# Eastsound Subarea Plan

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ORGANIZATION

16.55.005 Introduction.

A. History. The Eastsound Subarea Plan was first developed by a group of local residents and business owners, appointed by the board of County commissioners and acting with the advice of the planning department, because the County Comprehensive Plan did not adequately address the planning needs of the Eastsound area. The Eastsound Plan was first adopted in November 1981, by County Ordinance No. 225–1981.

B. Purpose. By adopting this plan the County established as its policy the maintenance of a subarea plan to provide land use and development goals, policies and regulations specifically for the Eastsound planning area. (Note: in this introduction and throughout the plan, “Eastsound” refers to the entire planning area including the village and surrounding areas, “the village” means the commercial center, represented in the plan as the Village Commercial District.) Eastsound is the largest unincorporated community in the County. It is the geographic center of Orcas Island and is the commercial and cultural center of the island community.

The Eastsound Subarea Plan, as amended, is to accomplish four primary goals:

1. Identify, conserve, and enhance the qualities of Eastsound that contribute to people's enjoyment of the place as well as to its functions as the commercial, cultural and residential center of a rural island community and ensure that land uses which adjoin residential uses are compatible with them;
2. Anticipate and manage how change will occur in Eastsound and immediate surroundings, and to provide a tangible vision for future growth so that the qualities that define its character and give it value as a place to live and work are not compromised as growth and change are accommodated; and
3. Provide clear standards for development in Eastsound including standards for buildings, streets and sidewalks, utilities, lighting and allowable uses within each land use district; and
4. To develop a subarea plan that is consistent with the San Juan County Comprehensive Plan, the Shoreline Master Program, and the Washington State Growth Management Act.

C. Organization—Guide to Readers. The plan is most often used to determine what uses are permitted in a given area of Eastsound and then what parking, landscaping and other standards must be met. (The purposes of these standards are found in the goals and policies they are designed to put in effect.) The plan includes an official map that illustrates the boundaries of the different land use districts. The regulations that apply within the districts are found in sections titled: Village Commercial, Commercial and Service, Village Residential, Eastsound Residential, Eastsound Rural, Service and Light Industrial, Airport Use, Natural, Conservancy Overlay, and Marina. Each of these specifies uses allowed in the district, states what if any permit or approval is required for each use, and sets out the performance and site development standards applied to them (e.g., for parking, signs, landscaping, building scale and setbacks).

D. Relationship to Other Local Plans and Land Use Regulations. For developments or activities not addressed in the Eastsound Plan the Comprehensive Plan provides the policies and regulations that apply. For example, the Comprehensive Plan [N.B. Erattum. The UDC; see ch. 18.60 SJCC] contains regulations for grading and road construction that apply in Eastsound since the Eastsound Plan does not address these activities. The Comprehensive Plan may require permits for these activities even if the Eastsound Plan does not require permit approval for the development.

Also, procedures and criteria for approval of permits required by the Eastsound Plan are contained in the Comprehensive Plan, so uses identified in the Eastsound Plan as subject to site plan review or conditional use permit approval are considered under provisions for these permits in the Comprehensive Plan. If a use is not allowed in Eastsound, or in one of its land use districts, it may be allowed elsewhere on Orcas Island, subject to the policies, regulations and land use designations of the Comprehensive Plan.

Parts of Eastsound are also subject to the Shoreline Master Program (SMP), Chapter 18.50 SJCC. [In B. Erattum. And subject to the SMP policies, which are in Sectio B.3 of the Comprehensive Plan.] The SMP was adopted by the County in 1976 in accordance with the Shoreline Management Act, Chapter 90.58 RCW.

The SMP governs land use and development within 200 feet of the ordinary high water mark on the north and south shores of Eastsound. It contains goals, policies and regulations regarding commercial, residential and
Eastsound Subarea Plan, as amended through Ordinance 14-2010

industrial development and for marina, dock, bulkhead, fill and other developments on the shorelines. It also includes designations for different shoreline environments in which the SMP regulations may vary. These regulations apply in addition to those of the Eastsound Plan. If the SMP and the Eastsound Plan conflict, the most restrictive provision prevails. For example, if the Eastsound Plan allows a certain use with a district but the SMP does not allow it within the shoreline designation on the property, the SMP would control. Similarly, if the SMP allows a use and this plan does not, this plan prevails.

The SMP also contains permit requirements different than those in the Eastsound Plan. These may apply to a shoreline development proposal even if no permit is required by this plan. (Ord. 4-1996; Ord. 12-1994 Att. A; Ord. 62-1992 § 2)

16.55.010 Purpose.
The purpose of the Eastsound Plan is to provide for the orderly growth of Eastsound while preserving and enhancing the vitality and livability of the entire community. In addition, this plan is to establish a process for action by Orcas Island residents to shape the future form of the islands’ residential, commercial and cultural center and the immediate vicinity. (Ord. 4–1996; Ord. 62–1992 § 2)

16.55.020 Authority.

An official map which delineates districts, public facilities, recreation, open area, and transportation facilities is a part of this subarea plan. This map shows the total area covered by this plan and each of the subarea land use district designations. The map shall be filed and amended in the same manner as other official maps of the Comprehensive Plan, as provided in SJCC 18.10.040, 18.90.020 and 18.90.050.

A. There is hereby made a part of this plan a map which shall be known as the Eastsound Subarea Plan Official Map and referred to as the official map. This shall consist of the original official map adopted by Ordinance No. 62–1992 and all amendments thereto adopted pursuant to SJCC 18.90.020 and 18.90.050. This map shall be filed with the County auditor. The planning department shall maintain a reproducible copy of the official map and shall make copies available for purchase.

B. The official map identifies the land area subject to this plan and the land use districts created herein. Maps contained in this plan which describe the Eastsound urban growth area boundary, planned transportation facilities and other planned capital improvements, and which identify specific natural features, are elements of the official map and are subject to the amendment procedures in SJCC 18.90.020 and 18.90.050. (Ord. 14–2000 § 7(QQ); Ord. 13–2000; Ord. 4–1996; Ord. 62–1992 § 2)

16.55.040 Applicability.
A. General. This subarea plan, also referred to as the Eastsound Plan, provides goals, policies and land use regulations additional to those of the Comprehensive Plan [N.B. And the UDC] and shall apply to all land and land use activity, and to all structures and facilities, within that area described on the official map. The provisions of this plan shall prevail over any conflicting provision of other portions of the Comprehensive Plan [N.B. Erratum. And the UDC], except as provided in subsection (B) of this section. All other provisions and language of the Comprehensive Plan [N.B. Erratum. And the UDC] shall retain their full force and effect.

B. Applicability of Shoreline Master Program. The provisions of this plan are also additional to those of the Shoreline Master Program (Chapter 18.50 SJCC, a subarea plan of the Comprehensive Plan) [N.B. Eratum. Chapter 18.50 SJCC contains the regulations portion of the County’s Shoreline Master Program. The provisions of the Eastsound Subarea Plan are also in addition to the policies of the SMP in Section B.3 of the Comprehensive Plan.]. All developments within jurisdiction of the Shoreline Master Program shall be subject to Chapter 18.50 SJCC [N.B. Eratum. And subject to the SMP Policies, which are in Section B.3 of the Comprehensive Plan.], and this plan. In the event of any conflict between the Eastsound Plan provisions and the Shoreline Master Program, the most restrictive shall prevail.
C. Nonconforming Uses or Structures. Existing nonconforming uses and structures which are not under the jurisdiction of the Shoreline Master Program shall be subject to Comprehensive Plan SJCC 18.40.310 and the following:

1. Any legally established use existing as of the effective date of the ordinance codified in this chapter which does not conform to the applicable use regulations may be continued if it occurs on the parcel where it occurred on that date and it is not discontinued for more than 24 months thereafter.

2. Structures or developments containing such nonconforming uses may be altered, repaired, or remodeled, if the structure or development is not extended beyond the external dimensions present on June 13, 1996, except as specifically provided below.

3. A legal nonconforming use may be relocated on the parcel where it currently occurs if the gross floor area occupied by the use on the site is unchanged and if all applicable site development and other standards are met, subject to approval of a site plan review.

4. Structures existing on the effective date of the ordinance codified in this chapter which are conforming as to use but which do not meet the site development or architectural standards of this chapter may be expanded, altered, repaired or remodeled if the degree of nonconformity with site development standards is not increased.

5. If a nonconforming use, structure or development is destroyed by fire or other act of nature it may be rebuilt to the configurations existing immediately prior to the time the structure was destroyed; provided, that rebuilding is completed within 24 months from the date of the destruction.

6. Any legally established nonconforming use or structure may be altered, modified or remodeled beyond the external dimensions present on the effective date of the ordinance codified in this chapter for the purpose of providing access required under Chapter 51–20 WAC. The extent of the alterations or modifications shall be limited to the provision of access necessary to comply with Chapter 51–20 WAC, as determined by the County building official.

Any nonconforming use or structure under the jurisdiction of the Shoreline Master Program shall be subject to the nonconforming use provisions in WAC 173-14-055 [N.B. The correct citation is 173-27-080. Also subject to the applicable procedures of Chapter 18.50 SJCC and SJCC 18.80.110.], except for those parcels [N.B. tax parcels 271442007-10, 271451010, 271451012 (and its daughter parcel, 271451022), 271451013, and 271460050] which are subject to the Eastsound Waterfront Access Plan. Pursuant to the Waterfront Access Plan, the uses and structures on the subject parcels existing as of the effective date of [N.B. the 1996 amendment and updating of] this subarea plan (1996) [N.B. June 13, 1996] are deemed conforming to all setback and use requirements of the Subarea Plan and Shoreline Master Program. [N.B. They are conforming only up to June 13, 1996 (see also SJCC f16.55.210(E)(2)(d)), but not necessarily conforming thereafter.] (Ord. 4-1996; Ord. 12-1994 Att. A; Ord. 62-1992 § 2)

16.55.045 Definitions.

All words shall have their normal and customary meaning, unless specifically defined in this section or Chapter 18.20 SJCC.

“Access street” means a street that functions solely to provide vehicular access to abutting properties.

“Accessory use or structure” means a use or structure incidental and subordinate to a primary use or structure.

“Allowable use” means those land uses and activities which are listed as allowable within each land use district of the Eastsound Subarea Plan, subject to the use limitations and required permits specified in this plan. The identification of a use as allowable does not mean that the use is allowed outright without restriction(s).

“Apartment” means a dwelling unit in a building designed for multiple residential or mixed residential and nonresidential occupancy.

“Camping” means to remain overnight, to erect a tent or other shelter, or to use sleeping equipment, a vehicle or a trailer camper for the purpose or in such a way as will permit remaining overnight, or the establishment, setting up and use of a site or location for cooking and preparation of meals and other related activities.
“Civic and cultural facilities” means structures and related activity areas used by organizations providing educational, social, religious or recreational services to the community; including performance halls, government service offices, facilities for religious assembly, colleges, primary and secondary schools, museums, and libraries.

“Cluster development” means a development design technique that concentrates buildings on a part of the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features.

“Collector street” means a street whose principal function is to carry traffic between access and arterial streets.

“Commercial service” means any service not related to or defined as industrial development or as otherwise defined.

“Conservation easement” means an ownership interest in property which entitles the holder to specifically restrict land use and development for natural resource conservation purposes.

“Construction contractor yards and offices” means service establishments primarily engaged in general contracting or subcontracting in the building construction trades. They include administrative offices, workshops and the indoor or outdoor storage of tools, equipment, materials, and vehicles, etc. While such uses may include displays of goods and products for sale to the public, such sales are incidental to the primary business of sales through the placement of orders for construction or the off-site installation of the products displayed by the contractor.

“Day nursery” means a commercial center for the temporary care of children which does not generally include overnight care and which does not meet the definition of in-home day care facility.

“Drainageway” means a natural or manmade channel by which rainwater and snowmelt are collected, transported and discharged to receiving waters, including but not limited to creeks, ponds, swales, culverts, and storm drains.

“Dry boat storage” means a space on dry land or within a building which is rented to the public for the purpose of storing boats.

“Eastsound” means the land area contained within the boundaries of the Eastsound Plan official map.

“Eastsound swale” means the swale lying west of the boundary of the village commercial and village residential districts as shown on the official Eastsound Plan map and Figure 120–1 in this plan. Maps showing the surveyed boundaries of the Eastsound swale are available at the planning department.

“Floor area ratio (FAR)” means the gross area of all buildings and structures on a lot divided by the total lot area.

“Improvements” means buildings, structures, and parking areas. Landscaping, driveways, utility lines, mailboxes, survey monuments, culverts and other drainageways, switches, transformers, and junction boxes, fences, and similar items.

“Incidental” means subordinate and minor in significance and bearing a reasonable relationship with the primary use.

“Industrial development” means the use of land or the use or construction of structures or facilities for the processing, manufacture and/or storage of finished or partially finished goods.

“Light industrial development” means industrial development that meet the performance standards, bulk controls and other requirements established in the Eastsound Subarea Plan and the Service and Light Industrial District.

“Lot” means a single parcel or tract of land for which a legal description has been recorded in the County auditor’s office or the boundaries of which are shown on a recorded plat.

“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.

“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.

“Manufacturing” means making products from component parts.
“Medical clinic” means a publicly or privately owned facility for the medical diagnosis and treatment of outpatients involving the group practice of physicians and/or other medical, dental, ophthalmological, chiropractic or veterinary professionals.

“Mini-storage” means a structure(s) containing separate, individual, and private storage spaces of varying sizes leased or rented on individual leases for varying periods of time.

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

“Net use area” means the area used to calculate the required number of parking spaces specified in Table 300–1. Net use area is the gross floor area excluding the following:

a. 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

b. 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.

“Nonconforming use” means a use or development in existence on the effective date of the ordinance codified in this chapter which does not conform to the regulations of this plan or which is not allowed outright by this plan.

“Office” means a commercial use which provides business, professional or personal services to customers.

“Open space” means the surface area of a lot or lots within a single development which is in natural vegetation or landscaped, including paving for pedestrian use but excluding buildings, parking areas and driveways.

“Outside storage” means the storage of goods and materials out of doors visible from surrounding properties for periods exceeding 48 hours.

“Playing field” means land area designed and used for outdoor games such as baseball, football, soccer, track events and tennis. It includes outdoor swimming pools.

“Resort” means a land area devoted to providing commercial recreational facilities and related lodgings, sales and personal services primarily serving vacationers, and may or may not include residential uses.

“Street floor level” means the surface elevation of a structure at an entrance from a public street reached by pedestrian without means of stairs or elevators.

“Studio apartment” means a room or suite of rooms without separate living and sleeping quarters, designed for occupancy as a dwelling unit, and located within a building containing multiple dwelling units and/or nonresidential uses.

