

Lopez Village Subarea Plan

July 10, 2018 **DRAFT**



DEVELOPMENT REGULATIONS

Notes: Regulations shown in strike out or underline are proposed code amendments or additions to existing San Juan County Code. All sections identified as 18.XX.XXX are proposed new code. The table of contents is for convenience only. The proposed regulations will later go into an ordinance for adoption.



Index

18.20.010 “A” definitions.	4
18.20.080 “H” definitions.	12
18.20.120 “L” definitions.	15
18.20.130 “M” definitions.	16
18.20.140 “N” Definitions	19
18.30.190 Subarea plans.	22
18.30.210 Land use controls in Lopez Village urban growth area, the Lopez Village growth reserve area, and the Lopez marine center LAMIRD.	22
18.60.240 Standards for new and substantially altered development – Eastsound and Lopez Village urban growth areas.	26
18.XX.XX Applicability of Article IX.	27
18.XX.XXX Lopez Village Planning Review Committee.	27
18.XX.XXX Lopez Village urban growth area densities, and density bonuses.	28
18.XX.XXX Lopez Village urban growth area resource buffer.	30
18.XX.XXX Lopez Village urban growth area split land use designations	30
18.XX.XXX Allowed and prohibited uses in Lopez Village urban growth area.	31
18.XX.XXX Lopez Village urban growth area setbacks and dimensional standards.	38
18.30.XXX Fences.	39
18.XX.XXX Artisan activities.	40
18.XX.XXX Hostels.	40
18.XX.XXX Mobile food vending units.	40
18.XX.XXX Live/work units in the village commercial designation.	41
18.XX.XXX Neighborhood enterprise	41
18.XX.XXX Signs.	43
18.XX.XX Lighting.	47
18.XX.XXX Landscaping.	50

18.XX.XXX	Road and driveway standards.....	59
18.XX.XXX	Pedestrian circulation.	61
18.XX.XXX	Parking in Lopez Village Association Plat parking entitlement area.....	63
18.30.XXX	Lopez Village parking requirements.	60
18.XX.XXX	Parking credits and register	63
18.XX.XXX	Lopez Village parking fund and parking land bank.	63
18.XX.XXX	In lieu dedications of land and easements.....	64
18.XX.XXX	Off-street loading requirements.....	64
18.XX.XXX	Bicycle parking standards.....	65

Attachments:

Lopez Village Association Plat Auditor File Numbers 92184514 (Exhibit (B) and 92179998 Exhibit C and D

1 **18.20.010 “A” definitions.** (Ord. 21-2015 § 27; Ord. 2-2014 § 1; Ord. 26-2012 § 2; Ord. 25-
2 2012 § 1; Ord. 10-2012 §§ 1, 32; Ord. 11-2011 § 1; Ord. 52-2008 § 1; Ord. 7-2006 § 1; Ord. 7-
3 2005 § 2; Ord. 21-2002 § 3; Ord. 12-2002 § 1; Ord. 5-2002 § 2; Ord. 12-2001 § 3; Ord. 14-2000
4 § 7(XX); Ord. 11-2000 § 3; Ord. 2-1998 Exh. B § 2.3)

5
6 “Abandon” means to terminate or remove a structure by an affirmative act, such as changing to a
7 new use; or to cease, terminate, or vacate a use or structure through nonaction.

8
9 “Abutting” means adjoining as defined herein, but will often have the added component of
10 joining end to end, or sharing an end border.

11
12 “Accessory Apartment, Accessory Dwelling Unit.” See “internal accessory dwelling unit
13 (IADU).”

14
15 “Accessory dwelling unit (ADU)” means a living area that is accessory to the principal
16 residence, located on the same lot, and that provides for sleeping quarters, kitchen, and sanitation
17 facilities. An ADU may be internal, attached or detached.

18
19 “Accessory structure” means a structure detached from a principal building located on the same
20 lot and which is incidental and secondary to the principal building.

21
22 “Accessory use” means use of land or of a building or portion thereof incidental and subordinate
23 to the principal use or building and located on the same lot with the principal use.

24
25 “Accretion shoreform” means shoreline with a backshore which has been produced by the long-
26 term deposition of sand or gravel by littoral drift from a feeder bluff or other source. Such
27 shoreforms include barrier beaches, points, spits, hooks, and tombolos.

28
29 “Acoustical engineer” means a professional engineer, licensed in Washington, with a degree in
30 mechanical engineering and membership in the Acoustical Society of America; or a professional
31 engineer with demonstrated education, accreditation and experience to perform and certify noise
32 measurements, as determined by the director.

33
34 “Acre” means a unit of measure of land area which consists of 43,560 square feet.

35
36 “Activity centers” in San Juan County include villages, hamlets, residential activity centers,
37 island centers, and master planned resorts.

38
39 “Adaptive management” means a style of management which relies upon the best available
40 information to make decisions, but implements decisions with a strategy to obtain additional
41 information. The decisions, or their implementation, are then adapted, if necessary, based on the
42 new information.

43
44 “Adequate” means acceptable but not excessive.
45

1 “Adequate capacity (adequate capital facilities)” means capital facilities and services that have
2 the capacity available to serve development at the time of occupancy or use without decreasing
3 levels of service (LOS) below the standards set forth in the Comprehensive Plan. “Adequate
4 capacity” also includes a financial commitment that is in place to complete the improvements, or
5 noncapital strategies, necessary to provide a specific level of service within six years. (See also
6 “available capital facilities (available capacity),” “concurrency,” “level of service (LOS),” and
7 “noncapital alternative strategies.”)
8

9 “Adjacent” means either (1) adjoining as defined herein, or (2) being near or in close proximity,
10 implying two objects that are not widely separated, though they may not actually touch. If a
11 conflict arises over the meaning of the term “adjacent” as used in the UDC, the meaning shall be
12 as interpreted by the director.
13

14 “Adjacent lands, shoreline” means lands adjacent to the shorelines of the state (outside of
15 shoreline jurisdiction). See RCW 90.58.340.
16

17 “Adjoining” means being in physical contact, touching at some point or along a line, having a
18 common point or border, sharing a common boundary, being so joined or united to each other
19 that no third object intervenes.
20

21 “Administrator,” “planning director,” and “director” each mean the San Juan County community
22 development and planning department director or a designated representative.
23

24 “Adverse” means contrary to one’s interest or welfare; harmful or unfavorable circumstances.
25

26 “Adverse impacts” means a condition that creates, imposes, aggravates, or leads to inadequate,
27 impractical, unsafe, or unhealthy conditions on a site proposed for development or on off-site
28 property or facilities.
29

30 “Affordable housing” means housing where the occupants pay no more than 30 percent of gross
31 monthly income for total housing costs, including the cost of property taxes and insurance for
32 homeowners and monthly utilities for owners and renters.
33

34 “Agriculture” means the science, art, and business of cultivating land and producing crops or
35 raising livestock primarily for commercial sale or use; farming.
36

37 “Agricultural activities” means agricultural uses and practices defined in RCW 90.58.065.
38

39 “Agricultural commodity” means sheep, cattle, horses, goats, pigs, llamas, alpacas, or any other
40 animal or any distinctive type of agricultural, horticultural, viticultural, floricultural, vegetable,
41 or animal product, including, but not limited to, products qualifying as organic food products
42 under Chapter 15.86 RCW and private sector cultured aquatic products as defined in RCW
43 19.85.020 and other fish and fish products, either in their natural or processed state, including
44 bees and honey and Christmas trees but not including timber or timber products.
45

1 “Agricultural composting” means composting of agricultural waste as an integral component of a
2 system designed to improve soil health and recycling agricultural wastes. Agricultural
3 composting is conducted on lands used for farming and is an agricultural activity. Agricultural
4 composting can include the collection of off-site yard, landscape, or agricultural waste and other
5 compostable materials to be processed into compost, including sales or delivery of finished
6 composted product. Such operation shall be accessory to the primary agricultural activities of the
7 farm operation and shall not generate traffic and/or noise uncommon to a farm operation.
8

9 “Agricultural equipment and facilities” means equipment and facilities defined in RCW
10 90.58.065(2).
11

12 “Agricultural processing, retail, and visitor-serving facilities for products” means the commercial
13 processing (preparing for market, packing, and sales) of agricultural commodities, and the on-
14 site facilities for retail display and sale of such agricultural commodity products.
15

16 “Agricultural products” includes but is not limited to horticultural, viticultural, floricultural,
17 vegetable, fruit, berry, grain, hops, hay, straw, turf, sod, seed, and apiary products; feed or forage
18 for livestock; Christmas trees; hybrid cottonwood and similar hardwood trees grown as crops and
19 harvested within 20 years of planting; and livestock including both the animals themselves and
20 animal products including but not limited to meat, upland finfish, poultry and poultry products,
21 and dairy products (see RCW 90.58.065(2)).
22

23 “Agricultural resource lands” means lands that are primarily devoted to the commercial
24 production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products
25 or of berries, grain, hay, straw, turf, seed, livestock, or Christmas trees not subject to the excise
26 tax imposed by RCW 84.33.100 through 84.33.140, and have long-term commercial significance
27 for agricultural production (RCW 36.70A.030(2)). Agricultural resource lands is also a land use
28 designation (AG) in the Comprehensive Plan.
29

30 “Agricultural sales” means the sales of agricultural products grown, raised or harvested in San
31 Juan County, including processed products whose defining ingredients are produced or harvested
32 in the County. Agricultural sales can include the sale of agricultural promotional materials which
33 shall be accessory to the sale of the primary agricultural products.
34

35 “Agricultural soils” means lands with USDA-San Juan County Soil Survey Class II, III, and IV
36 soils or other soil classes where the land is suitable for a particular agricultural use.
37

38 “Agricultural wastes” means wastes on farms resulting from the raising or growing of plants and
39 animals including, but not limited to, crop residue, manure and animal bedding, and carcasses of
40 dead animals weighing each or collectively in excess of 15 pounds.
41

42 “Agriculture” means the science, art, and business of cultivating land and producing crops or
43 raising livestock primarily for commercial sale or use; farming.
44

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

4
5 “Agritourism” means recreational, educational or agricultural-related activities that are accessory
6 to the agricultural activities of the farm operation.

7
8 “Aid to navigation” means any visual or electronic device airborne or on the surface which
9 provides point-to-point guidance information or position data to aircraft in flight.

10
11 “Aircraft accident safety zone” means an area of land that is designated in order to meet the land
12 use compatibility direction in RCW 36.70A.510 and 36.70.547 for general aviation airports and
13 to implement the health and safety and land use purposes of an airport overlay district, and is
14 shown on the official maps of the overlay district. Guidance for the delineation of these safety
15 zones is provided by the Washington State Department of Transportation, which can be modified
16 in order to address local circumstances as part of the adoption of individual airport overlay
17 districts.

18
19 1. “Safety zone 1: Runway protection zone” is an area that has the same dimensions as the
20 FAA runway protection zone. It is a trapezoidally shaped area that extends from the outer
21 boundaries of the primary surface along the extended runway centerline. Where only a
22 portion of the runway is declared as usable (the remainder of the pavement being part of a
23 paved “stopway”), as is the case at Orcas Island airport, the measurements for the zone begin
24 at the threshold line on the pavement which marks the end of the declared usable runway
25 surface.

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

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

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

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

42 6. “Safety zone 6: Traffic pattern zone” is an area that encircles the other five safety zones.
43 The standard area consists of a long oval that is centered longitudinally on the runway, and
44 which envelops the other safety zones. The perimeter is constructed by swinging arcs from a
45 point along the extended runway centerline that is 500 feet from the edge of the primary

1 surface. The arcs are connected by line segments that are extended from the edge of safety
2 zone 5. Zone 6 may or may not be designated for a given airport overlay district.

3
4 “Airfield” means a privately owned area of land open to general or limited public use for aircraft
5 operations. An airfield may include related noncommercial services, aircraft maintenance, or
6 fueling facilities.

7
8 “Airport” means an area of land or facility publicly owned and open to general public use for
9 aircraft operations, except any airfield or airstrip as defined herein. An airport may include
10 related services and facilities.

11
12 “Airport overlay district” means an overlay district which governs use of land in the vicinity and
13 environs of an airport and protects public safety in the area.

14
15 “Airstrip” means a privately owned area of land, closed to the public, and restricted to use by the
16 owner for noncommercial aircraft operations and, on an occasional basis, invited guests of the
17 owner.

18
19 “Aliquot part” means a parcel of unplatted land which is described by record legal description as
20 a fractional portion of a section, excluding government lots.

21
22 ~~“Allowable uses” means the land uses that are allowed under this title, divided into five~~
23 ~~categories, as identified in SJCC 18.30.050 through 18.30.055 and Tables 18.30.030 and~~
24 ~~18.30.040. These are uses allowed outright (“Yes”), provisional (“Prov” or “P”), “P/C” (formerly~~
25 ~~referred to as discretionary) (“D”), conditional (“C”), and plan amendment (“P.A.”) uses.~~

26
27 ~~“Allowed outright use (“Yes” use)” means a use that is allowed outright within a land use~~
28 ~~designation, and which does not require a project permit, and is identified in Tables 18.30.030~~
29 ~~and 18.30.040 by the symbol “Yes.” All “Yes” uses are subject to and must comply with all~~
30 ~~applicable development standards of this title (see Chapter 18.60 SJCC and SJCC 18.80.070).~~

31
32 “Alteration, nonconforming structures” means any change or rearrangement in the supporting
33 members of existing buildings, such as bearing walls, columns, beams, girders, or interior
34 partitions, as well as any changes in doors, windows, means of egress or ingress or any
35 enlargement to or diminution of a building or structure, horizontally or vertically, or the moving
36 of a building from one location to another. This definition excludes normal repair and
37 maintenance, such as painting or roof replacement, but includes more substantial changes.

38
39 “Alteration, nonconforming use” means the expansion, modification or intensification of a use
40 that does not conform to the land use regulations of the UDC.

41
42 “Angle of repose” means the slope at which a land mass normally will remain stable without
43 artificial means of support. The specific angle is largely dependent on the type(s) of material(s)
44 present in the land mass.

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

3
4 “Antenna” means any apparatus designed for transmitting and/or receiving electromagnetic
5 waves by converting those waves from and to electrical current.

6
7 “Antenna array” means one or more antennas and their associated mounting hardware, feed
8 lines, or other appurtenances which share a common attachment device, such as a mounting
9 frame or support structure.

10
11 “Appeal, closed-record” means an administrative appeal on the record to the board of County
12 commissioners, following an open-record hearing on a project permit application. A closed-
13 record appeal is on the record made before the decision maker with no or limited new evidence
14 or information allowed to be submitted and only appeal argument allowed (RCW 36.70B.020).

15
16 “Appeal, open-record” means a hearing, conducted by the hearing examiner, that creates the
17 County’s record through testimony and submittal of evidence and information, under procedures
18 prescribed by the County by ordinance or resolution when a timely appeal of the director’s
19 decision on a project permit application or a timely appeal of an administrative determination is
20 filed.

21
22 “Applicant” means any person who files a permit application with the County and who is either
23 the owner, beneficial owner, contract purchaser, or authorized agent of such owner of the land on
24 which the proposed activity would be located.

25
26 “Approach surface” means the FAA imaginary surface that is the lower boundary of an airspace
27 which begins at the ends of the primary surface and extends upward and outward along the
28 extended runway centerline. The initial width of the surface coincides with the width of the
29 primary surface, and expands outward uniformly from the primary surface.

30
31 “Approach, transitional, horizontal, and conical surfaces” means the imaginary surfaces that
32 relate to an airport or airfield runway as defined in Federal Aviation Administration (FAA)
33 regulations, 14 CFR Part 77, “Objects Affecting Navigable Airspace,” as amended, and as shown
34 on the approach and clear zone plan for an airport or airfield. They are so-called “imaginary”
35 surfaces because, with the exception of the runway, they cannot be seen.

36
37 “Approach, transitional, horizontal, and conical zones” means the zones which apply to the
38 ground areas immediately under a runway approach; transitional, horizontal, and conical surfaces
39 as projected along a vertical axis.

40
41 “Aquacultural activities” means use of the land and water for aquacultural purposes including,
42 but not limited to: producing, breeding, or increasing products; rotating and changing products;
43 processing, packing, storing and selling products; composting organic materials; and
44 construction, maintenance and repair of structures and facilities associated with the operation.

1 “Aquacultural equipment and facilities” includes, but is not limited to: (1) the following used in
2 aquacultural operations: equipment; machinery; constructed shelters, buildings, and ponds; water
3 storage facilities; water diversion, withdrawal, conveyance, and use equipment and facilities such
4 as pumps, pipes, canals, ditches, and drains; (2) farm residences and associated equipment, lands,
5 and facilities; and (3) roadside stands and on-farm markets for products (see RCW 90.58.065(2)).
6

7 “Aquacultural products” includes fish, shellfish, or other aquatic animals or plants.
8

9 “Aquaculture” means the science or art of cultivating fish, shellfish, or other aquatic animals or
10 plants. Aquaculture does not include the harvest of wild geoduck associated with the state
11 managed wildstock geoduck fishery (see WAC 173-26-020(6)).
12

13 “Aquatic environment” means all water bodies under the jurisdiction of the Shoreline
14 Management Act of 1971 and within the boundaries of San Juan County, including the water
15 surface together with the underlying lands and the water column, including but not limited to
16 bays, straits, harbors, coves, estuaries, tidelands, shorelands, and lakes.
17

18 “Aquifer” means a body of permeable saturated rock material or soil capable of conducting
19 ground water.
20

21 “Aquifer recharge areas” means lands through which precipitation and surface water infiltrate the
22 soil and are transmitted through rocks and soil to create ground water storage.
23

24 “Archaeological” means having to do with the scientific study of material remains of past human
25 life and activities.
26

27 “Archaeological site” means an area of ancestral human use such as middens, burial grounds,
28 and earthworks.
29

30 “Area” means the size of a parcel of land, as expressed in square feet or acres to two decimal
31 places. When a public road right-of-way lies within a tract of land otherwise in contiguous
32 ownership, area within the right-of-way may be included in gross area for the purpose of
33 calculating maximum allowable density. When public road right-of-way abuts a tract of land,
34 area to the centerline may be included in the gross area of the parcel for this purpose.
35

36 “Area, nominal” means the approximate area of a parcel of land, such as the aliquot part or the
37 land area in the assessor’s records.
38

39 “Area of more intensive rural development (AMIRD)” means a class of rural lands that includes
40 village and hamlet activity centers, residential activity centers, and island centers. AMIRDs were
41 identified and delineated according to the criteria in RCW 36.70A.070(5)(d). They consist of
42 commercial, industrial, residential, or mixed-use areas in which the kinds, intensities, or densities
43 of use, or the capital facilities and services available, exceed the levels normally associated with
44 rural development. Thus, these areas recognize and provide for existing compact rural
45 development and uses, and allow for infill in the areas to the level of existing patterns.
46

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

3
4 “Area of special flood hazard” means the land in the floodplain within a community subject to a
5 one percent or greater chance of flooding in any given year, as indicated on the flood insurance
6 rate maps (FIRMs).

