18.50.600. Shoreline development, uses, structures and activities by designation

	Natural	Conservancy	Rural	Rural Farm Forest	Rural Residential	Urban	Port, Marina and Marine Transportation	Aquatic
Dredging or dredge material disposal associated with restoration	No	No	SD*	SD*	SD*	SD	SD	SD*
Clearing, Grading, Fill, and Excavation								
Clearing	SD*	SD*	SD	SD*	SD*	SD*	SD*	NA
Grading	SD*	SD*	SD*	SD*	SD*	SD*	SD*	NA
Fill	No	No	SD*	SD*	SD*	SD*	SD	CUP
Excavation	No	SD	SD	SD	SD	SD	SD	CUP
Essential Public Facilities								
Essential public facilities	No	CUP	CUP	CUP	CUP	CUP	SD	CUP
Flood Hazard Reduction								
Dikes, levees, revetments, flood walls and channel realignments	CUP	CUP	CUP	CUP	CUP	CUP	CUP	NA
Forest Practices								
Commercial forestry ^{1, 3}	CUP*	SD	SD*	SD	CUP	CUP	No	No
Log transfer sites, facilities and storage ^{1, 3}	No	CUP*	SD*	SD*	CUP*	CUP	CUP	CUP*

Table 18.50.600. Shoreline development, uses, structures and activities by designation

	Natural	Conservancy	Rural	Rural Farm Forest	Rural Residential	Urban	Port, Marina and Marine Transportation	Aquatic
Industrial Development¹								
Water-dependent uses	No	No	CUP*	No*	No	SD	SD*	SD*
Water-related uses	No	No	CUP ¹	No*	No	SD	No	No
Processing aquacultural products	No	CUP	CUP	CUP	CUP	No	CUP	NA
Non-water-oriented uses	No	No	No	No	No	No	No	No
Institutional Development^{1, 2}								
Water-dependent uses	No	<u>SD*/CUP*</u>	<u>SD CUP*</u>	<u>No*</u>	<u>No*</u>	<u>SD*</u>	<u>SD*</u>	<u>SD*</u>
Water-related uses	<u>No</u>	<u>SD*/CUP*</u>	<u>CUP*</u>	<u>No*</u>	<u>No*</u>	<u>SD*</u>	<u>SD*</u>	<u>SD*</u>
Water-enjoyment uses	<u>No</u>	<u>SD*/CUP*</u>	<u>CUP*</u>	<u>No*</u>	<u>No*</u>	<u>SD*</u>	<u>SD*</u>	<u>SD*</u>
Non-water-oriented uses	No	No	<u>No*/CUP*</u>	<u>No*</u>	<u>No*</u>	<u>No SD*</u>	No	<u>No CUP</u>
Mineral Extraction¹								
Mineral extraction	No	No	SD*	No	No	SD	No	No
Recreational Development^{1, 2}								
Water-oriented	SD*	SD/CUP*	SD/CUP if Commercial	SD*	SD*	SD	SD	SD*

Table 18.50.600. Shoreline development, uses, structures and activities by designation

	Natural	Conservancy	Rural	Rural Farm Forest	Rural Residential	Urban	Port, Marina and Marine Transportation	Aquatic
Public park without camping facilities	SD	SD	SD	SD	SD	SD	SD	SD
Public park with camping facilities	SD	SD*	SD	No	No	SD	SD	SD
Private campground	SD*	SD/CUP*	SD	No	No	SD	SD	No
Residential Development²								
Single-family ⁷	No*	SD	SD	SD	SD	SD	SD	No*
Multifamily	No	SD	SD	SD	SD	SD	SD	No
Over-water	No	No	No	No	No	No	No	No
Live aboard vessels	No	No	No	No	No	No	SD	No
Vacation rentals ²	No*	No	CUP*	SD	SD	SD	SD	No
Private Pedestrian Pathways, Stairways and Ramps								
Private pedestrian pathways, stairways and ramps	No	SD	SD	SD	SD	SD	SD	No
Shoreline Habitat and Natural Systems Enhancement Projects⁴								
Shoreline habitat and natural systems enhancement projects	SD*	SD	SD	SD	SD	SD	SD	SD

Table 18.50.600. Shoreline development, uses, structures and activities by designation

	Natural	Conservancy	Rural	Rural Farm Forest	Rural Residential	Urban	Port, Marina and Marine Transportation	Aquatic
Structural Shoreline Stabilization⁵								
New hard structural shoreline stabilization	No	SD*	SD*	SD*	SD*	SD*	SD*	SD*
New soft structural shoreline stabilization	No	SD*	SD*	SD*	SD*	SD*	SD*	SD*
Signs								
Signs	No*	SD*	SD*	SD	SD*	SD	SD	No*
Transportation and Parking								
Airports	No	No	No	No	No	No	No	No
Barge landing sites, permanent	No	CUP*	CUP	CUP*	CUP	CUP	CUP	NA
Barge landing sites, temporary	No	*	*	*	*	*	*	*
Ferry terminals	No	CUP*	CUP	CUP*	CUP	CUP	SD	CUP*
Float planes, commercial or regular use	No	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Parking lots	No*	SD*	SD	SD*	SD*	SD	SD	No
Parking areas	No	SD	SD	SD	SD	SD	SD	NA
Roads	No	SD	SD	SD	SD	SD	SD	NA
Shoreline access points	SD	SD	SD	SD	SD	SD	SD	Yes
Public pedestrian trails ⁷	SD	SD	SD	SD	SD	SD	SD	NA

Table 18.50.600. Shoreline development, uses, structures and activities by designation

	Natural	Conservancy	Rural	Rural Farm Forest	Rural Residential	Urban	Port, Marina and Marine Transportation	Aquatic
Other transportation facilities	SD	No	SD	No	SD	SD	SD	NA
Utilities⁶								
Utility transmission and distribution lines, pipelines, cables, stations, plants, and other apparatus including utility infrastructure for sewer, water, stormwater, power, solid waste, telecommunications, plants, stations and processing operations	No*	SD*	SD	SD	SD	SD	SD	SD
Desalination systems	SD*	SD	SD	SD	SD	SD	SD	SD

1 Table 18.50.600 Notes.

2 1. Eastsound subarea plan prohibits:

3 a. New boating facilities, joint use and private docks;

4 b. Breakwaters, jetties and groins;

5 c. Log transfer sites and log storage areas;

6 d. Industrial development outside of the marina;

7 e. Mineral extraction;

- 1 f. Institutional uses;
- 2 g. Recreational development with commercial facilities for overnight camping; and
- 3 h. Fill in the conservancy shoreline designation.

4 2. Shaw Island subarea plan prohibits:

- 5 a. Recreational development with commercial facilities for overnight camping;
- 6 b. Residential vacation rentals by themselves or in combination with any commercial use;
- 7 c. Institutional uses; and
- 8 d. New commercial uses.

9 3. Subject to the general provisions of SJCC 18.50.450 and 18.50.480 forest management
10 activities including log handling and storage facilities are allowed in all shoreline designations
11 on Shaw Island.

12 4. Shoreline habitat and natural systems enhancement projects are a shoreline conditional use
13 within Eastsound subarea plan and are only allowed for public facility or public safety projects.

14 5. The replacement or expansion of structural shoreline stabilization measures is allowed but is
15 reviewed and permitted as a new structural shoreline stabilization measure.

16 6. New outfalls of a domestic or industrial sewage treatment facility within one-half mile of a
17 marina may be allowed as a conditional use.

18 7. The director shall make the final local decisions on administrative shoreline substantial
19 development permit applications for public pedestrian trails and residential accessory structures
20 that do not meet an exemption threshold in SJCC 18.50.050.

21 **SECTION 13. SJCC 18.80.020 and Ordinance 2-2014 §7 are each amended to read**
22 **as follows:**

23 **18.80.020 Project permit applications – Procedures.**

24 A. Nonbinding Preapplication Conferences and Site Inspections. Preapplication conferences and
25 site inspections are optional, but strongly encouraged, and will be conducted on a time-available
26 basis. Any fee assessed for such a preapplication conference and site inspection shall be refunded
27 upon submission of a permit application.

1 1. Preapplication conferences and site inspections are recommended to provide a
2 prospective applicant and the County the opportunity to discuss the property owner’s plans;
3 review available critical area maps; examine unique site characteristics; discuss stormwater
4 management and low impact development options; determine if and how County
5 regulations may apply; and to encourage the applicant to consider the effect of County
6 regulations in designing the project.

7 2. Recognizing that project plans are typically incomplete at the preapplication stage, that
8 more information is typically obtained prior to filing a project permit application, and that
9 new regulations may be enacted prior to submission of a project permit application,
10 preliminary discussions at a preapplication meeting shall not be binding on either the
11 County or the potential applicant.

12 B. Determination of Proper Type of Project Permit.

13 1. Determination by Director. The director shall determine the proper type of project
14 permit. Table 8.1 summarizes the steps in the review process for each type of project
15 permit.

16 2. Consolidated Permit Processing. For a proposal that involves two or more shoreline
17 permits and/or other project permits, such applications shall be consolidated under the
18 “highest” procedure (i.e., the rightmost applicable column in Table 8.1) required for such
19 permits or processed individually under each of the procedures identified by this code. The
20 applicant may request the consolidation of hearings with other local, state, regional,
21 federal, or other agencies in accordance with RCW 36.70B.090 and 36.70B.110. (See also
22 SJCC 18.80.110(D), shoreline permits consolidated permit processing, and
23 SJCC 18.80.140.)

24 C. Project Permit Application – Forms. Applications for project permits shall be submitted on
25 forms approved by the director. An application must (1) consist of all materials required by the
26 applicable development regulations; (2) be accompanied by plans and appropriate narrative and
27 descriptive information sufficiently detailed to clearly define the proposed project and
28 demonstrate compliance with applicable provisions of this code; and (3) except for project
29 permit applications for temporary uses, include the following:

- 30 1. A completed project permit application form;
- 31 2. If the applicant is not the owner of the subject property, a notarized statement by the
32 owner(s) that (a) the application has been submitted with the consent of all owners of the
33 subject property, and (b) identification of the owner’s authorized agent or representative;
- 34 3. A legal description of the site and any other property description required by the
35 applicable development regulations;
- 36 4. The applicable fee;

1 5. Evidence of available and adequate water supply as required by SJCC Title 8; see also
2 SJCC 18.60.020;

3 6. Evidence of sewer availability or septic approval or suitability as required by SJCC
4 Title 8;

5 7. A plot plan to scale at no smaller than one inch equals 40 feet for a plot larger than one
6 acre, and no smaller than one inch equals 20 feet for a plot one acre or smaller;

7 8. Graphic depiction of the following:

8 a. Compass direction and graphic scale;

9 b. Corner grades and, if required by the director, existing contours of topography at
10 five-foot contour intervals;

11 c. Proposed developments or use areas;

12 d. Existing structures and significant features on the subject property and on adjacent
13 properties;

14 e. Property lines, adjoining streets, and immediately adjoining properties and their
15 ownerships;

16 f. Location and dimensions of existing and proposed improvements on public rights-
17 of-way, such as roads, sidewalks, and curbs;

18 g. Existing and proposed grades and volume and deposition of excavated material;

19 h. Natural drainage direction and storm drainage facilities and improvements;

20 i. Locations of all existing and proposed utility connections;

21 j. Parking spaces and driveways;

22 k. Proposed landscaping;

23 l. Wetlands and other critical areas; and

24 m. All easements (recorded or unrecorded) must be shown. If recorded, the recording
25 number must be shown;

26 9. The applicant shall provide a list showing the name and addresses of the owners of
27 property within 300 feet of the boundaries of the property subject to the project permit
28 application. For purposes of this chapter, the owners of property within 300 feet of the

1 boundaries of the subject property are those whose names are shown on the tax assessment
2 rolls on the date the project permit application is submitted;

3 10. Photographs of the site depicting existing and proposed development areas and areas
4 where vegetation is proposed to be removed.

5 11. Critical Areas (CAs).

6 a. All project permit applications shall include sufficient information about the site
7 and the proposed project to demonstrate consistency with
8 SJCC 18.35.020 through 18.35.140.

9 b. Critical Area Review Process. All plans for development of commercial, industrial,
10 institutional and public facilities must undergo review for compliance with
11 groundwater protection requirements for critical aquifer recharge areas
12 (SJCC 18.35.080). The department shall review the application, available maps, and
13 information and if requested by the property owner, shall conduct a site inspection
14 prior to determining whether the proposed project may affect or be affected by a
15 wetland, fish and wildlife habitat conservation area, frequently flooded area, or
16 geologically hazardous area. If the area proposed for development or vegetation
17 removal is not in a frequently flooded area; is more than 200 feet from a geologically
18 hazardous area; is more than 300 feet from a wetland; is more than 200 feet from a
19 fish and wildlife habitat conservation area; is more than 1,000 ft. from any golden
20 eagle nests; and is more than one-quarter mile from any peregrine falcon or great blue
21 heron nests, the department shall rule that the critical area review is complete with
22 regard to those types of critical areas. Otherwise, the department will notify the
23 applicant and provide them with a list of any report(s) or application materials
24 required by SJCC 18.35.020 through 18.35.140. If required, these reports and
25 materials must be received before an application will be deemed complete.

26 c. Critical Area Reports.

27 i. Detailed requirements for critical area reports are identified in
28 SJCC 18.35.020 through 18.35.140.

29 ii. If the director finds that a report does not accurately reflect site conditions, is
30 inadequate to determine compliance, or does not meet the requirements of this
31 title, the director shall contact the qualified professional who prepared the report
32 to discuss the issues and, if necessary, shall have the report reviewed by a third
33 party qualified professional.

34 12. Frequently Flooded Areas. Project permit applications shall include the location of any
35 frequently flooded areas or special flood hazard area on the subject property, and an
36 elevation certificate if required by the director. No use or development shall be undertaken
37 or approved within any area of special flood hazard except in compliance with the
38 provisions of SJCC Titles 15 and 18. Elevation certificates shall include certification by a

1 land surveyor, licensed civil engineer or architect authorized by law to certify elevation
2 information. Elevation certificate forms shall be provided by the director;

3 13. Additional Application Information for Divisions of Land and Boundary Line
4 Modifications. The application for a division of land shall meet the requirements of this
5 subsection and the requirements in Chapter 18.70 SJCC;

6 14. Additional Application Information for Binding Site Plans. The application for a
7 binding site plan shall meet the requirements of this subsection, SJCC 18.70.090, and the
8 requirements in SJCC 18.80.170;

9 15. Additional Application Information for Planned Unit Developments. A planned unit
10 development application is part of the application for a subdivision or a binding site plan;
11 additional information requirements are summarized in SJCC 18.80.160. The application
12 for a planned unit development shall meet the requirements of this subsection and the
13 requirements in SJCC 18.80.160;

14 16. Additional Application Information for Rural Residential Cluster Development. The
15 application for a rural residential cluster development shall meet the requirements of this
16 subsection, SJCC 18.60.230 and 18.80.180, and shall also include the following:

17 a. The floor plan and elevations for each proposed residential structure, at a scale of
18 not less than one-quarter inch equals one foot;

19 b. A list, diagram and samples showing exterior materials and finishes for all
20 structures, fences, and other constructed features of the project;

21 c. The plot plan prepared under this subsection shall also show the location and
22 species of any existing trees greater than six inches in diameter at breast height on the
23 property, except in areas proposed for open space preservation or forest resource
24 management;

25 d. A list showing the floor area and use of each structure to be constructed on the site,
26 and the total floor area of structures, and the area of the site devoted to residences,
27 residential yards, circulation spaces, other uses, and open space; and

28 e. A narrative description indicating how the project responds to the requirements of
29 SJCC 18.60.230, including the minimum standards of SJCC 18.60.230(C), the
30 separation requirements of SJCC 18.60.230(F), and the design guidelines of
31 SJCC 18.60.230(G);

32 17. Additional Information. The director may require additional information necessary for
33 review and evaluation or demonstration of project consistency with this code;

34 18. Director’s Waiver. The director may waive specific submittal requirements determined
35 to be unnecessary for review of a project permit application required by this code; and

1 19. Temporary Use Permit Applications. All project permit applications for a temporary
2 use shall be submitted to the director in writing and contain sufficient information for the
3 director to make a decision (see SJCC 18.80.060). The director shall determine what
4 information is necessary for review of such applications.