“Substantial storage space” means that the ratio of covered and uncovered storage area to retail area is greater than two and the gross building area exceeds 10,000 square feet.

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

“Transit lodging” means a commercial enterprise which provides lodgings for transient occupancy for any period of less than 30 consecutive days.

“Village” means the area of Eastsound designated on the official Eastsound Plan map as within the village commercial district.

“Warehouse” means a building used primarily for the storage of goods and materials. (Ord. 14–2000 § 7(RR), (SS); Ord. 4–1996; Ord. 12–1994 Att. A; Ord. 62–1992 § 2)

16.55.050 Amendments.

Amendments to this plan shall be subject to procedures established in the Unified Development Code for adoption of subarea plans set out in Chapter 18.90 SJCC. (Ord. 2–1998 § 17(E); Ord. 4–1996; Ord. 62–1992 § 2)
16.55.060 Eastsound Planning Review Committee.

A. Creation. The Eastsound planning review committee is established under authority of this plan (as adopted by Ordinance No. 225–1981 and as amended by Ordinance No. 62–1992, and all subsequent amendments) by the board of County commissioners.

B. Composition. The Eastsound planning review committee shall consist of seven members, resident on Orcas Island, who shall be appointed by the board of County commissioners for terms of two years each so that terms of all members do not coincide. Terms of four members shall be for one year from the date of adoption of the ordinance codified in this chapter and the terms of three members shall be for a period of two years from the anniversary of the date of adoption.

C. Purpose. The purpose of the Eastsound planning review committee is to advise the planning department, the planning commission and the board of County commissioners on land use and development matters affecting Eastsound.

D. Authority. The Eastsound planning review committee shall have authority and responsibility to:

1. Review this plan at least once every three years from the date of adoption; following such review the committee may recommend to the board of County commissioners amendments designed to achieve more effectively the purposes and policies of this plan; review and amendment procedures shall be as set out in SJCC 18.90.050;

2. Review and comment on all applications for redesignation, long and short plats, and conditional use permits and variances required by this plan, and all applications for shoreline permits for development within Eastsound; and review and comment on all environmental determinations issued according to the State Environmental Policy Act for proposed developments in Eastsound;

3. Monitor applications and County permit approvals for other developments within Eastsound to enable effective and comprehensive review of this plan;

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

5. Fulfill the above responsibilities by action in accordance with bylaws for conduct of the Eastsound planning review committee adopted by the board of County commissioners;

6. As the full committee or a subcommittee appointed by the chair, hold regular meetings with representatives of the Port of Orcas, the public works department, and utility providers for the exchange of information about plans for the extension of services or improvements to facilities within Eastsound; and

7. In order to enable the committee to fulfill its duties and to be adequately informed about pending land use applications in the subarea, the planning director will provide the committee with: (a) current summary reports of all pending land use applications; and (b) complete copies of all applications requested by EPRC. (Ord. 14–2000 § 7(TT); Ord. 4–1996; Ord. 62–1992 § 2)

16.55.070 Appeals.

Appeals shall be in accordance with the procedures set out for appeals in the Unified Development Code (Chapter 18.80 SJCC). [N.B. The full citation is Section 18.80.140 SJCC.] (Ord. 2-1998 § 17(F); Ord. 4-1996; Ord. 62-1992 § 2)

16.55.080 Severability.

If any provision of this chapter or its application to any person, legal entity, or circumstance is held invalid, the remainder of this chapter shall not be affected. (Ord. 4–1996; Ord. 62–1992 § 2)

16.55.090 Effective Date.

This chapter shall be effective immediately upon adoption by the San Juan County board of commissioners. The effective date of the Eastsound Subarea Plan is June 13, 1996. The effective date of the expanded jurisdiction of the subarea plan (as approved by Ordinance No. 4–1996) is June 13, 1996. (Ord. 4–1996; Ord. 62–1992 § 2)
GENERAL PLAN

16.55.100 Existing Conditions.

A. Form and Character of Eastsound. The physical features and natural setting are the fundamental elements that form the character of Eastsound. It is located in a natural corridor formed by the hills to the east and west and by salt water to the north and south. It contains a natural water course and wetland, running south from the airport to East Sound, along the west side of this corridor. This supports a dense growth of native trees and shrubs and to the east, in the village, there are still open fields and clumps of evergreens and fruit trees.

Patterns of land development and movement of people in the area are also important elements of the character of Eastsound, particularly in the village. The village is small, with most buildings no larger than two stories and most shops and services within walking distance of each other. It has a rural character derived from several elements: many businesses are located in small, separate wooden houses which were formerly residences; the roads are few and narrow and have no sidewalks; there is little industrial activity and few businesses occupy large areas of land with buildings or outdoor storage.

Once an island hub for the import and export of goods by water, at Fishing Bay, the village has remained the central marketplace for Orcas. Now, though, no docks remain within the village and the transportation pattern is dominated by cars and trucks. Most Orcas Island residents drive to the village to shop and socialize. Visitors arrive in the village in private vehicles, by foot, bicycle, bus, boat or plane.

Economic change has also contributed to the character of Eastsound. No longer the center of an agricultural community, tourists and seasonal residents are now an important part of the Eastsound and island economies. Some Eastsound businesses could not survive without the increase in trade provided by these groups but these businesses also contribute to the year-round population because the goods, services and amenities they provide enrich the quality of life for residents as well. At the same time, tourism increases demands on community services and as the year-round and seasonal populations and tourism grow, there are greater pressures on the capacity of Eastsound to accommodate these demands while it benefits.

B. Changing Conditions in Eastsound. Among the most significant qualities of Eastsound today is the quality and amount of open space, either in open fields or views to the hills and the water. These will be altered or lost as new development occurs. To protect areas that are critical for community recreation and open space purposes, this plan identifies certain natural features in and around the village for conservation.

The present orientation of the village away from the shoreline has, to a degree, been responsible for the relatively untouched appearance of beaches on the south shore. To maintain this, this plan favors making the village shoreline more accessible to the public visually by discouraging development of individual moorages and encouraging provision of view points open to the public in new waterfront developments.

Since adoption of the Eastsound Plan in 1981 the village and immediate surroundings have experienced considerable change. Given the small scale of the village, new buildings can have a relatively strong impact on the character of the area and new uses, particularly commercial uses, can have a major effect on patterns of movement through the village. This plan includes provisions for design of new buildings in a manner that reflects the character of Eastsound, and a circulation plan designed to improve traffic movement and promote a development pattern consistent with the purpose and goals of the plan.

The Eastsound subarea is increasingly becoming the center of residential as well as commercial and cultural activity for Orcas Island. In 1994 EPRC decided to study the concept of extending the boundaries of the Eastsound Subarea Plan to include contiguous land between Terrill Beach Road and the westerly boundary of Sections 11, 14 and 23. There were several reasons for this:

1. Eastsound is located in a lowland between two hills that is a part of a common geographical and watershed area that would best be administered under one subarea plan.

2. The existing land use, growth, and parcel patterns as well as its location in the geographical center of Orcas Island indicates that Eastsound will be the focus of much of the residential and commercial development in order to facilitate the goal of relieving growth pressures from the rural areas.

3. Water, sewer, and medical services, fire protection, schools, cultural facilities, etc., should be provided to serve the community in a comprehensive and effective manner in Eastsound. Therefore, comprehensive land use planning for this area should be done under a single subarea plan. This will formalize the changing nature of Eastsound and the “saddle” as the largest activity center for Orcas Island.
Figure 100-1 Map of Eastsound
4. Local residents will have a local forum and, therefore, an enhanced opportunity to participate in land use decisions.

5. To coordinate land use planning for Eastsound in conformance with the requirements of the Growth Management Act and the San Juan County Comprehensive Plan.

C. Political and Economic Conditions. Eastsound is a small, unincorporated area which is the social and economic center of Orcas Island. It does not have a municipal government or budget for planning, public improvements and maintenance of public facilities. These functions rest with San Juan County government. One purpose of this plan is to serve as a policy guide for County actions in distributing funds for the administration and development of community facilities and services which are now or should be in the future provided to Eastsound to maintain and enhance its role as the community center of Orcas Island. (Ord. 4–1996; Ord. 62–1992 § 2)

16.55.110 General Goals and Policies.

A. 1. **Goal.** To represent and respond to the specific needs and interests of the Orcas Island community in Eastsound within the County Comprehensive Plan, and to provide a means for community action to shape the future of Eastsound.

2. **Statement of Intent.** Eastsound is an established community and commercial center with land use and development patterns distinct from those of surrounding areas, and as the primary center for Orcas Island it must respond to the diverse needs and interests of the entire Orcas community. The following policies state how the County Comprehensive Plan will recognize the distinct roles and characteristics of Eastsound.

3. **Policies.**
   a. San Juan County will establish, adopt and maintain a subarea plan which will guide land use and development in Eastsound in a manner that will accomplish the stated purpose and goals of this plan.
      i. Land use districts established by this plan should be compatible with and maintain the existing development pattern. This subarea plan will maintain the established land use pattern by containing the most intensive forms of land use and development within the village, with less intensive uses distributed outward toward the perimeters of Eastsound.
      ii. A mix of uses should be allowed within different land use districts in a manner compatible with the existing development pattern and the goals of this plan.
      iii. This plan will provide for clustering of units within large scale residential developments in order to maximize the provision of common open space, minimize curb cuts along arterial roadways, and to provide for the efficient provision of utility services. In exchange for waiving the conditional use permit requirement, clustering will be required for large scale residential development, as defined in each residential land use designation.

   b. San Juan County will promote communication and cooperation among agencies and districts whose services and facilities affect Eastsound.

B. 1. **Goal.** Conserve and protect the physical and visual qualities that contribute to the enjoyment of Eastsound and surrounding areas by island residents.

2. **Statement of Intent.** The natural setting of Eastsound and the features of the natural and built environments within it are fundamental to its character. Principal landscape features include wetlands, shorelines, hills, woods and fields that influence the form and visual quality of Eastsound.

The existing patterns of land use and the features of the built environment are also important components of the character of Eastsound. Many Eastsound buildings are or resemble structures built early in local history. By their numbers, locations, and relative harmony in form, scale and materials, they contribute a cohesiveness to the landscape, particularly in the village and its immediate surroundings.

These features of the natural and built environments define the informal, rural and aesthetically pleasing character this plan is designed to maintain and conserve.

3. **Policies.** To accomplish this goal, this plan will:
   a. Identify specific natural features and characteristics and public vistas which warrant conservation and establish policies and standards for land use and development that will conserve them.
b. Establish minimum building design and site planning standards, based on the scale and character of existing buildings, that promote the visual harmony desired in Eastsound while preserving the present scale and allowing a diversity of individual buildings.

c. Provide a tangible vision and direction for the future of Eastsound which will enhance the existing character and guide the establishment of:
   i. A “village square” or public open space that will serve both as a meeting and activity space as well as a visual focus in the heart of the village;
   ii. A public access plan for the village waterfront which will enhance the visual and physical connections between the waterfront and public pedestrian ways; and
   iii. A plan for the construction and improvement of public streets with associated on- and off-street parking facilities.

C. 1. **Goal.** Anticipate and manage how growth occurs in Eastsound so that its character is not compromised unnecessarily as growth and change are accommodated.

   2. **Statement of Intent.** Population growth and local and regional economic changes experienced since 1981, when the original subarea plan for Eastsound was adopted, have increased pressure on Eastsound to meet the diverse needs and interests of the Orcas Island community. This plan must establish how growth can be accommodated if the community activities, character and visual quality of Eastsound are to be maintained in the face of this pressure.

   3. **Policies.**

      a. Arrange the distribution of various land uses in and around the village in a way that maintains the small-scale of the village and that serves primarily the desires and interests of island residents. Therefore, this plan will:
         i. Make sufficient land area available to provide for orderly but concentrated commercial growth in the village in a manner responsive to the daily convenience needs of Orcas residents and which conserves natural landscape features that enhance the village character.
         ii. Encourage location of civic and cultural facilities within the village to maintain its economic and social vitality.
         iii. Contain and concentrate new commercial uses in the village to reduce vehicular traffic and make the village pleasant and convenient for pedestrians.
         iv. Encourage multi-family residential development in and around the village so that more island residents can walk, rather than drive, to destinations in the village.
         v. Increase the number and quality of waterfront spaces open to the public for enjoyment of the shoreline and water, subject to an adopted access plan, and encourage pedestrian traffic within the village by ensuring that these waterfront spaces are connected with planned upland paths.
         vi. Provide for land area for commercial services and institutional uses at the eastern edge of Eastsound, in the general area of Terrill Beach Road and south of the Mt. Baker Bypass, where there is an existing pattern of commercial institutional, residential, and service land uses.

      b. Maintain the historical pattern of residential use in and adjacent to the village and provide for medium-to high-density residential development within an area currently served by central sewer and water systems and within convenient walking distance of schools and services. Therefore, this plan will:
         i. Encourage development of multi-family housing in and immediately adjoining the village by establishing land use districts to include comparatively high-density residential development, particularly for multi-family developments.
         ii. Provide for medium-density residential development in areas not adjacent but convenient to the village by establishing a residential use district which includes fewer, or less intensive, nonresidential activities.
         iii. Encourage new residential development as a secondary, accessory use in areas of Eastsound planned primarily for nonresidential uses.
iv. Provide land for and encourage affordable housing alternatives. The Subarea Plan provides for a density of six to eight units per acre in the Village Residential District, with a density bonus of four additional units per acre for developments which provide 30 percent studio and one-bedroom apartments or 50 percent low-income rental assistance subsidized apartments. v. Encourage the remaining agricultural land in Eastsound to be used for agricultural pursuits by establishing an Eastsound Rural District within the subarea. This district includes those areas formerly designated Rural-5 in the County Comprehensive Plan. Allowable uses are generally limited to agricultural uses and activities and single-family residential use at a density of one unit per five acres.

c. Provide adequate land area for commercial and industrial uses that are not appropriate in the village but that are logically located conveniently to the village, while avoiding conflicts with other land uses. Therefore, this plan will:

i. Establish a land use district on and around the Eastsound airport to accommodate uses that are related to use of the airport and/or provide storage, distribution, manufacturing or repair services which are most convenient to the village and the Orcas community as a whole if located in Eastsound.

ii. Establish the service park land use district located near the Horseshoe Highway and Terrill Beach Road intersection which recognizes the existing patterns of commercial, institutional, service, and residential uses. This district provides room for future expansion and includes performance standards to ensure that the allowable uses are compatible with existing residential uses in the district and surrounding area.

iii. Minimize conflicts between the airport and surrounding residential uses by providing land area between these for uses less intensive than, but not incompatible with, airport use.

d. Recognize the existing commercial uses on the north shore and allow for additional commercial development which will enhance opportunities for the public to enjoy the shoreline. Therefore, this plan will:

i. Establish a land use district on the north shore immediately east of the airport which provides for commercial developments compatible with adjoining land uses, the physical limitations of the land, and the policies and regulations of the Shoreline Master Program applied to this location.

ii. Allow for residential uses of a relatively high density which are compatible with existing and planned commercial uses in the area.