7
8 “Artisan” means a skilled manual worker or artist who may use tools and/or machinery to pursue
9 a particular art or profession, such as traditional occupations such as wheelwrights, bakers,
10 grillers, brewers, upholsterers, cabinet makers, carpenters, journeymen, potters, distillers,
11 engravers, weavers, sculptors, masons, painters, photographers, fabricators, glasswrights,
12 jewelers, goldsmiths, silversmiths, coppermiths, tailors, vintners and taxidermists.

13
14 “Artisan” means a skilled craftsperson, small-scale manufacturer, or artist who practices a trade
15 or handicraft and who creates artisanal products in limited quantities for sale, applies within
16 Lopez Village urban growth area (only applicable in Lopez Village).

17
18 “Artisan activities” means the creation and sales of artisan products.

19
20 “Artisanal product” means an item or product created through the work of an artisan that is
21 generally produced on a nonindustrial, small scale, or small batch basis, and is commonly hand-
22 made using traditional methods or skills.

23
24 “Artisanal product” means art, food, and other retail goods created by an artisan on a small scale
25 or batch basis. Artisanal products are often made using traditional craft methods, tools and
26 skills, or are manufactured on a small-scale using state of the art technology, applies within
27 Lopez Village urban growth area (only applicable in Lopez Village).

28
29 “Assembly facility” means a facility designed and used for the gathering of people, or in which
30 they may come together in a body, such as a meeting hall, community club or center, church, etc.
31 (See also “community club or facility” and “religious assembly facility.”)

32
33 “Assessor’s parcel number” means a geocoding number assigned by the assessor’s office for
34 property tax assessment purposes only.

35
36 “At grade” means at ground level.

37
38 “Attached accessory dwelling unit (AADU)” means an ADU which is internal to or attached to
39 the principal residence by (1) a common wall, or (2) a continuous roof and exterior wall
40 enclosures, or (3) a continuous roof no less than six feet in width, the area of which is included in
41 the living area of the ADU.

42
43 “Automotive fuel station” means any building, land area, or other premises used for the retail
44 dispensing or sales of vehicular fuels, but at which there is no servicing or repair of automobiles.

45
46 “Automotive repair station” means any building, land area, or other premises used for the retail
47 servicing or repair of automobiles, but at which there is no dispensing or sales of vehicular fuels.

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

3
4 “Automobile wrecking and junk (or salvage) yards” means an outdoor area used for the
5 wrecking, storage, and recycling/salvage of wrecked or abandoned vehicles for scrap metal
6 and/or parts. (See “junk yard or salvage facility.”)

7
8 “Available capital facilities (available capacity)” means capital facilities or services that are in
9 place (“existing capacity”), or for which a financial commitment is in place to provide the
10 facilities or services within a specified time (“planned capacity”). “Available capacity” consists
11 of existing plus planned capacity. (See also “adequate capacity (adequate capital facilities),”
12 “concurrency,” and “level of service (LOS).”)

13
14 “Average tree height” means the mean height of existing trees within a 150-foot radius of the
15 facility site.

16
17 “Average vehicular trips” means the average number of all vehicles entering or leaving a site
18 during a defined period.

19
20 **18.20.080 “H” definitions.** (Ord. 21-2015 § 30; Ord. 26-2012 § 8; Ord. 10-2012 § 7; Ord. 21-
21 2002 § 3; Ord. 5-2002 § 2; Ord. 12-2001 § 3; Ord. 2-1998 Exh. B § 2.3)

22
23 “Habitat” means the place or type of site where a plant or animal naturally or normally lives and
24 grows.

25
26 “Hamlet” means an activity center with high-density residential areas and a small commercial
27 center that provides goods and services to surrounding rural residential, rural, and resource uses.

28
29 “Hangars” means covered areas and enclosed structures for housing and/or repairing aircraft.

30
31 “Hard structural shoreline stabilization measures” means shore erosion control structures and
32 measures composed of hard surfaces, arranged with primarily linear and vertical or near-vertical
33 faces that armor the shoreline and prevent erosion. These measures include bulkheads, rip-rap,
34 groins, retaining walls and similar structures composed of materials such as boulders, gabions,
35 dimensional lumber, and concrete.

36
37 “Hazard tree” means a tree that a certified arborist has determined has: (1) a high probability of
38 falling due to a debilitating disease or a structural defect; and (2) potential for significant
39 property damage or personal injury if it falls.

40
41 “Heavy equipment rental” means a site for the storage and retrieval of large pieces of machinery
42 or large vehicles usually associated with construction available for the public’s use, which may
43 include additional and complementary retail activities.

1 “Heavy industrial use” means a use engaged in the basic processing and manufacturing of
2 materials or products predominately from extracted or raw materials; a use engaged in storage of,
3 or manufacturing processes using flammable, hazardous or explosive materials.
4

5 “Height” means the vertical distance measured from the average existing grade beneath a
6 structure or object along a plumb line to the highest point of a structure or object.
7

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

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

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

17 The height of a stepped or terraced building is the maximum height of any segment of the
18 building (cf. Uniform Building Code).
19

20 “Height, shoreline” means the height of shoreline structures, measured from average grade level
21 to the highest point of a structure; provided, that television antennas, chimneys, and similar
22 appurtenances shall not be used in calculating height, except where they obstruct the view of the
23 shoreline of a substantial number of residences on areas adjoining such shorelines, excluding
24 temporary construction equipment (WAC 173-27-030).
25

26 “Helipads” means areas for the landing and take-off of rotary-wing aircraft, but not adequate for
27 fixed-wing aircraft.
28

29 “Herbaceous balds and bluffs” means native plant areas located on shallow soils over bedrock,
30 often on steep, exposed slopes with few trees, which support grasses, herbaceous plants, dwarf
31 shrubs, brittle prickly pear cactus, mosses and lichens adapted for survival on shallow soils amid
32 seasonally dry conditions. Trees that may be present include Douglas fir, Pacific madrone, and
33 Garry oak.
34

35 “Herbaceous vegetation” means non-woody vascular plants.
36

37 “Historic camps” means, for the purposes of determining allowable uses, nonprofit recreational
38 and educational camping facilities owned by a nonprofit entity and in continuous operation since
39 October 2, 1979.
40

41 “Historic educational and scientific facilities” means, for the purposes of determining allowable
42 uses, educational and scientific facilities in continuous operation since October 2, 1979.
43

44 “Historic resort” means, for the purposes of determining allowable uses, a resort established
45 prior to and in continuous operation since October 2, 1979.
46

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

7
8 “Home occupation” means any commercial activity carried out by a resident of a single-family
9 residence and conducted as an incidental and accessory use of the residence.

10
11 “Horizontal surface” means the FAA imaginary surface that is the lower boundary of a
12 horizontal airspace that is located above the airport and forms an elongated oval above the
13 runway.

14
15 “Hospitality commercial use” means restaurants and transient lodging establishments and
16 associated guest facilities available for short-term accommodation for a period not to exceed 30
17 days.

18
19 “Hostel” means a budget-oriented accommodation for travelers and others that is not located in a
20 residence allowing short-term stays of thirty (30) consecutive days or less. Beds are rented in
21 shared dormitory style rooms. For every six (6) beds in a shared-room, a hostel may rent one (1)
22 room for private accommodation. Hostels provide common areas and communal facilities.

23
24 “Hotel” means a hospitality commercial use containing three or more individually rented lodging
25 units (in one or more buildings), which provides sleeping accommodations, with or without
26 meals or the facilities for preparing meals, for travelers and transient guests, and which does not
27 meet the definitions of “bed and breakfast inn,” “bed and breakfast residence,” or “vacation
28 rentals of a residence or an ADU.”

29
30 “Houseboat” means a building constructed on a float and used wholly or in part for human
31 habitation, which does not have the following characteristics of a vessel: a seaworthy hull design
32 which meets U.S. Coast Guard standards for flotation, safety equipment, and fuel, electrical and
33 ventilation systems; capability for travel in open water and for use for water transportation in
34 general; permanent equipment for water travel including a method for steering and propulsion,
35 deck fittings, navigational equipment and marine hardware; and registration as a vessel with
36 federal, state, and local agencies.

37
38 “Household” means one or more related or unrelated persons occupying a dwelling unit.

39
40 “Hydric soil” means soil that is saturated, flooded, or ponded long enough during the growing
41 season to develop anaerobic conditions in the upper part, as determined by following the
42 methods described in the currently accepted Federal Manual for Identifying and Delineating
43 Jurisdictional Wetlands. San Juan County soil map units that are dominantly comprised of hydric
44 soils as identified in the Soil Survey of San Juan County, Washington (USDA, 2009), are:
45 Coveland loam, zero to five percent slopes; Coupeville loam, zero to five percent slopes;
46 Limepoint-Sholander complex, zero to eight percent slopes; Shalcar muck, zero to two percent

1 slopes; Semiahmoo muck, zero to two percent slopes; Coveland-Mitchellbay complex, two to 15
2 percent slopes; Bazal-Mitchellbay complex, zero to five percent slopes; Orcas peat, zero to two
3 percent slopes; and Dugualla muck, zero to two percent slopes. Other soils not classified as
4 hydric by the Soil Conservation Service may still meet the hydric soil criteria.

5
6 “Hydrophytic vegetation” means macrophytic plant life growing in water or on a substrate that is
7 at least periodically deficient in oxygen as a result of excessive water content, as determined by
8 following the methods described in the currently accepted Federal Manual for Identifying and
9 Delineating Jurisdictional Wetlands.

10 11 **18.20.120 “L” definitions.**

12
13 Land Division. See “division of land.”

14
15 “Landfill” means the placement of soil, rock, gravel, existing sediment, or other material
16 (excluding solid waste) to create new land, tideland, or bottom land, along the shoreline below
17 the ordinary high water mark or on upland areas or wetlands, in order to raise the elevation.

18
19 “Landslide hazard areas” means areas potentially subject to risk of mass movement due to a
20 combination of geologic, topographic, and hydrologic factors.

21
22 “Landward” means to or toward the land.

23
24 “Lawn” means an area consisting predominantly of grass that is maintained at a height of six
25 inches or less.

26
27 “Level of service (LOS)” means the number of units of capacity per unit of demand (e.g., trips,
28 population, school-age residents) or other appropriate measure of need sufficient to meet the
29 standards for adequate service set forth in the Comprehensive Plan. (See also “adequate
30 capacity,” “available capacity,” and “concurrency.”)

31
32 “Licensed carrier” means a carrier authorized by the FCC.

33
34 “Light industrial” means a use involving (1) basic processing and manufacturing of materials or
35 products predominantly from previously prepared materials; or (2) finished products or parts,
36 including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and
37 distribution of such products, but excluding basic processing of raw materials except food
38 products.

39
40 “Limited area of more intensive rural development (LAMIRD)” means a class of rural lands that
41 includes village and hamlet activity centers, residential activity centers, and island centers.
42 LAMIRDs were identified and delineated according to the criteria in RCW [36.70A.070\(5\)\(d\)](#).
43 They consist of commercial, industrial, residential, or mixed-use areas in which the kinds,
44 intensities, or densities of use, or the capital facilities and services available, exceed the levels
45 normally associated with rural development. Thus, these areas recognize and provide for existing

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

“Littoral drift” means the natural movement of sediment, particularly sand and gravel, along marine or lake shorelines as a result of wave and wind action.

“Livestock” means cattle, bison, sheep, goats, swine, horses, mules, llamas, ostriches and other poultry, and other like animals.

“Live-work building” means a building which contains offices, studios, or other commercial uses and a dwelling unit(s).

“Living area” means the internal space measured from the interior of the exterior walls, excluding decks, overhangs, unenclosed porches or unheated enclosed porches, and the stairwell on one level of a two-story structure.

“Logging” means the harvesting of timber.

“Log storage or transfer site” means any location established for the purpose of storing logs or holding logs for transfer to another location. (See also “barge landing site.”)

“Long-term commercial significance” means lands with the growing capacity, productivity, soil composition, and economic viability for long-term agricultural or silvicultural production. Lot. See “parcel.”

“Lot coverage” means the surface area of a lot or lots within a single development which is occupied by buildings, excluding roof overhangs and covered porches not used for sales, storage, or service.

“Lumber mill, portable” means portable equipment to mill, split, or otherwise process forest products.

“Lumber mill, stationary” means a permanently located facility or equipment used to process forest products. (Ord. 26-2012 § 11; Ord. 10-2012 §§ 9, 32; Ord. 11-2011 § 2; Ord. 7-2005 § 2; Ord. 12-2001 § 3; Ord. 2-1998 Exh. B § 2.3)

18.20.130 “M” definitions. (Ord. 26-2012 § 12; Ord. 10-2012 §§ 10, 32; Ord. 7-2005 § 2; Ord. 12-2001 § 3; Ord. 2-1998 Exh. B § 2.3)

“Maintenance agreement” means a written agreement between parties to physically maintain a facility for common use in a manner which conforms to standards of adequacy specified in such an agreement.

“Maintenance and Repair, Normal.”

1. “Normal maintenance” includes those acts to prevent a decline, lapse, or cessation from a lawfully established condition.

1 2. “Normal repair” means to restore a development to a state comparable to its original
2 condition within a reasonable period after decay or partial destruction.
3 Normal maintenance and repair do not include maintenance and repair that causes substantial
4 adverse effects to shoreline resources or environment (WAC 173-27-040).
5
6 “Manufacturing” means the mechanical or chemical transformation of materials or substances
7 into new products, including the assembling of component parts, the creation of products, and
8 the blending of materials, such as lubricating oils, plastics, resins, or liquors.
9
10 “Marina” means a facility that provides wet moorage or dry storage, supplies, and services for
11 pleasure craft and some types of commercial craft. Boat-launching facilities may also be
12 provided at a marina.
13
14 “Marine railway” means a set of rails running from the upland area into the water upon which a
15 boat can be launched.
16
17 “Market value” means value of land or structures as assessed by the San Juan County assessor’s
18 office.
19
20 “Marsh” means a soft, wet area periodically or continuously flooded to a shallow depth, usually
21 characterized by a particular subclass (monocotyledons) of grasses, cattails, and other low plants.
22
23 “Master planned resort” means a self-contained and fully integrated planned unit development in
24 a setting of significant natural amenities, with primary focus on destination resort facilities
25 consisting of short-term visitor accommodations associated with a range of on-site indoor or
26 outdoor recreational facilities.
27
28 “Material change” means a measurable change that has significance for existing or proposed
29 development or for the existing environment.
30
31 “Maximum net benefit” means the total of all benefits less the total of all costs including
32 opportunities lost, as defined in the Water Resource Act of 1971 (Chapter 90.54 RCW).
33
34 “Mean higher high water” or “MHHW” means the tidal elevation obtained by averaging each
35 day’s highest tide at a particular location over a period of 19 years. It is measured from the
36 MLLW equals 0.0 tidal elevation.
37
38 “Mean lower low water” or “MLLW” means the 0.0 tidal flat elevation. It is determined by
39 averaging each day’s lowest tide at a particular location over a period of 19 years. It is the tidal
40 datum for vertical tidal references in the saltwater area.
41
42 “Midden” means an area of ancestral human use that consists of an ancient refuse heap.
43
44 “Mine hazard” means an area of potential danger to persons or property due to past or present
45 mineral extraction operations.
46

1 “Mineral extraction” means the removal of naturally occurring materials from the earth for
2 economic use. Extraction materials include nonmetallic minerals such as sand, gravel, clay, coal,
3 and various types of stone.

4
5 “Mineral resource lands” means those lands from which the commercial extraction of minerals
6 (sand, gravel, rock, and other valuable aggregate or metallic substances) can be anticipated to
7 have long-term commercial significance.

8
9 “Mini-storage” means a structure or structures containing separate, individual, and private
10 storage spaces of varying sizes leased or rented individually for varying periods of time.

11
12 “Mitigation” means measures prescribed and implemented to avoid, minimize, lessen, or
13 compensate for adverse impacts.

14
15 “Mixed-use development” means a development that includes two or more principal land uses.
16 The mix of uses may be combined in a vertical mixed use building(s) or combined in separate
17 buildings located on one property and /or under unified control.

18
19 “Mixed use structure” means a building containing residential and non-residential uses.

20
21 “Mobile food vending unit” means a portable and temporary food or drink service vehicle that is
22 readily movable.

23
24 “Mobile home” means a structure that is (1) designed to be transportable in one or more sections;
25 (2) built on a permanent chassis; (3) designed to be used as a dwelling unit, with or without
26 permanent foundation; and (4) connected to the required utilities, including plumbing, heating,
27 septic, and electrical systems (RCW 43.22.340).

28
29 “Mobile home park” means a development with two or more improved pads or spaces with
30 required improvements and utilities designed to accommodate mobile homes, according to RCW
31 59.20.030 (4).