5 D. Project Permit Applications – Determination of Completeness, Modification, Referral and
6 Review.

7 1. Determination of Completeness. Within 28 days after receiving a project permit
8 application, the director shall determine if a project permit application is complete and
9 notify the applicant in writing that either:

10 a. The application is complete; or

11 b. The application is incomplete. If such application is incomplete, the director shall
12 specify what information is necessary to make the application complete.

13 2. Identification of Other Agencies with Jurisdiction. To the extent known by the County,
14 other agencies with jurisdiction over the project permit application shall be identified.

15 3. Additional Information.

16 a. A project permit application is complete for purposes of this chapter when it meets
17 the submittal requirements in this section and any submittal requirements contained in
18 applicable development regulations.

19 b. If the submittal requirements have not been met, the director may determine that the
20 application is complete and, at the same time, require that additional information or
21 studies be provided within a time specified.

22 c. Nothing in this section precludes the director from requesting additional
23 information or studies at any time if new information is determined to be necessary
24 due to the complexity of the plans, apparent errors, or where there are substantial
25 changes in the proposal.

26 d. If the applicant fails to submit the requested information or studies within the time
27 specified, or within a longer period if agreed to by the director, the application shall
28 lapse and the applicant shall forfeit the application fee.

29 4. Incomplete Applications.

30 a. If the director notifies the applicant that an application is incomplete, the applicant
31 shall have 90 days to submit the necessary information to the director. Within 14 days
32 after an applicant has submitted the additional information, the director shall again
33 make the determination described in subsection (D)(1) of this section, and notify the

1 applicant. If the applicant submits the required information to the director within the
2 90-day period and the director determines that the application is now complete, the
3 project permit application will be considered complete as of the date the project
4 permit application was originally submitted; however, the 120-day processing period
5 in SJCC 18.80.130 will be tolled during the 90-day resubmittal period.

6 b. If the applicant fails to submit additional information, or does not within such 90-
7 day period request additional time to submit the required information, the application
8 shall lapse and the applicant shall forfeit the application fee.

9 5. Director's Failure to Provide Determination of Completeness. A project permit
10 application shall be deemed complete under this section if the director does not timely
11 notify the applicant that the application is incomplete.

12 6. Modifications to Applications. An applicant-initiated modification to an application
13 which is not in response to technical review, a change requiring a new public notice, a
14 change of land use(s), or a mitigation measure under SEPA may require a new application.
15 A change requiring a new public notice establishes a new vesting date for that application.

16 7. Referral and Review of Project Permit Applications. Within 14 days of determining that
17 a project permit application is complete, the director shall transmit a copy of the
18 application, or appropriate parts of the application, to each affected agency and County
19 department for review and comment, including those responsible for determining
20 compliance with state and federal requirements. Applications for shoreline permits shall
21 also be circulated to the director of the University of Washington Friday Harbor
22 Laboratories for comment as a reviewing agency. The affected agencies and County
23 departments shall have 20 days to comment. The referral agency or County department is
24 presumed to have no comments if comments are not received within the specified time
25 period. The director shall grant an extension of time where unusual circumstances are
26 present.

Table 8.1. Summary of Project Permit Notice, Hearing, Decision and Appeals Processes.⁽¹⁾

Project Permit Application	Boundary Line Modification; Simple Land Division	Provisional Use; Short Subdivisions; BSP to 4 Lots; Temporary Use Permits (Level II), Administrative Substantial Development Permit	Conditional Use and/or Variance	Shoreline Permits (Substantial Development, Conditional Use or Variance)	Subdivisions; BSP for More than 4 Lots
	Administrative		Quasi-Judicial		
Public Notice of Application	no	yes	yes	yes	yes
Notice of Public Hearing	no	no	yes	yes	yes
Public Comment Period	no (yes if BLM and SLD and SEPA required)	yes	yes	yes	yes
Open-Record Predecision Hearing	no	no	yes	yes	yes
Decisionmaker	Director	Director	Hearing Examiner	Hearing Examiner	Hearing Examiner
Open-Record Appeal Hearing (Hearing Examiner)	yes	yes	no	no	no
Appeal Period (days) for Appeal to the Hearing Examiner	21	21	N/A	N/A	N/A
Judicial Appeal	yes (of Hearing Examiner decision)	yes (of Hearing Examiner decision)	yes	yes (of SHB decision)	yes
Other Appeal	no	no	no	yes (to SHB)	no

1. Abbreviations: SHB: Shorelines Hearings Board; BSP: Binding Site Plan

1 **SECTION 14. SJCC 18.80.110 and Ordinance 11-2017 §2 are each amended to read**
2 **as follows:**

3
4 **18.80.110 Shoreline preapplication meetings, permit exemption procedures, and vesting.**
5

6 Preapplication Meetings. Preapplication meetings are required for all shoreline substantial
7 development permits, conditional use permits, and shoreline variances. Preapplication meetings
8 are encouraged for all other project or development permits. Preapplication materials must be
9 submitted to the department a minimum of 10 days prior to the scheduled preapplication meeting.
10 Failure to submit the documents will result in postponement of the preapplication meeting. The
11 director may waive this requirement for demonstrated cause.

12 **A. Purpose and Applicability.**

13 1. This section includes the procedures necessary to ensure that the provisions of the SMP
14 are implemented and enforced, and to ensure that all persons affected by the SMP are treated
15 in a fair and equitable manner. See SJCC 18.50.600 for the table of uses and permit types by
16 shoreline designation.

17 2. This section applies to all lands and waters within the jurisdiction of the SMP and to all
18 persons and agencies described in SJCC 18.50.030(B) and (C).

19 3. The following project permits are referred to as “shoreline permits” and are subject to
20 SMP procedure:

21 a. Shoreline substantial development permits;

22 b. Shoreline conditional use permits; and

23 c. Shoreline variances.

24 4. Certificates of exemption from shoreline substantial development permits are also
25 regulated by this chapter.

26 **B. Notice of Application for Shoreline Permit.**

27 1. A notice of application is required for shoreline permit applications as provided in
28 SJCC 18.80.030.

1 2. Applications for shoreline permits may be circulated for comment to the director of the
2 University of Washington Friday Harbor Laboratories on the same schedule as other
3 reviewing agencies.

4 C. Administrative Responsibilities. The administrator's responsibilities are set forth in
5 SJCC 18.50.020(E).

6 D. Consolidated Permit Processing. Proposals that involve two or more types of project permits
7 may be consolidated under the "highest" procedure (i.e., the right-most applicable column in Table
8 8.1, SJCC 18.80.020) required for such permits, or the applications may be processed individually
9 under each of the procedures identified by this code. The applicant may request the consolidation
10 of hearings with other local, state, regional, federal or other agencies in accordance with
11 RCW 36.70B.110. (See also SJCC 18.80.020(B)(2), Consolidated Permit Processing, and
12 SJCC 18.80.140(G), Consolidated Appeal Hearings.)

13 E. Decisionmaking Authority.

14 1. The Washington Department of Ecology (WDOE) may approve, approve with conditions,
15 or deny a shoreline variance or conditional use permit application approved by the hearing
16 examiner.

17 2. The hearing examiner has authority to take the following actions:

18 1.a. Based upon the criteria in subsections (H) and (J) of this section, hear and approve,
19 approve with conditions, or deny shoreline substantial development permits and
20 shoreline conditional use permits following receipt of the recommendations of the
21 director; and

22 2.b. Based on the criteria in subsection (I) of this section, hear and approve, approve
23 with conditions, or deny variances from the provisions of the SMP following receipt of
24 the recommendations of the director.

25 3. The director shall be the final decision-maker for administrative shoreline substantial
26 development permit applications for public pedestrian trails and residential accessory
27 structures (excluding shoreline stabilization, boathouses and overwater structures) that do
28 not meet the exemption threshold in SJCC 18.50.050. The hearing examiner shall be the final
29 decision-maker for all other shoreline substantial development permit applications.

30 F. Shoreline Substantial Development Permit Exemptions.

1 1. The director will make an administrative determination as to whether a proposal is exempt
2 from a shoreline substantial development permit. The applicant bears the burden of proving
3 that a proposal is exempt.

4 2. Developments that are exempt from a shoreline substantial development permit are
5 established in SJCC 18.50.040 and 18.50.050. In making this determination, the director will
6 consider the ultimate scope of a proposal and its consistency with the regulations of the SMP.
7 The director may request additional information from the applicant and may make site
8 inspections.

9 3. If a proposal is exempt from a shoreline substantial development permit, the director will
10 prepare and issue a certificate of exemption when required by WAC 173-27-040, WAC 173-
11 27-050 and SJCC 18.50.050(B).

12 4. A copy of approved certificates of exemption shall be mailed to the applicant and to the
13 WDOE.

14 G. Shoreline Permits – Administrative Actions.

15 1. The director shall review development and project permit applications for consistency
16 with the SMA and SMP, make a consistency determination, and report the results of this
17 review and determination to the hearing examiner unless the director is the decision-maker.
18 The director may request additional information from the applicant and may make site
19 inspections.

20 2. The director shall not issue a development or project permit that is subject to shoreline
21 permit requirements until a shoreline permit has been granted. Development or project
22 permits issued are subject to the conditions of approval on the shoreline permit.

23 3. When approving a shoreline permit, the ~~hearing examiner~~ decision-maker may attach
24 conditions to ensure consistency with the SMA, SMP and applicable provisions of this code.
25 The ~~hearing examiner~~ decision-maker shall also prepare findings of fact and conclusions of
26 law.

27 4. Within eight days of the ~~hearing examiner~~ decision-makers' final decision, the director
28 using return receipt requested mail will send WDOE and the office of the Attorney General
29 copies of the permit application, ~~and other~~ pertinent materials used to make the final decision
30 (see Chapter 43.21C or 90.58 RCW), the permit, and any other written evidence related to

1 the ~~hearing-examiner~~ decision-makers' final decision. The date of filing a shoreline
2 substantial development permit decision is the date WDOE receives the County's decision.
3 WDOE shall issue and transmit their decisions on conditional use and variance permits to
4 the department and applicant within 30 days of department's submittal to them. The date of
5 filing for shoreline conditional use permits or shoreline variances is the date that WDOE
6 transmits their permit decision to the department and applicant. The date of filing for
7 shoreline substantial development permits simultaneously mailed to Ecology with a
8 shoreline conditional use permit or shoreline variance is the date that Ecology's decision on
9 the shoreline conditional use permit or shoreline variance is transmitted to the applicant and
10 the department.

11 5. Construction or substantial progress toward construction of a project for which a shoreline
12 permit is granted must be undertaken within two years after WDOE's date of filing.
13 Substantial progress toward construction includes letting bids, making contracts, purchase
14 of materials, utility installation and site preparation, but does not include use or development
15 inconsistent with the SMP or the terms of permit approval. However, the two-year period
16 does not include time when development could not proceed due to related administrative
17 appeals or litigation, nor include time necessary to obtain other required permits for the
18 project from state and federal agencies.

19 6. Unless specified otherwise in permit conditions, all development authorized by a shoreline
20 permit shall be completed within five years of the WDOE date of filing or the permit shall
21 become null and void. A permittee may request a time extension before the permit expires
22 by making a written request to the director, stating the reasons. The ~~hearing-examiner~~
23 decision-maker will review the permit, and upon a finding of good cause:

24 a. Extend the permit for a period not to exceed one year; or

25 b. Terminate the permit.

26 However, nothing in this section precludes the ~~hearing-examiner~~ decision-maker from
27 issuing shoreline permits with a fixed termination date other than five years based upon a
28 finding of good cause.

29 H. Criteria for Approval of Shoreline Substantial Development Permits.

30 1. A shoreline substantial development permit will be granted by the County if the applicant
31 demonstrates the proposal is:

- 1 a. Consistent with the policies of the SMA, Chapter 90.58 RCW and Chapters 173-
2 26 and 173-27 WAC, as amended;
- 3 b. Consistent with the policies and regulations of this SMP;
- 4 c. Consistent with other applicable sections of this code; and
- 5 d. Consistent with the goals and policies of the Comprehensive Plan.

6 2. The conditions specified by the ~~hearing examiner~~ decision-maker to make the proposal
7 consistent with the SMP and to mitigate or avoid adverse impacts to shoreline ecological
8 functions will be attached to the permit.

9 I. Shoreline Variances.

10 1. Variances are strictly limited to granting relief from specific bulk, dimensional, or
11 performance standards set forth in this SMP. Variances may be approved where there are
12 extraordinary or unique circumstances related to the property and the strict implementation
13 of the SMP will impose unnecessary hardships on the applicant or thwart the policies set
14 forth in RCW 90.58.020.

15 2. Variances or exemptions granted from the provisions of other local regulations will not be
16 construed to constitute variances from the provisions of this SMP.

17 3. The location of the proposed project will determine which of the following two sets of
18 variance criteria are to be considered. Variances from the provisions of this SMP may be
19 granted when the applicant has proven that one of the following sets of criteria has been met:

20 a. Variances for development located landward of the ordinary high water mark
21 (OHWM) except within those areas designated as wetlands pursuant to Chapter 173-
22 22 WAC may be authorized if the applicant can demonstrate all of the following:

23 i. That the strict application of the bulk, dimensional, or performance standards set
24 forth in this SMP precludes or significantly interferes with reasonable use of the
25 property that is not otherwise prohibited by the SMP;

26 ii. That the hardship is specifically related to the property, is the result of unique
27 conditions such as irregular lot shape, size, or natural features, is not, for example,

1 from deed restrictions or the applicant's own actions and results from the
2 application of specific provisions of the SMP;

3 iii. That the design of the project is compatible with other allowed activities in the
4 current land use designation and will not cause adverse effects to adjacent
5 properties or shoreline ecological functions;

6 iv. That the requested variance does not constitute a grant of special privilege that
7 cannot be enjoyed by other property owners in the area, and it is the minimum
8 necessary to afford relief; and

9 v. That the public interest will suffer no substantial detrimental effect; or

10 b. Variances for development that will be located either waterward of the OHWM or
11 within wetlands designated under Chapter 173-22 WAC may be authorized provided
12 the applicant can demonstrate all of the following:

13 i. Strict application of the bulk, dimensional, or performance standards set forth in
14 the SMP precludes a reasonable use of the property not otherwise prohibited by it;

15 ii. The proposal is consistent with subsections (I)(3)(a)(i) through (v) of this
16 section; and

17 iii. Public rights of navigation and use of the shorelines will not be adversely
18 affected.

19 4. The cumulative impact of additional requests for like actions will be reviewed. For
20 example, if variances were granted to other developments or uses where similar
21 circumstances exist, the total of the variances shall also remain consistent with the policies
22 of RCW 90.58.020 and shall result in no net loss of shoreline ecological functions.

23 5. Requests to vary the use of a shoreline area are processed as a shoreline conditional use
24 permit rather than a shoreline variance. Uses that are prohibited by the SMP may not be
25 authorized by a variance or a conditional use permit.

26 6. Filing of variances with and review by the WDOE are described in subsection (G)~~(5)~~ (4)
27 of this section.