D. 1. Goal. Allow growth and development in Eastsound which can be supported by central water and sewer systems.

2. Policy. To achieve this goal:

a. Provide information which will support achievement of this goal, including descriptions of existing utilities, their service capacities, and plans for long-term service expansion.

b. Sewer and water system information should be updated and elaborated with the adoption of a capital facilities plan for Eastsound and its environs that is consistent with the County-wide Comprehensive Plan developed in accordance with the Growth Management Act.

c. Water and sewer system capital facility planning and construction within Eastsound shall be based upon the Eastsound Subarea Plan land use designations and the uses, densities, and activities allowed by those designations.

E. 1. Goal. Develop a transportation system that enhances the character of Eastsound while providing safe and efficient vehicular and pedestrian circulation through and around Eastsound.

2. Policy. To achieve this goal:

a. The Transportation Plan (Figure 130–1) will be used for the orderly and timely acquisition of rights-of-way.

b. The Transportation Plan will be used to establish priorities for capital improvements in Eastsound.

c. The Transportation Plan will provide a vehicular bypass of the village for through trips.
d. The Transportation Plan will concentrate nonresidential development in the village and direct the pattern of development around the village in a manner that maintains the scale of Eastsound.

e. A public parking plan will be developed for the village.

F. 1. **Goal.** Encourage the creation of a combination of public and private off-street parking that will satisfy the parking needs of Orcas Island residents, visitors, and businesses in the Village Commercial District.

2. **Policy.** To achieve this goal:

   a. A public parking plan will be developed for the Village that will:

      i. Provide sufficient off-street parking to mitigate the need for on-street parking.

      ii. Encourage development of off-street parking that will be designed and landscaped to minimize the aesthetic impact on the Village.

      iii. Convert all existing private on-street parking into public on-street parking by appropriate dedication of rights-of-way, as streets in the Village are improved.

      iv. Provide for the acceptance of fees and the dedication or gift of land and/or easements in lieu of providing required off-street parking or in conjunction with a public road project or as detailed in the Eastsound Waterfront Access Plan.

   b. Parking requirements for the Village Commercial District are based upon the following principles:

      i. Parking in the Village is both a private and public responsibility which requires cooperative efforts between the public and private domain in order to achieve the objectives of this plan.

      ii. Parking that is open to the public and not restricted as to use shall be encouraged over designated private parking.

      iii. To the maximum extent possible the County will endeavor to provide additional public parking in conjunction with the development of the proposed Village Square, County office facilities, and other public uses which may be established.

G. 1. **Goal.** Protect marine and fresh water environments from degradation by storm water.

   2. **Policy.** Develop an Eastsound storm water plan and adopt implementation regulations consistent with best management practices. This should be coordinated with a plan for management of the East Sound watershed, which is to be developed through a Centennial Clean Water Fund grant between 1996 and 1993. (Ord. 4–1996; Ord. 62–1992 § 2)

16.55.120 **Open Space, Historic, and Natural Features.**

A. **Purpose.**

   1. To identify and protect specific open spaces and natural features which are key to maintaining the physical character and visual quality of Eastsound.

   2. To protect specific natural resources that contribute to the environmental quality of Eastsound and the surrounding area.

   3. To identify, recognize, and protect features of the built environment with historical significance.

B. **Policies.**

   1. Enhance the accessibility of the East Sound waterfront to the public by improving the number and quality of shoreline views from within the village and along the East Sound shoreline.

   2. Ensure preservation and conservation of natural resources and natural landscape features in all new development so that natural grades and vegetation are maintained and so that wetlands and specific natural landmarks and other key features are undisturbed.

   3. Establish a process and schedule for acquisition and/or dedication of easements to provide permanent protection of key natural resources and features.

   4. Specify development limitations necessary to minimize degradation of key open areas and natural resources and features and apply protective regulations to development in addition to other site development standards and land use regulations in this plan. A conservancy overlay district should apply
such development limitations to specific resources and features, as shown in Figure 120–1. (These limitations are contained in SJCC 16.55.250.)

5. Amend the map of open space and natural features in Figure 120–1 as necessary to ensure identification of important resources and to incorporate new information.

C. Description (for Regulations see Conservancy Overlay District, SJCC 16.55.250).

1. Lavender Farm Knoll. This knoll is a natural landmark in central Eastsound.

2. Eastsound Swale. The swale is a natural boundary between the village and the airport and residential area west of the village. The dense vegetation in and along the swale is a prominent visual feature that offers an attractive edge for a pedestrian walkway.

   This natural drainageway is a key component of the Eastsound watershed and of East Sound water quality it provides an important public benefit by controlling flooding and by filtering sediments from storm water, which help to maintain surface water quality. Land clearing and development in wetlands results in increased erosion; degradation of water quality from sedimentation and from loss of biofiltration from vegetation; loss of detention capacity which results in flooding; and adversely affects the quality of receiving waters, and therefore degrades fish and shellfish habitat. Also, certain types of land uses and development activities introduce petroleum products, pesticides, herbicides and other pollutants.


4. East Sound Waterfront. Because the most characteristic and significant natural feature of Eastsound is its location at the head of East Sound, and because a goal of this plan is to increase visual and physical shoreline access to the public, the County and the owners of Village Commercial waterfront property have developed and agreed upon an Eastsound Waterfront Access Plan, which is set forth herein. Figure 130–6 shows the visual and physical access corridors provided to East Sound. This dock is intended for temporary tie-up use.

5. Madrona Point Dock and Beach. This element is identified in this plan as a possible endpoint for a public access path along the beach east from the proposed waterfront park (subsection (C)(3) of this section). A public dock site and beach access from Haven Road have been secured by the County. When completed, the dock will provide the primary moorage facility for transient boat access to dock access to Eastsound. This dock is intended for temporary tie-up use.

6. Madrona Point. This prominent wooded peninsula is of great historic, scenic and cultural importance. Once faced with development into shoreline lots and condominium sites, it was purchased by the Bureau of Indian Affairs for the Lummi Indians on the condition that it be preserved as a natural area.

7. Buck Park. This property is located immediately east of the school and was donated to the community for development of a public park.

8. Significant Views. Views of the water significant to the character and visual quality of Eastsound are identified in Figure 120–1, below.

9. Village Entrance and Edge Features. The village is entered through three distinctive natural entranceways or “gates” composed of road offsets crowded by adjacent hills and trees. These gates are formed as follows:

   a. The west gate is the stand of trees and surrounding open area at the waterfront park site and the crowding hill of Landmark Inn opposite together with the large firs at the edge of Lovers’ Lane.

   b. The east gate is on Main Street at the east end of Madrona Point at Crescent Beach.

   c. The north gate is the North Beach Road entrance to Eastsound, just north of High School Road where Purdue Hill and the trees opposite on the east crowd to the road edge.

10. Eastsound entrance and edge features. The County-owned property at the Terrill Beach and Horseshoe Highway intersection is a prominent site that should be improved and maintained as a roadside park.
11. **Village Square.** A public space or village square at the center of the retail area. This is necessary as the focal “place” or center of activity of the village. It is to be located at the hub of village social and retail activity and provide space for festivals, formal and informal meetings, information, markets, and parking. This space should be an open, pedestrian area with grass, landscaping and paths, and should adjoin the Historical Museum which currently serves some of the same functions.

12. **North Shore.** This shoreline has gently sloping sandy beaches and views of Sucia Island, Georgia Strait, and summer sunsets. Three road ends with public access exist within the planning area.

13. **Wetlands.** All areas shown on the San Juan County 1993 Wetland Inventory Maps. These maps are intended to depict the general locations of known regulated wetlands. The maps do not show specific wetland boundaries or buffers but rather indicate the approximate locations of wetlands. Individual, site specific, investigations and/or wetland delineations may be required in the permit review processes required by this plan or other County land use regulations.

14. **Western Hill.** The wooded hill west of the village, along Lovers’ Lane, is an important view and an enclosing element.

15. **Mount Baker Edge and View.** The eastern approach to Eastsound on Mount Baker Road and view of Mount Baker from this road. The significant characteristic here is a roadway bordered on one side by open fields (affording the view) and woods on the other.

16. **Crescent Beach Marsh.** This marsh east of Eastsound is under the Shoreline Master Program jurisdiction as a wetland associated with Ship Bay. A portion of the marsh is owned by the San Juan Preservation Trust. It is recognized as a feature important to Eastsound because drainage from the east end of the village flows to the marsh.

17. **Regulated Wetlands.** All wetlands listed in the SJC wetlands maps.

18. **Mount Baker Road Agricultural Property.** The land along Mt. Baker Road from Terrill Beach to North Beach Road. The significant characteristic here is rural open space and views of Mt. Baker.

19. **Crescent Beach Waterfront.** The waterfront and beach along Crescent Beach from Eastsound Village to Terrill Beach Road. This feature is recognized as important because it is a vital component of the Crescent Beach Marsh wetlands system, with oyster beds, unparalleled marine views, and a sensitive coastal ecology.

20. **Emmanuel Episcopal Church.** The Emmanuel Church is recognized for its historical significance and reflection of early architectural style in San Juan County. The church is listed on the National Register of Historic Places.

21. **The Orcas Island Historical Museum.** The museum is recognized for its historical collection and reflection of early history of San Juan County. (Ord. 4–1996; Ord. 62–1992 § 2)

16.55.130 **Transportation.**

**A. Purpose.**

1. To provide for the orderly development of roads and paths.

2. To construct roads and paths consistent with the character of Eastsound and this plan.

3. To provide for the timely acquisition of road rights-of-way.

4. To ensure the transportation system serves the land use goals and policies of this plan.

5. To provide for the participation of property owners in the design of road and path improvements.

6. To implement a streetscape improvement program for the village that supports the policies of this plan to make the village pleasant and convenient for pedestrians and also provide needed on-street parking.

7. To create a parking plan that will provide for adequate off-street public parking.

**B. Vehicular Circulation Policies.**

1. Figure 130–1 is the vehicular circulation plan for Eastsound.

2. The County should acquire rights-of-way shown in Figure 130–1 not currently owned by the County.
3. The bypass route shown in Figure 130–1 should be improved for use as the major link between Orcas and Olga and should be developed in a manner that will make its use desirable for through traffic, including the restriction or combination of driveway cuts along the bypass. The County has adopted restrictions (Ordinance No. 3–1995) on the use of Horseshoe Highway (Main Street) which require use of the bypass, particularly by large trucks, to reduce traffic congestion in the village.

4. Streets within the village should be developed as access and feeder streets, not through streets.

5. Property owners are responsible for improvements to unopened rights-of-way at the time their property is developed if alternative vehicular access is unavailable.

6. The County is responsible for all public road development in Eastsound.

7. Installation of new utility lines and undergrounding of aerial lines shall be coordinated with construction and improvement of public streets to the extent possible.

8. If and when an alternative access route is desired to serve Eastsound from the east, south of Mount Baker Road, this should be provided by extension of Rose Street to the east. High School Road should then be extended to connect with Rose Street. This alternative access could lead to a reduction of vehicular traffic on Crescent Beach Road.

9. The Fern Street extension shown in Figure 130–1 should be built after a village square of at least 20,000 square feet is acquired by the County (Figure 140–1).

10. Enchanted Forest Road should be extended to connect Lovers’ Lane to North Beach Road.

C. Street Development Standards.

1. Existing public streets shall be improved to comply with the configurations specified in Figures 130–2 through 130–4.

2. Curbs, gutters, sidewalks and street trees are required for streets within the village and shall comply with all standard details.

3. The County will provide curbs, gutters, sidewalks and street trees when public street improvements are made and sufficient right-of-way exists. If the right-of-way is insufficient the County will make these improvements if the necessary right-of-way is dedicated. If property owners are unwilling to dedicate right-of-way the County may choose to forgo curbs, gutters, sidewalks, and street trees, or use some other means of financing such as LID, grants, local funds, etc.

4. When the County improves a street with insufficient right-of-way (according to Figure 130–1), curbs, gutters, sidewalks and street trees will be installed when property owners dedicate appropriate right-of-way. The board of County commissioners may adjust street improvement standards required by this plan in adoption of an improvement plan for a specific street.

5. Property owners shall install, or agree to install at a future date under specific conditions, curbs, gutters, sidewalks and street trees when their property adjoining public streets is developed, when an existing use is substantially expanded, or when a change of use occurs or when improvements of a fair market value of at least $25,000 are made to the property. The department of public works shall be responsible for establishing the grades at the street sufficient to determine the proper location of the improvements called for in this paragraph so that they will be in alignment with other future street improvements. If public works has not completed a design for the street or cannot furnish the necessary information, the improvements shall not be required until such time as public works has established the necessary grades and design standards for the required improvements. As a part of any agreement to install improvements at a future date the property owner shall agree to participate in a street improvement program for the entire street when it is implemented.

6. New public street rights-of-way shall be at least 60 feet wide in Eastsound and at least 50 feet wide within the village.

7. Street trees should be located as illustrated in Figure 130–4. On any given street, species of large shade trees and flowering ornamental trees should be uniform, and selected by agreement of a simple majority of the affected property owners, unless a specific species has been selected as part of an adopted plan for improvements to a particular street. Figure 130–5 contains a list of suggested trees.
8. Maintenance agreements for street accessories (street trees, sidewalks, landscaping, etc.) shall be required prior to occupancy of any new or substantially expanded use and as a condition of participation in any street improvement program as provided for in this section.