32
33 “Monitoring network” means a set of locations, stations, or points used for collecting samples or
34 taking measurements over time.

35
36 “Monopole” means the type of antenna mount that is self-supporting with a single shaft,
37 typically of wood, steel or concrete, and is self-supporting without guy wires.

38 “Moorage” means any over-water facility for securing boats, including docks, piers, and mooring
39 buoys, but excluding anchorage and dry boat storage.

40
41 “Mooring buoy” means a buoy secured to the bottom by permanent moorings and provided with
42 means for mooring a vessel by use of its anchor chain or mooring lines.
43 Motel. See “hotel.”

44
45 “Motor home” means a motor vehicle originally designed, reconstructed, or permanently altered
46 to provide facilities for human habitation, which include lodging, cooking, and sewage disposal,

and enclosed within a solid body shell with the vehicle, but excluding a camper or similar unit constructed separately and affixed to a motor vehicle (RCW 46.04.305).

18.20.140 “N” Definitions.

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

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

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

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

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

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

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

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

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

“No net loss” means the requirement that development and vegetation removal not result in net harm in the aggregate to the existing functions and values of the ecosystem that includes the adversely impacted or lost critical areas. The no net loss standard in WAC [365-196-830](#) requires that where development regulations allow harm to critical area functions and values, they must require compensatory mitigation of the harm unless alternative means of protecting critical areas

1 exist such as best management practices or a combination of regulatory and nonregulatory
2 programs.

3
4 “Noise” means any sound not occurring in the natural environment which causes or tends to
5 cause an adverse psychological or physiological effect on humans.

6
7 “Noise exposure forecast level” means the level of predicted noise exposure for areas within the
8 vicinity of an airport due to aircraft operations at some future date based on noise levels and
9 duration at the time of prediction.

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

19
20 “Nonconforming” means an existing use, structure, site, or lot that conformed to the applicable
21 codes in effect on the date of its creation but that no longer complies because of changes in code
22 requirements. Nonconformity is different than and not to be confused with illegality (see “illegal
23 use”). Legal nonconforming lots, structures, and uses are commonly referred to as
24 “grandfathered.”

25
26 “Nonconforming lot” means an existing lot that does not conform to the area, width, depth, or
27 street frontage regulations of the land use designation where it is located.

28
29 “Nonconforming structure” means an existing structure that does not conform to the dimensional
30 regulations, such as setback, height, lot coverage, density, and building configuration regulations
31 of the land use designation where it is located due to changes in code requirements. (See also
32 “alteration, nonconforming structures.”)

33
34 “Nonconforming use” means an existing use of a structure or of land that does not conform to
35 the regulations of the land use designation where the use exists due to changes in code
36 requirements. (See also “alteration, nonconforming use.”)

37
38 “Nonpoint-source” means the release of waste or other flows which occurs over a broad or
39 undefined area. Releases which can be described as confined to a small area, such as discharges
40 from a pipe or conduit, are referred to as “point-source discharges.” (See also “point-source
41 discharge.”)

42
43 “Normal residential appurtenance, shoreline” means a structure or development that is
44 necessarily connected to the use and enjoyment of a single-family residence and which is
45 expressly defined in WAC [173-27-040](#) and in Chapter [18.50](#) SJCC, for purposes of exemption
46 from shoreline substantial development permit requirements in accordance with WAC [173-27-](#)

1 [040](#)(g). Structures and activities considered normal residential appurtenances include accessory
2 dwelling units or other detached residential structures, garages, sheds, decks attached to primary
3 structures, private pedestrian pathways, stairways to access shorelines, ramps, patios, fences,
4 driveways, utilities, on-site sewage disposal systems, antennas, solar arrays, wind power
5 generators serving a single structure, satellite dishes, boat houses landward of the primary
6 residential structure served by marine railways that require a substantial development permit,
7 official registered historic structures, and grading which does not exceed 250 cubic yards and
8 which does not involve placement of fill in any wetland or waterward of the OHWM.

9
10 “Nursery” means lands or greenhouses used to raise flowers, shrubs, and plants for commercial
11 purposes.

12
13 “Nursing home (long-term health care facility)” means a facility or residence that provides health
14 or long-term care services to residents, including nursing or other supportive or restorative health
15 services, on a 24-hour basis (RCW [43.190.020](#)). (Ord. 1-2016 § 74; Ord. 21-2015 § 31; Ord. 2-
16 2014 § 4; Ord. [26-2012](#) § 13; Ord. [25-2012](#) § 3; Ord. [10-2012](#) § 11; Ord. 2-1998 Exh. B § 2.3)

1 **Article IV. Subarea Plans, Interim Controls and Development Standards**

2
3 **Amend 18.30.190: (Ord. 25-2012 § 18; Ord. 10-2012 § 19; Ord. 2-1998 Exh. B § 3.7) Add note**
4 **to code reviser to make F item D and re-letter section. Or change – ask PA**

5
6 **18.30.190 Subarea plans.**

7
8 Subarea plans provide goals, policies and may provide regulations which are consistent with but
9 more specific than the general provisions of the Comprehensive Plan and development code;
10 and. They are developed ~~when necessary~~ to meet the needs of a particular geographic area or to
11 manage a particular resource. Chapter 18.90 SJCC includes procedures for creating and
12 amending subarea plans. Adopted subarea plans include:

13
14 **A.** The Eastsound subarea plan, ~~Chapter 16.55 SJCC,~~ and any amendments thereto.

15
16 **B.** The Shaw Island subarea plan, Chapter 16.45 SJCC, and any amendments thereto.

17
18 **C.** The Waldron Island Limited Development District subarea plan, Chapter 16.36 SJCC, and
19 any amendments thereto.

20
21 **D.** The San Juan Islands Trust Lands Management Plan, adopted by the County (Ordinance No.
22 86-1986).

23
24 **E.** The San Juan County Open Space and Conservation Plan, adopted in 1991 (Ordinance No.
25 124-1991), and any amendments thereto.

26
27 **F. The Lopez Village subarea plan, and any amendments thereto.**

28
29 **18.30.210 Land use controls in Lopez Village urban growth area, the Lopez Village**
30 **growth reserve area, and the Lopez marine center LAMIRD.** (Ord. 25-2012 § 21; Ord. 9-
31 2005 § 2; Ord. 2-2001; Ord. 11-2000 § 4; Ord. 2-1998 Exh. B § 3.9)

32
33 **A.** Purpose. To provide controls for development of the Lopez Village urban growth area, the
34 Lopez Village growth reserve area and the Lopez marine center LAMIRD.

35
36 **B.** ~~Standards for New and Substantially Altered Development.~~ SJCC Article IX contains
37 specific development regulations and standards for ~~All~~ new development, and all substantial
38 alterations within the boundaries of Lopez Village urban growth area. ~~are subject to the~~
39 ~~development standards of SJCC 18.60.240~~

40
41 **~~C. Lopez Village urban growth area Allowable and Prohibited Uses.~~**

42
43 1. ~~The village commercial (VC) designations provisions of in~~ Tables 18.30.030 (SJCC
44 18.30.030) ~~and 6.1 (SJCC 18.60.050)~~ X of this ordinance shall apply to the entire Lopez
45 Village urban growth area, except as modified by SJCC 18.60.220(D) for planned unit
46 developments.

2. The following standards shall apply to the Lopez Village urban growth area:

a. ~~Building Height.~~ Building height shall not exceed 30 feet unless more than one taller building exists in the activity center, in which case the height standards in Chapter 18.60 SJCC shall apply.

b. ~~Use.~~ Commercial and industrial Land uses are allowed subject to the provisions of this section and Table X 18.30.030. Other uses are subject to the provisions of Table 18.30.030. No industrial use shall be established prior to the adoption of a village or hamlet industrial designation and map of the affected activity center. However, the expansion of an existing industrial use allowed by Table 18.30.030 is allowable.

c. ~~Landscaping and Open Space.~~ Include open or landscaped areas as listed in Table 6.1.

d. ~~Moorage Structures.~~ Moorage structures in the village and hamlet activity centers are regulated as per SJCC 18.50.190.

e. ~~Shoreline Development.~~ For areas within the shoreline jurisdiction, the applicable regulations of Chapter 18.50 SJCC shall apply.

D. Lopez Village urban growth area Densities, and Density Bonus for Affordable Housing and Water Conservation Measures.

1. ~~Base Density.~~ Single family residential development in the Lopez village residential designation may occur uUp to four dwelling units per acre.

a. ~~All development subject to this section that is not served by the existing public sewage treatment system:~~

i. ~~Must have sewer capability that meets the design specifications of the sewer district systems for later connection;~~

ii. ~~Must connect to the established urban growth area water purveyor within one year of such service becoming available to the development.~~

b. ~~All development subject to this section that is not served by an existing community Class A water system must connect to the community Class A water system within one year of such service becoming available to the development.~~

c. ~~For all development subject to this section, the applicant must execute and record with the auditor a statement, binding on the owner, successors, heirs, and assigns, which provides that the owner will not object to the formation of a utility local improvement district for water or sewer.~~

d. ~~Development and associated improvements and structures shall be located on the property so that they shall not preclude future potential development at a density of four units per acre or.~~

e. ~~Land divisions shall provide remainder lots that will allow an average density with the division of four units or greater.~~

1 f.—The following note shall be on the face of the plat of all subdivisions and short
2 subdivisions and on all deeds filed as part of an exempt division:
3

4 This land division is located within an urban growth area. This land
5 division has been designed in a manner to allow the future redivision
6 to achieve an average density of four homes per acre.
7

8 g.—Development applications are exempt from the requirements of subsections
9 (D)(1)(d) through (f) of this section where:
10

11 i. Commercial development is both within a land use designation that does not
12 prohibit residential development or limits it to accessory use, and the area available
13 for future development is less than 0.5 acres.
14

15 ii. Residential development will achieve a residential density of four units per acre or
16 greater.
17

18 iii. Development is within a land use designation or density designations that has
19 been indicated on the official maps as not require planning to maintain the potential
20 to develop residential density of four units per acre or greater.
21

22 2. ~~Density Bonus.~~ A density increase to a maximum of eight units per acre may be approved
23 for a residential development in the Lopez Village UGA provided the following requirements
24 are met:
25

26 a. ~~An application for a planned unit development as provided in SJCC 18.80.160 is~~
27 ~~required and the development satisfy the requirements of SJCC 18.60.220.~~
28

29 b. ~~A two unit per acre density bonus may be approved if water conservation features are~~
30 ~~included in the design of the project and the applicant can demonstrate that the water~~
31 ~~conservation features will reduce demand by 15 percent from the water purveyor's~~
32 ~~average annual usage for each equivalent residential unit.~~
33

34 c. ~~A two unit per acre density bonus may be approved if a minimum of two affordable~~
35 ~~housing units are provided, a three, unit per acre density bonus may be approved if a~~
36 ~~minimum of three affordable housing units are provided., or a four unit per acre density~~
37 ~~bonus many be approved if a minimum of four affordable housing units are provided.~~
38 ~~Affordable housing for this section shall means long term affordability for low and~~
39 ~~moderate income households as most recently defined by the U.S. Department of~~
40 ~~Housing and Urban Development and San Juan County. See SJCC 18.60.240.~~
41

42 d. ~~The density bonus for affordable housing and the density bonus for water~~
43 ~~conservation may be combined to provide a density bonus of four per acre, which when~~
44 ~~combined with the underlying density of four units per acre would result in a maximum~~
45 ~~of eight dwelling units per acre.~~
46

1 **~~E. Resource Land Buffer.~~**

2
3 1. ~~A buffer area of at least 50 feet shall be maintained from the boundary of any property~~
4 ~~designated as agricultural resource land.~~

5
6 2. ~~No new structure shall be allowed within the buffer area that houses a residential~~
7 ~~occupancy, or a commercial occupancy which provides lodging or food service to visitors.~~

8
9 **DF. Land Use Controls in the Lopez Village Growth Reserve Area.**

10
11 1. The Lopez Village growth reserve area shall follow the land use designation standards of
12 the rural farm forest (RFF) as listed in Table 18.30.040, Allowable and Prohibited Uses in
13 Rural, Resource, and Special Land Use Designations, which allows a current density of one
14 unit per five acres except that new development and associated improvements and structures
15 shall be located on the property so that they shall not preclude future potential development
16 as a density of four units per acre or greater in the growth reserve area.

17
18 2. Land divisions shall provide remainder lots that will allow an average density with the
19 division of four units per acre or greater.

20
21 3. The following note shall be on the face of the plat of all subdivisions and short
22 subdivisions and on all deeds filed as part of an exempt division:

23
24 This land division is located within a growth reserve area. This land division
25 has been designed in a manner to allow the future redivision to achieve an
26 average density of four homes per acre.

27
28 **E G. Marine Center LAMIRD.** The Lopez area marine center LAMIRD (limited area of more
29 intense rural development) shall be governed by the village commercial (VC) land use
30 designation as listed in SJCC 18.30.040, Table 18.30.030, Allowable and Prohibited Uses in
31 Activity Center Land Use Designations, and will allow a residential density of four dwelling
32 units per acre.

1 **18.60.240 Standards for new and substantially altered development – Eastsound and Lopez**
2 **~~Village urban growth areas.~~** **(Note: this section partially duplicates 18.30.210)**
3

4 **A.** Applicability. All new development, and all substantial alterations, within the Eastsound
5 ~~urban growth areas of Eastsound and Lopez Village.~~
6

7 **B.** General Regulations.
8

9 1. All development subject to this section that is not served by the existing public sewage
10 treatment system:
11

12 a. Must have sewer capability that meets the design specifications of the sewer district
13 systems for later connection; and

14 b. Must connect to the public system within one year of such service becoming available
15 to the development.
16

17 2. All development subject to this section that is not served by an existing community Class
18 A water system must connect to the community Class A water system within one year of
19 such service becoming available to the development.
20

21 3. For all development subject to this section the applicant must execute and record with the
22 auditor a statement, binding on the owner, successors, heirs, and assigns, which provides that
23 the owner will not object to the formation of a utility local improvement district for water or
24 sewer.
25

26 4. Development and associated improvements and structures shall be located on the property
27 so that they shall not preclude future potential development at a density of four (4) units per
28 acre or greater.
29

30 5. Land divisions shall provide remainder lots that will allow an average density with the
31 division of four units or greater.
32

33 6. The following note shall be on the face of the plat of all subdivisions and short
34 subdivisions, and on all deeds filed as part of an exempt division:
35

36 This land division is located within an urban growth area. This land division
37 has been designed in a manner to allow the future redivision to achieve an
38 average density of four homes per acre.
39

40 7. Development applications are exempt from the requirements of subsections (B)(4) through
41 (6) of this section where:
42

43 a. Commercial development is both within a land use district that does not prohibit
44 residential development or limits it to accessory use, and the area available for future
45 development is less than 0.5 acre.

1 b. Residential development will achieve a residential density of four units per acre or
2 greater.

3
4 c. Development is within a land use district or density designation that has been indicated
5 on the official maps as not requiring planning to maintain the potential to develop
6 residential densities of four units per acre or greater. (Ord. 11-2000 § 5; Ord. 2-1998 Exh.
7 B § 6.22)
8

9 **Code revisor note - create a new Article IX in Chapter 18.30 SJCC.**

10
11 **New Article IX**
12 **Lopez Village Urban Growth Area**
13

14 **18.XX.XX Applicability of Article IX.**

15
16 **A.** Article IX provides specific land use regulations and development standards for the Lopez
17 Village urban growth area which are intended to implement the goals and policies of the Lopez
18 Village subarea plan, a component of the San Juan County Comprehensive Plan.

19
20 **B.** Where subarea specific regulations or development standards are not established, applicable
21 regulations in SJCC Title 18 shall apply.
22

23 **C.** In cases of a conflict, the goals and policies of the Lopez subarea plan and specific
24 regulations of Article IX prevail.
25

26 **18.XX.XXX Lopez Village Planning Review Committee.**

27
28 **A.** The Lopez Village Planning Review Committee (LVPRC) is established by the County
29 Council.
30

31 **B.** The LVPRC shall consist of five (5) members, all residents of Lopez Island appointed by the
32 County Council for terms of three (3) years each so that terms of all members do not coincide.
33 Terms of 1 member shall be for one (1) year from the date of adoption of the ordinance codified
34 in this chapter and the terms of 2 members shall be for a period of two (2) years from the
35 anniversary of the date of adoption and 2 for three (3) years from the anniversary of the date of
36 adoption.
37

38 **C.** The purpose of the LVPRC is to advise the department, planning commission and the County
39 Council on land use and development matters affecting the Lopez Village urban growth area.
40

41 **D.** The LVPRC shall have the authority to:
42

- 43 1. Review the Lopez Village subarea plan and development regulations at least once every
44 five (5) years from the date of adoption. The LVPRC may recommend amendments
45 following SJCC 18.90.050 to more effectively achieve the purposes and policies of the Lopez
46 Village subarea plan.

2. Provide early design guidance to persons proposing development in the Lopez Village urban growth area.
3. Review and provide comments to the director on proposed development and project permit applications, and environmental determinations issued according to the State Environmental Policy Act for proposed developments in the Lopez Village urban growth area;
4. Monitor applications and permits for development within Lopez Village urban growth area to enable effective implementation of the Lopez Village subarea plan;
5. Hold regular meetings with County representatives and utility providers for the exchange of information about plans for the extension of services or improvements to facilities within Lopez Village subarea plan; and
6. The LVPRC may address parking issues or may establish a parking subcommittee. Membership on the subcommittee is by appointment of the County council. The subcommittee is comprised of up to five (5) members: two (2) representing the general public; two (2) LVPRC members; and one (1) contributor to the fee-in-lieu parking fund, once available. The LVPRC may advise the County council or the fund administrator on parking fund issues.
7. Make recommendations to the director regarding the intent or meaning of the provisions of the LVSP or development regulations affecting Lopez Village urban growth area; and
8. Fulfill the above responsibilities or other responsibilities directed by County council in accordance with bylaws for conduct for committees adopted by the County council.