1 7. Shoreline variance applications must include adequate information to demonstrate
2 compliance with the variance criteria. Applications must include at least the following
3 information as applicable:

4 a. The items listed in SJCC 18.80.020(C) along with photos of the site and a detailed
5 site plan showing:

6 i. The location of frequently flooded areas and FIRM panel numbers within the
7 proposed development area;

8 ii. Geologically hazardous areas in or within 200 feet of the proposed development
9 area;

10 iii. The field located OHWM on the site, and wetlands areas in or within 300 feet
11 of the proposed development area and fish and wildlife habitat conservation areas
12 in or within 200 feet of the proposed development area;

13 iv. The location of any golden eagle nests in or within 1,000 feet of the proposed
14 development area; and

15 v. The location of any peregrine falcon or great blue heron nests in or within one-
16 quarter mile of the proposed development area;

17 b. Any related project documents such as applications to other agencies or
18 environmental documents prepared pursuant to the State Environmental Policy Act
19 (SEPA);

20 c. Required critical area reports, delineations, and the best available science (BAS)
21 documents supporting the proposal;

22 d. A copy of proposed or approved stormwater and erosion control plans as required by
23 SJCC 18.60.060 and 18.60.070;

24 e. A narrative describing anticipated adverse impacts to the shoreline ecological
25 functions and critical areas, based on best available science, and that explains how the
26 proposal meets the shoreline variance approval criteria;

27 f. If necessary, mitigation, monitoring and adaptive management plans meeting the
28 requirements of SJCC 18.50.140, 18.50.150 and 18.50.160 for mitigating any adverse

1 impacts or harm, and demonstrating how the proposal results in no net loss of shoreline
2 ecological functions;

3 g. A cost estimate prepared by a qualified professional, for implementing mitigation
4 and monitoring plans; and

5 h. A financial guarantee equal to the cost of implementing the mitigation and
6 monitoring plus an additional 15 percent. This guarantee and the associated agreement
7 must meet the requirements of SJCC 18.80.200.

8 J. Shoreline Conditional Use Permits.

9 1. Shoreline conditional use permits allow greater flexibility in application of the use
10 regulations of the SMP consistent with the policies of RCW 90.58.020. Shoreline conditional
11 use permits may also be granted in circumstances where denial of the permit would thwart
12 RCW 90.58.020. By providing for the control of undesirable impacts through the application
13 of special conditions, the scope of uses within each of the shoreline designations can be
14 expanded to include additional uses. Activities classified as shoreline conditional uses will
15 be allowed only when the applicant demonstrates that the proposed use will be compatible
16 with allowed uses within the same area.

17 2. Uses that are specifically prohibited by the SMP may not be authorized through a
18 conditional use permit or variance.

19 3. Conditional use permits granted under other sections of this code are not to be construed
20 to constitute approval of a shoreline conditional use.

21 4. Uses that are classified in the SMP as conditional uses may be authorized by the County
22 if the applicant can demonstrate all of the following:

23 a. The proposed use is consistent with the policies of RCW 90.58.020 and the SMP;

24 b. The proposed use will not interfere with the normal public use of public shorelines;

25 c. The proposed use of the site and project design are compatible with other allowed
26 uses within the area;

27 d. The proposed use will result in no net loss of shoreline ecological functions;

1 e. The cumulative impacts of additional requests for like actions in the area, or for other
2 locations where similar circumstances exist, will result in no net loss of shoreline
3 ecological functions (e.g., the total of conditional uses shall remain consistent with
4 RCW 90.58.020 and the SMP); and

5 f. The public interest will suffer no substantial detrimental effect.

6 5. Uses that are not classified in this SMP may be authorized by conditional use permit;
7 provided, that the applicant demonstrates consistency with the criteria in WAC 173-27-
8 160(1), and the SMP.

9 K. Procedures for Revisions to Shoreline Permits.

10 1. When an applicant seeks to revise a shoreline permit, an application in a form prescribed
11 by the director together with detailed plans and text describing the proposed changes must
12 be filed with the department. The director will determine whether the proposed changes are
13 within the scope and intent of the original permit and are consistent with the SMP and the
14 SMA.

15 The director may find proposed revisions are within the scope and intent of the original
16 permit if all the following conditions are met:

17 a. No additional over-water construction is involved, except that pier, dock, or float
18 construction may be increased by 500 square feet or 10 percent more than the provisions
19 of the original permit, whichever is less;

20 b. The building footprint and height are not increased by more than 10 percent from the
21 provisions of the original permit;

22 c. The permit revision does not exceed height, lot coverage, setback, or any other
23 requirements of the SMP (unless a variance to specific development standards was
24 approved as part of the original permit);

25 d. Additional or revised landscaping complies with any conditions attached to the
26 original permit and with the applicable regulations;

27 e. The use authorized in the original permit is not changed; and

1 f. No increase in adverse impacts to shoreline ecological functions will be caused by
2 the project revision.

3 2. If the revisions meet the above criteria for administrative approval, a notice of application
4 will be published per SJCC 18.80.030.

5 3. If the proposed revision cannot meet any one of the criteria in subsection (K)(1) of this
6 section, a public hearing with the hearing examiner will be scheduled and advertised
7 according to the public notice provisions of SJCC 18.80.030.

8 a. If the hearing examiner determines that the proposed changes are within the scope
9 and intent of the original permit, as defined by WAC 173-27-100(2), the revision will
10 be granted.

11 b. A permit revision approved by the hearing examiner will become effective
12 immediately unless the original permit involves a conditional use or a variance.
13 Following the hearing examiner’s action, the locally approved revision will be
14 submitted to the WDOE. In addition, the director shall submit a copy of the examiner’s
15 decision to all parties of record to the original permit action.

16 If the revision to the original permit involves a conditional use or a variance, the WDOE
17 may approve, approve with conditions or deny the revision. (See subsection (G)(4) of
18 this section.)

19 c. Appeals shall be submitted and processed in accordance with SJCC 18.80.140.

20 L. Rescission of Shoreline Permits. Any shoreline permit may be rescinded by the issuing authority
21 pursuant to RCW 90.58.140(8) upon finding that the permittee has failed to comply with the permit
22 terms and conditions. In the event that the permittee is denied a required sewage disposal, building,
23 or other permit necessary for the project in question, the shoreline permit may be rescinded by the
24 ~~hearing examiner~~ decision-maker. If a shoreline permit is rescinded by the ~~hearing examiner~~, the
25 permittee shall be notified by certified mail. Copies of the ~~examiner’s~~ final action will be filed
26 with the WDOE.

27 M. Appeals. Aggrieved parties have 21 days from the date of filing to file appeals to the shoreline
28 hearings board.

29 N. Vesting.

- 1 1. Complete applications for a development or project permit, to be processed under SJCC
2 Titles 15, 16 and 18 and subject to Chapter 18.50 SJCC, that were filed prior to October 30,
3 2017, vest to the laws and regulations in effect when the complete application was filed with
4 the department and all required permit fees were paid except as provided in subsections
5 (N)(6), (7) and (8) of this section.

- 6 2. An application for a development or project permit, to be processed under SJCC
7 Titles 15, 16 and 18 and subject to Chapter 18.50 SJCC, that is filed after October 30, 2017,
8 vests to the laws and regulations in effect when the complete application was filed with the
9 department and all required permit fees were paid except as provided in subsections (N)(6),
10 (7) and (8) of this section.

- 11 3. If a vested permit application contemplates one or more future uses or structures and the
12 application contains a detailed description of the uses and improvements and a detailed site
13 plan consistent with all laws and regulations in effect at the time the original application
14 vested, then subsequent permit applications filed for those future use(s) are vested to the laws
15 and regulations in effect at the time original permit application vested.

- 16 4. A detailed description means a detailed site plan drawn to scale, specifying the location of
17 all buildings and improvements to be constructed in conjunction with the use(s). The detailed
18 description must address density, building setbacks, critical area buffers, lot coverage, lot
19 width requirements, and bulk (length, height and width), driveways, stormwater features,
20 water and sewer infrastructure and other improvements necessary for the development.

- 21 5. If the development approval does not contain the information in subsections (N)(3) and
22 (4) of this section, applications for future use(s) are subject to all later enacted laws and
23 regulations in effect at the time the complete application for the future use(s) vests.

- 24 6. The County may impose conditions on development and project permits pursuant to the
25 State Environmental Policy Act, Chapter 43.21C RCW, Chapter 197-11 WAC and
26 SJCC 18.80.050 to mitigate potentially adverse environmental impacts.

- 27 7. The County may impose new regulations such as requirements of the building, health, and
28 fire codes on vested development permits when necessary to protect the public health and
29 safety.

- 30 8. Applications for Comprehensive Plan amendments processed under Chapter 18.90 SJCC
31 are not subject to the vesting rules in this section.

1
2 **SECTION 15. SJCC 15.12.030 and Ordinance 13-2018 §4 are each amended to read**
3 **as follows:**

4
5 **15.12.030 Definitions.**
6

7 “Appeals” means a request for a review of the interpretation of any provision of this chapter or a
8 request for a variance.

9 “Areas of special flood hazard” means the land in the floodplain within a community subject to a
10 one percent or greater chance of flooding in any given year. Designation on Flood Rate Insurance
11 Maps always includes the letters A or V.

12 1. Areas of special flood hazard with the designation “A” are areas subject to inundation by
13 the one-percent-annual-chance flood event, also known as the “100-year floodplain,” that
14 have been defined using approximate methodologies. Because detailed hydraulic analyses
15 have not been performed, no base flood elevations (BFE) or flood depths are shown.
16 Properties in designation A are considered to be at a high risk of flooding under the National
17 Flood Insurance Program.

18 2. Areas of special flood hazard with the designation “AE” are areas subject to inundation
19 by the one-percent-annual-chance flood event, also known as the “100-year floodplain,” and
20 where predicted floodwater levels have been established. Properties in zone AE are
21 considered to be at high risk of flooding under the National Flood Insurance Program.

22 3. Areas of special flood hazard with the designation “VE” are areas subject to inundation
23 by the one-percent-annual-chance flood event, also known as the “100-year floodplain,” with
24 additional hazards due to storm-induced velocity wave action. Base flood elevations derived
25 from detailed hydraulic analyses are shown on the map. Properties in VE designation are
26 considered to be at very high risk of flooding and flood related damage under the National
27 Flood Insurance Program.

28 “Base flood” means the flood having a one percent chance of being equaled or exceeded in any
29 given year (also referred to as the “100-year flood”). Designated on Flood Insurance Rate Maps
30 by the letters A or V.

31 “Basement” means any area of the building having its floor subgrade (below ground level) on all
32 sides.

- 1 “Breakaway wall” means a wall that is not part of the structural support of the building and is
2 intended through its design and construction to collapse under specific lateral loading forces,
3 without causing damage to the elevated portion of the building or supporting foundation system.
- 4 “Coastal high hazard area” means an area of special flood hazard extending from offshore to the
5 inland limit of a primary frontal dune along an open coast and any other area subject to high
6 velocity wave action from storms or seismic sources. The area is designated on the FIRM as Zone
7 V1-30, VE or V.
- 8 “Critical facility” means a facility for which even a slight chance of flooding might be too great.
9 Critical facilities include (but are not limited to) schools, nursing homes, hospitals, police, fire and
10 emergency response installations, and installations which produce, use, or store hazardous
11 materials or hazardous waste.
- 12 “Development” means any manmade change to improved or unimproved real estate, including but
13 not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation
14 or drilling operations or storage of equipment or materials located within the area of special flood
15 hazard.
- 16 “Elevated building” means, for insurance purposes, a non-basement building that has its lowest
17 elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or
18 columns.
- 19 “Elevation certificate” means the official Federal Emergency Management Agency (FEMA) form
20 (Form 086-0-33, or as may be subsequently revised or superseded), used to track development,
21 provide elevation information necessary to ensure compliance with community floodplain
22 management ordinances, and determine the proper insurance premium rate with Section B
23 completed by the floodplain administrator.
- 24 “Existing manufactured home park or subdivision” means a manufactured home park or
25 subdivision for which the construction of facilities for servicing the lots on which the manufactured
26 homes are to be affixed (including, at a minimum, the installation of utilities, the construction of
27 streets, and either final site grading or the pouring of concrete pads) is completed before June 26,
28 2018.
- 29 “Expansion to an existing manufactured home park or subdivision” means the preparation of
30 additional sites by the construction of facilities for servicing the lots on which the manufactured

1 homes are to be affixed (including the installation of utilities, the construction of streets, and either
2 final site grading or the pouring of concrete pads).

3 “Flood” or “flooding” means a general and temporary condition of partial or complete inundation
4 of normally dry land areas from:

- 5 1. The overflow of inland or tidal waters; and/or
- 6 2. The unusual and rapid accumulation or runoff of surface waters from any source.

7 “Flood Insurance Rate Map (FIRM)” means the official map on which the Federal Insurance and
8 Mitigation Administration has delineated both the areas of special flood hazards and the risk
9 premium zones applicable to the community.

10 “Flood Insurance Study (FIS)” means the official report provided by the Federal Insurance and
11 Mitigation Administration that includes flood profiles, the Flood Insurance Rate Maps, and the
12 water surface elevation of the base flood.

13 “Floodway” means the channel of a river or other watercourse and the adjacent land areas that
14 must be reserved in order to discharge the base flood without cumulatively increasing the water
15 surface elevation more than one foot. The floodway is established by the Federal Insurance and
16 Mitigation Administration on its Flood Insurance Rate Maps (FIRMs). It does not include lands
17 that can be reasonably expected to be protected from flood waters by flood control devices
18 maintained by or maintained under license from the federal government, the state or a political
19 subdivision of the state.

20 “Increased cost of compliance (ICC)” means a flood insurance claim payment up to \$30,000
21 directly to a property owner for the cost to comply with floodplain management regulations after
22 a direct physical loss caused by a flood. Eligibility for an ICC claim can be through a single
23 instance of “substantial damage” or as a result of “cumulative substantial damage.”

24 “Lowest floor” means the lowest floor of the lowest enclosed area (including basement). An
25 unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or
26 storage in an area other than a basement area, is not considered a building’s lowest floor; provided,
27 that such enclosure is not built so as to render the structure in violation of the applicable non-
28 elevation design requirements of SJCC 15.12.080(A)(2), (i.e., provided there are adequate flood
29 ventilation openings).

1 “Manufactured home” means a structure, transportable in one or more sections, which is built on
2 a permanent chassis and is designed for use with or without a permanent foundation when attached
3 to the required utilities. The term “manufactured home” does not include a recreational vehicle.

4 “Manufactured home park or subdivision” means a parcel (or contiguous parcels) of land divided
5 into two or more manufactured home lots for rent or sale.

6 “Market value” means current value for affected structures as determined by the County assessor’s
7 office.

8 “Mean sea level” means the data used in the current Flood Insurance Study (FIS) and referenced
9 on the adopted Flood Insurance Rate Maps (FIRMs).

10 “New construction” means structures for which the start of construction commenced on or after
11 June 26, 2018.

12 “New manufactured home park or subdivision” means a manufactured home park or subdivision
13 for which the construction of facilities for servicing the lots on which the manufactured homes are
14 to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and
15 either final site grading or the pouring of concrete pads) is completed on or after June 26, 2018.

16 “Recreational vehicle” means a vehicle:

- 17 1. Built on a single chassis;
- 18 2. Four hundred square feet or less when measured at the largest horizontal projection;
- 19 3. Designed to be self-propelled or permanently towable by a light duty truck; and
- 20 4. Designed primarily not for use as a permanent dwelling but as temporary living quarters
21 for recreational, camping, travel, or seasonal use.

22 “Start of construction” includes substantial improvement, and means the date the building permit
23 was issued, provided the actual start of construction, repair, reconstruction, placement or other
24 improvement was within 180 days of the permit date. The actual start means either the first
25 placement of permanent construction of a structure on a site, such as the pouring of slab or footings,
26 the installation of piles, the construction of columns, or any work beyond the stage of excavation;
27 or the placement of a manufactured home on a foundation. Permanent construction does not
28 include land preparation, such as clearing, grading and filling; nor does it include the installation

1 of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or
2 foundations or the erection of temporary forms; nor does it include the installation on the property
3 of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the
4 main structure. For a substantial improvement, the actual start of construction means the first
5 alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that
6 alteration affects the external dimensions of the building.