Figure 130 – 2 Streetscape Options for 30’ R.O.W.
Figure 130 – 3 Streetscape Options for 50’ R.O.W.
Figure 130–4 On-Street Parking Options with Curb, Road, Tree, Curb Strip, Sidewalk, and Setback Standards

Figure 130–4 illustrates where street trees are to be located. On any given street within the Village Commercial District, large shade trees and flowering trees shall be uniform. The following are suggested appropriate trees:
Table 130 – 5 Street Trees

<table>
<thead>
<tr>
<th>Large-head shade trees</th>
<th>Sugar Maple</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acer Sacarum</td>
<td></td>
</tr>
<tr>
<td><em>Aescules Hippocastrum</em></td>
<td>Horse Chestnut</td>
</tr>
<tr>
<td><em>Quercus Rubra</em></td>
<td>Red Oak</td>
</tr>
<tr>
<td><em>Quercus Palustrus</em></td>
<td>Pin Oak</td>
</tr>
<tr>
<td><em>Tillia Cordata</em></td>
<td>Linden, Basswood</td>
</tr>
<tr>
<td></td>
<td>Mountain Ash</td>
</tr>
<tr>
<td>Flowering Trees:</td>
<td></td>
</tr>
<tr>
<td><em>Crataegus Oxycantha</em></td>
<td>Hawthorn</td>
</tr>
<tr>
<td><em>Malus Floribunda</em></td>
<td>Crabapple – Fruitless</td>
</tr>
<tr>
<td><em>Prunus Bliereiana</em></td>
<td>Plum</td>
</tr>
</tbody>
</table>

Table 130-5

D. Pedestrian Policies.

1. The village should be developed in a manner convenient and attractive for pedestrians, with safe and pleasant walks and paths.

2. The pedestrian path system for Eastsound is shown in Figure 130–1. Public path rights-of-way should have a minimum width of five feet.

3. Public paths shown in Figure 130–1 should be provided by dedication of easements to the public by the owner at the time the property is developed.

4. The waterfront access points provided in accordance with the Eastsound Waterfront Access Plan are shown in Figure 130–6.

E. Parking Policies. The development of off-street parking areas open to the public should occur where it will serve substantial portions of the village. A public parking authority should be established to provide for the creation, management and maintenance of such parking areas. Donation of ROW for street improvements should be compensated by a credit to the property owner for each on-street parking space resulting from the donation, against the number of spaces required for the use of the property. The public parking plan will provide for concepts such as payment of a fee, gifts or dedications of land and the grant of visual and physical waterfront public access (pursuant to the Eastsound Waterfront Access Plan), in lieu of providing off-street parking. Owners who give or dedicate land and/or easements shall be compensated by a credit to the property owner for a number of parking spaces equal to the assumed value of the land and/or easements conveyed. Fees collected will be held in a fund to be used exclusively for the acquisition of land and construction of public parking areas.

F. Airport Development. The Orcas Island airport at Eastsound is owned and operated by the Port of Orcas. The facility is used by private pilots, some resident, and it also provides scheduled passenger service to other islands and to the mainland. To maintain the function of the Mount Baker Road Bypass and to protect the future land use pattern intended by this plan, no runway extension should be allowed south of Mt. Baker Road. (Ord. 4–1996; Ord. 62–1992 § 2)
Figure 130–6, page 1
Showing the provisions of the Eastsound Waterfront Access Plan

TOPOGRAPHIC DRAWING - EASTSOU

NOTES:
1. DIMENSIONS SHOW RE SETBACKS
   4' VIEW CORE: 60' ARE APPROXIMATE
   ALONG 4' VIEW CORE, ACCURACY IS NOT
   IMPLIED

2. THE EXTENT OF THE AREA OPEN TO
   PUBLIC ACCESS IS SHOWN BY THE
   APPROXIMATE LINE OF ORDINARY HIGH
   TIDE AND LANDWARD OF THE APPROXIMATE
   LINE OF MEAN LOWER LOW WATER

(full-size copies of this figure are available for review at the
San Juan County Permit Center and the Orcas Public Library)
Figure 130–6, page 2

Showing the provisions of the
Eastsound Waterfront Access Plan

(full-size copies of this figure are available for review at the
San Juan County Permit Center and the Orcas Public Library)
16.55.140 Village Plan.

A. Figure 140–1 illustrates the elements of open space, historic, and natural features and circulation within the village. The plan includes the extensions of (1) Rose Street to Madrona Street, (2) Enchanted Forest Road from Lovers’ Lane to North Beach Road, and (3) Fern Street from Madrona Street to Lovers’ Lane, in addition to other internal street improvements as well as new street construction to improve traffic circulation into and out of the village. (Also, refer to SJCC 16.55.120, Open Space, Historic, and Natural Features, SJCC 16.55.130, Transportation, and SJCC 16.55.250, Conservation Overlay District.)

B. The village plan includes a location for the village square. The square is intended to satisfy several public functions, including public open space and an informal meeting place. It is located centrally and has convenient connections to public parking, streets, and pedestrian paths.

C. When adopted, a public access plan will identify the specific village waterfront access locations for pedestrian use. (Ord. 4–1996; Ord. 62–1992 § 2)
Figure 140 – 1 Village Plan
16.55.150 Utilities.

A. Purpose.

1. Promote cooperation between utility services, the County and property owners for provision of adequate water supply and sewage disposal services and electrical and telephone distribution lines within utility service areas in Eastsound.

2. Provide direction for improvements to publicly owned and/or maintained storm drainage systems to enhance natural drainage patterns, to maintain and improve quality of receiving waters, including Fishing Bay, and to coordinate such improvements with transportation planning and street construction schedules.

3. Promote long-range planning for delivery of sewer and water services which is consistent with the land use and parcel patterns provided for in this plan.

B. Policies.

1. Storm Drainage Policies. The County should develop a Stormwater Management Plan for Eastsound which will recognize the natural limitations and benefits of the Eastsound swale to detain and filter runoff from streets, parking areas and other impervious surfaces. This plan should include:
   a. Relocation of release locations for storm drains north of A Street to a water quality and peak runoff control facility before emptying to the Eastsound swale;
   b. Identification of areas for drainage easement acquisition;
   c. Acquisition of rights to use, improve and maintain for water quality management purposes the two-celled pond located at the base of the Eastsound swale which empties at an outfall at Fishing Bay; and
   d. Stormwater management standards and criteria (which may modify or replace standards in SJCC 16.55.300(F)).

To decrease water quality impacts and sediment loading of the Eastsound swale, new development on property draining to the swale should include on-site surface runoff detention and filtration during construction and provide permanent drainage control facilities to filter sediments and maintain runoff rates at pre-project levels. Applications for all such developments should include a complete drainage and grading plan.

2. Cable, Telephone, Power, Water and Sewer Utilities. Utility lines serving new development should be installed underground to reduce adverse visual impacts and should be installed within road rights-of-way to reduce adverse effects on the physical environment.

3. Utility Coordination. County planning for street construction should be coordinated with improvement plans of public and private utilities.

C. Utility Development Standards.

1. Utility lines serving new or significantly expanded uses shall be installed underground.

2. Street lighting, if provided, shall have a shielded source (e.g., McGraw-Edison “Concourse” or similar fixtures without bare bulbs) and be uniform throughout the village.

D. Existing Utilities. To provide a useful reference the description of existing utilities within the planning area, given below, should be updated and detailed upon adoption of a capital facilities plan for Eastsound.

1. Sewer. Sewer service for Eastsound is provided by the Eastsound Sewer and Water District, a public utility supported by a local improvement district. The boundaries of the LID as well as the location of the principal collection facilities are shown on Figure 150–1. In addition, the sewer district is authorized by charter to provide sewer service throughout the subarea.
   a. District facilities fall into three categories:
      i. All users have an on-site septic tank and effluent pump. The owner is charged for this in addition to the facility charge and the connection fee.
Figure 150 – 1 Sewer District
ii. From the individual septic tank, primary treated effluent is pumped through pressure mains to the treatment plant located by the airport, where effluent receives secondary treatment, aeration and settling, as well as tertiary treatment (chlorination). This plant has a capacity of 80,000 gallons/day and is currently operating at half capacity.

iii. Treated effluent is piped to an outfall in the Straits of Georgia off the north shore of Eastsound.

b. District policies require that all development within the LID must connect to the system. On-site construction requires a septic tank of 500 gallons per residential unit equivalent.

c. The treatment facility is presently operating at approximately half capacity, i.e., with 400 connections and 40,000 gallons/day. The district has a long range plan to expand this treatment plant by an additional 80,000 gallons/day when the present plant reaches 600 connections or 60,000 gallons/day. In order for sewer district services and capital facility improvements to be consistent with the County Comprehensive Plan and the Growth Management Act, a long-range sewer system plan should be developed for Eastsound. The sewer system plan should be consistent with the land division ordinance, ownership, and use patterns throughout the subarea.

2. Water. Water service for Eastsound is provided by the Eastsound Water Users Association (EWUA), a private member-owned utility company. The EWUA adopted a Comprehensive Water System Plan in 1990 (to be updated in 1995) which is used to help guide operations. The plan provides detailed information about system source capacity, water consumption patterns, and long-range plans for system improvements. The entire Eastsound Subarea is located within the boundaries of the EWUA service area and long-range planning takes into consideration the total potential buildout provided for in the subarea plan.

   One time fees for new memberships and hookups are used to fund capital expenditures. Monthly usage charges pay for the costs of maintenance and operations. The board of directors is elected by the membership and system operations and fees are controlled by the board and EWUA adopted bylaws.

   Water for the system is supplied from drilled wells and the Purdue Lake reservoir located on Buck Mountain. The system is designed and operated to meet state of Washington standards for public water systems. The EWUA reserves the right to give domestic use priority over other uses in the event of a temporary shortage of water.

   The existing system is also designed to meet residential fire-flow requirements (500 GPM for 20 minutes) throughout the Eastsound Subarea Plan jurisdiction. The EWUA also designs all new line extensions to meet minimum fire-flow requirements. (Ord. 4–1996; Ord. 62–1992 § 2)

16.55.160 Architecture and Site Design.

A. Purpose. To establish architectural guidelines and site planning standards to ensure that new development projects harmonize with, reinforce and strengthen the existing character and scale of Eastsound.

B. Intent.

1. To acknowledge that it is the desire of the community to maintain the existing character and scale of Eastsound; and to recognize that, in the face of growth and development pressures, this requires making conscious choices with regard to form, height, size, placement of buildings on lots, and exterior materials used in new developments in Eastsound.

2. To balance the idea that the built environment of Eastsound is not a pristine architectural expression in need of protection and preservation, with the awareness that much of the existing character and scale is nonetheless valued by the community and is threatened by indiscriminate growth and development.

3. To raise the level of probability that as Eastsound grows, new buildings, while each being different, will complement one another and blend together as parts of a harmonious whole.

4. To identify the specific elements which define the existing character and scale of the built environment of Eastsound.

5. To acknowledge that the spaces around buildings contribute to the character and scale and to establish site planning standards so that new development maintains the existing fabric of Eastsound.
6. To recognize that the changing needs of the community and the businesses which serve it may require some buildings which exceed the size of existing buildings and to ensure that such buildings are designed and constructed in a manner consistent with the purpose and intent of this section.

7. To recognize that new growth pressures have fostered the need for public improvements in Eastsound including on-street parking, sidewalks and amenities such as landscaping and street trees.

C. Design Elements. The character and scale of Eastsound can be defined by describing the elements of the existing development pattern. The elements of this pattern provide the basis for the site planning and development standards in this section.

1. Eastsound includes a number of buildings which, although not necessarily of historic significance or representing a formal style of architecture, are the result of the efforts of early settlers and craftsmen who approached construction in a straightforward manner; they used basic carpentry skills to create shelter while addressing the problems posed by climate, economic and cultural needs, and available materials.

2. The following characteristics define the physical and aesthetic character and scale of Eastsound as determined by existing conditions:
   a. They are placed in the foreground of their lots with a close relationship to the public street and with side yard spaces separating them from adjacent buildings.
   b. They are relatively small structures; some are residences converted to commercial use.
   c. They are one and two story wood-framed buildings whose principal roofs have a relatively steep slope.
   d. They are often accompanied by pleasant and attractive open spaces visible from the street.

D. Policies. In order to accomplish the purpose and intent of this section, the following policies are established:

1. To acknowledge that these characteristics are most significant in the village and the area immediately surrounding it, architectural standards apply only in the Village Commercial and Residential Districts.

2. To maintain the design elements noted above, which are both diverse and harmonious, it is important that new building construction reflect the mass, height, roof form, and materials found in most existing Eastsound buildings. These characteristics are illustrated in Figure 300–3.

3. To recognize that prescriptive standards intended to ensure both diversity and harmony of design in new developments may not be responsive to special problems or opportunities, it is desirable that a discretionary option to the strict application of architectural standards be provided. (Ord. 4–1996; Ord. 12–1994 Att. A; Ord. 62–1992 § 2)

LAND USE REGULATIONS

16.55.200 Land Use Districts

A. The following districts are hereby created based on existing land use patterns, natural features, and land capabilities, coordination with the Shoreline Master Program, and the needs and desires of the Orcas Community as expressed in the goals and policies of this plan. The districts are:

1. Village commercial;
2. Village residential;
3. Service and light industrial;
4. Eastsound residential four units per acre, Eastsound residential two units per acre, Eastsound residential one unit per acre, Eastsound Rural Residential one unit per two acres, and Eastsound rural residential one unit per five acres;
5. Conservancy overlay;
6. Natural;
7. Marina;
Figure 200 – 1 Land Use District Boundaries
Eastsound Subarea Plan, as amended through Ordinance 14-2010

This map is a graphic representation derived from San Juan County’s Geographic Information System. It is designed and intended for reference only, and is not guaranteed to be accurate. The information represented on this map is subject to change without notice.

Drawn By:
Date: 12/10
Revised: 00/00
8. Airport use;
9. Eastsound rural;
10. Service Park.

B. These districts apply to land areas within Eastsound as described on the official map.

C. On the official map some designations are noted with the letter “P” to identify those locations where site planning is required under SJCC 18.60.220. This planning is necessary to ensure that development at less than four units per acre density will not preclude possible future development at urban-level densities (four units per acre or higher). New residential development in such areas is subject to approval by the administrator for this purpose. (Ord. 14-2010 § 4; Ord. 13-2000; Ord. 4-1996; Ord. 12-1994 Att. A; Ord. 62-1992 § 2)

16.55.205 Eastsound Urban Growth Area

A. The boundary of the Eastsound Urban Growth Area within the Eastsound planning area is shown on the official map.

B. The standards of SJCC 18.60.240 shall apply to all new development and all substantial alterations to a building or facility within the urban growth area. A substantial alteration is where the total cost of all alterations (including but not limited to electrical, mechanical, plumbing, and structural changes) for a building or facility within any 12-month period or single development permit application amounts to 50 percent or more of the value of the building or facility. In determining the current value of the building or facility, the assessor’s fair market value, or a current appraisal acceptable to the County, may be used.