18.XX.XXX Lopez Village urban growth area densities, and density bonuses.

A. The base density in the Lopez village residential designation is up to six (6) dwelling units per acre. The village commercial designation has no base density.

B. All development subject to this section that is not served by the existing public sewage treatment system:

1. Must have sewer capability that meets the design specifications of the sewer district systems for later connection; and
2. Must connect to the established urban growth area water purveyor within one year of such service becoming available to the development.

C. All development subject to this section that is not served by a designated community Class A water system must connect to one within one year of such service becoming available to the development.

1 **D.** For all development subject to this section, the applicant must execute and record with the
2 auditor a statement, binding on the owner, successors, heirs, and assigns, which provides that the
3 owner will not object to the formation of a utility local improvement district for water or sewer.
4

5 **E.** Development and associated improvements and structures shall be located on the property in
6 the village residential designation so that they shall not preclude future potential development at
7 a minimum density of six (6) units per acre.
8

9 **F.** Land divisions in the village residential designation shall provide remainder lots that will
10 allow an average density with the division of six (6) units per acre or greater. The following note
11 shall be on the face of the plat of all subdivisions and short subdivisions and on all deeds filed as
12 part of an exempt division:
13

14 This land division is located within an urban growth area. This land
15 division has been designed in a manner to allow the future redivision
16 to achieve an average density of six homes per acre.
17

18 **G.** Development applications are exempt from the requirements of subsections (E) and (F)
19 of this section where:
20

- 21 1. Commercial development is within the village commercial designation.
22
- 23 2. Residential development will achieve a residential density of six (6) units per acre or
24 greater in the village residential designation.
25
- 26 3. Development is within the village commercial and village institutional designations that
27 do not require planning to maintain the potential to develop a residential density of six (6)
28 units per acre or greater.
29

30 **H.** A density increase of up to a maximum of twelve (12) units per acre may be approved for a
31 residential development in the village residential designation provided the following
32 requirements are met:
33

- 34 1. An application for a planned unit development as provided in SJCC 18.80.160 is required
35 and the development satisfies the requirements of SJCC 18.60.220.
36
- 37 2. A two (2) unit per acre density bonus may be approved if water conservation features are
38 included in the design of the project and the applicant can demonstrate that the water
39 conservation features will reduce demand by fifteen (15) percent from the water purveyor's
40 average annual usage for each equivalent residential unit.
41
- 42 3. A two (2) unit per acre density bonus may be approved if a minimum of two (2)
43 affordable housing units are provided, a three (3), four (4), five (5) or six (6) unit per acre
44 density bonus may be approved if a minimum of three (3), four (4), five (5) or six (6)
45 affordable housing units are provided. Affordable housing for this section means long-term

1 perpetual affordability for low and moderate income households as most recently defined by
2 the U.S. Department of Housing and Urban Development. See SJCC 18.60.240.

3
4 4. The density bonus for affordable housing and the density bonus for water conservation
5 may be combined to provide a density bonus of six (6) per acre, which when combined with
6 the underlying density of six (6) units per acre would result in a maximum of twelve (12)
7 dwelling units per acre.

8
9 **18.XX.XXX Lopez Village urban growth area resource buffer.**

10
11 **A.** A resource buffer of at least fifty (50) feet shall be maintained from the boundary of any
12 property designated on the official map as agricultural resource land.

13
14 **B.** New structures for a residential or commercial occupancy that provides lodging or food
15 service to visitors are not allowed within the resource buffer.

16
17 **18.XX.XXX Lopez Village urban growth area split land use designations.**

18
19 **A.** If a lot has multiple land use designations, each separately designated portion of the lot may
20 be developed, subdivided, or used consistent with the applicable use regulations for its
21 designation; provided, that each separately designated portion of the lot meets all applicable San
22 Juan County Code requirements.

23
24 **B.** Subdivisions allowed under this section shall occur within or along the land use designation
25 boundary line. They shall not result in lots with multiple land use designations.

18.XX.XXX Allowed and prohibited uses in Lopez Village urban growth area.

A. Allowable and prohibited uses in Lopez Village urban growth area are established in Table 18.30.XXX below, except as modified by SJCC 18.60.220(D) for planned unit developments.

Table 18.30.XXX Land use table – Lopez Village urban growth area land use designations.

How to use this Table

This table displays Lopez Village urban growth area land use designations and classifies uses allowed and prohibited uses. The information in the table is modified by the table footnotes and the following bullets:

- A location may have a multiple designation; such as when the Shoreline Master Program (SMP) or another overlay district applies to the location. Shoreline jurisdiction designations use some of the same names as the uplands land use designations; however, where allowable uses differ between the uplands and shorelines designations, compliance with the SMP is also required.
- All regulations in this code apply to the uses and activities listed in these tables. To determine whether a particular use or activity can occur in a land use designation and location, all relevant regulations must be consulted in addition to this table.

Lopez Village urban growth area Land Use Designations

VC = Village commercial

VR = Village residential

VI = Village institutional

Categories of Uses

Y = Uses allowed outright (i.e., without a project permit), subject to applicable development standards. If a building or other construction permit is required, this use is subject to administrative consistency review; see SJCC 18.80.070.

P = Provisional use (a project permit) subject to the applicable development standards, public notice, and permit processing procedure.

P/C = After review of SJCC 18.80.090 and Table 8.2, the director will determine whether a provisional or conditional use permit will be required.

C = Conditional use (a project permit), subject to public notice and permit hearing procedure; see SJCC 18.80.100.

N = Uses that are prohibited.

Land Use	Lopez Village ^{1, 2, 3}		
	VC ¹⁴	VI	VR ¹³
Commercial Uses			
Animal shelters and kennels	P	N	N
Artisan activities	P	N	N
Auto fuel service stations and repair services	P	N	N
Bed and breakfast inn	P	N	P/C
Bed and breakfast residence	P	N	P
Camping facilities	N	N	N
Family day care (1-12 children)	Y	Y	C
Day care center (12 or more children)	P	Y	N
Day care, adult (1 – 8 adults)	Y	Y	C
Drinking establishment (No drive thru)	Y	N	N
Eating establishment (No drive thru)	Y	N	N
Hostel	Y	Y	C
Hotel/Motel	Y	N	N
Indoor entertainment facility ⁴	C	C	N
Mobile food vending units, temporary	Y	Y	N
Nursing homes (1-8 persons)	N	C	C
Personal and professional services	Y	N	N
Personal wireless service facilities, co-located on an existing, permitted stand-alone tower, or mounted to the surface of an existing structure	P	P	C ⁽¹⁰⁾
Personal wireless service facilities mounted on a building which meets the height standards of the land use designation, or facilities camouflaged or disguised as an allowable exemption to the height standard	P	P	C
Personal wireless service facilities, other	C	P	N

Land Use	Lopez Village ^{1, 2, 3}		
	VC ¹⁴	VI	VR ¹³
Resorts and camps, new	N	N	N
Retail sales and services	P	N	N
Warehouse, mini-storage, and moving storage facilities	N	N	N
Unnamed commercial uses	C	N	N
Industrial Uses			
Bulk fuel storage facilities	N	N	N
Concrete and concrete batch plants	N	N	N
Construction yards	N	N	N
Feedlots	N	N	N
Garbage and solid waste transfer stations	N	N	N
Heavy equipment rental services	N	N	N
Heavy industrial	N	N	N
Light industrial	N	N	N
Light manufacturing that has no more impacts from vibrations, noise and odor than general office use	P	N	N
Lumber mills, stationary	N	N	N
Outdoor storage yards	N	N	N
Reclamation of mineral extraction sites	N	N	N
Recycling collection/processing	N	N	N
Recycling collection	P	N	N
Resource processing accessory to extraction operations	N	N	N
Mining and mineral extraction activities	N	N	N
Wholesale distribution outlet	N	N	N

Land Use	Lopez Village ^{1, 2, 3}		
	VC ¹⁴	VI	VR ¹³
Wrecking and salvage yards	N	N	N
Storage and treatment of sewerage, sludge and septage	N	N	N
Unnamed industrial uses note	N	N	N
Institutional Uses			
College or technical school/adult education	P	Y	N
Community club or community organization assembly facility	C	C	N
Emergency services	P	P	N
Government offices	P	P	N
Institutional camps	N	N	N
Library	Y	Y	N
Museum	Y	Y	N
Post office	Y	Y	N
Religious assembly facility	P	Y	N
School, primary and secondary	Y	Y	N
Unnamed institutional uses	C	C	C
Recreational Uses			
Camping facilities in public parks	N	N	N
Indoor recreation facilities	P	C	N
Outdoor recreation development, low impact ⁵	P	P	C
Parks, low impact ⁵	P	P	C
Playing fields, low impact ⁵	N	N	N
Recreational vehicle parks	N	N	N
Outdoor shooting ranges	N	N	N

Land Use	Lopez Village ^{1, 2, 3}		
	VC ¹⁴	VI	VR ¹³
Unnamed recreational uses	C	C	C
Residential Uses⁷			
Cottage enterprise	P	N	P
Neighborhood enterprise	Y	N	C ¹⁵
Farm worker accommodations	N	N	N
Farm – stay	N	N	N
Home occupation	Y	N	Y
Mobile home parks ⁽⁶⁾	N	N	C
Multifamily residential units (3+ units)	Y	N	Y
Single-family residential unit, stand-alone	N	N	Y
Two-family residential (duplex), stand-alone	N	N	Y
Live-work units ⁸	Y	N	N
Unnamed residential uses	C	N	C
Vacation rental of residence or accessory dwelling unit	Y	N	P
Vacation rental in a commercial building	Y	N	N
Transportation Uses			
Airfields	N	N	N
Airports	N	N	N
Airstrips	N	N	N
Hangars	N	N	N
Helipads associated with a medical clinic	Y	N	N
Ferry terminal	C	N	N
Parking lots, commercial	N	N	N

Land Use	Lopez Village ^{1, 2, 3}		
	VC ¹⁴	VI	VR ¹³
Parking structures	N	N	N
Streets, public	Y	Y	Y
Trails and paths, public	Y	Y	Y
Unnamed transportation uses	P/C	Y	N
Utility Uses			
Commercial communication facilities ⁽⁹⁾	C	N	N
Commercial power-generation facilities	C	N	N
Community sewerage treatment facilities	P/C	N	N
Category “A” joint use wireless facility ⁽¹⁰⁾	P/C	Y	P/C
Category “B” joint use wireless facility	P/C	P/C	P/C
Storage and treatment of sewerage, sludge and septage systems other than lagoons	N	N	C
Utility distribution lines	Y	Y	Y
Utility facilities	Y	Y	Y
Utility substations	N	N	N
Utility transmission lines	N	N	N
Water storage tanks, community	P/C	P/C	P/C
Water treatment facilities	N	N	N
Desalination facilities	C	C	C
Unnamed utility uses	C	C	P/C
Agriculture and Forestry Uses			
Agricultural activities	Y	N	Y ⁽¹¹⁾
Forest practices, ⁽¹²⁾ no processing	N	N	Y

Land Use	Lopez Village ^{1, 2, 3}		
	VC ¹⁴	VI	VR ¹³
Lumber mills, portable maybe temporary	Y	N	P
Nurseries (retail only)	Y	N	N
Small-scale slaughterhouses	N	N	N
Unnamed agricultural and forestry uses	C	N	C

Notes:

- All uses must be consistent with the goals and policies of the land use designation in which they are proposed to occur; the Land Use Element of the Comprehensive Plan, and the Lopez Village subarea plan.
- A land use or development proposed to be located entirely or partly within 200 feet of the ordinary high water mark of a regulated shoreline is within the jurisdiction of the Shoreline Master Program, and is subject to the applicable provisions of Section 3 of the Comprehensive Plan and Chapter 18.50 SJCC, as well as the applicable provisions and permit requirements indicated in this table. Please refer to Chapter 18.50 SJCC for specific use regulations and regulations by shoreline environment; see also SJCC 18.80.110 for shoreline permit requirements.
- Overlay districts provide policies and regulations in addition to those of the underlying land use designations for certain land areas and for uses that warrant specific recognition and management. For any land use or development proposed to be located entirely or partly within an overlay district, the applicable provisions of the overlay district shall prevail over any conflicting provisions of the UDC.
- Indoor entertainment centers may not exceed six thousand (6,000) square feet.
- Low impact facilities shall not include stadium lighting, permanent goalposts, grandstands, concession stands, or artificial turf.
- This row is to be only used for the development of mobile home parks that will use additional density allotted through a transfer-of-development-rights (TDR) program. Otherwise, a mobile home park must meet the requirements of the subdivision regulations of Chapter 18.70 SJCC. For a platted mobile home park, allowable uses are indicated by the row "Single-Family Residential Unit."
- Owners or persons responsible for any horse, sheep, swine, donkey, goat, or other grazing animal, or rooster shall not allow the animal to go at large in any public road or place. Such animals may only be housed on lots that are five (5) acres or larger.
- When associated with a mixed-use building, the residential unit or units must be located on the second floor to allow commercial development on the bottom floor, except that residences may be placed behind the commercial portion of the building on the first floor. The ratio of residential floor to commercial floor area allowed is fifty percent (50%).
- To minimize commercial developments on lands designated village residential, wireless facilities other than joint use wireless facilities must be accessory to a legal conforming or nonconforming structure and cannot be the primary land use.
- Though a project permit is not required, facilities are subject to the requirements for joint use wireless facilities in Chapter 18.40 SJCC.
- Agricultural activities are allowed except for "agricultural processing, retail and visitor serving facilities for products" in the village residential designation.
- Forest practices including timber harvesting, except for Class IV General are regulated by the Washington Department of Natural Resources (see SJCC 18.40.120 through 18.40.180).
- In Lopez Community Land Trust planned developments, small-scale agricultural activities, commercial uses, home occupations, and cottage industries are allowed with the approval of the Land Trust administration.
- Commercial businesses must be operated in a way that will prevent unreasonable disturbance to area residents and that complies with San Juan County Code. No use of the property shall be made that

produces unreasonable vibration, noise, dust, smoke, odor or electrical interference to the detriment of adjoining properties.

15. In the village residential designation, only properties identified by the following tax parcels are eligible for neighborhood businesses:

251514003000
 251423006000
 251423013000
 251423005000
 251430140000
 251450005000
 251450004000
 251450003000
 251450002000
 251450002001

18.XX.XXX Lopez Village urban growth area setbacks and dimensional standards.

Table XX.XX.XXX Lopez Village urban growth area setbacks and dimensional standards.

Development Standard	Land Use Designation		
	Village Commercial	Village Institutional	Village Residential
Setbacks^{1 - 6}			
Front or Road ^{3,4,5}	Maximum of five (5) feet ⁶	Minimum of five (5) feet	Minimum of five (5) feet
Side	IRC or IBC* As applicable	IRC or IBC* As applicable	IRC or IBC* As applicable
Rear	Minimum of ten (10) feet	Minimum of ten (10) feet	Minimum of ten (10) feet
Rear - for Lopez Village Association Plat Block A and lots 21-23 in the village commercial designation	IRC or IBC* As applicable	NA	NA
Maximum Building Dimensions			
Maximum building footprint per building ^{7, 8, 9}	Six thousand (6,000) square feet	Six thousand (6,000) square feet	Three thousand (3,000) square feet
Height ¹⁰	Thirty-five (35) feet	Thirty-five (35) feet	Thirty-five (35) feet

Table XX.XX.XXX Lopez Village urban growth area setbacks and dimensional standards.

Development Standard	Land Use Designation		
	Village Commercial	Village Institutional	Village Residential
Maximum impervious surface ¹¹	Sixty-five percent (65%)	Sixty-five percent (65%)	Forty percent (40%)

1 * IRC: International Residential Code. IBC: International Building Code

2 **Notes:**

- 3 1. Fences, are exempt from setback requirements, except when they impair sight lines at intersections, as determined
4 by the County engineer.
- 5 2. Setbacks do not apply to mailboxes, wells, pump houses, bus shelters, septic systems and drainfields, landscaping
6 (including berms), utility apparatus such as poles, wires, pedestals, manholes, water pipes, water valves and
7 vaults, at grade walkways, patios and driveways, and other items as approved by the administrator.
- 8 3. Setbacks from roads shall be measured from the margin line of the road right-of-way. This measurement shall be
9 to a line parallel to and measured perpendicularly from the appropriate line. Side and rear setbacks are measured
10 from the edge of the property in the same manner as street setbacks.
- 11 4. The maximum front or road setback may be reduced in village commercial district by the director after a
12 recommendation is received from the Lopez Village Planning Review Committee. The criteria for administrative
13 approval may include unique topographical circumstances, minimization of environmental or cultural resource
14 impacts, or greater compatibility with existing development and design features.
- 15 5. Road right-of-way setbacks may be waived, by the director after a recommendation is received from the County
16 engineer, when the presence of shoreline setbacks, property lines, topography, or other restrictions make it
17 unreasonable to construct a structure without encroaching into the road right-of-way setback.
- 18 6. Entry features such as sheltered entrances and covered decks and gathering spaces are exempt from this
19 requirement.
- 20 7. The building footprint will be determined by the horizontal area enclosed by the exterior wall line and contiguous
21 roofline excluding porches and decks that extend no more than ten (10) feet from the exterior wall line that is
22 closest to the average or natural grade.
- 23 8. Porches and decks that extend more than ten (10) feet from exterior wall line or exceed three hundred (300) square
24 feet cumulatively will be included in overall footprint except for those used as gathering spaces.
- 25 9. Footprints between four thousand and one (4,001) square feet and six thousand (6,000) square feet may be
26 approved with a conditional use permit. The Lopez Village Planning and Review Committee may make a
27 recommendation on the proposal to the director for inclusion in the staff report.
- 28 10. Chimneys, smokestacks, fire or parapet walls, ADA-required elevator shafts, flagpoles, utility lines and poles,
29 skylights, communication sending and receiving devices, HVAC and similar equipment, and spires associated
30 with places of worship are exempt from height requirements.
- 31 11. Green roofs and pervious pavement will not be included in calculations of impervious surface for the purposes of
32 this table.