7 “Structure” means a walled and roofed building, including a gas or liquid storage tank that is
8 principally above ground.

9 “Substantial damage” means damage of any origin sustained by a structure whereby the cost of
10 restoring the structure to its before damaged condition would equal or exceed 50 percent of the
11 market value of the structure before the damage occurred.

12 “Substantial improvement” means any repair, reconstruction, or improvement of a structure, the
13 cost of which equals or exceeds 50 percent of the market value of the structure either:

- 14 1. Before the improvement or repair is started; or
- 15 2. If the structure has been damaged and is being restored, before the damage occurred. For
16 the purposes of this definition, “substantial improvement” is considered to occur when the
17 first alteration of any wall, ceiling, floor, or other structural part of the building commences,
18 whether or not that alteration affects the external dimensions of the structure.

19 The term can exclude:

- 20 1. Any project for improvement of a structure to correct pre-cited existing violations of state
21 or local health, sanitary, or safety code specifications which have been previously identified
22 by the local code enforcement official and which are the minimum necessary to assure safe
23 living conditions; or
- 24 2. Any alteration of a structure listed on the National Register of Historic Places or a state
25 inventory of historic places.

26 “Variance” means a grant of relief from the requirements of this chapter that permits construction
27 in a manner that would otherwise be prohibited by this chapter.

28 **SECTION 16. Effective Date.**

29

1 This Ordinance shall take effect fourteen days from the date of written approval by WDOE
2 pursuant to RCW 90.58.090.
3

4
5 **SECTION 17. Codification.**
6

7 Sections 1-135 of this ordinance shall be codified.
8 Subsections A through N in Section 14 shall each be codified in its own section.
9

10 ADOPTED this ____ day of _____ 2020.
11

12
13 ATTEST: Clerk of the Council

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

14
15
16 _____
17 Ingrid Gabriel, Clerk Date

18
19 _____
20 Rick Hughes, Chair
21 District 2

22
23
24 REVIEWED BY COUNTY MANAGER

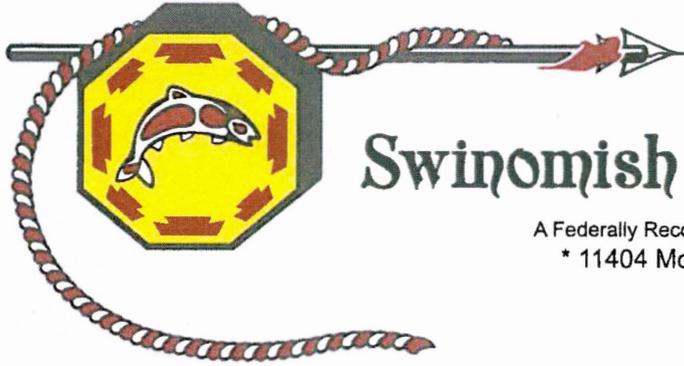
25
26 _____
27 Michael J. Thomas Date

28
29 _____
30 Bill Watson, Vice-Chair
31 District 1

32
33
34 RANDALL K. GAYLORD
35 APPROVED AS TO FORM ONLY

36
By: _____
Date

Jamie Stephens, Member
District 3



Swinomish Indian Tribal Community

A Federally Recognized Indian Tribe Organized Pursuant to 25 U.S.C. § 476
* 11404 Moorage Way * La Conner, Washington 98257 *

August 4, 2020

Ms. Erika Shook
San Juan County Planning Director
Via email: dcd@sanjuanco.com

Re: Proposed amendment to SJ County Code 18.50.100

Dear Director Shook:

The Swinomish Indian Tribal Community is a federally recognized Tribe and signatory to the 1855 Treaty of Point Elliott. The Swinomish Tribe is a sovereign nation with a Treaty protected Usual & Accustomed Area that includes the Skagit River, its many tributaries, and most of northern Puget Sound including the San Juan Islands. We appreciate the opportunity to make the following comments on San Juan County's proposed amendment to San Juan County Code section 18.50.100.

This recently proposed amendment to the Shoreline Master Program is aimed at clarifying shoreline stabilization measures that can be taken to protect verified archeological resources. This amendment is described in a memo "Shoreline Master Program Update – Proposed Amendment to SJCC 18.50.100.D" and prepared for a hearing date of 7/28/2020.

The Swinomish Tribe appreciates San Juan County's efforts to find the right balance for the protection of archeological resources, and supports the County's proposal to tighten loopholes that could allow new bulkheads along shoreline habitats. The inclusion of a provision requiring tribal support of a new bulkheads that are designed to protect archeological resources is a good measure aimed at ensuring that the archeological resource protection meets the wishes of affected tribes.

However, we recognize the historic territories of local tribes included overlapping areas in time and space. Following the wishes of a single "affected Native American tribe" may exclude other potentially affected tribes from an opportunity to weigh in on archeological resources and affected shoreline habitats. The Swinomish Tribe would like to see the amendment include text to ensure that all affected tribes are afforded sufficient notice and an opportunity to provide comment on any proposed new bulkhead under this revised section.

Thank you for raising this important issue, and for your attention to these comments. We genuinely appreciate your effort in seeking to improve the way San Juan County codes are developed and implemented to respect and honor the rights of Treaty Tribes. If you have any questions about our comments, please don't hesitate to call the Tribe's Environmental Policy Director, Amy Trainer, at 360-399-5804 or email her at atrain@swinomish.nsn.us.

Sincerely,

A handwritten signature in black ink that reads "Steve Edwards".

Chairman Steve Edwards
Swinomish Indian Tribal Community

Adam Zack

From: Lisa Lawrence <lisanajuans@gmail.com>
Sent: Tuesday, July 28, 2020 2:41 PM
To: SMP Comments
Subject: SMP Periodic Update - Comments from Lawrence

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please submit my comments for the Shoreline Master Program Periodic Update hearing. There is no special section I could find to address my comments, I'm not sure it is a concern but just in case it is here are my thoughts.

I am in support of continuing the use of our shorelines for horseback riding. Especially at American Camp National Park beach, uplands, on trails.

Horses were used historically on that particular land/shoreline for farming. Now we enjoy riding on the beach and on the prairie trails, & along the roads. We rode our horses out there as young kids back in the 1970's & 1980's and I continue to ride my horses out there to this day. I'm sure it was happening prior to my time as well. It is important to have many user groups on our public lands, ensuring a continuance of historic use of our land for our island way of life.

Also - there are fewer and fewer safe places to ride horses on the islands. With increased vehicular traffic on our roads it is difficult to keep safe. Providing a safe place for us to recreate and exercise our horses is so appreciated and I want to thank the Parks and County for allowing the use of horses on those properties.

Thanks - Lisa Lawrence

Lisa Nash Lawrence
lisanajuans@gmail.com

**2004 Inventory of Existing Barge and Landing Craft Sites
November 18, 2004**

An inventory of existing landing sites throughout San Juan County is complete. The inventory identifies all sites (beaches, modified beaches and ramps) known to exist for landings of a barge or other landing craft vessels 60' in length and larger. There are 96 documented sites throughout all of the San Juan Islands. The table below shows, for each District, the number of sites on each island.

<u>District 1 (36 sites)</u>	<u>District 2 (30 sites)</u>	<u>District 3 (30 sites)</u>
Brown (1)	Barnes (1)	Blakely (7)
Dinner (1)	Bell (1)	Blind (1)
Henry (11)	Clark (1)	Center (1)
Johns (6)	Coon (1)	Decatur (9)
Pearl (1)	Crane (2)	Frost (1)
Posey (1)	Doe (1)	James (1)
San Juan (7)	Double (1)	Lopez (6)
Spieden (1)	Fawn (1)	Shaw (3)
Stuart (6)	Jones (1)	Trump (1)
Turn (1)	Matia (1)	
	McConnell (1)	
	Obstruction (2)	
	Orcas (11)	
	Patos (1)	
	Sucia (1)	
	Waldron (3)	

Inventory Methodology

The inventory process involved several steps to identify where existing landing sites are located and other information about ownership, permits, and use of the site for landing activity.

- **Historic Lists.** Review of historical lists, maps, and interview notes were used to create an initial list of existing sites.
- **Field verification and photographs.** Field reconnaissance of existing sites also revealed the location of new sites.
- **Public Notice about the Preliminary List of Existing Sites:** In February, a preliminary list was released for public review. Additional existing sites were identified and subsequently added to the inventory.
- **County GIS Database.** The GIS system was used to identify the precise location of the site as well as review relevant data layers, including parcel numbers, land use designations, aerial photos, forage fish survey data, etc.
- **County Assessor's Data.** This helped to identify the property owner's name and address.
- **Surveys.** The owners (or representatives) were sent a survey to provide information about the how existing sites are used.
- **Permit Files.** Information about existing permits for ramps or exemptions were collected from card files and archived permit files.

Maps

All of the existing sites have been added to the County's GIS database so that both large presentation maps (32" x 40") and small, document size maps can be prepared. The maps show the location and classification of each site and other relevant shoreline features including shoreline designations and the locations of eelgrass habitat and forage fish spawn areas.

Inventory Details

A compilation all of the information submitted or collected about each site is contained in a database. It includes the site's identification number; island, district, classification; owner and parcel number; type of improvements; permits; access to roads; number of lots served; frequency of use; type of vessel use; types of cargo; land and shoreline designations; presence of forage fish spawn and/or eelgrass; risk assessment by WDFW (for some sites); cultural/archaeological information (for some sites) and a photo reference number. Once the inventory is complete, a spreadsheet will be available for public review.

Inventory Files

A separate file is set up for each site that includes all information collected in relation to the inventory. The file includes inventory forms, letters and/or survey responses submitted by property owners or their representative; photos; and a GIS map showing the location, parcel data, aerial photo and forage fish habitat areas.

Classification of Sites

The most important feature of the inventory is the classification of the landing site. Each existing landing site is classified as either Class A, B, C or D as described in the propose code amendment section 18.50.340 (H)(1). The classification is the best way to categorize the typical pattern of landing activity at the site. It can also be used as a measure of on-going landing activity and to regulate future intensification at the site. The factors influencing the classification include the following:

1. frequency of landings (how often landings typically occur),
2. number of users at the site (single users, limited users, unlimited users) and

Class A - Developed Public and Commercial Sites

Existing Class A sites (12 sites):

<u>Id</u>	<u>Island</u>	<u>Common Name</u>	<u>Owner</u>
De-A-1	Decatur	Decatur Ramp, Davis Bay	San Juan County
Lo-A-1	Lopez	Hunter Bay Ramp	San Juan County
Lo-A-2	Lopez	Mackaye Harbor Ramp	San Juan County
Or-A-1	Orcas	Obstruction Bay Ramp	San Juan County
Or-A-2	Orcas	Cayou Quay (Deer Harbor)	Carlson, Sandell, MacBryer, Carpenter
Or-A-3	Orcas	White Beach (Westsound)	Charles Clauson
Or-A-4	Orcas	Deer Harbor Boatworks	Micheal Durland
SJ-A-1	San Juan	Jensen, Shipyard Cove	Albert Jensen & Sons, Inc.
SJ-A-2	San Juan	Roche Harbor	New Roche Harbor LLC
St-A-1	Stuart	Reid Harbor Road End	San Juan County
St-A-2	Stuart	Prevost Marine Facility	San Juan County
Wa-A-1	Waldron	Cowlitz Bay Road End Near Dock	San Juan County

Class B - Joint-Use, Community and Restricted Public Sites
Existing Class B sites (38 sites):

<u>Id</u>	<u>Island</u>	<u>Common Name</u>	<u>Owner</u>
Bl-B-1	Blakely	Blakely Marina	Blakely Island Trust
Br-B-1	Brown	Brown	Friday Island Homeowners
Ce-B-1	Center	Center Island	Center Island Beach Club
Cr-B-1	Crane	North Side	Crane Island Assn.
Cr-B-2	Crane	Near Community Dock	Crane Island Assn.
De-B-1	Decatur	Sylvan Cove	Decatur Northwest
De-B-2	Decatur	North of Reeds Bay	Decatur Shores Comm
De-B-3	Decatur	Reed Harbor Bay - Shipyard	Morris Jones
De-B-4	Decatur	Decatur - Northeast	David Groff and Roslyn Solomon
Fr-B-1	Frost	Frost	Frederick Voorhees
He-B-1	Henry	Kings Ransome Cove North	Kings Ransome Cove LLC
He-B-2	Henry	Kings Ransome Cove South	Kings Ransome Cove LLC
He-B-3	Henry	Big Henry - Nelson Bay	Harmony Trust
He-B-4	Henry	Big Henry Nelson Bay	Henry Island Enclave, LLC
He-B-5	Henry	Isthmus, Open Bay	Henry Island Enclave, LLC
He-B-6	Henry	Little Henry - Mosquito Pass	Maura O'Neill
He-B-7	Henry	Little Henry - South	Perelandra LLC
Joh-B-1	Johns	John's Island Community Access	Lot Owners of Scofields Plat
Lo-B-1	Lopez	Odlin Park Ramp	San Juan County
Lo-B-2	Lopez	Weeks Road End	San Juan County
Lo-B-3	Lopez	Fisherman's Bay IMC	Ron Meng
Lo-B-4	Lopez	Port Stanley Road End	San Juan County
Ob-B-1	Obstruction	Obstruction/West	Obstruction Island Club
Or-B-1	Orcas	Smuggler's Villa (North Beach)	Smuggler's Villa Homeowners Assn.
Or-B-2	Orcas	North Beach Road End	San Juan County
Or-B-3	Orcas	Bartwood Lodge	Parker Reef Condos
Or-B-4	Orcas	Sea Acres (S. of Lawrence Pt.)	Sea Acres Lot Owners
Or-B-5	Orcas	Rosario (Eastsound)	Oly Rose, LLC
Or-B-6	Orcas	Jack & Jill Road	San Juan County
Or-B-7	Orcas	West Beach Resort	Hance Family, LLC
Pe-B-1	Pearl	By the Eastern Dock	Philip Mayer Trust
SJ-B-1	San Juan	Snug Harbor - Mitchell Bay	Snug Harbor Resort
SJ-B-2	San Juan	South Beach, Picketts Lane Road End	San Juan County
SJ-B-3	San Juan	San Juan County Park - Small Pox Bay	San Juan County
Sh-B-1	Shaw	Harbor Way Road End (Neck Point)	San Juan County
St-B-1	Stuart	John's Pass, Airway Ramp	Stuart Island Airway Park
St-B-2	Stuart	Gund Ramp	George Gund
St-B-3	Stuart	The Cove	The Cove at Stuart Is. Assn.