C. Within the Eastsound urban growth area, wherever allowable land use density is equal to or less than four units per acre, a density bonus for affordable housing may be approved to achieve up to six units per acre of housing affordable to households with moderate incomes, or up to eight units per acre for housing affordable to households with low incomes. The definition of income groups by size shall be as most recently defined by the U.S. Department of Housing and Urban Development for San Juan County. Affordable housing projects must comply with the critical area requirements of Chapter 18.30 SJCC. No density bonus may be approved for the portion of any parcel within the shoreline jurisdiction. (Ord. 52-2008 § 15; Ord. 13-2005 § 2; Ord. 13-2000)

16.55.210 Village Commercial District.

A. Purpose.

1. To provide for a concentrated village that will centralize commercial and community-wide social and cultural activities in a relatively small area, but which is large enough to allow for reasonable growth;

2. To retain as much as possible of the existing village character as defined by the general goals and policies in SJCC 16.55.110;

3. To allow for development that preserves the existing character, natural features and visual qualities of the village by imposing specific development standards, including building height and setbacks, open space, and landscaping;

4. To consolidate development in such a manner to allow walking from one destination to another to the greatest extent possible; and to make walking a pleasant alternative to driving between destinations by specifying street-orientation of buildings and imposing street improvement and landscaping requirements, and by encouraging provision of public pedestrian access to and along the waterfront;

5. To encourage creation of community parking facilities and the shared use of off-street parking areas in locations that will help promote pedestrian traffic among village destinations; and

6. To allow a mixture of residential and commercial uses while protecting adjoining residential areas from uses which typically generate noise, traffic or evening activities incompatible with residential neighborhoods.

B. Allowable and Prohibited Uses. Land uses not specifically listed in this subsection as either allowable or prohibited may be allowed subject to conditional use permit approval. Allowable uses are subject to the
required permits and use limitations and the site development and performance standards stated in this section.

**The following uses are allowable in the Village Commercial District:**

**Commercial:**

1. Adult day care
2. Day nursery
3. Equipment rental services
4. Laundry/laundromat
5. Medical clinic
6. Commercial nurseries and retail plant sales
7. Office (business and personal and professional service)
8. Recreational indoor facilities
9. Restaurants and taverns
10. Retail sales
11. Theaters
12. Transient lodging

**Institutional:**

1. Community club or community organization facility
2. Cultural facility
3. Library
4. Museum
5. Post office
6. Religious assembly facility
7. College or technical school/adult education facility and primary and secondary school facilities as specified in this section

**Recreational:**

1. Indoor and outdoor noncommercial recreational facilities
2. Parks

**Residential:**

1. Single-family dwelling unit or a single apartment unit accessory to another allowable use
2. Multi-family dwelling units
3. Group housing
4. Home occupation
5. Home day care

**Transportation:**

1. Parking, off-site (on-site parking is allowed to serve allowable uses) and driveways
2. Streets, public and private

**Utilities:**

1. Water, power, cable TV, telephone, and sewer distribution lines
2. Utility service office
3. Utility storage building

The following uses are prohibited in the Village Commercial District:

Commercial/Industrial:
1. Automotive services
2. Manufacturing

Recreational:
1. Camping facilities

C. Residential Density. Minimum and maximum allowable residential density is as specified on the official map, as amended.

D. Required Permits and Use Limitations.
1. All developments 4,000 square feet or larger in gross use area shall be subject to site plan review requirements.
2. Construction of or improvements to streets, pedestrian paths and off-site parking areas shall be subject to site plan review requirements. (Parking spaces, driveways and paths required for an allowable use shall not require a permit separate from any permit required for the use served; provided, that a road access permit must be granted for construction of any driveway entering a public road.)
3. Automotive service, retail sales, laundries/laundromats, equipment rentals, restaurants and post offices shall be prohibited within that portion of this district described as follows: between High School and Rose Streets and east of Pine Street, and all area east of Madrona Street.
4. Classroom uses for primary and secondary education are allowed outright if parking is provided in conformance with requirements in SJCC 16.55.300(B).

E. Site Development and Performance Standards.
1. Building Height. No building shall exceed 32 feet as measured from average existing grade to the highest point of the highest roof structure (excluding church spires if area at the base is not larger than five percent of building floor area).
2. Building Setbacks.
   a. No building shall be built closer than 30 feet to the centerline of a public right-of-way.
   b. Building setbacks from shorelines shall be subject to policies and regulations in Chapter 18.50 SJCC [N.B. Erratum. And the SMP policies, which are in Section B.3 of the Comprehensive Plan.], the Shoreline Master Program.
   c. Each side yard shall be at least five feet in width. Architectural appendages (i.e., roof overhangs, chimneys, bay windows, and decks not over 30 inches above grade) may extend two feet into required yards.
   d. Building setbacks for existing, expanded, new, or replacement structures on properties within the geographical scope of the Eastsound Waterfront Access Plan (Figure 130–6), shall be as specified below:
      i. Tax Parcel Nos. (TPN) 271442007, 271442008, and 271451012 [N.B. Erratum. This is 271441012; see 271451012, below. In all of these cases, tax parcels correspond directly with legal parcels; legal parcel nos. are as represented, but with three additional zeros.]

<table>
<thead>
<tr>
<th>Front (Main Street)</th>
<th>38 feet or existing footprint for Emmanuel Church, 10 feet or existing footprint for Benson Hall</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rear (East Sound shoreline)</td>
<td>the lesser of 15 feet from the top-of-bank (measured from the +8-foot Ordinary High Water Mark (OHWM)) or the existing footprint</td>
</tr>
<tr>
<td>Left (east)</td>
<td>5 feet or existing footprint, subject to the presence of an existing structure (currently occupied by San Juan Insurance Center). Upon</td>
</tr>
</tbody>
</table>
removal of this structure, this setback shall become effective and not blocked in the future by new or expanded construction

| Right (west) | 10 feet |

---

### ii. Tax Parcel No. 271451010

<table>
<thead>
<tr>
<th><strong>Front (Main Street)</strong></th>
<th>5 feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rear (East Sound shoreline)</td>
<td>5 feet from the top-of-bank (measured from the seaward face of the existing riprap bulkhead) for structures. Decks may project to the landward edge of the riprap line</td>
</tr>
<tr>
<td>Left (east)</td>
<td>5 feet</td>
</tr>
<tr>
<td>Right (west)</td>
<td>5 feet</td>
</tr>
</tbody>
</table>

### iii. Tax Parcel No. 271451012 [**N.B. And daughter parcel 271451022000, created June 2, 1999**]

<table>
<thead>
<tr>
<th><strong>Front (Main Street)</strong></th>
<th>5 feet or existing footprint</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rear (East Sound shoreline)</td>
<td>5 feet from the OHWM for structures. Decks may project to any bulkhead line</td>
</tr>
<tr>
<td>Left (east)</td>
<td>5 feet</td>
</tr>
<tr>
<td>Right (west)</td>
<td>5 feet</td>
</tr>
</tbody>
</table>

### iv. Tax Parcel No. 271451013

<table>
<thead>
<tr>
<th><strong>Front (Main Street)</strong></th>
<th>16 feet or existing footprint</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rear (East Sound shoreline)</td>
<td>the lesser of 15 feet from the top-of-bank (measured from the +8-foot OHWM) or the existing footprint for buildings and decks, as shown on Figure 130–6</td>
</tr>
<tr>
<td>Left (east)</td>
<td>5 feet</td>
</tr>
<tr>
<td>Right (west)</td>
<td>5 feet</td>
</tr>
</tbody>
</table>

### v. Tax Parcel No. 271460050

<table>
<thead>
<tr>
<th><strong>Front (Main Street)</strong></th>
<th>29 feet or existing footprint except canopy over gas pumps</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rear (East Sound shoreline)</td>
<td>the lesser of 15 feet from the top-of-bank (measured from the +8-foot OHWM) or the existing footprint</td>
</tr>
<tr>
<td>Left (east)</td>
<td>5 feet or a larger width to replace any visual access lost due to permitted construction between this parcel and TPN 271442010</td>
</tr>
<tr>
<td>Right (west)</td>
<td>5 feet or existing footprint, subject to the provision that the Darvill and Porter Station Buildings may be connected together in such a manner that does not substantially impair the visual access corridor, as provided for in Section 16(2)(c)(3) of this MOA</td>
</tr>
</tbody>
</table>

### vi. Tax Parcel No. 271442010

<table>
<thead>
<tr>
<th><strong>Front (Main Street)</strong></th>
<th>22 feet or existing footprint</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rear (East Sound shoreline)</td>
<td>the lesser of 15 feet from the top-of-bank (measured from the</td>
</tr>
</tbody>
</table>
vii. Tax Parcel No. 271442009

<table>
<thead>
<tr>
<th></th>
<th>9 feet or existing footprint</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Front (Main Street)</strong></td>
<td><strong>9 feet or existing footprint</strong></td>
</tr>
<tr>
<td>Rear (East Sound shoreline)</td>
<td>the lessor of 15 feet from the top-of-bank (measured from the +8-foot OHWM) or the existing footprint</td>
</tr>
<tr>
<td>Left (east)</td>
<td>5 feet or existing footprint</td>
</tr>
<tr>
<td>Right (west)</td>
<td>5 feet or existing footprint</td>
</tr>
</tbody>
</table>

The actual setbacks and resulting “building envelope” for each parcel are shown on Figure 130–6.

e. Land use and shoreline permits for the Eastsound urban district may also be subject to easements and agreement with San Juan County.

3. **Outdoor Storage.** Any outdoor storage shall be screened from view from public roads and from the shoreline by fencing, vegetation or other means. Any such screen shall be at least five feet high.

4. **Utilities.** Utilities installed to serve new development shall be underground.

5. **Open Space and Lot Coverage.** The following minimum standards for open space (area not occupied by buildings, parking or driveways) and lot coverage (area covered by buildings) shall be met in all new development:
   a. Open space shall be maintained in its natural condition or landscaped; applications for permits required by this plan or the Shoreline Master Program shall specify open space and identify existing or proposed landscape features.
   b. Lot coverage by buildings larger than 5,000 square feet in gross floor area shall not exceed 65 percent of the site area.
   c. Open space shall be provided in all new and expanded developments and shall be visible from public streets. At least 10 percent of the site area, exclusive of any street front pedestrian easement, shall be open space.
   d. Required open space shall be provided in a manner consistent with SJCC 16.55.300(F), Landscaping.

6. **Landscaping.** Screening shall be required between residential and nonresidential developments. Parking areas shall be landscaped in accordance with standards in SJCC 16.55.300(B)(6), and other landscaping required in this section shall comply with standards in SJCC 16.55.300(F). (Ord. 14–2000 § 7(UU); Ord. 13–2000; Ord. 4–1996; Ord. 12–1994 Att. A; Ord. 62–1992 § 2)

**16.55.215 Service Park District.**

Note: See also SJCC 16.55.300, General development standards, for permit, landscaping, parking, architectural design, signs, lighting, etc., requirements.

A. **Purpose.**

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[Table showing setbacks and provisions]
1. To provide for a service center at the eastern edge of Eastsound, in a relatively small area characterized by an existing mix of service and residential uses, but which is large enough to allow for reasonable growth.

2. To allow for development that preserves the existing character, natural features and visual qualities of adjacent properties by imposing specific development standards, including building height, setbacks, open space, and landscaping;

3. To allow a mixture of commercial service uses and accessory residential units while protecting adjoining residential areas from undesirable commercial and industrial uses which typically generate noise, traffic, or evening activities incompatible with residential neighborhoods.

4. To prohibit new residential development other than residential units accessory to a commercial or industrial use and located within a commercial or industrial building.

B. Allowable and Prohibited Uses. Land uses not specifically listed in this subsection as either allowable or prohibited may be allowed subject to conditional use permit approval. Allowable uses are subject to the required permits and use limitations and the site development and performance standards stated in this section.

The following uses are allowable in the Service Park District:

Commercial:

1. Automotive services and repair
2. Day care and nursery facilities
3. Equipment rental services
4. Landscaping, nurseries and retail plant sales
5. Offices (business, personal and professional service)
6. Recreational facilities (for profit)
7. Transient lodging of five rooms or less
8. Processing of County grown agricultural and aquacultural products and associated retail sales which are subordinate to the food processing activity
9. Animal hospitals, animal shelters, and veterinary clinics; provided such use is wholly enclosed within a building or no outdoor storage is permitted unless enclosed by sight-obscuring fencing and vegetation
10. Mini-storage facilities
11. Construction related businesses including but not limited to plumbing, electrical, roofing, siding, etc.; provided such use is wholly enclosed within a building or no outdoor storage is permitted unless enclosed by sight-obscuring fencing and vegetation

Recreational:

1. Indoor and outdoor recreational facilities and parks
2. Community club or community organization facility

Residential:

1. One apartment unit accessory to an allowable commercial or industrial use
2. Home occupation

Transportation:

1. Parking, on-site to serve allowable uses, and driveways
2. Streets, public and private

Utilities:

1. Water, power, cable TV, telephone, and sewer distribution lines
2. Water, power, cable TV, and telephone maintenance, operations, and support facilities
3. Utility service offices and storage buildings

The following uses are prohibited in the Service Park District:

Commercial/Industrial:
1. Theaters
2. Wrecking and salvage yards
3. Concrete and batch plants
4. Industrial development
5. Equipment wrecking and salvage yards
6. Sand, gravel and other extraction industries
7. Garbage and solid waste transfer stations
8. Slaughterhouses

Recreational:
1. Camping facilities

C. Residential Density. Residential density is limited to not more than one dwelling unit accessory to an allowable commercial or industrial use.

D. Minimum Parcel Size. Minimum parcel or lot size is 0.5 acres.

E. Required Permits and Use Limitations.
1. Site plan review is required for allowable uses if total use area (the gross area of buildings, outdoor storage and other area including required parking area devoted to the proposed use and any accessory residential use) is 4,000 to 10,000 square feet and conditional use permit approval is required if total use area exceeds 10,000 square feet. However, if the administrator determines that a proposed use which would otherwise be allowed outright would likely produce significant air, water or noise pollution or otherwise constitute a nuisance, site plan review shall be required.

2. Construction of or improvements to streets and pedestrian paths shall be subject to site plan review requirements. (Parking spaces, driveways and paths required for an allowable use shall not require a permit separate from any permit required for the use served; provided, that a road access permit must be granted for construction of any driveway entering a public road.)

3. New developments (other than new accessory residential structures) with primary access from the Mount Baker Road Bypass and Terrill Beach Road shall be required to obtain or provide for shared access with at least one adjoining parcel by establishing common driveway easements and/or locating access at property lines. No use permitted in this district shall be designed in a manner that would result in traffic backing onto a public or private street or road right-of-way.

4. New residential development is prohibited except as an accessory to a commercial or industrial use and located within a commercial or industrial building.

F. Performance and Site Development Standards for the Service Park District.
1. Building Height. No building shall exceed 32 feet measured from average grade to the highest point of the highest roof structure.