33
34 **18.30.XXX Fences.**

35
36 Fences in Lopez Village urban growth area maybe up to eight (8) feet in height. Only the bottom
37 three (3) feet of the fence may be made of solid construction. The remainder of the fence should
38 allow light and air flow.
39
40
41
42
43

1 **18.30.XXX Artisan activities.**

2
3 Artisan activities must:

4
5 **A.** Be conducted in buildings that are two thousand (2,000) square feet or less which offer retail
6 sales;

7
8 **B.** Be located on, or developed to provide visual buffers such as landscape or fencing between
9 outdoor activities and roads, except for outdoor patios used for food and beverage service;

10
11 **C.** Not use equipment or material which produces unreasonable vibration, noise, dust, smoke, or
12 electrical interference to the detriment of adjoining property; and

13
14 **D.** Employ or contract with no more than the equivalent of six (6) full-time persons. No more
15 than nine (9) employees shall be on site at one time.

16
17 **18.30.XXX Hostels.**

18 **A.** The owner or lessee of the hostel shall provide notice to the guests regarding rules of conduct
19 and their responsibility.

20
21 **B.** Owners of hostels must file a twenty-four (24)-hour contact phone number with the
22 department and county sheriff.

23
24 **C.** Hostels shall provide bicycle parking facilities that comply with SJCC 18.60.130.

25 **D.** Hostels shall utilize shared parking options when feasible as permitted by section X of this
26 ordinance.

27
28 **E.** Parking standards may be modified by the director upon approval of an alternative parking
29 plan that meets the needs of the hostel.

30
31 **18.30.XXX Mobile food vending units.**

32
33 **A.** Mobile food vending units are allowed on a property for a period not to exceed three (3) days
34 per event for a maximum of four (4) events per calendar year, except when located wholly or in
35 part within shoreline jurisdiction, they may be conducted only for a period not to exceed twenty-
36 four (24) hours per event and a maximum of four (4) events per calendar year.

37
38 **B.** Mobile food vending units are allowed to be located on private or public property. The
39 written permission of the property owner is required prior to set-up.

40
41 **C.** Mobile food vending units are not allowed to be located within fifty (50) feet of the main
42 entrance of an existing restaurant during its business hours unless the restaurant owner provides
43 written permission to the operator of the unit.

44
45 **D.** Mobile food vending units must be placed at least five (5) feet from driveways, sidewalks,
46 utility boxes, accessibility ramps, and building entrances or exits.

1 **18.XX.XXX Live/work units in the village commercial designation.**

2
3 Live work/units are subject to the following:

4
5 **A.** A mixed-use concept plan must be submitted to DCD prior to a required pre-application
6 meeting.

7
8 **B.** Multiple live-work units may occur in one (1) structure.
9

10
11 **18.XX.XXX Neighborhood enterprise.**

12
13 The following standards apply to neighborhood enterprises:

14
15 **A.** The enterprise employs or contracts with no more than ten (10) persons on site.

16
17 **B.** The neighborhood enterprise is supplements the residential use of a dwelling unit or multi-
18 family units. The residential function of the dwelling units and property shall be maintained.
19 The owners or operator of the neighborhood enterprise must reside on the parcel.

20
21 **C.** A neighborhood enterprise may operate out of existing or new buildings that comply with
22 Chapter 15.04 SJCC. (*Note: Construction Codes*).

23
24 **D.** If one or more structures accessory to a single-family residence or multi-family unit is used
25 for the conduct of the neighborhood enterprise, the total use area in accessory structures devoted
26 to it shall not exceed 2,500 square feet in area on parcels two acres or less in size, except for
27 existing accessory buildings constructed before the effective date of this code.

28
29 **E.** Sales and services related to the neighborhood enterprise are allowed. Small scale exterior
30 display of goods for sale shall be allowed in an area not to exceed four by six feet (4' x 6').
31 Drive through windows are not allowed.

32
33 **F.** Outdoor storage areas exceeding five hundred (500) square feet shall not be visible from
34 adjacent properties or rights-of-way. They must be visually screened by fencing, existing
35 vegetation or landscaping that complies with SJCC. 18.XX.XXX (*landscaping code*).

36
37 **G.** No more than two signs are allowed. No sign may be larger than two square feet, internally
38 illuminated, or made of reflective material.

39
40 **H.** The impacts of the neighborhood enterprise must not:

41
42 1. Increase the one-hour average background sound level by more than two (2) decibels at the
43 property boundary.

44
45 2. Generate traffic that would exceed ~~five~~ twenty (20) round trips per day if the use is located
46 on a local access road or a non-surfaced minor collector road; fifty (50) round trips per day if

1 located on a surfaced minor collector road; or one hundred (100) round trips per day if located
2 on and access is permitted from Fisherman Bay Road.

3
4 3. Have visible parking spaces except from Fisherman Bay Road or other major collector.
5 Parking shall otherwise be screened from view from adjoining properties by a “Type A”
6 landscaping screen in accordance with SJCC 18. XX.XXX (LV landscaping requirements) or
7 visual fencing.

8
9 I. Applications for proposed neighborhood enterprises must include the following information
10 addition to the general land use application requirements:

- 11
12 1. A complete project narrative that describes the business proposal including:
13
14 a. the size, scale and intensity relative to the residential development on the lot;
15 b. hours, days, times of operation;
16 c. the number of employees;
17 d. the number of anticipated vehicular trips per day;
18 e. the number of required parking spaces and how the proposal will meet those
19 requirements;
20 f. the proposed ingress and egress;
21 g. location of proposed clearing, grading or vegetation removal;
22 h. the use of any existing buildings and the size;
23 i. location and use of any proposed structures;
24 j. provisions for storage, type, use;
25 k. description of and location of lighting and lighting requirements in SJCC 18.XX
26 section X;
27 l. description and location of landscaping that meets the requirements in SJCC 18.XX
28 section X; and
29 m. explanation of how the use will be located, designed and operated so as to not
30 interfere with neighboring properties.
31 2. Proposals to mitigate any neighborhood impacts.

32
33 J. The director may condition the permit to address possible adverse impacts associated with the
34 neighborhood enterprise.

35
36 K. The owner(s) of a neighborhood enterprise shall certify compliance with the performance
37 standards in subsections (A) through (H) of this section, at the time the business commences,
38 every five years, and at the time of sale of the property. Written certification shall be submitted
39 to the department in a format approved by the administrator that references the permit number.

1 **18.XX.XXX Signs.**

2
3 **A.** The following signs are exempt from the regulations contained in subsections B through D:

- 4
5 1. Signs required by law, and flags of national and state governments.
6
7 2. “No Hunting” and “No Trespassing” signs smaller than two (2) square feet.
8
9 3. Political signs that are erected no more than forty-five (45) days prior to an election and
10 are removed by the candidate or landowner no more than seventy-two (72) hours following
11 an election terminating candidacy. Political signs shall not exceed six (6) square feet in area.
12
13 4. Special event signs for periods not to exceed thirty (30) total days in a calendar year in
14 the village commercial and village institutional designations.
15
16 5. Public notice signs.
17
18 6. Traffic signs and traffic control devices and signals.
19
20 7. Temporary holiday decorations.
21
22 8. One temporary construction sign of up to fifteen (15) square feet in area for a period not
23 to exceed twelve (12) consecutive months.
24
25 9. House numbers.
26
27 10. Temporary garage sale signs posted for a period of four (4) days.
28

29 **B.** Exterior signs in all Lopez Village urban growth area designations are subject to the
30 following:

- 31
32 1. Neon signs, signs that are illuminated from within, and signs or portions of signs that
33 move, flash, or are otherwise animated are prohibited.
34
35 2. Revolving signs, moored balloons, or other floating signs tethered to the ground or
36 structure, signs with kinetic components, and digital or LED lighted signs are prohibited.
37
38 3. Only indirect or bare-bulb lighting sources that do not produce glare may be used to
39 illuminate signs. All illumination shall be steady and stationary. Internal illumination
40 shall not be used.
41
42 4. Permanent signs must be made of durable materials.
43

44 **C.** The following general sign regulations apply to signs in the village commercial and village
45 institutional designations:

1. Signs must be related to a business, service, or event or within Lopez Village urban growth area.
2. Except for multi-tenant properties regulated by subsection (11) below, each building or land use activity will be allowed three (3) signs. A sign face area of forty-five (45) square feet is allowed.
3. The maximum size of any sign in village commercial and institutional designations is fifteen (15) square feet.
4. Signs must be oriented toward pedestrian trails or abutting roads.
5. Window signs shall not be made of opaque materials that obscure views into and out of the window.
6. Awnings and canopies with letters, wording, or symbols, and/or those covered with translucent material are considered signs. Signs on awnings and canopies must be on the valance, the portion parallel to the window. Internal illumination of awnings and canopies is not permitted except when concealed to provide directional light needed to illuminate sidewalks or storefronts.
7. Projecting signs must be mounted perpendicularly to a building or column and allow eight (8) feet of overhead clearance above public walkways. They may be no larger than six (6) square feet.
8. No sign mounted on a building shall extend above or beyond the eave, rake, or parapet of the wall on which it is mounted.
9. Wall mounted signs must not project more than six (6) inches from the building wall. The size of signs painted on buildings shall be measured by the smallest polygon enclosing the letters and symbols of the sign.
10. One (1) of the three (3) signs allowed in subsection (C)(2) above may be a freestanding sign. One freestanding sign no taller than six (6) feet is permitted per lot. Freestanding signs must be placed near the public right-of-way where feasible and may not obstruct pedestrian pathways.
11. On multi-tenant properties, a master signage plan shall be developed for review by the director and Lopez Village Planning and Review Committee (LVPRC). If used, a multi-tenant sign shall group signage for the tenants in a single unified design. The multi-tenant sign shall count towards one (1) of two (2) signs allowed per tenant. A multi-tenant sign may be up to fifteen (15) square feet. Other tenant signs may be up to six (6) square feet. The master signage design shall be submitted to the director who will forward the plan to the LVPRC for a review and recommendation. The director shall make the decision based on a review of size, scale and location of the proposal.

1 12. Off-premise signs are prohibited, except as allowed below:
2

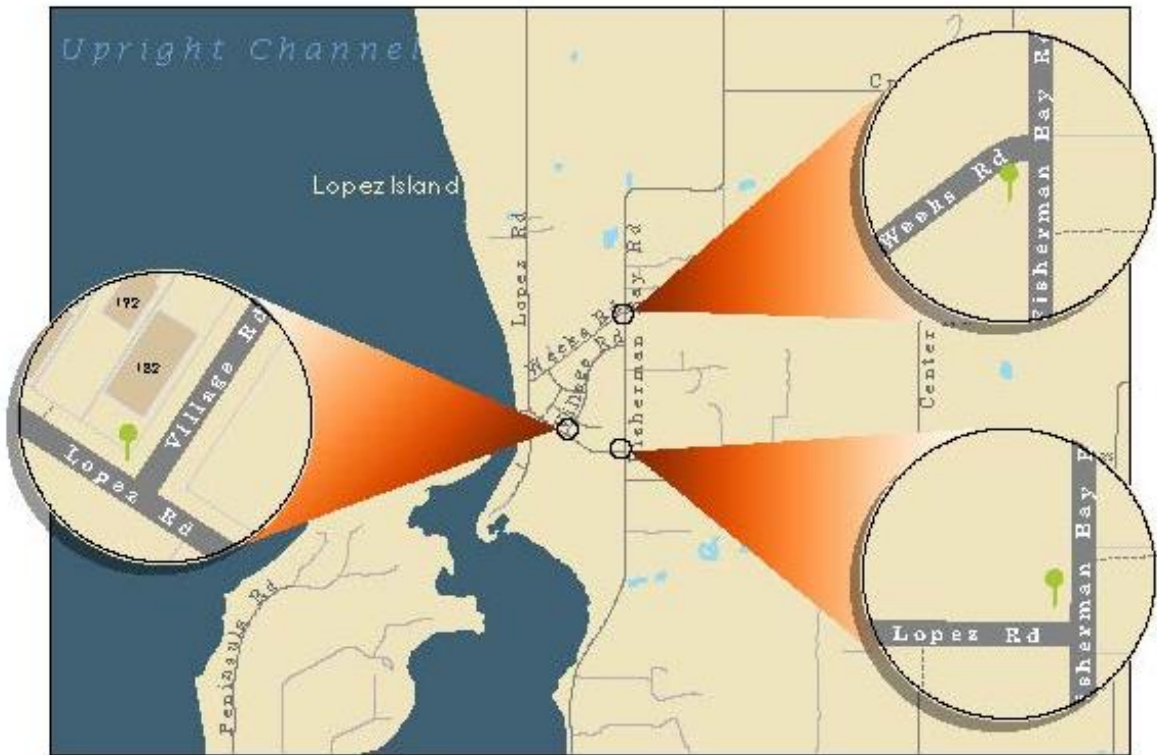
3 a. Temporary off-premise, outdoor commercial signs such as a-frame sandwich boards
4 are permitted for a maximum of five (5) consecutive days on designated sign pads in
5 the public right-of-way at the following intersections:
6

7 i. Southwest corner of Weeks and Fisherman Bay roads;
8

9 ii. Northwest corner of Lopez and Fisherman Bay roads; and
10

11 iii. Northwest corner of Lopez and Village roads.
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

Figure X. Permitted locations for outdoor commercial signs.



b. Directional signs are allowed in Lopez Village urban growth area if they:

i. Provide direction to geographical places (e.g., Spencer Spit). They may only be placed at intersections and may be no larger than four (4) inches by twenty-four (24) inches (4" x 24") unless they are part of an island-wide sign program and receive written approval by the director and County engineer who may approve signs up to six (6) inches by forty-two (42) inches after evaluating locational and site-specific circumstances.

ii. Provide direction to other major public destinations (e.g., and post offices). They may be up to four (4) inches by twenty-four (24) inches (4" x 24") and are permitted at intersections subject to a review by the director, LVPRC, and County engineer. The proponent must demonstrate that a sign or signs are necessary due to unusual circumstances.

iii. For approval under subsections (12)(a) and (b) above, a letter of request must be submitted to the director that identifies the sign purpose, size, and intersection(s) where signs are proposed, as well as any special circumstances that make the sign necessary.

iv. Directional signs of up to six inches by forty-two inches (6" x 42") are permitted in public parks and County land bank preserves.

1 D. When permitted, signs in the village residential designation shall comply with the following:

- 2
- 3 1. One (1) sign up to two (2) square feet is permitted to advertise or identify a home
- 4 occupation or cottage industry. It may not be internally illuminated or made of reflective
- 5 materials.
- 6
- 7 2. The sign may be mounted on the residence or freestanding. Freestanding signs may not
- 8 be placed higher than three (3) feet above grade.
- 9

10 E. Deviations from these sign regulations may be permitted subject to the following:

- 11
- 12 1. A written proposal is submitted to the director that identifies the code section proposed to
- 13 be varied, the purpose and need for the deviation including any geographical, topographical,
- 14 or existing development conditions that support a change.
- 15
- 16 2. The director will forward the proposal to the Lopez Village Planning and Review
- 17 Committee for a review and a recommendation to the director.
- 18
- 19 3. The director will consider the LVPRC's recommendation and make a decision regarding
- 20 the proposal after considering site and development circumstances.
- 21

22 **18.XX.XX Lighting.**

23

24 A. The basis for these lighting regulations is the low ambient lighting standards, LZ1 from the

25 *2011 Joint IDA-OES Model Lighting Ordinance (MLO)*. Lighting allowances are based on

26 lumens, a unit of measure used to quantify the amount of light produced by a lamp (the source of

27 optical radiation; i.e. lamp, bulb, tube, etc.), or emitted from a lighting fixture.

28

29 B. These regulations are intended to:

- 30
- 31 1. Permit the use of outdoor lighting that does not exceed minimum levels recommended for
- 32 night-time safety, utility, security, productivity, enjoyment and commerce;
- 33
- 34 2. Minimize adverse off-site impacts such as light trespass, glare and obtrusive light;
- 35
- 36 3. Minimize light pollution, reduce sky glow and improve stargazing;
- 37
- 38 4. Protect wildlife from the adverse effects of night lighting; and
- 39
- 40 5. Conserve energy and resources.
- 41

42 C. Any lighting term not described in this section or defined in Chapter 18.20 SJCC may be

43 found in the MLO.

44

D. The following are prohibited within Lopez Village:

1. Lighting in which any single lighting fixture exceeds twenty thousand (20,000) lumens or the total lighting load of all fixtures exceeds one hundred sixty thousand (160,000) lumens;
2. Aerial lasers;
3. Searchlights and spotlights;
4. Landscape lighting; and
5. Shielded directional flood lighting.

E. The following general lighting standards apply in the Lopez Village urban growth area:

1. All outdoor lighting shall be installed in conformance with this section, and applicable sections of the County's construction and electrical codes.
2. Exterior lighting shall be limited to the maximum lumens allowed for each site and shall be fully shielded. All light emitted must be projected below the horizontal plane through the lowest light-emitting part of the fixture.
3. Exterior lighting shall be directed downward and away from adjoining properties, public rights-of-way, and natural and wildlife habitats. Direct glare and reflection must be contained within the boundaries of the parcel.
4. No lighting shall blink or flash.
5. All sources of radiation from lamps, bulbs, tubes, etc. are to be rated at no more than three thousand (3,000) kelvin, the sources' temperature rating.
6. Lighting installed in parking areas shall be designed so that the light source is not visible from adjacent property. Direct cutoff lights are recommended.