Class C - Individual Property Owner Sites and Park Lands
Existing Class C Sites (42 sites)

<u>Id</u>	<u>Island</u>	<u>Common Name</u>	<u>Owner</u>
Ba-C-1	Barnes	Barnes	Charles and Diane Bundrant
Be-C-1	Bell	Bell Island/South	Steven and Erica Gerlicher
Bl-C-1	Blakely	End of Airstrip	Blakely Is. Maint. Comm.
Bl-C-2	Blakely	Blakely South	Sigmund Rogich
Bl-C-3	Blakely	Thatcher Bay	Tom Crowley
Bl-C-4	Blakely	Blakely West	Lindy Springmeyer
Bl-C-5	Blakely	Armitage	H. Jon Runstad
Bli-C-1	Blind	Blind	US Government
Cl-C-1	Clark	Clark	State of Washington
Co-C-1	Coon	Coon	Malcomb Goodfellow
De-C-1	Decatur	Reed Harbor Bay	Jacqueline Necco
De-C-2	Decatur	Decatur - South	Warren Odegard
De-C-3	Decatur	Decatur - South	Lynne Saad
De-C-4	Decatur	Decatur - South	Robert Mucklestone/Megan Kruse
Di-C-1	Dinner	Dinner Island	Dinner Island Properties, LLC
Doe-C-1	Doe	Doe	State of Washington
Dou-C-1	Double	Big Double	Double, LLC
Fa-C-1	Fawn	Fawn	GE BE Trust
He-C-1	Henry	Big Henry McCracken Point	Craig and Julie Tall
He-C-2	Henry	Big Henry - North	Arthur Snyder
He-C-3	Henry	Big Henry - Haro Strait	Henry Island Associates
He-C-4	Henry	Big Henry Nelson Bay	Henry Island Associates
Ja-C-1	James	James	State of Washington
Joh-C-1	Johns	Nell's Landing (Camp Norwester)	Henderson Norwester Camp
Joh-C-2	Johns	Scofields Lot 1, Block 3	Wilson Harmon Jones
Joh-C-3	Johns	Scofields Lot 2, Block 1	Gary Bolton
Joh-C-4	Johns	Scofields Lot 5, Block 1	James Syck
Joh-C-5	Johns	Scofields - Lot 2, Block 3	Sanford
Jon-C-1	Jones	Jones	US Government
Ma-C-1	Matia	Matia	US Government
Mc-C-1	McConnell	McConnell	Thompson McConnell
Ob-C-1	Obstruction	North Dock	Kurt Volker
Pa-C-1	Patos	Patos	US Government
Po-C-1	Posey	Posey	US Government
SJ-C-1	San Juan	Griffin Bay - LaFarge Gravel Pit	Friday Harbor Sand and Gravel
Sh-C-1	Shaw	Northeast	Shaw Island Trust
Sp-C-1	Spieden	Southeast End	Under the Radar, Inc
St-C-1	Stuart	Stuart Island State Park	State Lands
Su-C-1	Sucia	Sucia	State of Washington
Tr-C-1	Trump	Trump - Northwest	Trump Island, LLC
Tu-C-1	Turn	Turn	US Government
Wa-C-1	Waldron	Chevalier	Graignic Beach Trust

Class D - Other Sites

Existing Class D Sites (4 sites)

<u>Id</u>	<u>Island</u>	<u>Common Name</u>	<u>Owner</u>
BI-D-1	Blakely	Thatcher Bay (Log Dump)	Tom Crowley
SJ-D-1	San Juan	Jackson Beach Park (Recreational Use Only)	Port of Friday Harbor
Sh-D-1	Shaw	South Beach Park, Indian Cove Ramp (Recreational Use Only)	San Juan County
Wa-D-1	Waldron	Mail Bay (Carlson Log Dump)	William Carlson

Excluded Sites

The following sites were not included in the inventory because of previous decision preventing or restricting the establishment of a landing site.

- Eklund/Hart property - Henry Island
- Walton property - Henry Island

Attachments

- Detailed Inventory Spreadsheet
- Maps

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Id	Island	Dist	Class	Owner	Common Name	RMPRC	Improvements	Permits	Road Access	Units Served	Freq Use	Vessels Use	Cargo Types	Land Use: Des	Shoreline: Des	Forage Fish	WDFW Risk	Cull Arch	Inventory Submittal
Br-B-1	Brown	1	B	Friday Island Homeowners	Brown	351250008000	Beach	Unknown	Priv. Rd.	60	daily (summer) weekly	LC < 82'	Res. Supply	RR	RR	EG			Submitted by Steve Duncan, Caretaker.
DI-C-1	Dinner	1	C	Dinner Island Properties, LLC or Marilyn Ward	Dinner Island	352434001000	Beach		No Road	1				C	N				Submitted by Dan Ward
He-B-1	Henry	1	B	Kings Ransome Cove LLC	Big Henry - Kings Ransome Cove North	481550011000	Modified Beach	No. c. 1940	Priv. Rd.	40	Weekly	LC < 92'	All Types	RFF	C	EG		OAHP#46SJ45	Submitted by Stephanie Johnson O'Day; constructed circa 1940, commercially used to serve north end of Big Henry.
He-B-2	Henry	1	B	Kings Ransome Cove LLC	Big Henry - Kings Ransome Cove South	481550014000	Ramp	No. c. 1940	Priv. Rd.	10	As needed, < monthly	LC < 92'	All Types	RFF	C	EG		OAHP#46SJ45	Submitted by Stephanie Johnson O'Day. Used for logging since the 1940's. Periodically used for heavy construction for adjacent area.
He-B-3	Henry	1	B	Harmony Trust	Big Henry - Nelson Bay	481650017000	Ramp	No. 1970	Priv. Rd.	40	Weekly	LC < 72'	Res. Supply, Fuel, Passenger/vehicles	RFF	C	EG		OAHP#45SJ44	Submitted by Stephanie Johnson O'Day; Used since 1970; commercially used to serve neighborhood. For construction related material movement.
He-B-4	Henry	1	B	Henry Island Enclave, LLC - Kip and Barbara Smith	Big Henry Nelson Bay	482234004000	Beach	No	Priv. Rd.	8	Monthly	LC < 92'	All Types	RFF	C/N	EG		OAHP#45SJ46, Saanich Songees reef nets	Submitted by Margaret Suman and by Kip Smith
He-B-5	Henry	1	B	Henry Island Enclave, LLC - Kip and Barbara Smith	Henry Island Isthmus; Open Bay	482232004000	Beach	No	Priv. Rd.	7	Monthly	LC < 92'	All Types	RFF	C	EG		OAHP#45SJ207	Submitted by Margaret Suman and by Kip Smith
He-B-6	Henry	1	B	Maura O'Neil	Little Henry - Mosquito Pass	482712001000	Modified Beach	No. c. 1984	Priv. Rd.	30	Weekly	LC < 72'/Rec.	Res. Supply	RR	C	EG		OAHP#45SJ41	Submitted by Eliot and Christine Scull and O'Day. Legal easement for SE Henry on Mosquito Pass (at Isthmus).
He-B-7	Henry	1	B	Peralandra LLC	Little Henry - South	482742008000	Modified Beach	No. c. 1940	No	4	Monthly	LC < 72'	Res. Supply	RR	C	EG			Submitted by Stephanie Johnson O'Day. In use for many years, nearby cabin built in 1940s.
He-C-1	Henry	1	C	Craig and Julie Tall	Big Henry McCracken Point	481612002000	Ramp	03XMP01	No	1	Weekly for construction then monthly	LC < 92'	Res. Supply, Const. Mat.	RFF	C	EG			Submitted by Stephanie Johnson O'Day. Evidence of use of this site since the 1980s.
He-C-2	Henry	1	C	Arthur Snyder	Big Henry - North	481613008000	Beach	Unknown	No	1	Monthly	LC < 92'	Res. Supply	RFF	C	EG			Submitted by Arthur Snyder
He-C-3	Henry	1	C	Henry Island Associates	Big Henry - Haro Strait	482222001000	Beach							RFF	C	EG			Submitted by Lyman Hull
He-C-4	Henry	1	C	Henry Island Associates	Big Henry Nelson Bay	482223001000	Beach							RFF	C				Submitted by Lyman Hull
Joh-B-1	Johns	1	B	Lot Owners of Scofield Plat	John's Island Community Access	473650205000	Beach	No	Priv. Rd.	118	Weekly	LC < 92'	All Types	RR	RFF	EG		OAHP#45SJ71	Submitted by Julie Curley. Ramp at the end of access road. Used for over 40 years.
Joh-C-1	Johns	1	C	Henderson Norwester Camp	Nell's Landing (Camp Norwester)	472643008000	Modified Beach	Unknown	Priv. Rd.	1	Weekly	LC < 92, T/B-185'	Const. Sand/Gravel, Fuel, Passengers	RFF	C				Saanich reef nets. Submitted by Paul Hendricksen.
Joh-C-2	Johns	1	C	Wilson Harmon Jones	Scofield Lot 1, Block 3	473651801000	Beach	No	No	1	Weekly	LC < 72'	Res. Supply, Passengers	RR	RFF	EG			Submitted by Wilson Harmon Jones. Site used for over 35 years.

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Joh-C-3	Johns	1	C	Gary Bolton	Scofields Lot 2, Block 1	473650102000	Beach	No	No	1	Weekly	LC<92', Rec.	Res Supply,	RR	RFF	EG			Submitted by Gary Bolton. Owner and user of this site since 1978. Site used since 1981 when platted.	
Joh-C-4	Johns	1	C	James Syck	Scofields Lot 5, Block 1	473650105000	Beach	No	No	1	Monthly	LC<92'	Res. Supply	RR	RFF	EG			Submitted by James Syck. Used for over 40 years.	
Joh-C-5	Johns	1	C	Sanford	Scofields - Lot 2, Block 3	473651302000	Beach	No	No	1	2/year	LC<92'	Res. Supply	RR	RFF	EG			Submitted by Peter Sanford.	
Pa-B-1	Pearl	1	B	Phillip Mayer Trust	By the Eastern Dock	481454001000	Beach							RR	RR	EG			No response to survey.	
Po-C-1	Posey	1	C	US Government	Posey	481423001000	Beach	No	No	N/A	Daily/Weekly (Summer), Weekly (Winter)	LC<28'	Park Maint.	N	N	EG			Submitted by Chris Regan, State Parks	
SJ-A-1	San Juan	1	A	Albert Jensen & Sons, Inc.	Jensen, Shipyard Cove	351341005000	Ramp	Unknown	Tum Pt	N/A	Daily	LC<92', T/B-185	Fuel, Constr.	RI	U		Moderate Risk		Submitted by Jensen.	
SJ-A-2	San Juan	1	A	New Roche Harbor LLC	Roche Harbor	482311001000	Ramp	9/7/83-83XMP063	County Rd	Commercial	Daily	LC<92' T/B (500 ton)	All Types	MPR	U		Moderate Risk	OAH#45SJ38	Data from 2003 PW Water Access Use Table. Key Trans. Link for Henry, Pearl, Stuart, Johns, Waldron.	
SJ-B-1	San Juan	1	B	Snug Harbor Resort	Snug Harbor - Mitchell Bay	483532001000	Ramp							RR	RR/C				No response to survey.	
SJ-B-2	San Juan	1	B	San Juan County	South Beach, Picketts Lane Road End		Beach	No	County Rd.	N/A	Yearly	T/B 185'	House Relocation	C	C	EG			Submitted by Joannuth Baumann. Site hasn't been used for years. No longer allowed by Nat. Parks.	
SJ-B-3	San Juan	1	B	San Juan County	San Juan County Park - Small Fox Bay	451131001000	Ramp	1997	SL Park Dr.	N/A	<Monthly	LC<72'	Primarily Rec. Boats	C	R	EG			Submitted by Dona Wulfnow, County Parks	
SJ-C-1	San Juan	1	C	Friday Harbor Sand and Gravel	Griffin Bay - LaFarge Sand and Gravel Pit	352412001000	Beach	8/28/97-87XMP035 8/13/00-00XMP030	County Rd.		1				RR	RFF		Low Risk	OAH#45SJ57	No response to survey. Previous owner statement indicates to public use allowed.
SJ-D-1	San Juan	1	D	Port of Friday Harbor	Jackson Beach Park	362421003000	Ramp		County Rd.	N/A		Recreation Boats	Recreational	RR	N/C	EG			Ramp for recreation boat launch only.	
Sp-C-1	Spledien	1	C	Under the Radar, Inc	Southeast End	360844001000	Ramp							C	RFF				No response to survey.	
St-A-1	Stuart	1	A	San Juan County	Reid Harbor Road End		Ramp	Yes, 1993	County Rd	Public	Daily	LC<92', No barge	All Types	C	C		High Risk	OAH#46SJ84	Data from 2003 PW Water Access Use Table. Also submitted by Joannuth Baumann, PW.	
St-A-2	Stuart	1	A	San Juan County? Or Ericson	Next to Prevost Dock		Beach	No	No	1	Monthly			RFF	RFF	EG	Low Risk	OAH#46SJ79	Submitted by Joannuth Baumann. This is adjacent to County Dock at Prevost. Contact Owner, Update Inventory.	
St-B-1	Stuart	1	B	Stuart Island Allway Park	John's Pass, Allway Ramp	472741001000	Modified Beach	Unknown, c. 1960	Priv. Rd	118	Monthly	LC<92'	All Types	RR	C	EG, SS			Submitted by Charlene Renquist. In use since the mid 1960s.	
St-B-2	Stuart	1	B	George Gund - Access Easement	Gund Ramp	472741005000	Ramp	Unknown, c. 1985	Priv. Rd	120	Daily	LC<92'	All Types	RR	RFF	EG		OAH#45SJ88, Saarlich Village	Submitted by George Gund	

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St-B-3	Stuart	1	B	The Cove at Stuart Is. Assn.	The Cove	473450010000	Modified Beach	DNR aquatic lands lease 20-A11980	Priv. Rd.	9	2-4 x Year	LC<92'	Res. Supply, Passengers	RFF	RFF				Submitted by Lisa Lamb and by Sarah Richardson
St-C-1	Stuart	1	C	State Lands	Stuart Island State Park		Beach	No	No	N/A	Daily/Weekly (Summer), Monthly (Winter)	LC<25'	Park Maint	C	C				Submitted by Chris Regan, State Parks
Tu-C-1	Tum	1	C	US Government	Tum	261722001000	Beach	No	No	N/A	Daily/Weekly (Summer), Weekly (Winter)	LC< 25'	Park Maint.	N	N	EG			Submitted by Chris Regan, State Parks
Ba-C-1	Barnes	2	C	Charles and Diane Bundrant	Barnes	171411001000	Beach	No	No	1	Monthly	LC 65'	Res. Supply, Passengers	C	C / N	EG			Submitted by Diane Bundrant
Be-C-1	Bell	2	C	Steven and Erica Gerlicher	Bell Island/South	262024001000	Ramp	Unknown	No	1	Monthly	LC<92'	Res. Supply	C	C				Submitted by Steve Gerlicher
Cl-C-1	Clark	2	C	State of Washington	Clark	171234001000	Beach	No	No	N/A	Daily/Weekly (Summer), Monthly (Winter)	LC<25'	Park Maint.	C	C / N	EG			Submitted by Chris Regan, State Parks
Co-C-1	Coon	2	C	Malcomb Goodfellow	Coon	382413001000	Beach	No	No	1	Monthly	LC<92'	Res. Supply, Constr.	C	C	EG			Submitted by Malcomb Goodfellow
Cr-B-1	Crane	2	B	Crane Island Assn	North Side	261960071000	Ramp	Unknown, over 20 years ago	Priv. Rd	48	Weekly	LC<92'	All Types	RR	RFF			Samish Saanich duck nets	Submitted by Tom Temple, Crane Island Assoc.
Cr-B-2	Crane	2	B	Crane Island Assoc.	Near Community Dock	261960077000	Modified Beach	Unknown, over 20 years old	Priv. Rd	48	Weekly	Res. Boats	Res. Boats	RR	RFF	EG			Submitted by Tom Temple, Crane Island Assoc.
Doe-C-1	Doe	2	C	State of Washington	Doe	160233001000	Beach							C	C	EG			Submitted by Chris Regan State Parks
Dou-C-1	Double	2	C	Double, LLC	Big Double	261742001000	Beach	No	N/A	1	Weekly	LC<92'	Res. Supply	C	C				Submitted by Micheal Brown
Fa-C-1	Fawn	2	C	GE BE Trust	Fawn	261822001000								C	C				No response to survey.
Jon-C-1	Jones	2	C	US Government	Jones	381421001000	Beach	No	No	N/A	Monthly	LC<25'	Park Maint.	N	N	EG			Submitted by Chris Regan, State Parks
Ma-C-1	Malia	2	C	US Government	Malia	183211001000	Beach	No	No	N/A	Daily/Weekly (Summer), Monthly (Winter)	LC<25'	Park Maint	C	N	EG			Submitted by Chris Regan, State Parks
Mc-C-1	McConnell	2	C	Thompson McConnell	McConnell	382424003000	Beach	No	No	1	Yearly	LC<92'	Res. Supply	C	C	EG			Submitted by John S. Thompson
Ob-B-1	Obstruction	2	B	Obstruction Island Club	Obstruction/West	182150050000	Beach	No	Priv. Rd	48	Weekly	LC<92', Rec.	All Types	RR	C				Submitted by Deborah Helleson and by Lynette Smallwood
Ob-C-1	Obstruction	2	C	Kurt Volker	North Dock	162150029000	Beach	No	Priv. Rd	1	Monthly	Rec/Water Taxi	Res. Supply	RR	C				Submitted by Kurt Volker.
Or-A-1	Orcas	2	A	San Juan County	Obstruction Bay Ramp	161650110000	Ramp	1983, 2004 overlay	County Rd.	N/A	Daily	LC<92', TB<185'	All Types	RFF	R	EG	High Risk		Submitted by Joanruth Baumann, PVV
Or-A-2	Orcas	2	A	Carlson, Sandell, MacBryer, Carpenter	Cayou Quay (Deer Harbor)	280732012000	Ramp	Yes, 1978	Channel Rd.	Commercial Use	Weekly	LC<92'	All Types	ACT	C		Moderate Risk		Submitted by Norman Carpenter.