2. Building Setbacks.
   a. No structure shall be built within 30 feet of the property line(s) abutting public rights-of-way.
   b. Structures shall be set back from other property lines by at least 10 feet. Architectural appendages (i.e., roof overhangs, chimneys, bay windows, and decks not over 30 inches above grade) may extend two feet into required yards.

3. Outdoor storage. All outdoor storage and the storage of recreational vehicles associated with a dwelling unit shall be screened from view from adjoining properties and from the shoreline, and public roadways by fencing evergreen vegetation or other means. Any such screening shall be at least five feet high. Any
outdoor storage associated with any nonresidential use allowed in this district shall also be so screened before any occupancy permit is issued.

4. **Utilities.** Utilities installed to serve new development shall be underground.

5. **Open Space and Lot Coverage.** The following maximum lot coverage (area covered by structures) and minimum open space (area not occupied by buildings, parking or driveways) standards shall be met in all new development:
   
   a. Open space shall be maintained in its natural condition or landscaped; applications for permits required by this plan shall specify open space and identify existing or proposed landscape features. Minimum required open space shall be 40 percent.
   
   b. Maximum lot coverage by buildings shall be 25 percent.
   
   c. Open space shall be provided in all new and expanded developments and shall be visible from public streets. At least 40 percent of the site area, exclusive of any street-front pedestrian easement, shall be open space.
   
   d. Required open space shall be provided in a manner consistent with SJCC 16.55.300(F), Landscaping.

6. **Landscaping.** New development shall be designed to conserve natural site features to the extent possible. Landscaped buffers shall be required along public street frontage in all new development, and screening shall be required between existing residential uses and new nonresidential developments. In addition to the landscaping requirements listed in SJCC 16.55.300(F), a landscaping strip with a minimum width of 10 feet shall be provided along the entire primary road frontage of the site. The landscaping strip shall include evergreen trees.

7. **Ground Vibration.** No approved use shall generate around vibration perceptible without instruments at any point along or outside of the property line of the site of the use, except for motor vehicle operations.

8. **Noise, Glare, and Flashing Lights.** Any use, which is allowable under a conditional use permit, on a lot adjacent to or across the street from a residential dwelling (except nonconforming residences), a lot in a platted subdivision, or a residential designation in the subarea plan shall not emit continuous and/or uninterrupted noise, glare, flashing lights, or similar disturbances perceptible without instruments more than 200 feet in the direction of the affected residential use or lot.

9. **Air Emissions.** No approved use shall generate or cause any visible smoke, gasses, dust, steam, heat or odor to be emitted into the atmosphere, except as necessary for the heating or cooling of buildings, and the operation of motor vehicles on the site. (Ord. 13–2000; Ord. 4–1996)

16.55.220 **Village Residential District.**

Note: See also SJCC 16.55.300, General development standards, for permit, landscaping, parking, architectural design, signs, lighting, etc., requirements.

A. **Purpose.**

1. To provide area adjoining the village for a mix of single and multiple-family residential uses of moderately high density;

2. To provide for low-intensity commercial uses which are or can be made compatible with residential uses;

3. To provide for civic and cultural facilities that serve the greater island community and which are therefore best located near the village, but which are not desirable within the village itself because of the amount of land required (such as public schools) or because they do not contribute directly to the vitality of the village;

4. To provide for the above uses in a manner which will protect the natural environment and preserve the existing character and informal quality of the Eastsound area by allowing a mix of land uses and by setting standards for landscaping and site and building design; and

5. To preserve natural features significant to the form and character of Eastsound by conserving specific areas for open spaces.

B. **Allowable and Prohibited Uses.** Land uses not specifically listed in this subsection as either allowable or prohibited may be allowed subject to conditional use permit approval. Allowable uses are subject to the required permits and use limitations and site development and performance standards stated in this section.
The following uses are allowable in the Village Residential District:

Commercial:
1. Adult day care
2. Day nursery
3. Offices
4. Transient lodging as provided for under SJCC 16.55.220(D)(5)

Institutional:
1. Community club or community organization facility
2. Cultural facility
3. Religious assembly facility
4. School, primary, secondary and college/technical/adult education

Recreational:
1. Park without camping facilities
2. Recreational facilities, indoor

Residential:
1. Single-family dwelling units
2. Multi-family dwelling units
3. Group housing
4. Home occupation
5. Home day care

Transportation:
1. Hangars for noncommercial aircraft storage within the Grassylvania subdivision or when accessory to a single-family residence on land adjacent to the Airport Use District
2. Off-site parking serving uses in the Village Commercial District adjacent to the Village Commercial District boundary, on-site parking and driveways
3. Streets, public and private

Utilities:
1. Water, power, cable TV, telephone and sewer distribution lines
2. Utility storage buildings 400 square feet or smaller

The following uses are prohibited in the Village Residential District:

Commercial/Industrial:
1. Airport and airport-related use
2. Automotive service
3. Equipment rental service
4. Laundry/laundromat
5. Manufacturing
6. Restaurant
7. Retail
8. Theaters, commercial
Institutional:
1. Library
2. Museum
3. Post office

Recreational:
1. Park with camping facilities

Utilities:
1. Sewage and water treatment facilities
2. Utility service offices
3. Utility storage buildings larger than 400 square feet

C. Residential Density. Minimum and maximum allowable residential densities are as specified on the official map, as amended.

D. Required Permits and Use Limitations.
1. Single-family dwelling units and multi-family developments of two to eight units shall be allowed outright. Developments of nine to 20 multi-family units shall be subject to site plan review. Multi-family developments of more than 20 units shall be subject to conditional use permit approval. These review standards shall apply regardless of phased construction over time.
2. Home occupations, adult family homes and in-home day care facilities which exceed standards for these uses set out in SJCC 18.60.180 and which are allowable uses in accordance with subsection (B) of this section, shall be permitted in accordance with applicable permit requirements of this subsection.
3. Professional and personal service and business offices with less than 2,000 square feet of use area shall be subject to site plan review; offices with use area 2,000 square feet or larger shall be subject to approval of a conditional use permit.
4. Construction of or improvements to streets, pedestrian paths and off-site parking areas shall be subject to site plan review requirements. (Parking spaces, driveways and paths required for an allowable use shall not require a permit separate from any permit required for the use served; provided, that a road access permit must be granted for construction of any driveway entering a public road.)
5. Transient lodging with up to six guest rooms, located within the principal residence of the operator, with food service limited to breakfast served to overnight guests only, shall be subject to site plan approval. Other transient lodging shall be subject to conditional use permit approval.
6. New commercial, institutional, recreational and multi-family residential developments with primary access from the Mount Baker Road Bypass shall be required, wherever possible, to obtain or provide for shared access with at least one adjoining parcel by establishing common driveway easements and/or locating access at property lines.

E. Site Development and Performance Standards.
1. Building Height. No building shall exceed 32 feet as measured from average grade to the highest point of the highest roof structure (excluding church spires if area at the base is not larger than five percent of building floor area).
2. Building Setbacks. No building shall be built closer than 40 feet to the centerline of a public or private right-of-way.
3. Side and Rear Yards. Each side yard shall be at least five feet in width and aggregate width shall be at least 12 feet. Rear yards shall be at least 20 feet except that one-story garages and storage sheds may be located not less than three feet from rear property lines. Architectural appendages (i.e., roof overhangs, chimneys, bay windows, and decks not over 30 inches above grade) may extend two feet into required yards.
4. Outdoor Storage. Outdoor storage of recreational vehicles associated with residential use shall be screened from view from adjoining properties and from the shoreline by fencing, vegetation or other means. Other outdoor storage shall be screened from public roads and from the shoreline. Any such
screen shall be at least five feet high. Any outdoor storage associated with any nonresidential use allowed in this district shall also be so screened before any occupancy permit is issued.

5. **Utilities.** Utilities installed to serve new development shall be underground.

6. **Open Space and Lot Coverage.** The following standards for open space (area not occupied by buildings, parking and driveways) and lot coverage (area covered by buildings) shall be met in all new development:
   a. Open space shall be maintained in its natural condition or landscaped; applications for permits required by this plan or the Shoreline Master Program shall specify open space and identify existing or proposed landscape features. Minimum required open space is 30 percent of the total site area.
   b. Maximum lot coverage by buildings shall be 30 percent of the total site area.

7. **Landscaping.** New development shall be designed to conserve natural site features to the extent possible. Landscaped buffers shall be required along public street frontage in all new development except single-family dwelling units, and screening shall be required between residential and nonresidential developments.

8. **Lot Size.** The minimum size of any parcel created after adoption of the ordinance codified in this chapter shall be 7,000 square feet, except that a smaller parcel size may be created subject to approval of a clustered development plan in accordance with the Land Division Ordinance (Chapter 18.70 SJCC) in which the average density is in compliance with subsection (C) of this section.

9. **Mobile Homes.** Mobile homes shall have skirting or permanent decks installed to obscure chassis prior to occupancy.

10. **Parking.** Parking serving commercial uses shall be beside or behind buildings. Residential parking shall not be located within the required street front building setback area, and when parking is located in front of the building it shall be screened from the street. Parking and driveways shall be at least three feet from the side and rear property lines except when shared with the adjoining property. Driveway width at the property line shall not exceed 20 feet.

11. **Required Clustering.** All residential developments of 20 or more units or any residential development on a parcel or parcels in common ownership of 10 acres or more shall be required to be designed as a cluster of buildings and appurtenances. A minimum of 30 percent of the site shall be retained in open space. All cluster development shall be connected to public water and sewer systems. All projects developed in accordance with these requirements shall be exempt for the conditional use permit requirements of subsection (D) (1) of this section, and will be processed under the site plan review procedures, unless other requirements of the SJC Land Division Ordinance, Chapter 18.70 SJCC, also apply. (Ord. 13–2000; Ord. 4–1996; Ord. 12–1994 Att. A; Ord. 62–1992 § 2)

16.55.230 **Service and Light Industrial District.**

Note: See also SJCC 16.55.300, General development standards, for permit, landscaping, parking, architectural design, signs, lighting, etc., requirements.

A. **Purpose.**

1. To accommodate commercial services and light industrial or construction related activities as well as accessory office and retail uses which are an integral and necessary part of those uses. Such uses are not appropriate within the Village Commercial District but are necessary and important components of the local economy.

2. To accommodate the existing airport-related facilities and services which are located outside of the Airport Use District.

3. To provide the land area needed specifically for the above uses within the area currently served by central sewer and water services.

4. To concentrate the above uses around the Eastsound airport where they have already been established.

5. To concentrate the above uses in a manner that will enable efficient use of the transportation system.

6. To prohibit new residential development other than residential units accessory to a commercial or industrial use and located within a commercial or industrial building.
B. Allowable and Prohibited Uses. Land uses not specifically listed in this subsection as either allowable or prohibited may be allowed subject to conditional use permit approval. Allowable uses are subject to the required permits and use limitations and performance and site development standards stated in this section.

The following uses are allowable in the Service and Light Industrial District:

Commercial/Industrial:

1. Airport related uses; provided, that aircraft hangars are only allowable on property adjacent to the existing airport (as of September 1, 1994) or properties which have deeded access rights or through the fence agreements for access to the existing airport
2. Automotive services, including but not limited to auto repair, sales, rentals, parts and supplies, tire stores, and gasoline service stations
3. Construction related businesses including but not limited to plumbing, electrical, roofing, siding, etc.; provided such use is wholly enclosed within a building or no outdoor storage is permitted unless enclosed by sight-obscuring fencing and vegetation.
4. Equipment rental
5. Home occupations
6. Light industrial
7. Laundry/laundromat
8. Office accessory to another allowable use
9. Retail with substantial storage space or incidental to another allowable use
10. Warehouse, mini-storage, and moving storage facilities
11. Manufacturing; provided such use is wholly enclosed within a building or no outdoor storage is permitted unless enclosed by sight-obscuring fencing and vegetation
12. Animal hospitals, animal shelters, and veterinary clinics; provided such use is wholly enclosed within a building or no outdoor storage is permitted unless enclosed by sight-obscuring fencing and vegetation
13. Wholesale distribution outlet

Institutional:

1. Technical or trade schools

Residential:

1. One residential unit accessory to an allowable commercial or industrial use, per lot
2. Home day care in single-family units accessory to an other allowable use or within a legal nonconforming single-family unit

Transportation:

1. Parking, off-site, and driveways
2. Streets, public and private

Recreational:

1. Park without camping facilities
2. Recreational facilities, indoor

Utilities:

1. Water, power, cable TV, telephone and sewer distribution lines
2. Sewage and water treatment facilities
3. Utility service office
4. Utility storage building
The following uses are prohibited in the Service and Light Industrial District:

**Commercial/Industrial:**
1. Adult day care
2. Day nursery
3. Office except as accessory to an allowable use
4. Restaurant
5. Retail except as provided in this subsection
6. Theaters, commercial
7. Transient lodging
8. Wrecking and salvage yards
9. Concrete and batch plants
10. Industrial development other than manufacturing and light industrial uses
11. Equipment wrecking and salvage yards
12. Sand, gravel and other extraction industries

**Institutional:**
1. Cultural facility
2. Library
3. Museum
4. Post office
5. Religious assembly
6. School, except as provided in this section
7. Community club or community organization facility
8. Garbage and solid waste transfer stations

**Recreational:**
1. Park with camping facilities

**Residential:**
1. Single-family residential units (except where accessory to an allowable commercial or industrial use)
2. Multi-family residential units
3. Group housing
4. Home occupation except as provided in this subsection

**C. Minimum Parcel Size.** The minimum parcel or lot size shall be 20,000 square feet.

**D. Required Permits and Use Limitations.**
1. Site plan review is required for allowable uses if total use area (the gross area of buildings, outdoor storage and other area including required parking area devoted to the proposed use and any accessory residential use) is 4,000 to 10,000 square feet and conditional use permit approval is required if total use area exceeds 10,000 square feet. However, if the administrator determines that a proposed use which would otherwise be allowed outright would likely produce significant air, water or noise pollution or otherwise constitute a nuisance, site plan review shall be required.

2. Construction of or improvements to streets, pedestrian paths and off-site parking areas shall be subject to site plan review requirements. (Parking spaces, driveways and paths required for an allowable use shall not require a permit separate from any permit required for the use served; provided, that a road access permit must be granted for construction of any driveway entering a public road.)
3. New developments (other than new accessory residential structures) with primary access from the Mount Baker Road Bypass shall be required to obtain or provide for shared access with at least one adjoining parcel by establishing common driveway easements and/or locating access at property lines. No use permitted in this district shall be designed in a manner that would result in traffic backing onto a public or private street or road right-of-way.