F. The total allowed site lumens for all commercial, institutional, mixed-use, or multiple-family residential developments with common outdoor areas such as parking or garden areas shall be determined by one of the following methods, as appropriate:

1. The parking space method may be used for properties having up to ten (10) parking spaces. Using this method, the site is allowed four hundred and ninety (490) lumens for each parking space, or
2. The hardscape area method may be used for all sites. Using this method, 1.25 lumens are allowed per square foot of hardscape. Hardscape includes parking lots, drives, entrances, curbs, ramps, stairs, steps, medians, walkways and nonvegetated landscaping improvements and that are ten (10) feet or less in width. Additional lumens beyond the base allowance are allowed for the following:

1 a. Four thousand (4,000) lumens per installed fuel pump at a service station; and

2
3 b. Up to six hundred (600) square feet of lumens at intersections of site driveways and
4 public roads calculated on one and one quarter (1.25) lumens per square foot.
5

6 **G.** Lighting for residential properties including multiple family residential properties without
7 common areas shall be fully shielded and shall not exceed one thousand two hundred sixty
8 (1,260) lumens for each fixture (i.e. the total lumens of each lamp times the number of lamps in a
9 lighting fixture). Exceptions and limitations are as follows:

- 10
11 1. One partly shielded or unshielded lighting fixture not exceeding four hundred twenty
12 (420) lumens is allowed at the main entry.
13
14 2. Lighting installed with a vacancy sensor, where the sensor extinguishes the light no more
15 than fifteen (15) minutes after the area is vacated.
16

17 **H.** Automatic switching controls shall be required in all new lighting fixtures to extinguish
18 lighting when sufficient daylight is available. Outdoor lighting shall be reduced by at least thirty
19 percent (30%), or lighting shall be extinguished by 7:00 p.m. between November 1 and March
20 15, and 9:00 pm between March 16 and October 31. Lighting reductions are not required for the
21 following:

- 22
23 1. Code required lighting for steps, stairs, walkways, and residential building entrances;
24
25 2. Motion activated lighting;
26
27 3. Lighting governed by a specific development or project permit in which times of operation
28 are specifically identified; and
29
30 4. Other uses determined by the director where lighting levels must be maintained for safety.
31

32 **I.** Outdoor lighting installed after the effective date of this ordinance including replacement of
33 bulbs shall comply with this section unless it is exempted below:

- 34
35 1. Lighting within a public right-of-way or easement for the purpose of illuminating roads
36 or trails;
37
38 2. Repairs to existing lighting fixtures for a period of up to ten (10) years after the date of
39 adoption of this ordinance.
40
41 3. Temporary lighting for theatrical, television, performance areas and construction sites,
42 and temporary seasonal lighting with individual lamps less than ten (10) watts and seventy
43 (70) lumens. Temporary lighting shall only be installed and operated for a period not to
44 exceed sixty (60) day. After sixty (60) days, the lighting shall be completely removed and not
45 operated again for at least thirty (30) days;
46 4. Lighting used during an emergency; and

1 5. Lighting required by state or federal law.

2
3 **J.** Whenever there is a new use of a property in the village commercial and institutional
4 designations, all outdoor lighting on the property shall be brought into compliance with these
5 regulations prior to the occupation of the changed use.

6
7 **K.** If a major addition to a use or structure occurs on a property in the village commercial or
8 institutional designations, lighting for the entire use or structure shall comply with the
9 requirements of this section. For purposes of this section, major additions include:

10
11 1. The addition of twenty-five percent (25%) *or more of additional dwelling units*, gross
12 floor area, seating capacity, or parking spaces, in a single addition, or in cumulative additions
13 that occur ***after the effective date of this Ordinance, or***

14
15 2. The addition, modification or replacement of twenty-five percent (25%) or more of
16 outdoor lighting fixtures in a single addition, or in cumulative additions that occur after the
17 effective date of this ordinance.

18
19 **18.XX.XXX Landscaping.**

20
21 **A.** The landscaping standards in this section apply to all new development in the Lopez Village
22 urban growth area except:

23
24 1. Individual single family or duplex dwelling units;

25
26 2. Interior remodeling; and

27
28 3. Expansion of an existing use with twenty-five percent (25%) or less additional useable
29 floor area.

30
31 **B.** The landscaping requirements in SJCC 18.60.160 shall not apply in the Lopez Village urban
32 growth area.

33
34 **C.** Landscape plans shall be consistent with the goals and policies in the Lopez Village urban
35 growth area subarea plan. A landscape plan must be submitted with a project or development
36 permit when landscaping is required by this title. The landscape plan must be drawn on the same
37 base map as the development plans and have a minimum scale of one (1) inch = 30 feet (1" =
38 30'). The plan must include a narrative identifying the overall design concept and water
39 conservation measures. It must demonstrate compliance with the requirements of this section and
40 the goals and policies of the Lopez Village subarea plan. The landscape plan must depict:

41
42 1. Property lines;

43 2. Existing or proposed structures, driveways, parking lots, fences, and retaining walls or
44 other impervious surfaces;

45 3. Natural or manmade water features or bodies;

46 4. Designated recreational or other open space areas;

- 1 5. The acreage of the total landscape area;
- 2
- 3 6. All existing trees, vegetation, hydro zones and other landscape materials to be retained or
- 4 removed and labeled as such.
- 5
- 6 7. All proposed trees, vegetation, hydro zones and other landscape materials labeled as
- 7 such. (See Table X. Trees and vegetation allowed in Lopez Village urban growth area).
- 8
- 9 8. Identification of any hazard trees proposed to be removed. A hazard tree worksheet and
- 10 photographs must be attached to the landscape plan that include the name, contact
- 11 information and license number of the certified arborist that confirmed that the tree meets the
- 12 definition of “hazard tree” in SJCC 18.20.080.
- 13
- 14 9. Improvements or landscaping plans for areas where trees are proposed to be removed
- 15 beyond those needed for driveways, buildings, and views.
- 16
- 17 10. If trees are to be relocated, the following should also be depicted: (a) The current location
- 18 of each tree to be relocated (b) Proposed location of each relocated tree;
- 19
- 20 11. A legend including a separate key in table format that:
- 21
- 22 a. Identifies the types of plants, trees and vegetation for existing and proposed
- 23 landscaping and with numbering for each tree and hedgerow;
- 24
- 25 b. Identifies heritage or canopy trees;
- 26
- 27 c. Provides the diameter at breast height (at four and one-half (4.5) feet above the
- 28 ground) and canopy diameter or square footage of each tree; and
- 29
- 30 d. Identification of trees to be removed or to be relocated.
- 31
- 32 12. All structural measures included for water conservation and a description of a water
- 33 system that meets SJCC 18.60.020.
- 34

35 **D.** Applicants are encouraged to present their project and landscape plans to the LVPRC prior to

36 permit application. The Lopez Village Planning and Review Committee will make a

37 recommendation on the landscape plan to the director once a permit has been submitted. They

38 may recommend that the landscape plan be reviewed, or prepared by a qualified professional if

39 the applicant proposes modifications to the landscaping plan or finds that it is inconsistent with

40 the goals and policies of the Lopez Village subarea plan. For the purposes of this section a

41 “qualified professional” means a person with training and experience in landscape architecture or

42 a related field, or a certified arborist, in a related field. The qualified professional must have at

43 least three (3) years of related work experience.

44

1 **E.** Required landscaping must be installed no later than three (3) months after issuance of a
2 certificate of occupancy for the project or project phase. The decision-maker may extend this
3 time-frame to allow landscaping installation during the next appropriate planting season.
4

5 **F.** If the landscaping is not installed and inspected prior to occupancy, a financial guarantee and
6 associated agreement is required that meets meet the requirements of Chapter 18.80 SJCC, prior
7 to issuance of the certificate of occupancy or establishment of the use. The financial guarantee
8 and associated agreement shall cover a period of no less than six (6) months after the planting or
9 transplanting of vegetation to insure proper installation, establishment, and maintenance. The
10 director may extend this time-period to one (1) year if necessary to cover a planting and growing
11 season.
12

13 **G.** The director may authorize modifications to the landscaping requirements of this section that
14 meet the intent of the Lopez Village urban growth area subarea plan to:
15

- 16 1. Provide consideration of physical circumstances such as site topography and soils;
17
- 18 2. Allow alternative plants and trees that accomplish the purposes of the type of landscaping
19 required;
20
- 21 3. Conserve water through xeriscaping; and
22
- 23 4. Provide flexibility in the size of initial plantings.
24

25 A written request for a landscaping modification must be submitted to the director. The
26 director's decision must include written findings.
27

28 **H.** A written request to modify the landscaping requirements of the Lopez Village standard
29 detail plans may be submitted to the director. The director and County engineer may modify the
30 landscaping requirements on the standard detail plans upon good cause such as a physical
31 constraint. The director's decision must include written findings.
32

33 **I.** Landscaping and its support systems must be maintained for the life of the project.
34 Vegetation must not extend over walkways or driveways below a height of eight (8) feet above
35 grade. Maintenance must include:
36

- 37 1. Pruning and trimming of all landscape materials to maintain a healthy growing condition
38 or to prevent primary limb failure;
39
- 40 2. Replacement of dead, diseased, damaged, or missing plantings within three (3) months or
41 during the next planting season if the loss does not occur in a planting season. Dead,
42 diseased, or damaged trees specifically retained to provide wildlife habitat are exempt; and
43
- 44 3. Removal of trash and debris.
45

46 **J.** Water systems for landscaping shall meet the requirements of SJCC18.60.020.

K. Species listed on a Washington state or County noxious weed list are prohibited. Additional prohibited species are established in Table X below.

Table X. Prohibited trees and vegetation in Lopez Village urban growth area.

Scientific Name	Common Name	Reason
Ailanthus altissima	Tree of Heaven	San Juan County Class C Noxious Weed
Calocedrus decurrens	Incense Cedar	Alternate host for Gymnosporangium libocedri (Pacific Coast Pear Rust)
Crataegus monogyna	English Hawthorn	San Juan County Class C Noxious Weed Susceptible to Emerald Ash Borer
Fraxinus spp.*	Ash	
Ilex aquifolium	English Holly	San Juan County unregulated plant of concern
Juniperus spp.*	Juniper	Alternate host for Gymnosporangium sabinae (Pear Trellis Rust)
Prunus laurocerasus	English Laurel	San Juan County unregulated plant of concern
Quercus palustris	Pin Oak	High maintenance due to low branching, not suitable for alkaline soils.
Sorbus spp.*	Mountain Ash	High disease susceptibility

*spp + species all species in a given genus.

L. Existing vegetation that meets the landscaping standards in this section may be used to meet landscaping requirements even if they are not identified in *Item Q Table X*.

M. Soil planting types and depth shall be sufficient for tree and vegetation planting. Landscaping must maintain ground stability.

N. Per Figure X Lopez Village tree planting plan and street tree schedule in subsection BB below and except in view corridors specified in the map below, hedgerows and shade canopies must be preserved or replanted to provide land use transitions and compliment the streetscape.

O. New development must retain heritage trees (trees fifty (50) years or older) identified in the Lopez Village subarea plan unless they are deemed hazard trees and a tree removal plan is approved by the department.

P. Trees may be spaced at irregular intervals to accommodate safe sight lines for driveways and intersections.

Q. Landscaping shall include the following as appropriate for the specific project:

1. A mix of evergreen and deciduous plants to maintain year-round color and interest;
2. On-site natural objects such as rocks, boulders and tree stumps;

3. Shrubs, grasses and other non-tree vegetation; and

4. Seating areas and public art.

R. Table X provides a list of trees and vegetation permitted in Lopez Village.

Table X. Trees and vegetation allowed in Lopez Village urban growth area.

Scientific name	Common Name	Evergreen Deciduous	Size	Mature Height	Drought Tolerant	Phytore- mediation
<i>Arbutus menziesii</i>	Pacific madrona	Evergreen	Large tree		Yes	
<i>Pinus contorta</i>	Shore pine	Evergreen	Large tree	50 feet	Yes	
<i>Quercus garryana</i>	Garry oak	Deciduous	Large tree		Yes	
<i>Acer glabrum</i>	Douglas maple	Deciduous	Medium tree		Yes	
<i>Amelanchier alnifolia</i>	Serviceberry	Deciduous	Medium tree		Yes	
<i>Malus fusca</i>	Pacific crabapple	Deciduous	Medium tree		Yes	
<i>Oemalaria cerasiformis</i>	Indian plum	Deciduous	Small tree			
<i>Cornus serica</i>	Red twig dogwood	Deciduous	Shrub			
<i>Gautheria shallon</i>	Salal	Evergreen	Shrub		Yes	
<i>Lonicera involucrata</i>	Black twinberry	Deciduous	Shrub			
<i>Philadelphus lewisii</i>	Mock orange	Deciduous	Shrub			
<i>Ribes sanguinaria</i>	Red flowering currant	Deciduous	Shrub		Yes	
<i>Rubus parviflorus</i>	Thimbleberry	Deciduous	Shrub		Yes	
<i>Symphoricarpos albus</i>	Snowberry	Deciduous	Shrub		Yes	
<i>Achillea millefolium</i>	Yarrow	Deciduous	Groundcover		Yes	Yes
<i>Armeria maritima</i>	Sea thrift	Evergreen	Groundcover		Yes	
<i>Athyrium filix-femina</i>	Lady fern	Deciduous	Groundcover			
<i>Blechnum spicant</i>	Deer fern	Evergreen	Groundcover			
<i>Cerastium arvense</i>	Field chickweed	Deciduous	Groundcover			Yes
<i>Claytonia perfoliata</i>	Miner's lettuce	Deciduous	Groundcover			Yes
<i>Clinopodium douglasii</i>	Yerba buena	Deciduous	Groundcover		Yes	
<i>Danthonia californica</i>	California oatgrass	Deciduous	Groundcover		Yes	
<i>Dryopteris expansa</i>	Shield fern	Deciduous	Groundcover			
<i>Eriophyllum lanatum</i>	Oregon sunshine	Deciduous	Groundcover		Yes	
<i>Festuca rubra</i>	Red fescue	Deciduous	Groundcover		Yes	Yes
<i>Fragaria chiloensis</i>	Beach strawberry	Evergreen	Groundcover		Yes	
<i>Heuchera micrantha</i>	Small flowered alumroot	Deciduous	Groundcover		Yes	
<i>Leymus mollis</i>	Dune rye	Deciduous	Groundcover		Yes	
<i>Linnea borealis</i>	Twin flower	Deciduous	Groundcover		Yes	
<i>Maianthemum dilatatum</i>	Wild lily-of-the-valley	Deciduous	Groundcover			
<i>Maianthemum racemosa</i>	Star flowered Solomon's seal	Deciduous	Groundcover			
<i>Polystichum minutum</i>	Sword fern	Evergreen	Groundcover			
<i>Prunella vulgaris</i>	Selfheal	Deciduous	Groundcover		Yes	

Scientific name	Common Name	Evergreen Deciduous	Size	Mature Height	Drought Tolerant	Phytore- mediation
<i>Sedum lanceolata</i>	Narrowleaved stonecrop	Evergreen	Groundcover		Yes	
<i>Sedum spathulifolium</i>	Broadleaved stonecrop	Evergreen	Groundcover		Yes	
<i>Tellima grandiflora</i>	Fringe cup	Deciduous	Groundcover		Yes	
<i>Viola adunca</i>	Spring violet	Deciduous	Groundcover			Yes
<i>Viola sempervivens</i>	Evergreen violet	Evergreen	Groundcover			Yes
<i>Araucaria araucana</i>	Monkey puzzle	Evergreen	Large tree			
<i>Cercidiphyllum japonicum</i>	Katsura	Deciduous	Large tree			
<i>Liquidambar styraciflua</i>	American sweet gum	Deciduous	Large tree			Yes
<i>Magnolia sp.</i>	Magnolia	Evergreen Deciduous	Large tree			
<i>Quercus rural</i>	Red oak	Deciduous	Large tree			
<i>Davidia involucrata</i>	Dove tree	Deciduous	Medium tree			
<i>Rhamnus persiana</i>	Cascara	Deciduous	Medium tree			
<i>Acer circinatum</i>	Vine maple	Deciduous	Small tree			
<i>Acer griseum</i>	Paperbark maple	Deciduous	Small tree			
<i>Cornus nutallii</i>	Pacific dogwood	Deciduous	Small tree			
<i>Arbutus unedo</i>	Strawberry tree	Evergreen	Shrub		Yes	
<i>Berberis sp.</i>	Barberry	Deciduous	Shrub			
<i>Choisya ternata</i>	Mexican orange	Evergreen	Shrub			
<i>Cistus sp.</i>	Rock rose	Deciduous	Shrub			
<i>Garrya eliptica</i>	Silk tassel	Evergreen	Shrub			
<i>Mahonia sp.</i>	Oregon grape	Deciduous	Shrub			
<i>Myrica californica</i>	Pacific wax myrtle	Evergreen	Shrub			
<i>Paxistima myrinites</i>	Mountain lover	Evergreen	Shrub			
<i>Physocarpus capitatus</i>	Pacific ninebark	Deciduous	Shrub			
<i>Pieris japnica</i>	Pieris	Evergreen	Shrub			
<i>Rhododendron macrophyllum</i>	Pacific rhododendron	Evergreen	Shrub			
<i>Sarcococca sp.</i>	Sweet box	Deciduous	Shrub			
<i>Vaccinium ovatum</i>	Evergreen huckleberry	Evergreen	Shrub			
<i>Adiantum aleuticum</i>	Maidenhair fern	Deciduous	Groundcover			
<i>Arctostaphylos uva-ursi</i>	Kinnikinnick	Evergreen	Groundcover			
<i>Asarum canadense</i>	Wild ginger	Deciduous	Groundcover			
<i>Bergenia sp.</i>	Bergenia	Evergreen	Groundcover			