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Or-A-3	Orcas	2	A	Charles Clauson	White Beach (West sound)	260912001000	Ramp	1940s	Prt. Rd.	N/A	Weekly	LC<92', T/B 185'	All Types	RFF	R	EG	High Risk	OAHP#45SJ232, Lummi Samlet butter clam beds	Submitted by Frank Rouleau
Or-A-4	Orcas	2	A	Michael Durland	Deer Harbor Boatworks	260724003000	Ramp	Yes, 1987	Channel Rd.	Commercial	Monthly	LC<72'	Res. Supply	ACT	C				Submitted by Michael Durland. Difficult for craft over 40'. No response to survey.
Or-B-1	Orcas	2	B	Smuggler's Villa Homeowners Assn.	Smuggler's Villa (North Beach)	271113001000								UGA	ESR	EG			Submitted by Joanruth Baumann, PW.
Or-B-2	Orcas	2	B	San Juan County	North Beach Road End		Beach	No	County Rd.	N/A	Yearly	T/B 188'	House relocation	UGA	EM	EG			Submitted by Shelley Sides, Sides Family Trust.
Or-B-3	Orcas	2	B	Parker Reef Condos	Barwood Lodge	271253029000	Ramp	Unknown	County Rd.	N/A	Weekly	Recreational	Passengers	ESR	RR				No response to survey.
Or-B-4	Orcas	2	B	Sea Acres Lot Owners	Sea Acres (S. of Lawrence Pl.)	173851015000								RR	RR				No response to survey.
Or-B-5	Orcas	2	B	Oly Rose, LLC	Rosario (East sound)	180821001000								MPR	R			OAHP#45SJ, Lummi Halibut fishery, Lummi village	No response to survey.
Or-B-6	Orcas	2	B	San Juan County	Jack & Jill Road		Beach	No	County Rd.	N/A	Yearly	T/B 186'	House relocations	ACT	U	EG			Submitted by Joanruth Baumann, PW.
Or-B-7	Orcas	2	B	Hance Family, LLC	West Beach Resort	272121005000	Ramp	Unknown, c. 1960s	Waterfront Way		Weekly	Recreational		MPR	R	EG			Submitted by Steve Hance
Pa-C-1	Palos	2	C	US Government	Palos	281614001000	Beach	No	No	N/A	Daily/Weekly (Summer), Monthly (Winter)	LC<28'	Park Maint.	C	N	EG			Submitted by Chris Regan, State Parks
Su-C-1	Sucia	2	C	State of Washington	Sucia	282350001000	Beach	No	No	N/A	Daily/Weekly (Summer), Monthly (Winter)	LC<28'	Park Maint.	C	C/N	EG			Submitted by Chris Regan, State Parks. Six localions on Sucia.
Wa-A-1	Waldron	2	A	San Juan County	Cowlitz Bay Road End Near Dock	372312002000	Beach	No	County Rd.	NA	Weekly	LC<92'	All Types	RFF	RFF	EG, SS	High Risk	OAHP#46SJ90	Submitted by Joanruth Baumann, PW.
Wa-C-1	Waldron	2	C	Graigino Beach Trust	Chevalier	371113007000	Beach	No	Priv and County Rds.		2/year	LC<92'	Res. Supply, Passengers	RFF	N	EG		OAHP#46SJ346, Lummi reef nets	Submitted by EW Chevalier
Wa-D-1	Waldron	2	D	William Carlson	Mail Bay (Carlson)	371311002000	Beach	97CUP024 Log Transfer	Priv. Rd.	1	Weekly/Monthly	LC<92'	All Types	RFF	C/N	EG		OAHP#46SJ92	Submitted by Stephanie Johnson O'Day.
Bl-B-1	Blakely	3	B	Blakely Island Trust	Blakely Marina	182812003000	Ramp	Unknown, c. 1955	Priv. Rd.	160	Weekly	LC<92'	All Types	RG	R	EG	Low Risk	OAHP # 45SJ141	Submitted by Tom Crowley, Jr.
Bl-C-1	Blakely	3	C	Blakely Is. Maint. Comm.	End of Airstrip	182812003000	Beach							RR	RR	EG			No response to survey.
Bl-C-2	Blakely	3	C	Sigmund Roglich	Blakely South	182850185000	Beach	No	No	1	Weekly	LC<92'	Res. Supply, Constr, Passengers	RR	C	EG			Submitted by Lindy Springmeyer. Regular delivery of essential materials for several decades.
Bl-C-3	Blakely	3	C	Tom Crowley	Thalcher Bay	160413001000	Modified Beach	Unknown						RFF	RR	EG			Submitted by Tom Crowley, Jr.
Bl-C-4	Blakely	3	C	Lindy Springmeyer	Blakely West	160812001000	Beach	No	No	1	Monthly	LC<92'	Res. Supply, Constr., Passengers	RFF	C				Submitted by Lindy Springmeyer.

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Bl-C-5	Blakely	3	C	H. Jon Runstad	Amilaga	161050016000	Beach	No	Priv. Rd	1	Yearly	LC<72	Constr. Materials	RFF	RR	EG			Submitted by J. Runstad. Site was once used as a log dump. No occasionally used for moving material and equipment.
Bl-D-1	Blakely	3	D	Tom Crowley	Thatcher Bay	163311001000	Modified Beach	Unknown	Priv. Rd	31	Weekly	LC<92'	All Types	FO	RR	EG, SS		OAHP#46S.J244	Submitted by Tom Crowley, Jr.
Bl-C-1	Blind	3	C	US Government	Blind	262721001000	Beach	No	No	N/A	Daily/Weekly (Summer) Weekly (Winter)	LC<28'	Park Maint.	N	N	EG			Submitted by Chris Regan, State Parks
Ce-B-1	Center	3	B	Center Island Beach Club	Center Island	162950023000	Ramp	Unknown, c.1990	Priv. Rd.	190	Weekly	LC<92', T/B-185', Rec.	All Types	RR	RFF	EG			Submitted by Julia Thompson. LC use the ramp. T/B use the beach on the other side of the dock.
De-A-1	Decatur	3	A	San Juan County	Decatur Ramp, Davis Bay		Ramp	Constructed in 1984	County Rd.	Public	Daily/Weekly	LC<92', T/B 150'	All Types	RG	RFF	EG	High Risk	OAHP#45S.J109	Submitted by Friends of Decatur Island and by Joanruth Baumann, PW
De-B-1	Decatur	3	B	Decatur Northwest	Sylvan Cove	152050074000	Ramp	Unknown	Priv. Rd.	95	Weekly	LC<92'	Res. Supply, Constr.	RR	C	EG		OAHP#46S.J163, houses, near burials	Submitted by Bob Smith
De-B-2	Decatur	3	B	Decatur Shores Comm	North of Reeda Bay	152134008000	Beach	No	County Rd.		Rarely	LC<92'	Res. Supply	RR	RFF				Submitted by Lee Wheeler
De-B-3	Decatur	3	B	Monis Jones	Reed Harbor Bay - Reed Bros. Shipyard	152842008000	Ramp	Unknown, c. 1965 or before	Priv Rd to County Rd	Commercial	Monthly	LC<92'	All Types	RI	U	EG			Submitted by Norina Jones
De-B-4	Decatur	3	B	David Groff and Roslyn Solomon	Decatur - Northeast	151534003000	Beach	No	No	2	Weekly	LC<72'	Res Supply	RG	C	EG			Submitted by Roslyn Solomon
De-C-1	Decatur	3	C	Jacqueline Necco	Reed Harbor Bay	152842008000	Beach	No	Ship Yard Rd	1	Monthly	Recreational	Res. Supply	RG	RFF	EG, SS			Submitted by Robert Necco
De-C-2	Decatur	3	C	Warren Odegard	Decatur - South	152842012000	Beach	No	No	1	Daily In Summer	Parade	Res. Supply, Passengers	RG	RFF	EG, SS			Submitted by Warren Odegard. No alternative access.
De-C-3	Decatur	3	C	Lynne Saad	Decatur - South	152842011000	Beach	No	No	1	Weekly	LC<92'	Res. Supply	RG	RFF	EG, SS			Submitted by Lynne Saad. Site used for 18 years.
De-C-4	Decatur	3	C	Robert Muckelstone and Megan Kruse	Decatur - South	152834003000	Beach	No	No	1	Weekly	LC<72'	Res.	RG	RFF	EG			Submitted by Robert Muckelstone. Former Kimball homestead over 40 years use. No alternative access.
Fr-B-1	Frost	3	B	Frederick Voorhees	Frost	160750014000	Ramp	Unknown, 1989	No	11	Monthly	LC<72', Water Taxi	Res. Supply, Passengers	RR	C	EG			Submitted by Patricia Andrews
Ja-C-1	James	3	C	State of Washington	James	152312001000	Beach	No	No	N/A	Daily/Weekly (Summer), <Monthly (Winter)	LC<28'	Park Maint.	C	C	EG			Submitted by Chris Regan, State Parks
Lo-A-1	Lopez	3	A	San Juan County	Hunter Bay Ramp	140745004000	Ramp	Yes, 1994	County Rd.	N/A	Daily	LC<92'	Res. Supply, Bulk Fuel	RFF	N	EG, SS	High Risk	Samish camas gathering area	Submitted by Joanruth Baumann, PW
Lo-A-2	Lopez	3	A	San Juan County	Mackaya Harbor Ramp	141880005000	Ramp	#06-SJ-87 #06-CU-67	County Rd.	N/A	Daily	LC<92'	All Types	RR	C		Low Risk	OAHP#46S.J205	Submitted by Joanruth Baumann, PW
Lo-B-1	Lopez	3	B	San Juan County	Odin Park Ramp	250241001000	Ramp	Reconstructed in 2002 #01S.J028	Odin Park	N/A	LC-Weekly, T/B Monthly	LC<92', T/B, 188' and 185'	All Types	C	C	EG	High Risk	OAHP#46S.J271	Submitted by Dona Wuthnow, County Parks

2004 Inventory of Existing Barge and Landing Craft Sites
Inventory Details: November 18, 2004
(Sorted by District)

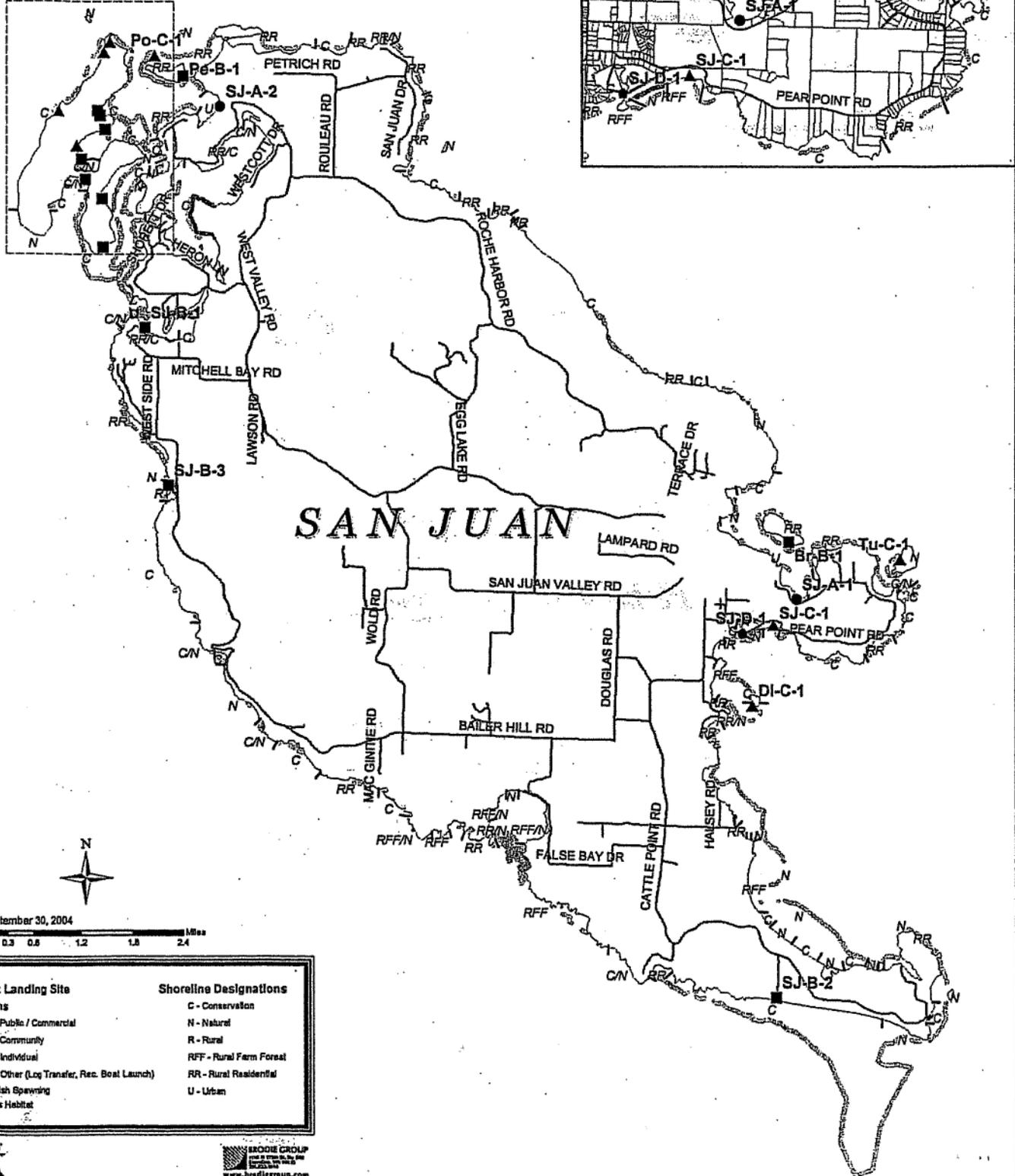
Id	Island	Dist	Class	Owner	Common Name	RMP/RC	Improvements	Permits	Road Access	Lots Served	Freq Use	Vessels Use	Cargo Types	Land Use Desc	Shoreline Dist	Foreign	WDFW Risk	Cull Arch	Inventory Submittal
Lo-B-2	Lopez	3	B	San Juan County	Weeks Road End	251543007000	Beach	No	County Rd.	N/A	Monthly	T/B 165'	House relocation	UGA	PRC	EG	High Risk	OAHP#46SJ255	Submitted by Joannuth Beumann, PW
Lo-B-3	Lopez	3	B	Ron Meng	Fisherman's Bay, Island's Marine Center	252214008000	Ramp							UGA	U	EG			No response to survey.
Lo-B-4	Lopez	3	B	San Juan County	Port Stanley Road End		Beach	No	County Rd.	N/A	Yearly	T/B 165'	House relocations	RFF	RR	EG		OAHP#46SJ273	Submitted by Joannuth Bauman, PW. Hasn't been used in years.
Sh-B-1	Shaw	3	B	San Juan County	Neck Pt Harbor Way Road End (Neck Point)		Beach	No	Harbor Way	Road End	Weekly	LC<82'	All Types	RR	RFF	EG	Low Risk	OAHP#46SJ248	Submitted by Joannuth Baumann, PW. Shaw's only access.
Sh-C-1	Shaw	3	C	Shaw, Island Trust	Northeast	262822002000	Ramp	Unknown, early 20th century	County Rd		Monthly	LC<82'	All Types	FD	R	EG, SS			Submitted by Chris Carlett
Sh-D-1	Shaw	3	D	San Juan County	South Beach Park, Indian Cove Ramp	263431001000	Ramp	Unknown	Shaw Park	N/A		Rec. Only	Rec. Only	C	C	EG		OAHP#46SJ141, burials, Lummi reef nets	Submitted by Dona Wuthnow, County Parks. Recreation use only.
Tr-C-1	Trump	3	C	Trump Island, LLC	Trump - Northwest	162042001000	Modified Beach	No	No		Monthly	LC<82', T/B 185'	Res Supply	N	C/N				Three sites on the island. Submitted by Alan Goerd. Adjacent to new dock (July 2002) historically used for barge landings/water taxis.