4. Where contractors yards and offices are allowed, any display and sales of products on the premises shall be incidental to the primary activity of construction contract services and shall be directly related to the contract services provided by the proprietor.

5. New residential development is prohibited except as an accessory to a commercial or industrial use and located within a commercial or industrial building.

E. Performance and Site Development Standards for the Service and Light Industrial District.

1. Building Height. No building shall exceed 32 feet measured from average grade to the highest point of the highest roof structure.

2. Building Setbacks.
   a. No structure shall be built within 40 feet of the centerline of a public right-of-way.
   b. Structures shall be set back from side and rear property lines by at least 10 feet. Architectural appendages (i.e., roof overhangs, chimneys, bay windows, and decks not over 30 inches above grade) may extend two feet into required yards.

3. Outdoor Storage. All outdoor storage and the storage of recreational vehicles associated with a dwelling unit shall be screened from view from adjoining properties and from the shoreline, and public roadways by fencing, evergreen vegetation or other means. Any such screening shall be at least five feet high. Any outdoor storage associated with any nonresidential use allowed in this district shall also be so screened before any occupancy permit is issued.

4. Utilities. Utilities installed to serve new development shall be underground.

5. Open Space and Lot Coverage. The following maximum lot coverage (area covered by structures) and minimum open space (area not occupied by buildings, parking or driveways) standards shall be met in all new development:
   a. Open space shall be maintained in its natural condition or landscaped; applications for permits required by this plan shall specify open Space and identify existing or proposed landscape features. Minimum required open space shall be five percent.
   b. Maximum lot coverage by buildings shall be 60 percent.

6. Landscaping. New development shall be designed to conserve natural site features to the extent possible. Landscaped buffers shall be required along public street frontage in all new development, and screening shall be required between existing residential uses and new nonresidential developments. In addition to the landscaping requirements listed in SJCC 16.55.300(F), a landscaping strip with a minimum width of 20 feet shall be provided along the entire primary road frontage of the site and along any property line abutting a village residential or Eastsound residential district. The landscaping strip shall include evergreen trees.

7. Ground Vibration. No approved use shall generate ground vibration perceptible without instruments at any point along or outside of the property line of the site of the use, except for motor vehicle operations.

8. FAA Recommended Restrictions. All development in this district must comply with the Federal Aviation Regulations (FAR) Part 77, relating to heights of land uses proximate to airports and protection of airspaces critical to airport operations.

9. Noise, Glare, and Flashing Lights. Any use, which is allowable under a conditional use permit, on a lot adjacent to or across the street from a residential dwelling (except nonconforming residences), a lot in a platted subdivision, or a residential designation in the subarea plan shall not emit continuous and/or uninterrupted noise, glare, flashing lights, or similar disturbances perceptible without instruments more than 200 feet in the direction of the affected residential use or lot.

10. Air Emissions. No approved use shall generate or cause any visible smoke, gasses, dust, steam, heat or odor to be emitted into the atmosphere, except as necessary for the heating or cooling of buildings,

16.55.240  Eastsound Residential four units per acre, Eastsound Residential two units per acre, Eastsound Residential one unit per acre, Eastsound Rural Residential one unit per two acres, and Eastsound Rural Residential one unit per five acres. (Ord. 14-2010 § 5)

See also SJCC 16.55.300, General development standards, for permit, landscaping, parking, architectural design, signs, lighting, etc., requirements.

A. Purpose.

1. To provide for a mix of residential densities in areas already in residential use;
2. To acknowledge the existing medium density residential areas and allow other uses which are or can be made compatible with residential use; and
3. To provide a buffer of moderate land use intensity between the airport and adjoining industrial uses and the rural residential areas outside the geographic boundaries of this plan.
4. To provide for the phased development of the southeast quadrant of the Eastsound planning area in a way that protects wetlands, open space and natural habitat; provides for orderly extension of urban services; and provides opportunities for affordable housing.

B. Allowable Uses. Land uses not specifically listed in this subsection as either allowable or prohibited may be allowed subject to conditional use permit approval. Allowable uses are subject to the required permits and use limitations and site development and performance standards stated in this section.

The following uses are allowable in the Eastsound Residential four units per acre, Eastsound Residential two units per acre, Eastsound Residential one unit per acre, Eastsound Rural Residential one unit per two acres, and Eastsound Residential one unit per five acre districts:

Commercial:
1. Day nursery
2. Home day care
3. Transient lodging

Institutional:
1. Community club or community organization facility that principally serves the adjacent neighborhood
2. Religious assembly
3. School

Recreational:
1. Park without camping facilities

Residential:
1. Single-family residential units
2. Home occupations
3. Multifamily residential units (in Eastsound rural residential one unit per five acre districts only)
4. Rural residential cluster development (in Eastsound rural residential one unit per five acre districts only), as provided by the standards in SJCC 18.60.230 and the procedures in SJCC 18.80.180

Transportation:
1. Parking, on-site, and driveways serving allowable uses
2. Streets, public and private
3. Hangars for noncommercial aircraft storage when accessory to a single-family residence on land adjacent to the airport use district
Utilities:
1. Water, power, cable TV, telephone and sewer distribution lines (but sewer distribution lines are not allowed in Eastsound Rural Residential one unit per five acre districts)
2. Sewer and water treatment facilities (but not allowed in Eastsound Rural Residential one unit per five acre districts)

The following uses are prohibited in the Eastsound Residential four units per acre, Eastsound Residential two units per acre, Eastsound Residential one unit per acre, Eastsound Rural Residential one unit per two acres, and Eastsound Rural Residential one unit per five acre districts:

Commercial/Industrial:
1. Airport and airport-related use
2. Automotive services
3. Adult day care
4. Equipment rental service
5. Laundry/laundromat
6. Manufacturing
7. Offices
8. Restaurant
9. Retail commercial
10. Theater, commercial

Institutional:
1. Community club or community organization facility that principally serves the island-wide community
2. Library
3. Museum
4. Post office

Transportation:
1. Parking, off-site

Utilities:
1. Utility service offices
2. Utility storage building

C. Residential Density.
1. Maximum residential density shall be as shown on the official map.

D. Required Permits and Use Limitations.
1. Single-family dwelling units shall be allowed outright, subject to density standards in this section.
2. Multifamily developments containing two to four units shall be subject to site plan review and those containing five or more units shall be subject to conditional use permit approval.
3. Home occupations, adult family homes and in-home day care facilities which exceed standards for these uses set out in SJCC 18.60.180 shall be allowed only as provided above and in subsection (D)(6) of this section.
4. Construction of or improvements to streets, pedestrian paths and off-site parking areas shall be subject to site plan review requirements. (Parking spaces, driveways and paths required for an allowable use shall not require a permit separate from any permit required for the use served; provided, that a road access permit must be granted for construction of any driveway entering a public road.)
5. Transient lodging shall be allowed subject to site plan review, limited to two guest rooms located within the principal residence of the operator, and food service shall be limited to breakfast served to overnight guests only.

6. Other allowable nonresidential uses shall be subject to conditional use permit approval.

7. New commercial, institutional and recreational developments with primary access from the Mount Baker Road Bypass shall be required to obtain or provide for shared access with at least one adjoining parcel by establishing common driveway easements and/or locating access at property lines.

8. Rural residential cluster development is allowed only in the Eastsound Rural Residential one unit per five acres designation as provided by the standards in SJCC 18.60.230 and the procedures in SJCC 18.80.180, subject to the applicable provisions of the Unified Development Code and this subarea plan.

E. Site Development and Performance Standards.

1. Building Height. No building shall exceed 32 feet measured from average grade to the highest point of the highest roof structure, excluding church spires if the base is no larger than five percent of the building floor area.

2. Building Setbacks.
   a. No structure shall be built within 40 feet of the centerline of a public right-of-way.
   b. Structures shall be set back from side property lines by at least 10 feet. Rear yards shall be at least 20 feet except that one-story garages and storage sheds may be located not less than three feet from the rear property line. Architectural appendages (i.e., roof overhangs, chimneys, bay windows, and decks not over 30 inches above grade) may extend two feet into required yards.

3. Outdoor Storage. Outdoor storage of recreational vehicles associated with residential use shall be screened from view from adjoining properties and from the shoreline by fencing, vegetation or other means. Other outdoor storage shall be screened from public roads and from the shoreline. Any such screen shall be at least five feet high. Any outdoor storage associated with any nonresidential use allowed in this district shall also be so screened before any occupancy permit is issued.

4. Utilities. Utilities installed to serve new development shall be underground.

5. Open Space and Lot Coverage. The following maximum lot coverage (area covered by structures) and minimum open space (area not occupied by buildings, parking or driveways) standards shall be met in all new development other than single-family dwelling units:
   a. Open space shall be maintained in its natural condition or landscaped; applications for permits required by this plan or the Shoreline Master Program shall specify open space and identify existing or proposed landscape features.
   b. The minimum open space required shall be 30 percent of the total site area.
   c. Maximum lot coverage by buildings shall be 30 percent of the total site area.

6. Landscaping. New development shall be designed to conserve natural site features to the extent possible. Landscaped buffers shall be required along public street frontage in all new development except single-family dwelling units, and screening shall be required along property lines in all multifamily residential and nonresidential developments.

7. Required Clustering. All residential developments of five or more units or any residential development on a parcel or parcels in common ownership of 10 acres or more shall be required to be designed as a cluster of buildings and appurtenances. A minimum of 30 percent of the site shall be retained in open space. All cluster development shall be connected to public water and sewer systems. All projects developed in accordance with these requirements shall be exempt for the conditional use permit requirements of subsection (D)(2) of this section, and will be processed under the site plan review procedures, unless other requirements of the Land Division Ordinance (Chapter 18.70 SJCC) also apply.

8. On the official map some designations are annotated with the letter “P” to identify those locations where site planning is required under SJCC 18.60.220. [N.B. Erratum. The correct citation is SJCC 18.60.240(B)(4) - (6)] This planning is necessary to ensure that development at less than four units per acre density will not preclude possible future development at urban-level densities (four units per acre or
higher). New residential development in such areas is subject to approval by the administrator for this purpose.

9. Within the Eastsound Rural Residential one unit per five acre designation:
   a. Minimum parcel size shall be one-half acre; and
   b. Capital facilities and services are subject to SJCC 18.60.250.

10. Resource Land Buffer. A buffer area of at least 50 feet shall be maintained from the boundary of any property designated as forest resource land. No new structure shall be allowed within the buffer that houses a residential occupancy, or a commercial occupancy which provides lodging or food service to visitors. (Ord. 14-2010 § 5; Ord. 21-2002 § 12; Ord. 4-2002 § 1; Ord. 13-2000; Ord. 4-1996; Ord. 12-1994 Att. A; Ord. 62-1992 § 2)

16.55.245 Eastsound Rural District.

Note: See also SJCC 16.55.300, General development standards, for permit, landscaping, parking, architectural design, signs, lighting, etc., requirements.

A. Purpose.
   1. To provide a means to conserve those remaining lands within the subarea plan jurisdiction that are used for agricultural purposes.
   2. To foster the preservation of open space and pastoral views within Eastsound.
   3. To recognize that Eastsound is home to a variety of agricultural properties, uses, and activities, which exist in harmony with other residential, commercial, and institutional uses.
   4. To provide a mix of rural forms of development within Eastsound.

B. Allowable and Prohibited Uses. Land uses not specifically listed in this subsection as allowable or prohibited may be allowed subject to conditional use permit. Allowable uses are subject to the required permits and use limitations and site development standards stated in this section.

The following uses are allowable in the Eastsound Rural district subject to the standards in this section:

Agricultural:
   1. All agricultural uses and activities
   2. Commercial nurseries

Recreational:
   1. Parks and playing fields

Residential:
   1. Single-family residential unit(s)
   2. Day care facilities
   3. Home occupations
   4. Rural residential cluster development as provided by the standards in SJCC 18.60.210 and the procedures in SJCC 18.80.180

Transportation:
   1. Parking, on-site, and driveways to serve allowable uses
   2. Public streets

Utilities:
   1. Water, power, cable TV, and telephone lines to serve allowable uses
   2. Water systems

The following uses are prohibited in the Eastsound Rural district:
Commercial/Industrial:
1. Airport and airport-related use
2. Automotive services
3. Equipment rental service
4. Manufacturing
5. Offices except accessory to an allowable use
6. Recreational facilities, indoor
7. Restaurant
8. Retail commercial
9. Theaters, commercial

Institutional:
1. Community club or community organization facility
2. Library
3. Museum, except as provided in this subsection
4. Post office
5. Religious assembly structure
6. School

Recreational:
1. Recreational facilities, indoor
2. Camping facilities

Transportation:
1. Parking, off-site

Utilities:
1. Sewer and water treatment facilities and sewer distribution lines
2. Utility service office
3. Utility storage building

C. Residential Density. Maximum residential density shall be one dwelling unit per five acres.

D. Required Permits and Use Limitations. Practices for the maintenance of indigenous plants for continuous growth of desirable tree and plant species native to the site and uses which do not involve physical development or alteration of property shall be allowed outright. All agricultural uses are allowed outright.

Cultural facilities shall be limited to those designed for the purpose of conserving or interpreting the natural and/or cultural history of the property, or for the education of visitors about its natural and/or cultural resources. Any such facility allowed shall be small in scale, leave the majority of the site undisturbed, and have no more than a minimal impact on the character or value of the rural area.

Rural residential cluster development is allowed as provided by the standards in SJCC 18.60.230 and the procedures in SJCC 18.80.180, subject to the applicable provisions of the Unified Development Code and this subarea plan.

E. Site Development Standards.
1. Any use or development allowed shall be designed, constructed and maintained in a manner to ensure as much undisturbed land, trees and natural vegetation and open space value as practicable and to minimize adverse environmental impacts.
2. Minimum parcel size shall be one-half acre.
3. Capital facilities and services are subject to SJCC 18.60.250. (Ord. 13–2000; Ord. 4–1996)

16.55.250 Conservancy Overlay District.

Note: See also SJCC 16.55.300, General development standards, for permit, landscaping, parking, architectural design, signs, lighting, etc., requirements.

A. Purpose.

1. To provide a means to conserve those specific natural resources and features described in SJCC 16.55.120, Open Space and Natural Features.
2. To establish a specific classification for recognition of resources and features which are not of a size or configuration to warrant land use district classification of the entire area surrounding them.
3. To conserve specific natural resources and features through application of specific standards to carry out the policies for protection of open space and natural features in SJCC 16.55.120.
4. To provide for representation of such areas on the official map by reference to Figure 120–1 in SJCC 16.55.120.

B. Standards for Preservation of Open Space and Natural Features. The following standards shall apply to use and development of the open spaces and natural resources and features identified in Figure 120–1.