Scientific name	Common Name	Evergreen Deciduous	Size	Mature Height	Drought Tolerant	Phytore- mediation
<i>Calamagrostis</i> sp.	Reed grass	Deciduous	Groundcover			
<i>Carex</i> sp.	Sedge	Evergreen	Groundcover			
<i>Cornus unalaschensis</i>	Bunchberry	Deciduous	Groundcover			
<i>Dicentra formosa</i>	Pacific bleeding heart	Deciduous	Groundcover			
<i>Elymus canadensis</i>	Canadian wild rye	Deciduous	Groundcover			Yes
<i>Epimedium</i> sp.	Barrenwort	Deciduous	Groundcover			
<i>Miscanthus</i> sp.	Maidengrass	Deciduous	Groundcover			
<i>Polygonatum</i> sp.	Solomon's seal	Deciduous	Groundcover			
<i>Streptopus amplexifolius</i>	Twisted stalk	Deciduous	Groundcover			
<i>Vancouveria hexandra</i>	Inside-out flower	Deciduous	Groundcover			
<i>Acer rubrum</i>	Red maple	Deciduous	Large tree			Yes
<i>Acer saccharum</i> "Commemoration"	Commemoration sugar maple	Deciduous	Large tree	50 feet	Yes	
<i>Aesculus hippocastanum</i>	Horse chestnut	Deciduous	Large tree			
<i>Betula pendula</i>	European white birch	Deciduous	Large tree			Yes
<i>Corylus columa</i>	Turkish filbert	Deciduous	Large tree	60 feet	Yes	
<i>Zelkova serrata</i> "Green Vase"	Green Vase Zelkova	Deciduous	Large tree	45 feet	Yes	
<i>Betula papyfera</i>	Paper birch	Deciduous	Medium tree			
<i>Cornus</i> 'Eddie's white Wonder"	Eddie's White Wonder dogwood	Deciduous	Medium tree	30 feet	Yes	
<i>Tilia cordata</i> "Chancocole"	Chancellor linden	Deciduous	Medium tree	35 feet	Yes	
<i>Arbutus</i> "Marina"	Strawberry tree	Evergreen	Small tree	25 feet	Yes	
<i>Malus</i> "Adirondack"	Adirondack crabapple	Deciduous	Small tree	20 feet	Yes	
<i>Malus</i> "Golden Raindrops"	Golden Raindrops crabapple	Deciduous	Small tree	20 feet	Yes	
<i>Allium schoenoprasum</i>	Chives	Deciduous	Groundcover			Yes

S. Screening landscaping provides a five (5) foot high visual barrier at full growth. Any use or development that requires a Type A landscape screen under SJCC 18.60.160, must provide landscape screening that complies with the following:

1. Landscaping must consist of a mix of evergreen groundcovers, trees and shrubs;
2. Shrubs shall be at least two (2) feet tall at the time of planting;
3. If shrubs (or hedges) are to provide the majority of the screen, shall have a minimum height of five (5) feet at maturity;

1 4. Trees shall be at least three (3) feet tall at the time of planting and all plants shall be
2 spaced so as to grow together within three (3) years of planting to achieve a sight-obscuring
3 screen of at least 80 percent (80%) opacity; and
4

5 5. The screening shall be at least five (5) feet deep enough to provide the required
6 screening. Existing vegetation, walls, fences or grading (maximum slope three (3) to one (1)
7 may be incorporated into the design of the screen if they contribute to the intent of this
8 requirement.
9

10 **T.** Landscaping buffers provide a separation, but not a visual barrier. Any use or development
11 that requires a Type B or C landscape screen in accordance with SJCC 18.60.160, must provide a
12 landscape buffer unless a more specific provision is established in this section. When
13 landscaped buffers are specified, landscaping shall consist of a mix of evergreen and deciduous
14 groundcovers, trees and shrubs that are chosen and spaced to cover the buffer area within three
15 (3) years of planting.
16

17 **U.** Above-ground utility facilities or structures excluding distribution and transmission
18 corridors, located outside of a public right-of way shall be surrounded by full visual screening on
19 all sides. The landscaping shall be tall enough at full growth to screen the equipment.
20

21 **V.** Commercial, institutional and shared refuse containers shall be surrounded by full visual
22 screening. A combination of landscaping and fencing may be used to obtain the visual screening.
23

24 **W.** New commercial, institutional, or multiple-family residential developments located adjacent
25 to a village residential designation or multiple-family residential development must include
26 fifteen (15) feet of filtered "Type B" screening landscaping in accordance with SJCC 18.60.160
27 to visually separate the proposed use and designation or development.
28

29 **X.** Parking lots with five (5) or more stalls fronting on a public road require screening
30 landscaping to provide a separation, but not a visual barrier to soften the visual impact of the
31 parking lot. Landscape buffers required along public roads shall only consist of groundcovers,
32 shrubs and deciduous trees identified in Table X. Additional requirements for these parking lots
33 include:
34

35 1. The screening shall provide a visual barrier between the parking lot and road to soften the
36 visual impact of parking areas, not create a completely opaque vegetative screen.
37

38 2. Permanent curbs or structural barriers are required to protect the plantings from vehicle
39 overhang.
40

41 3. Parking lot landscaping shall consist of a mix of evergreen and deciduous groundcovers,
42 trees and shrubs that are chosen and spaced to cover the buffer area within three (3) years of
43 planting.
44

4. A minimum of five (5) feet between the edge of the right-of-way and the parking shall include extensive landscaping consisting of trees, shrubs and plants to soften the visual impact of the parking.

5. Buffers shall be eight (8) feet wide for the length required. Deciduous trees shall have a minimum trunk diameter of one and one-half (1.5) inches at planting and be spaced so that branches will touch after ten (10) years of normal growth.

6. Buffers along public roads shall include at least one (1) tree for every thirty (30) feet of lineal road frontage. Existing vegetation, walls, fences or grading (maximum slope three (3) to one (1) may) may be incorporated into the design of the buffer if they contribute to the intent of this requirement.

Y. Residential developments with common parking lots shall provide planting areas at the rate of twenty (20) square feet per parking stall.

1. Commercial, industrial, or institutional developments, shall include:

a. Twenty (20) square feet per parking stall when five (5) to ~~15~~ fifteen (15) parking stalls are provided; and

b. Twenty-five (25) square feet per parking stall when sixteen (16) or more parking stalls are provided.

2. Trees shall be provided and distributed throughout the parking area at a rate of:

a. One (1) tree for every five (5) parking stalls for a commercial development; and

b. One (1) tree for every 10 (10) parking stalls for residential or institutional development.

3. The maximum distance between any parking stall and landscaping shall be seventy-five (75) feet.

Z. Landscaping is required for parking installed in the public right-of-way. Landscaped areas shall be provided every five (5) stalls along forty-five (45) and ninety (90) degree angled public parking stalls and every four (4) stalls along parallel parking stalls consistent with the standard detail plans approved by the County engineer. Applicants must select street tree species from Figure X Tree Planting Plan ~~that are appropriate for the given location including those that will not damage infrastructure in the area such as pedestrian paths, roadway, utility lines, and unnecessarily block views from public or private property.~~

AA. The street trees identified in Table X below may be used in the public right-of-way as scheduled in **Map X Tree Planting Plan in the Lopez Village Subarea Plan.**

Table X. Street trees allowed in the public right of way.

Scientific Name	Common Name	Location	Typology	Mature Height	Spread	Minimum Planting Space	Plant Under Wires
Acer circinatum	Vine Maple	Weeks Road	Deciduous	25'	25'	5'	Yes
Acer saccharum	Commemoration Sugar	Fisherman Bay Road	Deciduous	50'	35'	6'	No
Arbutus 'Marina'	Strawberry Tree	Village Road	Broadleaf	25'	20'	5'	Yes
Betula papyrifera	Paper Birch	Fisherman Bay Road	Deciduous	50'	35'	5'	No
Malus 'Adirondack'	Adirondack Columnar Crabapple	Eads Lane Tower Drive Village Road	Deciduous	20'	10'	5'	Yes
Malus 'Golden Raindrops'	Golden Raindrops Crabapple	Eads Lane Tower Drive Village Road	Deciduous	20'	20'	10'	Yes
Rhamnus purshiana	Cascara	Eads Lane	Deciduous	30'	20'	5'	Yes
Zelkova serrata 'Green Vase'	Green Vase Zelkova	Village Road Replaces Ash on Lopez Road	Deciduous	45'	40'	6'	No

BB. Applicants must comply with the street tree plan provided in Figure X below.

18.30.XXX Road and driveway standards.

A. Except as modified by this section, the public road standards in SJCC18.60.090 and private road standards in SJCC18.60.100 shall apply within the Lopez Village urban growth area.

B. Unless there is no feasible alternative, shared driveway access to more than one (1) property is required.

C. On-street parking requirements in the Lopez Village parking entitlement area depicted in Figure X are addressed *in section X of this ordinance (Lopez Village parking requirements)*.

D. In the village commercial and institutional designations, property owners shall install road improvements when required by subsection E below or agree to install them under specific conditions. Such conditions shall be established during permitting by the director in coordination with the county engineer. Required improvements are depicted on the Lopez Village connectivity plan in the Lopez Village subarea plan and the standard plans adopted by the County for Lopez Village urban growth area,

1 **E.** Public road frontage improvements are required when property adjoining a public road is
2 proposed to be subdivided or developed and:

- 3
- 4 1. The proposal will increase traffic volumes by more than fifty percent (50%);
 - 5
 - 6 2. The proposed development requires substantial improvements (those that have a market
7 value of at least \$ 75,000. The market value shall include the total cost of all improvements
8 such as electrical, mechanical, plumbing, and structural changes to a building or facility
9 within any twelve (12) month period or single development permit application that amount to
10 50 percent (50%) or more of the value of the building or facility. The assessor's fair market
11 value or a current appraisal by a qualified professional may be used to determine the current
12 value; and
 - 13
 - 14 3. The development is one of the following:
 - 15
 - 16 a. Development of a parking lot on a vacant parcel;
 - 17 b. An expansion of the existing use area by twenty-five percent (25%); Change of use of
18 a property such as subdivision or of an existing building's construction code occupancy
19 class to another;
 - 20 c. An addition to an existing building's square footage by twenty-five percent (25%); or
 - 21 d. Construction of a new building.
 - 22

23 **F.** The following developments do not require public road frontage improvements:

- 24
- 25 1. Interior remodels with no change in footprint that are not substantial improvements as
26 defined in subsection E above;
 - 27 2. Interior remodels that do not involve a change in occupancy; and
 - 28 3. A change of use occurs that does not increase the traffic volumes by more than fifty
29 percent (50%).
 - 30

31 **G.** When public road frontage improvements are required and sufficient right-of-way exists, the
32 County will provide improvements depicted on the standard plans adopted by the county for
33 Lopez Village urban growth area when such work is scheduled on public works' six-year
34 transportation improvement program.

35

36 **H.** To ensure consistent street alignment, the property owner must coordinate with the county
37 engineer to obtain construction elevations and grades to be used in project construction drawings
38 for improvements required in subsection D above. Construction plans for frontage
39 improvements must be approved by the county engineer prior to construction.

40

41 **I.** As a part of any agreement to install any improvements required in subsection D above at a
42 future date, the property owner shall agree to participate in a road improvement project for the
43 entire road when it is upgraded by the county. The county engineer may waive or defer the
44 requirement to install improvements at a future date if the property owner demonstrates that the
45 requirement is not feasible due to unique topographical or existing development characteristics,
46 or improvements would provide no public benefit. The waiver or deferment request shall be in

1 writing and must explain why the request is necessary. The decision must be in writing and
2 include findings.

3
4 **J.** The Lopez Village standard plans approved by the County engineer shall be used to construct
5 public road frontage improvements in Lopez Village urban growth area.

6
7 **K.** Property owners may request a modification of the Lopez Village urban growth area standard
8 plans by submitting a request in writing to the department. The County engineer may
9 recommend a modification of the standard plans for public or private roads. The decision shall
10 include findings demonstrating the need and rationale for the modification.

11
12 **L.** Proposed modifications, revisions or additions to Lopez Village urban growth area standard
13 plans shall be presented to the department and Lopez Village Planning and Review Committee
14 for review and comment prior to approval by the County engineer and council.

15
16 **M.** The current edition of the Institute of Transportation Engineers (ITE) Traffic Generation
17 Manual may be used to determine the number of trips.

18
19 **18.XX.XXX Pedestrian circulation.**

20
21 **A.** All subdivisions shall provide easements and paths that connect to adjacent paths shown in
22 adopted County plans for public trails.

23
24 **B.** Pedestrian paths in the village commercial and village institutional designations shall be
25 designed and constructed in accordance with the Lopez Village standard plans.

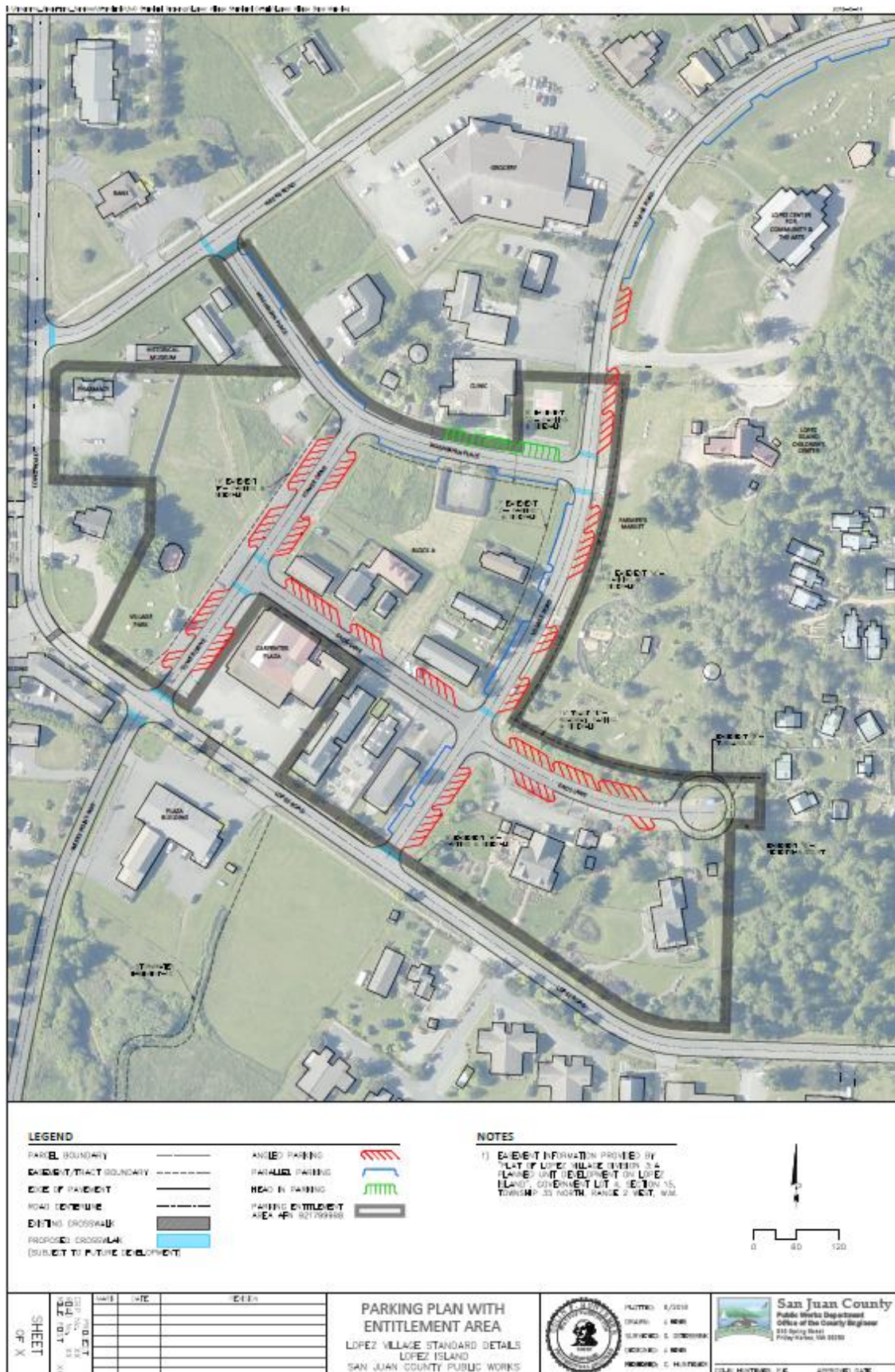
26
27
28 **18.XX.XXX Parking in Lopez Village Association Plat parking entitlement area.**

29
30 **A.** Lots identified in the parking entitlement area depicted in Figure X below and Column VIII
31 of Exhibit B of AFN 92184514 (Lopez Village Association Plat Block A and lots 21-23) have
32 on-street parking entitlements. No additional on-street parking spaces are required for
33 development or project permits in this area.

34
35 **B.** Exhibit C of AFN 92179998 regarding parking space requirements by use shall not apply to
36 development or uses in the parking entitlement area.

37
38 **C.** Transfer of on-street parking right entitlements parking area shall be processed in accordance
39 with Exhibit D of AFN 92179998.

40
41 **D.** The County will maintain the public roads and provide the total number of parking spaces
42 indicated in Exhibit B of AFN 92179998 for the Lopez Village Association Plat Block A and lots
43 21-23 in the parking entitlement area depicted below:
44



1 **18.30.XXX Lopez Village parking requirements.**

2
3 **A.** The parking requirements in SJCC18.60.120 shall not apply to parking in Lopez Village
4 except as required by this section.

5
6 **B.** At the time of application for a development, building, or occupancy permit if no building
7 permit is required, a parking layout plan shall be submitted to the department for review
8 consistent with the requirements of this section.

9
10 **C.** All private parking areas shall provide adequate space for turning or maneuvering without
11 using public rights-of-way for internal circulation.

12
13 **D.** Driveways that provide ingress and egress between off-street parking areas and abutting
14 streets shall be constructed in accordance with the SJCC 18.XX.XXX (Lopez Village road and
15 driveway standards) and the standard plans adopted for the Lopez Village urban growth area.

16
17 **E.** If lighting is provided in parking areas, it shall be in accordance with section X of this
18 ordinance (**Note: lighting**).