Barge and Craft Landing Sites San Juan County - District 1

See separate page for Stuart Island Detail

Friday Harbor Detail

See Separate Page for
Henry Island Detail



September 30, 2004
0 0.3 0.6 1.2 1.8 2.4 Miles

Barge / Craft Landing Site

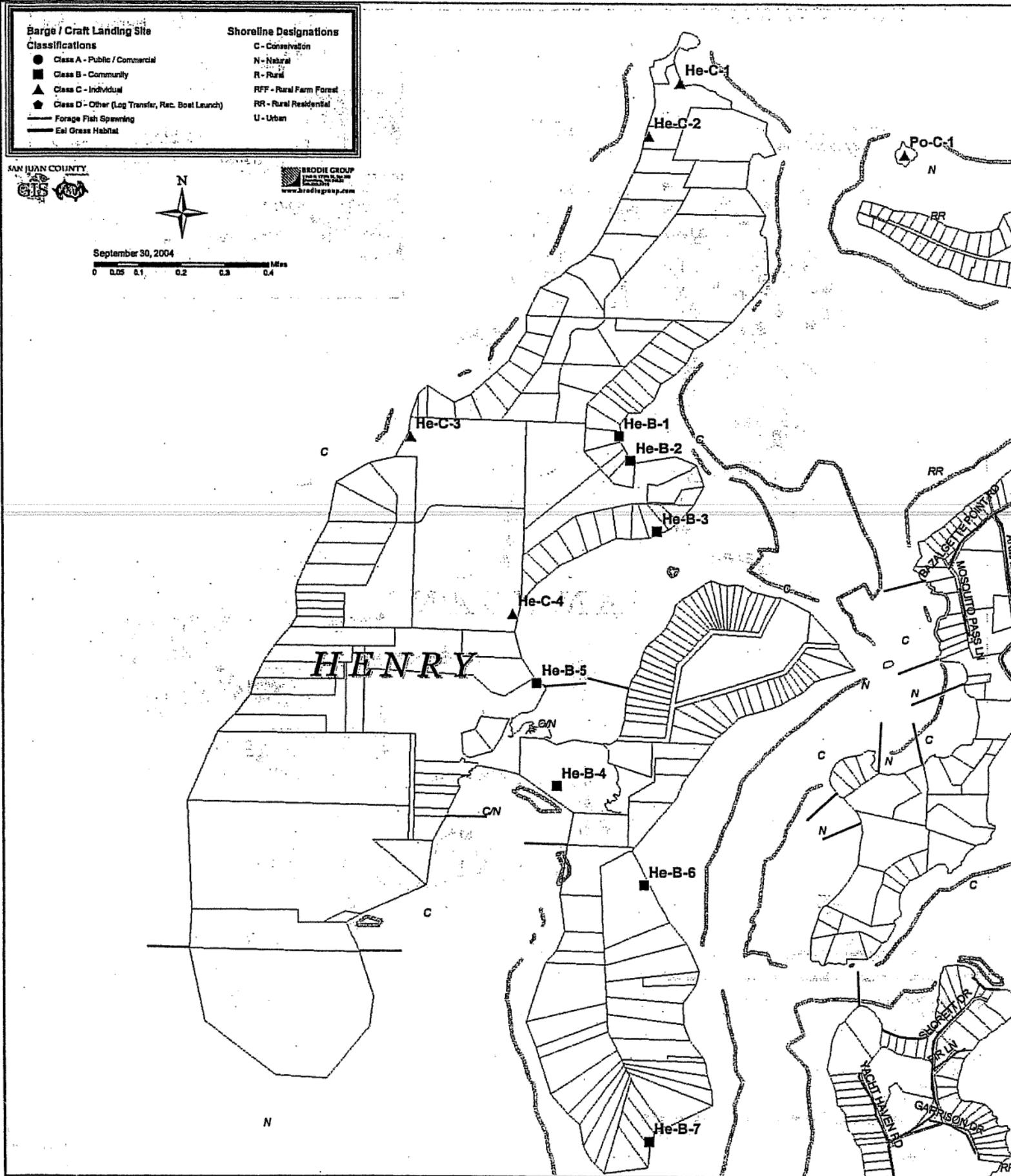
Classifications

- Class A - Public / Commercial
- Class B - Community
- ▲ Class C - Individual
- ◆ Class D - Other (Log Transfer, Rec. Boat Launch)
- Forage Fish Spawning
- Eel Grass Habitat

Shoreline Designations

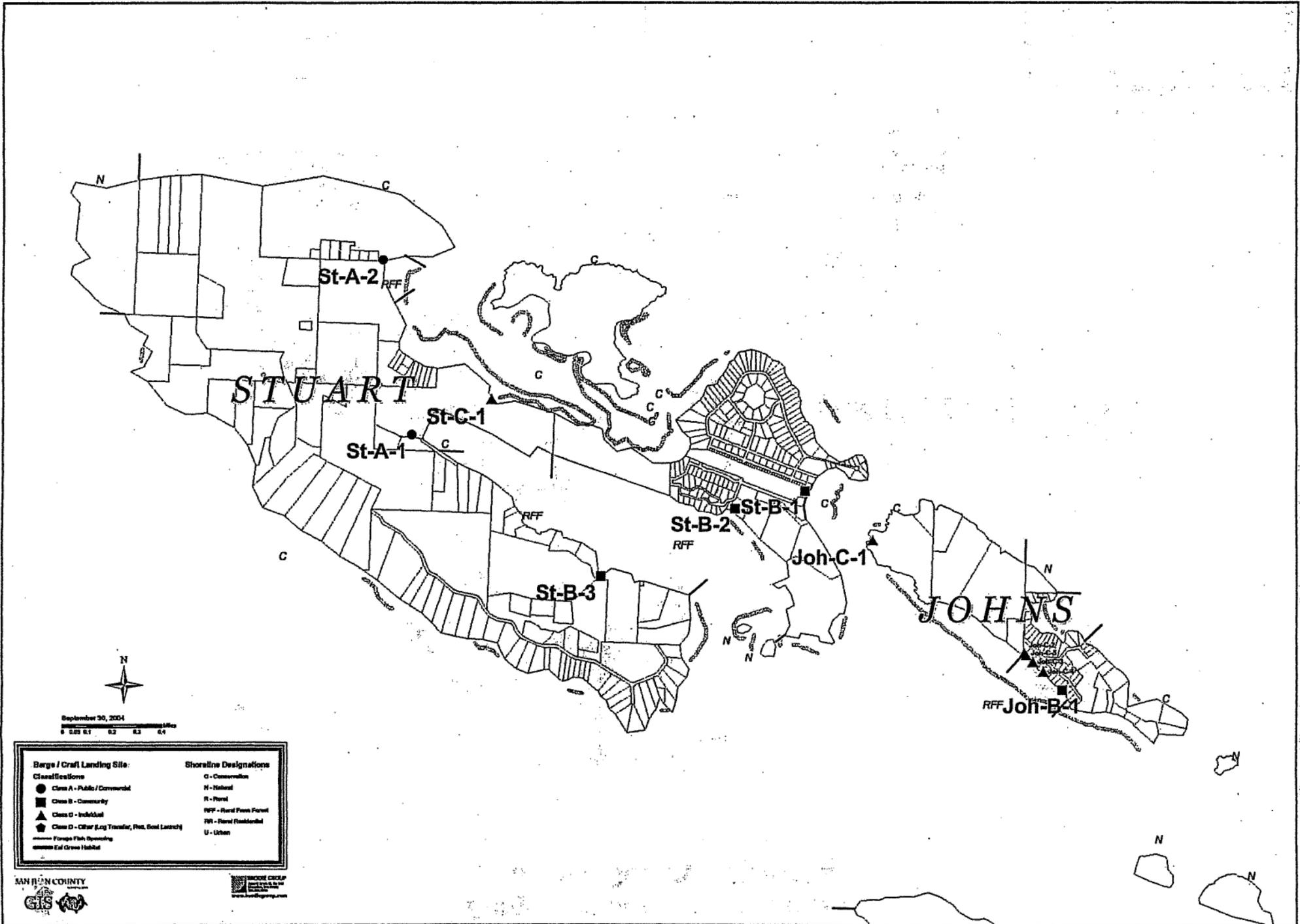
- C - Conservation
- N - Natural
- R - Rural
- RFF - Rural Farm Forest
- RR - Rural Residential
- U - Urban

Barge and Craft Landing Sites San Juan County - District 1- Henry Island Detail

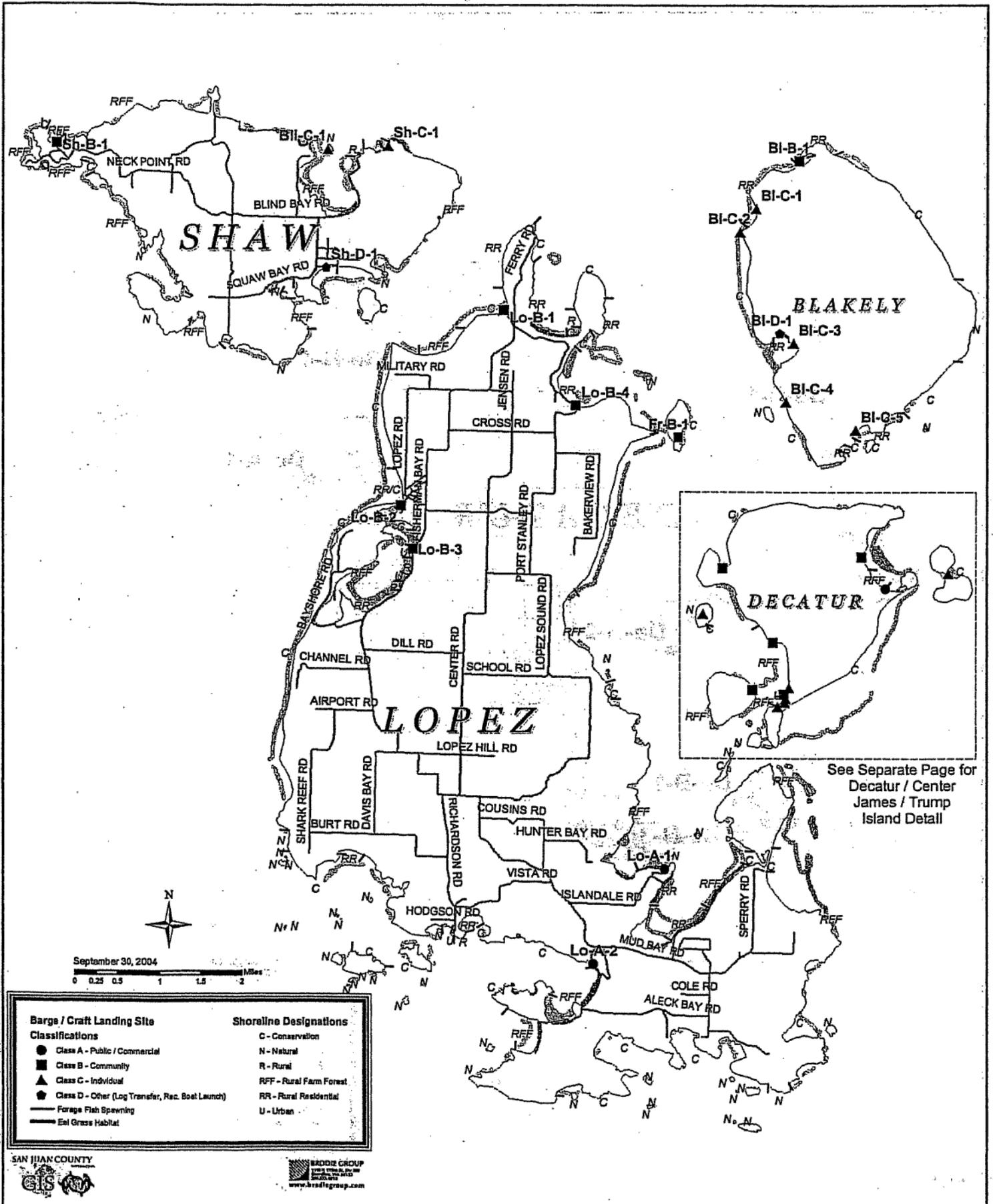


Barge and Craft Landing Sites

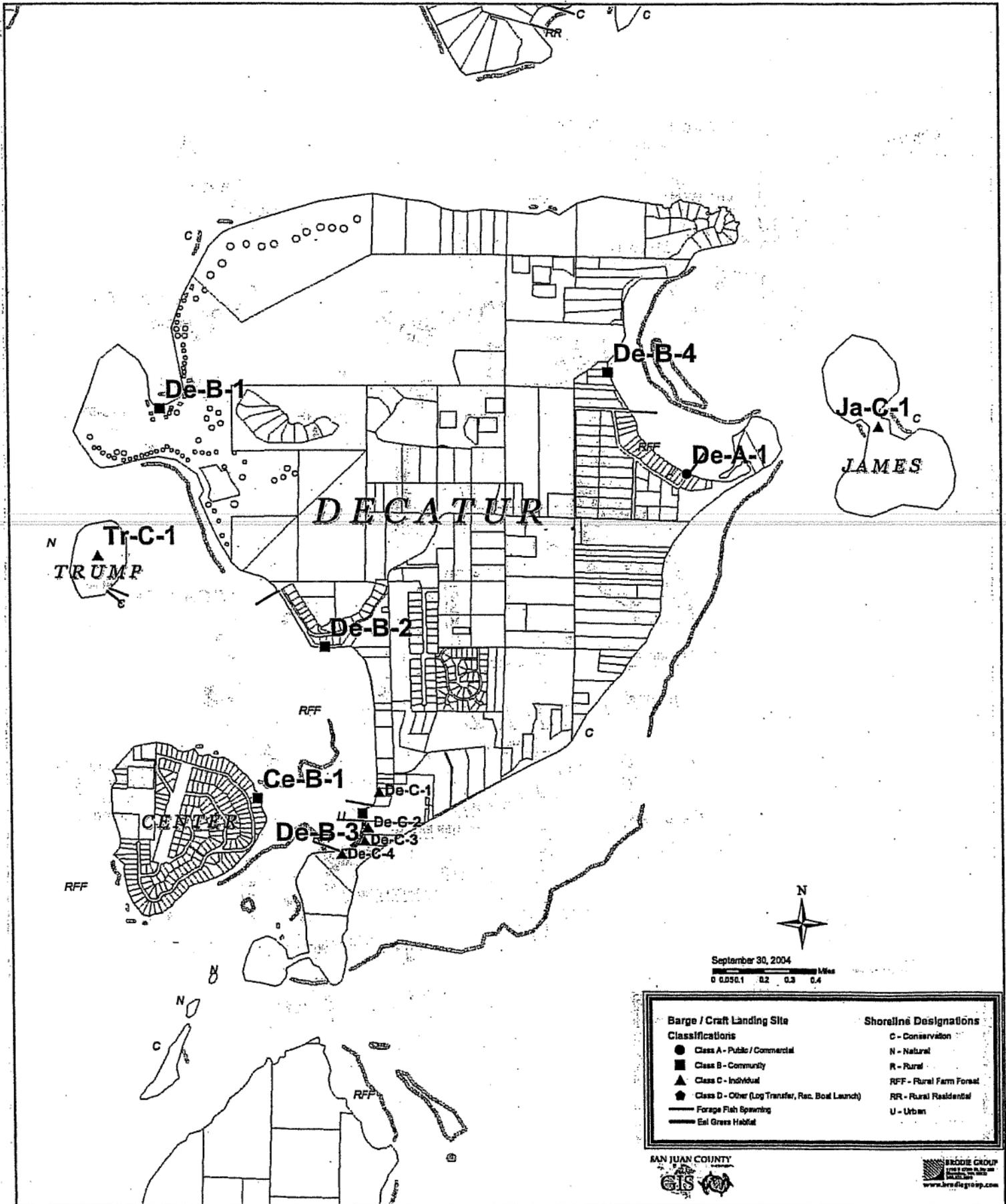
San Juan County - District 1 - Stuart and Johns Island Detail



Barge and Craft Landing Sites San Juan County - District 3



Barge and Craft Landing Sites San Juan County - District 3 Decatur, Center, Trump and James Islands



INVENTORY OF TRADITIONAL SAN JUAN COUNTY BARGE LANDING SITES

(As established by County and residential use patterns over the years)

Island	Description	Owner	Type	Facilities	Shoreline Designation	Upland District	Marine Conditions	Data/Tide Rqmt
San Juan	1 Roche Harbor	Public	Landing Craft	Ramp	U	MPR	Shallow, narrow, sheltered	Depth is -5/Mid-tide
	2 Jackson Beach	Private	All	Ramp	RFF	RR	Unprotected, broad radius	Good slope/Mid-tide
	3 Shipyard Cove	Public	Landing Craft	Ramp	U	RI	Protected, limited radius	Good slope/Mid-tide
	4 So. Beach Roadend	County	House Barge	Beach	C	O	Very exposed, waves, Park	Good slope/All tides
	5 County Park	County	Landing Craft	Ramp	R	O	Shallow gravel, narrow roads	Avg. slope/All tides
Orcas	6 Obstruction Pass	County	All	Ramp	R	RFF	Shallow, sandy, Semi-protected Roads limit usage	Avg. slope/All tides
	7 Capt. Cook's Resort	Private	Landing Craft	Ramp	ESR	IC	Exposed	Mid-tide
	8 Claussen Ramp	Public	All	Ramp	R	RFF	Protected, avg. radius	Obstacles/Mid-tide
	9 Cayou Quay	Public	Landing Craft	Ramp	C	RFF	Semi protected, rocks	Low tide
	10 West Beach Resort	Private	Sm Landing Craft	Ramp	R	RFF	Semi-protected, NW	High tide
	11 West Beach Roadend	County	Sm Landing Craft	Beach	R	RFF	Semi-protected, NW	High tide
	12 Deer Harbor Boatworks	Private	Sm Landing Craft	Ramp	R	AC	Protected, little radius	High tide

Lopez	13	MacKaye Harbor	County	All	Ramp	C	RR	Long fetch, exposed	Shallow/High tide
	14	Hunter Bay	County	Landing Craft	Ramp	RFF	RFF	Protected, gasoline delivery	Avg. slope/High tide
	15	Odlin Park Ramp	County	All	Ramp	C	C	Semi protected, good radius	Avg. slope/High tide
	16	Port Stanley Roadend	County	House Barge	Beach	RR	RFF	Protected mud flat, no staging area	Shallow slope/High tide
	17	Fish Bay Weeks RE	PublicRE	House Barge	Ramp	RR/C	UGA	Exposed, 2' bank	Mid to high tide
	18	Island's Marine Center	Public	Small	Ramp	U	UGA	Protected, shallow channel	Avg. slope/Mid-tide
Waldron	19	Cowlitz Bay	County	LandingCraft, small barges	Beach	RFF	RFF	Semi protected, Avg.radius	Avg slope/low tide
	20	N. Beaches	Private	All	Beach	RFF	RFF and N	Exposed, shallow	Narrow access/high tide
	21	Mail Bay	Private	All	Beach	C/N	RFF	Exposed	Avg.slope/Mid-tide
Shaw	22	Neck Point	County	Landing Craft	None	RFF	RR	Protected, shallow	Narrow access/high tide
	23	County Park	County	Landing Craft	Short ramp	C	O	Semi protected, very shallow, no standby waiting	Good radius, Extreme High tide
	24	Gratzners (Gates)	Private	Landing Craft	Ramp	RFF	RFF	Semi protected, closed	Avg. slope/low tide

Stuart									
25	Reid Harbor	County	Landing Craft	Ramp	C	C/RFF	Protected, shallow	High tide	
26	Ericsons	Private	All	Beach	RFF	RFF	Exposed	Mid to high tide	
27	Stuart Is. Airway Ramp	Private	Landing Craft	Ramp	C	RR	Protected, limited radius	High tide	
Decatur									
28	Decatur Boat Ramp	County	Landing Craft	Ramp	C	RG	Long fetch, exposed	Good slope	
29	South Reads Bay	Private	Is. Fuel Delivery	Ramp	RFF	RG	Protected, shallow	shallow slope, mid to high tide	
Henry									
30	Kings Ransom Cove	Private	All	Beach	C	RFF	Protected, shallow	High tide	
31	Mosquito Pass (2)	Private	Landing Craft	Beach	C	RR	Semi exposed, shallow	High tide	
Speiden									
32	Southeast end	Private	All	Ramp	RFF	C	Semi protected	Low tide	
Crane									
33	North side	Private	All	Ramp	RFF	RR	Semi protected	Good slope/low tide	
Obstruction									
34	Homeowners Asso	Private	Landing Craft	Beach	C	RR	Exposed, good radius	Good slopes/All tides	
Brown									
35	South side	Private	Landing Craft	Beach	RR	RR	Protected	Mid-ide	
Johns									
36	Camp Nor'wester	Private	Landing Craft	Beach	C	RFF	Semi exposed	Mid-tide	
Frost									
37	Home	Private	Landing Craft	Beach	C	RR	Steep access, semi exposed	Mid-tide	

Center									
38	Homeowners Asso	Private	Landing Craft	Beach	RFF	RR	Semi protected		Mid-tide
Pearl									
39	By the eastern dock	Private	Landing Craft	Beach	RR	RR	Protected		Low tide
Blakely									
40	Blakely Marina	Private	Landing Craft	Ramp	R	RG	Semi protected		Low tide
41	Thatcher Bay	Private	All	Gravel	C	RFF	Protected		Mid-tide

SCOPE – Barge sites as traditionally used as such in the common vernacular in San Juan County but recognizing the lack of definition

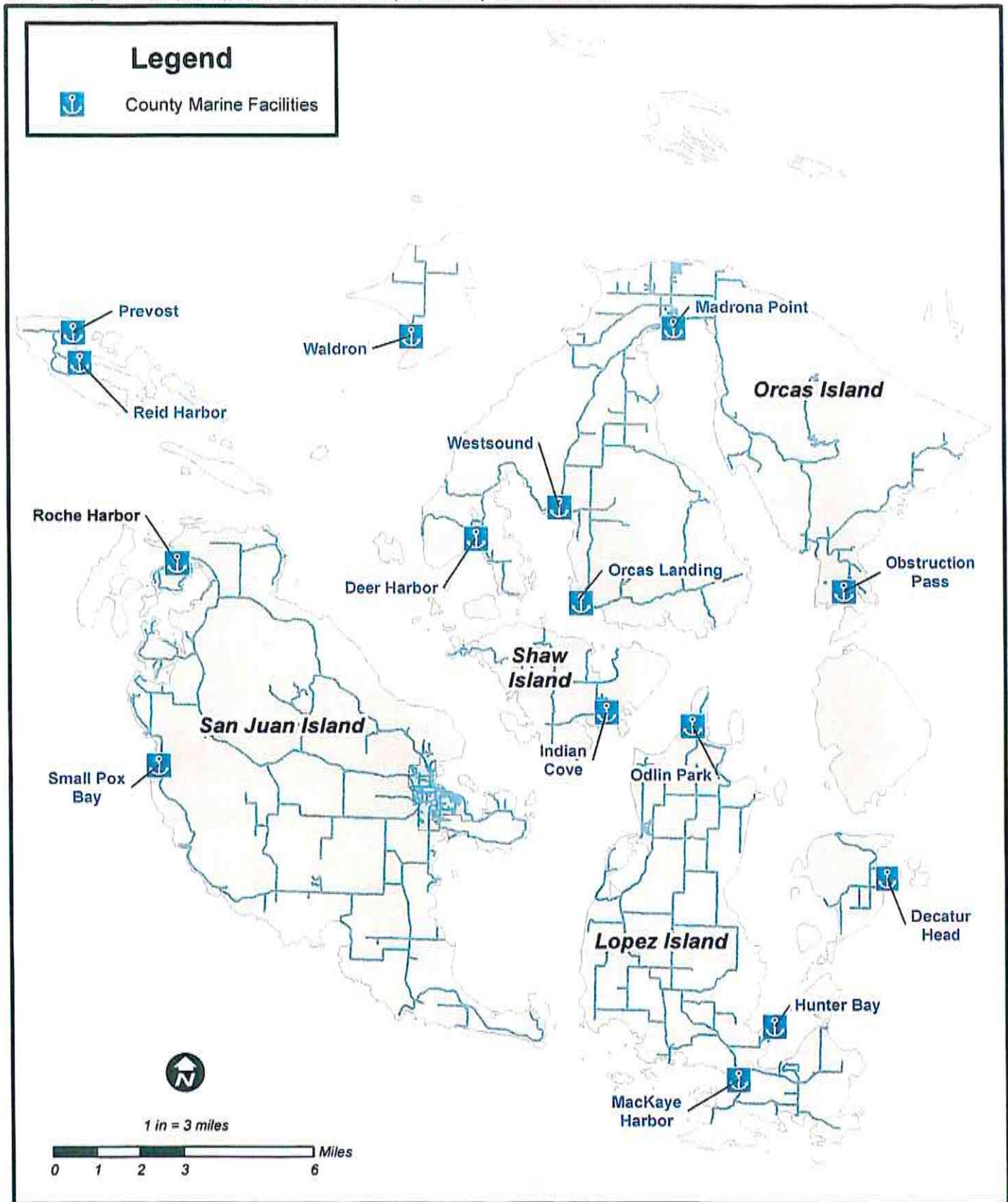
and County Code. Divided into 3 categories:

- County – Owned by San Juan County.
- Public Facility – Commonly accessible by the public (privately owned, commercial and leased by the County).
- Private – Not commonly available for use by the public.

BARGE – A long narrow flat-bottomed boat commonly used for transporting freight.

- Notes:
1. Primary Public Access Barge Sites
 2. While there are several docks where barges could be off-loaded to trucks or fuel storage, such facilities cannot accommodate most barging needs and are therefore omitted from this list. (Madrona, Prevost, IPS Dock at Orcas Ferry)
 3. There are numerous small boat ramps all over the County, but if they are not traditionally used for barging of materials, they are not included.

JRB 10/25/2002



This map is a graphic representation derived from San Juan County's Geographic Information System. It is designed and intended for reference only, and is not guaranteed to survey accuracy. Information represented in this map is subject to change without notice.

Marine Transportation County Marine Facilities

San Juan County, Washington

Figure

3

Drawn By: TC

Date: June 2011

Table 6. County Marine Facilities

District	Island	Name	Dock	Float	Ramp*	Parking
1	San Juan	Roche Harbor Resort	12' x 45'	8' x 60'		25 by permit only
		Small Pox Bay Ramp			13' x 100'	7 day use
		Jackson Beach			Hard packed beach*	Port of Friday Harbor
	Stuart	Prevost Dock and Float	12' x 228' 8' x 28'	8' x 60'		None
		Reid Harbor Ramp			16' x 75'	13
2	Orcas	Deer Harbor Marina		120 l.f.		None
		Madrona Point	14 x 112'	8' x 40'		None
		Obstruction Pass	12' x 107'	10' x 40'	16'x 100**	19-25
		Westsound	7' x 154'	2 floats – 8' x 40' ea		6
		Orcas Landing	3200 sf pier; 2700 sf dock	20' x 29' 18' x 18' 10' x 40' 10' x 150'		4 at pier; 7 above facility
	Waldron	Cowlitz Bay	12' x 184'	14' x 32'	Hard packed beach*	None
3	Lopez	Hunter Bay	12'x 80'	9'6" x 80'	14' x 120'	At least 9, permit only
		MacKaye Harbor		8' x 60'	12' x 120**	Numerous unmarked spaces
		Odlin Park	22' x 24' & 11' x 48'	10' x 50'	24' x 110**	None only for marine facilities
	Shaw	Indian Cove			12' x 28'	None only for marine facilities
		Neck Point Cove			Gravel beach at high tide*	None
	Decatur	Hermitage			16' x 110**	Limited parking in Co. ROW

* barge/landing craft capable

Currently, there is no dedicated parking that goes with the public mooring, although some users do park on the south end of Upper Deer Harbor Road approximately 1/8 mile east of the marina. Generally, parking at Deer Harbor is a problem, especially during the summer months. Acquisition of a suitable parking facility is an on-going challenge that has not been resolved.

Madrona Point Dock and Float, Orcas Island: This seasonal dock is located just outside of Eastsound. The dock is connected to a float via a gangway. The float and gangway are removed by November 1 each year and stored in a protected harbor until April 1. Movement during storms could cause damage to the piling and the attachment mechanism.

Obstruction Pass Dock, Float and Ramp, Orcas Island: The marine facility is located at the end of Obstruction Pass Road on the southeastern tip of Orcas Island. The drive-on pier is connected to the float via a gangway. West of the dock and float is the ramp. The ramp is constructed of concrete logs.

The facility provides primary commercial and community linkage to Blakely and Obstruction Islands. All gasoline and propane currently delivered to Orcas is offloaded at this ramp. The public paved parking lot provides space for 19-25 cars.

Orcas Landing Dock and Float, Orcas Island: This public marine facility contains a drive-on pier with a small building. To the east, a small float is reserved for the Sheriff's boat. To the east, three floats provide mooring for up to 4 hours. A gangway on each side of the pier provides access to the floats.

There is little public parking available at the site. Adjacent to the pier are four spaces – 2 ADA, one for the sheriff and one for the County. On the northern elevated boundary are seven reserved parking spaces.

Westsound Dock and Float, Orcas Island: This facility is located south of Deer Harbor Road at MP 0.85 on the southwestern portion of Orcas Island. The pier was constructed in 1989, along with two floats. There is a stairway to the beach. The marine facility primarily serves recreational boaters and some light commercial use.

There is parking for about 6 cars along Deer Harbor Road; it is often crowded during the summer months.

Cowlitz Bay Dock, Float and Ramp, Waldron Island: The facility consists of a pier with a turning apron leading to a gangway down to a float, also described as a hammerhead dock. There is a small hand-operated jib crane and a small wooden building on the dock but no utilities.

The facility is located at the end of Cowlitz Bay-Waldron Center Road. There is no parking on the road. The area south of the dock has road access and is popularly used as a ramp for boat launching and also functions as a barge landing. While there is no