19
20 **F.** Accessible parking spaces and access for physically handicapped persons shall be provided
21 in accordance with Section 7503 of the regulations adopted pursuant to Chapter [19.27](#) RCW,
22 State Building Code, and Chapter [70.92](#) RCW, Public Buildings – Provisions for Aged and
23 Handicapped.

24
25 **G.** Parking spaces designed and dedicated for alternative forms of transportation may be
26 substituted for required parking spaces. A minimum of ten (10) parking spaces must be provided
27 before an alternative parking space may be used. The following substitutions are allowed:

- 28
29 1. Parking for three (3) motorcycles equals one (1) vehicle space. One (1) such substitute
30 space is allowed;
31
32 2. A bicycle rack for eight (8) bicycles equals one (1) vehicle space. Two (2) such substitute
33 spaces are allowed; and
34
35 3. A hitching post with adequate space for four (4) horses equals one (1) vehicle space. One
36 such substitute space is allowed.

37
38 **H.** Parking for residential units shall be provided as follows:

- 39
40 1. One (1) parking space for each dwelling unit of one thousand (1,000) square feet or less,
41 and
42 2. Two (2) parking spaces for all dwelling units greater than one thousand (1,000) square
43 feet.

44
45 **I.** Parking spaces for all nonresidential uses permitted in the village residential designation shall
46 be located on the same lot that they are required to serve.

1 **J.** Except for residential units and excluding the requirements for other residential uses such as
2 cottage enterprise, vacation rental, etc. the number of required on-site parking spaces shall be
3 determined using SJCC 18.60.120(B) and Table 6.4. The minimum parking space dimensions
4 for public road frontage are in the standard plans adopted by the County for Lopez Village urban
5 growth area or in SJCC 18.60.120(A)(8) and Table 6.5 for private parking spaces.
6

7 **K.** Commercial and institutional development shall provide on-site parking at a rate of one (1)
8 space per employee per shift plus the accessible spaces required by subsection F of this section.
9 In addition, property owners must provide the number of parking spaces otherwise required by
10 SJCC 18.160.120 Table 6.4 for commercial and institutional uses such as spaces per square
11 footage. Parking must be provided in road frontage improvements when they are required. Other
12 required parking spaces may be met by:
13

- 14 1. Building the spaces on-site;
- 15 2. Providing shared parking per subsection S below;
- 16 3. Contributing funds or dedicating land to the Lopez Village parking fund described in
17 subsection S(1); or
- 18 4. Dedicating land to a parking land bank described in subsection S(2).
19

20 **L.** All uncovered on-site parking lots of five (5) or more spaces in the village commercial and
21 institutional designations shall be designed and installed using pervious surfaces.
22

23 **M.** New on-site parking lots of five (5) spaces or more shall be placed away from public roads
24 and behind buildings unless an eight (8)-foot-wide landscaped buffer is provided according to
25 the requirements of section X of this ordinance (**Note: landscaping**). Parking lots including the
26 landscape buffer shall be located twenty (20) feet from road edge of pavement and shall not
27 occupy more than fifty (50) percent of the frontage of any public road.
28

29 **N.** An additional eighteen (18) inches more than the minimum width requirement shall be
30 provided for on-site parking spaces that abut a landscaped area on the sides of the vehicle to
31 provide a place to step other than the landscaped area.
32

33 **O.** Wheel stops are required where a parked vehicle would encroach on an adjacent property,
34 rights-of-way, landscaped areas, or pedestrian access or circulation areas.
35

36 **O.** On-site parking for commercial and mixed-use developments located northwest of Weeks
37 Road shall be located north of the development. Screening shall be provided in accordance with
38 section X of this ordinance (landscaping).
39

40 **P.** On-street parking shall conform to the standard plans adopted by the county for Lopez
41 Village urban growth area.
42

43 **Q.** Required off-street parking areas located within the jurisdiction of the Shoreline Master
44 Program shall comply with SJCC Chapter 18.50 and 18.60.120 Tables 6.4 and 6.5.
45

1 **R.** Shared parking is encouraged in Lopez Village urban growth area. When proposed, a shared
2 parking agreement shall be submitted to the department with the application and it shall be:

- 3
- 4 1. Be based upon the hours of operation for each use that do not overlap more than one-half
5 hour;
- 6
- 7 2. Be located within one thousand (1,000) feet of the property lines of the property it will
8 serve;
- 9
- 10 3. Require signage for shared parking lots shall be no larger than four (4) square feet that is
11 visibly posted in the parking lots; and
- 12
- 13 4. Be processed and authorized by the department as follows:
 - 14
 - 15 a. The property owner shall provide written lease(s), license(s), agreement(s), or fee
16 arrangement(s) for the shared parking for review by the administrator for compliance
17 with this section;
 - 18
 - 19 b. If approved, a condition of approval shall require that the lease(s), license(s),
20 agreement(s), or fee arrangement(s) shall be recorded as a deed restriction on the title of
21 all applicable properties by the property owners. A copy of the recording shall be
22 submitted to the department referencing the permit number; and
 - 23
 - 24 c. The deed restrictions may not be revoked or modified without written authorization
25 by the administrator.
 - 26

27 **S. Except for required frontage improvements???**

28 In lieu of constructing the required commercial or institutional on-site parking spaces
29 identified in K above at the time of development, parking requirements may be reduced to
30 two-thirds (2/3) of the number of required stalls. The parking requirement may be satisfied
31 by one of the following options:

- 32
- 33 1. Making a contribution to the Lopez Village urban growth area parking fund prior to
34 development; or
- 35
- 36 2. Dedicating land to the Lopez Village parking land bank. The amount of land
37 dedicated for future public parking will be based on the number of stalls required in this
38 subsection.
- 39

40 **18.XX.XXX Parking credits and register.**

41

42 **A.** The department will establish and maintain a parking credit register to track contributions to
43 the parking fund and parking land bank.

44

45 **B.** If right-of-way is dedicated to the county for the purpose of constructing one on-street public
46 parking stall, the property owner shall receive credit for one and one-half (1.5) parking stalls.

1 C. Property owners may contribute money or land to the Lopez Village parking fund or parking
2 land bank in advance of the actual current need or requirement to provide on-site parking. Such
3 contributions will be noted in the parking register maintained by the department as a parking
4 credit for the owner.

5
6 D. Property owners may convey, pool, or share their accrued parking credits with those of other
7 Lopez Village urban growth area property owners and apply them to fulfill parking requirements
8 for future development.

9
10 **18.XX.XXX Lopez Village parking fund and parking land bank.**

11
12 A. A Lopez Village parking fund and parking land bank are to be created and administered by
13 the county council or their designee for the Lopez Village urban growth area.

14
15 B. The Lopez Village parking fund and parking land bank shall be administered for the
16 planning, acquisition, design, development, financing, construction, repair, management and
17 maintenance of on-site public parking areas. These areas must be located in the village
18 commercial or institutional designation. Project priorities may be recommended by the LVPRC
19 and/or a Lopez Village parking subcommittee, and established by county council.

20
21 C. The Lopez Village parking fund and parking land bank administrator is authorized to accept
22 monetary contributions and donations of land or easements in lieu of the number of required
23 parking spaces for project or development permits. The administrator may also maintain a
24 parking improvement fund to manage the funds collected for the purpose of developing public
25 parking lots in Lopez Village.

26
27 D. County council may direct money or dedicate land into the parking fund and parking land
28 bank to be used for fund purposes.

29
30 E. After receiving the recommendations of the LVPRC, and parking fund and parking land bank
31 administrator, the county council shall establish and regularly review the parking space fee to
32 keep it current with existing costs. The fee shall be based on the average cost of providing a
33 parking space in the village commercial designation and shall include a specified amount for
34 repair and maintenance of a parking space. Parking fee rates may be established by county
35 council resolution.

36
37 F. The parking fund and parking land bank administrator shall develop an amortization plan for
38 payments from property owners who make monetary contributions in lieu of providing on-site
39 parking. The county council or parking fund and parking land bank administrator may record any
40 financing and amortization plans as a lien against the subject property in a manner prescribed by
41 law.
42
43
44
45
46
47

1 **18.XX.XXX In lieu parking fees and dedications of land and easements.**

2
3 **A.** In lieu of providing required on-site parking spaces, an applicant may pay in-lieu parking
4 fees to the county as follows:

5
6 1. For development located within the village commercial and institutional designations, an
7 applicant may file a written request to the director for a waiver of all or part of the on-site
8 parking requirements required by section X of this ordinance and SJCC 18.60.120 Table 6.4.
9 If the director waives these requirements, the applicant must contribute to the Lopez Village
10 urban growth area parking or parking land bank fund in accordance with subsection X of this
11 section. Payment of in-lieu fees:

12
13 a. Is based on the number of required parking spaces;

14
15 b. Parking in-lieu fees will be assessed based on the following formula:

16
17 i. Multiply the required number of private parking stalls by two-thirds (2/3) to
18 obtain the number of required public stalls;

19
20 ii. Multiply the required number of public stalls by the in-lieu parking fee
21 established by the county to determine the total in lieu parking fees; and

22
23 iii. Partial space credits will be rounded to the nearest whole number;

24
25 c. Payment of in-lieu parking fees must be made prior to permit issuance or
26 development; and

27
28 d. A property owner who dedicates land or easements in lieu of a monetary contribution
29 or provision of on-site parking will receive parking credits based upon the formula
30 established in subsection A(1)(b) of this section or the appraised value of the land in the
31 County assessor's valuation.

32
33 **18.XX.XXX Off-street loading requirements.**

34
35 The off-street loading requirements in SJCC18.60.140 may be used as guidelines.

36
37 **18.30.XXX. Bicycle parking standards.**

38
39 **A.** All bicycle parking and storage shall be located in safe, visible areas that do not impede
40 pedestrian or vehicle traffic flow. Bicycle parking areas shall be visible from the building
41 entrance or indicated by directional signs. They may be located within one thousand (1,000) feet
42 of the subject property.

43
44 **B.** Bicycle racks shall be placed a sufficient distance from walls and other barriers so all useable
45 sides of the racks are accessible. Bicycle racks must be securely anchored to the ground or wall
46 and designed to allow either a bicycle frame or wheels to be locked to the structure.

1
2 **G.** The parking fund and parking land bank administrator shall develop an amortization plan for
3 payments from property owners who make monetary contributions in lieu of providing on-site
4 parking. The county council or parking fund and parking land bank administrator may record any
5 financing and amortization plans as a lien against the subject property in a manner prescribed by
6 law.
7
8
9
10
11
12

AMENDED
EXHIBIT "B"

Designated Values, Percentage undivided Interests
and On-Street Parking Entitlements

I	II	III	IV	V	VI	VII	VIII	IX
Lot Number	Designated Value	Undivided Interest	Lot Area	Adj. Area	Max. ³ % Lot Coverage	Max GFA	On-Street ¹ Parking Entitle- ments Divisions 1 and 2A Only	On-Street ¹ Parking Entitle- ments Divisions 1 & 2A, Washburn Pl., Cole Drive
A	\$9,000.00	1.8	12,900	N/A	25	3,225	0	Deleted
1	7,000.00	1.4	24,236	N/A	25	6,059	3	
2	12,000.00	2.4	15,100	15,100	25	3,775	11	
3	9,000.00	1.8	7,231	7,231	25	1,888	6	
4	12,000.00	2.4	4,099	3,866	100	3,866	11	
5	12,000.00	2.4	3,286	3,059	100	3,059	9	
6	12,000.00	2.4	3,286	3,059	100	3,059	9	
7	7,000.00	1.4	2,145	1,881	100	1,881	6	
8	7,000.00	1.4	2,145	1,881	100	1,881	6	
9	7,000.00	1.4	2,145	1,881	100	1,881	6	
10	7,000.00	1.4	2,145	1,881	100	1,881	6	
11	7,000.00	1.4	2,255	1,567	100	1,567	5	
12	12,000.00	2.4	4,000	4,000	100	4,000	12	
13	12,000.00	2.4	4,000	4,000	100	4,000	12	
14	12,000.00	2.4	4,000	4,000	100	4,000	12	
15	12,000.00	2.4	4,000	4,000	100	4,000	12	
16	12,000.00	2.4	4,428	4,115	100	4,115	12	

1

2

17	12,000.00	2.4	4,428	4,115	100	4,115	12	
18	12,000.00	2.4	4,428	4,155	100	4,115	12	
19	12,000.00	2.4	4,428	4,115	100	4,115	12	
20	12,000.00	2.4	4,382	4,383	100	4,383	11	
21	12,000.00	2.4	9,672	9,967	25	2,418	4	
22	12,000.00	2.4	9,672	9,672	25	2,418	4	
23	12,000.00	2.4	9,671	9,672	25	2,418	4	
36	131,040.00	26.3	TBD ⁴	TBD ⁴	35	TBD ⁴	0	
44	30,090.00	6.0	37,168	38,000	25	9,500	0	
50	28,910.00	5.8	38,314	38,000	25	9,500	0	
51	25,200.00	5.0	TBD ⁴	TBD ⁴	35	TBD ⁴	0	
52	20,160.00	4.0	78,034	79,475	25	19,868	0	
53	12,600.00	2.5	49,005	49,000	25	12,250	0	
Total	\$500,000.00	100%					197 ¹	

¹ The on-street parking entitlements for each lot shall be recognized for permit purposes consistent with the provisions of the Approved Parking Plan and the Lopez Village Restrictions.

² San Juan County will maintain the streets to provide the total number of parking spaces indicated in Column VIII. If San Juan County reduces the on-street parking below the totals indicated in Columns VIII, San Juan County will provide alternative parking spaces as provided in §3.5(f).

³ Ground floor area (GFA).

⁴ To be determined. The lot area, adjusted area and maximum GFA (25% of adjusted lot area) will be added by subsequent amendment.

EXHIBIT "C"
PARKING SPACE REQUIREMENTS BY USE

92179998

Introduction:

The minimum number of parking spaces required for permitted commercial and residential uses are set forth below. The total required may be provided by permitted on-site parking (Exhibit "B"), on-street parking, entitlements (Exhibit "B") and other off-street parking. If fractional numbers result, the number required shall be rounded up to the nearest whole number. Parking spaces required for a use not specifically named below shall be as required for a similar use. Except as otherwise indicated below, the number of parking spaces shall be determined by net floor area.

Commercial and Residential Minimum Parking Space Requirements:

Auto service stations and repair garages -- 2 spaces per bay or stall plus 1 space per employee.

Banks and financial services -- 1 space per 100 square feet, but not fewer than 5 plus 1 per employee.

Churches or temples -- 1 space per 4 seating spaces.

Commercial and professional offices -- 1 space per 300 square feet, but not fewer than 3 spaces.

Community centers, community services buildings, libraries and museums -- 1 space per 300 square feet but not fewer than 5 spaces.

Convention or exhibitions centers, theaters and assembly halls -- 1 space per 4 seating spaces, but not fewer than 10 spaces.

Day care centers -- 1 space per 10 people enrolled, but not fewer than 1 space.

Hospitals and retirement, convalescent and group homes -- 1 space per 3 beds plus one space per staff member, but not fewer than 5 spaces.

Hotels, motels, bed & breakfasts and other transient accommodation facilities -- 1 space per room plus one space per employee. Additional spaces are required for any other use contained within.

Industrial establishments, warehouse and storage facilities -- 1 space per employee plus 1 for each vehicle used in the conduct of the business, but not fewer than 1 space.

Residences -- (two or more dwelling units) 1.5 spaces per unit.

Retail establishments -- 1 space per 450 square feet plus one per employee but not fewer than 5 spaces.

Restaurants and taverns: 1 space per 4 seats or 1 space per 100 square feet, whichever is greater, plus 1 per employee.

92179998

Unofficial
Copy

SAN JUAN COUNTY
OFFICIAL RECORD VOL. 369 PAGE 393

EXHIBIT "D"

Filed for Record at Request of: 92179998

Name: _____
Address: _____
City and State: _____

PARKING ENTITLEMENT TRANSFER

THE GRANTOR, _____,
for and in consideration of _____ Dollar
(\$ _____) conveys and quit claims to _____
all of Grantor's right, title and interest in the following described
parking Entitlement(s):

<u>Number of</u> <u>Entitlements</u>	<u>The Number(s) of the Lot(s) to Which</u> <u>Entitlements Were Originally Assigned</u>
---	---

_____ as referenced in Sections 3.5 and Exhibit "B" of the Lopez Village
Restrictions, Revised _____, 1992 and filed for record
under San Juan County Auditor's No. _____.

Grantor represents and warrants that Grantor is the legal owner of
the parking Entitlement(s) referenced above free of all encumbrances,
and that Grantor has the right and full power to convey the referenced
parking Entitlement(s) to the Grantee hereunder.

Dated _____, _____.

LOPEZ VILLAGE CORPORATION

By: _____
Its: _____

68

SAN JUAN COUNTY
OFFICIAL RECORD VOL. 369 PAGE 394

STATE OF WASHINGTON 32179998
COUNTY OF SAN JUAN

I certify that I know or have satisfactory evidence that _____
is the person who appeared before me, and said person acknowledged that
_____ signed this instrument and acknowledged it to be _____ free a
voluntary act for the uses and purposes mentioned in the instrument.

DATED this _____ day of _____, _____.

NOTARY PUBLIC in and for the State
of Washington, residing at _____
My appointment expires _____

STATE OF WASHINGTON
COUNTY OF SAN JUAN

I certify that I know or have satisfactory evidence that _____
is the person who appeared before me, and said person acknowledged that
_____ signed this instrument, on which stated that _____ was authorized
to execute the instrument and acknowledged it as the _____
of Lopez Village Corporation, a Washington corporation, to be the free
and voluntary act of such party for the uses and purposes mentioned in
the instrument.

DATED this _____ day of _____, _____.

NOTARY PUBLIC in and for the State
of Washington, residing at _____
My appointment expires _____

wp14.1

PAGE 395

SAN JUAN COUNTY 369
OFFICIAL RECORD VOL.