1. Lavender Farm Knoll. This knoll is a natural landmark in central Eastsound. No building, clearing or alteration to existing grade shall be allowed above elevation 55.00.

2. Eastsound Swale. This natural drainageway is a key component of the Eastsound watershed and of East Sound water quality. It provides an important public benefit by controlling flooding and by filtering sediments from storm water, which help to maintain surface water quality. The following standards shall apply to land use and development on properties adjoining the swale:
   a. No development within 100 feet of the wetland boundaries which is subject to building permit requirements or the permit requirements of this plan shall be permitted until the developer demonstrates compliance with all requirements of this section.
   b. No buildings, parking or other impervious surfaces or outdoor storage shall be allowed within 50 feet of wetland boundaries; provided, that landscaping and drainage control facilities may be allowed subject to written approval of a landscaping or drainage control plan by the administrator and the County engineer. A greater setback and/or buffer area may be required if the administrator determines it necessary to protect wetland values and functions. Any development adjacent to the wetland shall provide a 10-foot pedestrian easement immediately adjacent to the east wetland boundary.
   c. The applicant shall demonstrate compliance with the following in addition to compliance with SJCC 16.55.300:
      i. Except as provided in subsection (B)(2)(b) of this section, no vegetation within the approved buffer shall be altered or removed for development and natural vegetation shall be retained to the extent possible on the remainder of the site.
      ii. Limits of the area to be cleared for development shall be marked clearly on the ground before construction or site preparation begins.
      iii. Temporary erosion controls shall be employed during construction which will intercept all runoff from cleared areas and preclude discharge of sediments, debris and pollutants into the buffer area, and before occupancy of any structure the permanent storm drainage system for the site shall be cleaned in a manner approved by the County engineer.
      iv. A drainage plan prepared by a licensed civil engineer shall be submitted by the applicant and approved by the administrator and the County engineer for compliance with best management practices before any site preparation or construction activity occurs. The drainage plan shall identify existing and proposed ground contours, placement of stormwater collection ditches, temporary and permanent sediment traps and catch basins, and location and design of any runoff water quantity and quality controls. The drainage plan shall also demonstrate that the drainage increase over predevelopment levels will be detained in a manner to avoid increased rate of flow to the swale in excess of one percent.
Eastsound Subarea Plan, as amended through Ordinance 14-2010

v. All drainage control and treatment facilities shall be properly maintained.

d. The administrator may require an applicant to provide for a professional wetland analysis before a specific setback requirement is established and before any specific site preparation, development and use requirements are determined.

e. Any development adjacent to the wetland boundary may be required to grant a conservation easement to the County, or to a conservation organization acceptable to the County, for the portion of wetland area affected before a development permit is granted.

f. Improvements to public roads and trails which are shown on the Eastsound Subarea Transportation Plan (Figure 130–1) shall be permitted to locate within the boundaries of the Eastsound Swale and buffers; provided all other permit requirements are met.

3. Waterfront Park. This is a site for a day-use park. No structure shall exceed 14 feet above average grade to maintain opportunities for views from the uplands.

4. East Sound Waterfront. The County and owners of Village Commercial waterfront property have adopted and agreed to a waterfront public access plan.

Regardless of any specific public waterfront access plan adopted as part of this plan, waterfront structures shall be designed and located to allow for views of East Sound from Main Street by providing space between buildings as required in development standards for the applicable land use district.

5. Madrona Point Dock and Beach. The dock will provide the primary dock access to Eastsound. This dock is intended as a boat landing and a temporary tie-up.

6. Madrona Point (see Natural district).

7. Buck Park (no regulations).

8. Significant Views. These views shall be protected by adherence to maximum frontage and height standards for the development of new or expanded waterfront structures specified in the Shoreline Master Program and the site development standards in this plan.

9. Entrance and Edge Features.

a. The West Gate. No trees within the area described in Figure 120–1 shall be removed except to control disease or avert hazards to public safety (including maintenance of adequate sight distance along the Main Street right-of-way).

b. The East Gate. A buffer of at least 30 feet in depth shall be retained along both sides of Main Street together with the existing trees within that buffer.

c. The North Gate. Any road improvements shall not encroach on the toe of Purdue Hill.

d. Lovers’ Lane. A buffer of at least 50 feet in depth shall be retained along the east side of Lovers’ Lane, excluding vegetation removal necessary for driveway or road access to property.

10. Mt. Baker Road Agricultural Property. All improvements shall be set back at least 100 feet from the property lines along Mr. Baker Road, as shown on Figure 120–1. (Ord. 4–1996; Ord. 62–1992 § 2)

16.55.260 Natural District.

Note: See also SJCC 16.55.300, General development standards, for permit, landscaping, parking, architectural design, signs, lighting, etc., requirements.

A. Purpose.

1. To preserve areas containing unusual natural resource systems and to regulate all activities or uses which might degrade or alter the natural characteristics which make these areas unusual.

2. To prevent alteration of natural resource areas which are relatively intolerant of human use.

B. Allowable and Prohibited Uses. Land uses not specifically listed in this subsection as allowable or prohibited may be allowed subject to conditional use permit approval only if the proposed use will be consistent with the purpose of this district. Allowable uses are subject to the required permits and use limitations stated in this section.
The following uses are allowable in the Natural District subject to the standards in this section:

**Institutional:**
1. Cultural facility
2. Museum for cultural, historical and educational purposes specifically related to the history of the site
3. Religious assembly except structures specifically for religious assembly use

**Recreational:**
1. Park without playing field(s) or camping facilities

**Residential:**
1. One single-family residential unit accessory to an allowable use

**Transportation:**
1. Parking, on-site, and driveways to serve allowable uses
2. Public streets

**Utilities:**
1. Water, power, cable TV, telephone and sewer distribution lines to serve allowable uses

The following uses are prohibited in the Natural District:

**Commercial/Industrial:**
1. Airport and airport-related use
2. Automotive services
3. Adult day care
4. Day nursery
5. Equipment rental service
6. Manufacturing
7. Offices except accessory to an allowable use
8. Recreational facilities, indoor
9. Restaurant
10. Retail commercial
11. Theaters, commercial
12. Transient lodging

**Institutional:**
1. Community club or community organization facility
2. Library
3. Museum, except as provided in this subsection
4. Post office
5. Religious assembly structure
6. School

**Recreational:**
1. Recreational facilities, indoor
2. Park with playing field(s) or camping facilities

**Residential:**
1. Single-family residential units except as provided in this subsection
2. Multifamily residential units
3. Group housing

Transportation:
1. Parking, off-site

Utilities:
1. Sewer and water treatment facilities
2. Utility service office
3. Utility storage building

C. Required Permits and Use Limitations.
   1. Practices for the maintenance of indigenous plants for continuous growth of desirable tree and plant species native to the site and uses which do not involve physical development or alteration of property shall be allowed outright. Uses which require physical development or alteration of property shall be subject to conditional use permit, except that construction of or improvements to streets, pedestrian paths and off-site parking areas shall be subject to site plan review. (Parking spaces, driveways and paths required for an allowable use shall not require a permit separate from any permit required for the use served; provided, that a road access permit must be granted for construction of any driveway entering a public road.)
   2. Cultural facilities shall be limited to those designed for the purpose of conserving or interpreting the natural and/or cultural history of the property, or for the education of visitors about its natural and/or cultural resources. Any such facility allowed shall be small in scale, leave the majority of the site undisturbed, and have no more than a minimal impact on the character or value of the natural area.
   3. At Madrona Point, if any provision of this section is in conflict with the terms or intent of the 1989 agreement between the County and the Lummi Indian Tribe (executed under authority of 25 USC Section 465 and recorded under San Juan County Auditor’s File Number 90164328), the agreement shall govern.

D. Site Development Standards. Any use or development allowed shall be designed, constructed and maintained in a manner to ensure as much undisturbed land, trees and natural vegetation and open space value as practicable and to minimize adverse environmental impacts. (Ord. 4–1996; Ord. 12–1994 Att. A; Ord. 62–1992 § 2)

16.55.270 Marina District.

A. Purpose.
   1. To recognize the existing marina and resort use established on the north shore and that resort activity here is a desirable influence on commercial and community vitality in the Eastsound area.
   2. To recognize that the marina and resort are uses compatible with the adjacent airport and relatively high density residential development in the adjoining area.
   3. To allow of commercial uses in this area which are compatible with the Shoreline Master Program as applied to the north shore, including the manmade marina shoreline, and which are related to the recreational nature of the existing development.
   4. To allow residential development compatible with the marina and resort and related commercial uses.

B. Allowable and Prohibited Uses. Land uses not specifically listed in this subsection as allowable or prohibited may be allowed subject to conditional use permit approval. Allowable uses are subject to the required permits and use limitations and site development and performance standards stated in this section.

The following uses are allowable in the Marina District subject to the standards in this section:

Commercial:
1. Laundry/laundromat
2. Marina and related retail sales of marine or recreational equipment, dry boat storage, boat and marine equipment repair services, rental and sales, and marina offices
3. Offices (as described in the required permits and use limitations (subsection (D)(3) of this section))
4. Recreational facilities, indoor
5. Restaurant
6. Retail sales (as described in the required permits and use limitations (subsection (D)(4) of this section))
7. Services, personal, accessory to allowable uses
8. Transient lodging
9. Aircraft hangars and airport-related activities, except for those activities listed in the commercial/industrial prohibited uses subsection (1) below. Aircraft hangars are only allowable on property adjacent to the existing airport and which have deeded access rights or through the fence agreements for access to the existing airport

**Institutional:**
1. Community club and community organization facility
2. Cultural facility
3. Library
4. Museum as provided in this section
5. Religious assembly
6. Schools

**Recreational:**
1. Recreational facilities, indoor
2. Park with or without playing field(s)

**Residential:**
1. Single-family and multifamily dwelling units

**Transportation:**
1. Parking, on-site, and driveways to serve allowable uses
2. Streets, public and private

**Utilities:**
1. Water, power, cable TV, telephone and sewer distribution lines

The following uses are prohibited in the Marina District:

**Commercial/Industrial:**
1. Airports, aircraft sales, and aircraft repair
2. Automotive service
3. Equipment rental (except as accessory to marina)
4. Industry

**Institutional:**
1. Post office

**Recreational:**
1. Park with camping facilities

**Residential:**
1. Group housing
Transportation:
1. Parking, off-site, unless accessory to an allowable use

Utilities:
1. Sewage and water treatment facilities
2. Utility service offices
3. Utility storage buildings

C. Residential Density.
1. Single-family residential: six units per acre;
2. Multifamily residential: eight units per acre.

D. Required Permits and Use Limitations.
1. Single-family residential development shall be allowed subject to applicable provisions of this plan and review requirements of the Shoreline Master Program (Chapter 18.50 SJCC) and the Land Division Ordinance (Chapter 18.70 SJCC).
2. Multifamily residential development of one to four units shall be allowed outright and five or more units shall be subject to site plan review, all subject to applicable provisions and review requirements of the Shoreline Master Program (Chapter 18.50 SJCC) and the Land Division Ordinance (Chapter 18.70 SJCC).
3. Professional and personal service and business offices with less than 2,000 square feet of use area shall be subject to site plan review: offices with use area 2,000 square feet or larger shall be subject to approval of a conditional use permit.
4. Retail use is allowed only as an accessory to another allowable nonresidential use, except that sales of neighborhood grocery or convenience goods is allowed, all subject to site plan review. No single unit of retail sales space shall exceed 3,000 square feet of floor area. Vehicular and pedestrian access to retail uses from North Beach Road shall be prohibited for such uses with frontage on this road.
5. Construction of or improvements to streets, pedestrian paths and off-site parking areas shall be subject to site plan review. (Parking spaces, driveways and paths required for an allowable use shall not require a permit separate from any permit required for the use served; provided, that a road access permit must be granted for construction of any driveway entering a public road.)
6. Museums allowed in this district shall be limited to those devoted to marine natural history, watercraft, navigation, and directly related cultural and educational exhibits. Any retail sales associated with such use shall be clearly incidental and secondary to the museum use.
7. Commercial theaters shall be subject to conditional use permit requirements.

E. Site Development and Performance Standards.
1. Building Height. No building shall exceed 32 feet as measured from average grade to the highest point of the highest roof structure (excluding church spires if area at the base is not larger than five percent of building floor area).
2. Building Setbacks. No structure shall be built within 10 feet of a public or private right-of-way; provided, that the minimum setback shall be 15 feet from a 30-foot right-of-way.
3. Side and Rear Yards. Each side and rear yard shall be at least five feet in width and aggregate width shall be at least 12 feet. Architectural appendages (i.e., roof overhangs, chimneys, bay windows, and decks not over 30 inches above grade) may extend two feet into required yards.
4. Outdoor Storage. Any outdoor storage associated with any nonresidential use allowed in this district, including dry boat storage, shall also be so screened before any occupancy permit is issued.
5. Utilities. Utilities installed to serve new development shall be underground.
6. Open Space and Lot Coverage. The following standards for open space (area not occupied by buildings, parking and driveways) and lot coverage (area covered by buildings) shall be met in all new development:
a. Open space shall be maintained in its natural condition or landscaped; applications for permits required by this plan or the Shoreline Master Program shall specify open space and identify existing or proposed landscape features. Minimum required open space is 30 percent of site area.

b. Maximum building coverage shall be 30 percent of the total site area.

7. **Landscaping.** New development shall be designed to conserve natural site features to the extent possible. Landscaped buffers shall be required along public street frontage in all new development except single-family dwelling units, and screening shall be required between residential and nonresidential developments.

8. **Lot Size.** The minimum size of any parcel created after adoption of the ordinance codified in this chapter shall be 7,000 square feet, except that a smaller parcel size may be created subject to approval of a clustered development plan in accordance with the Land Division Ordinance (Chapter 18.70 SJCC) in which the average density is in compliance with subsection (C) of this section.

9. On the official map, the marina designation is annotated with the letter “P” to identify this location as one where site planning may be required under SJCC 18.60.220. [N.B. Erratum. The correct citation is SJCC 18.60.240(B)(4) - (6)] This planning is necessary to ensure that development at less than four units per acre density will not preclude possible future development at urban-level densities (four units per acre or higher). New residential development in such areas is subject to approval by the administrator for this purpose. (Ord. 13–2000; Ord. 4–1996; Ord. 12–1994 Att. A; Ord. 62–1992 § 2)

16.55.280 Airport Use District.

A. **Purpose.**

1. To accommodate the existing airport and provide for airport-related facilities and services within the airport use district sufficient to meet the air traffic needs of the local citizens.

2. To allow for new airport-related facilities and services that are compatible with other commercial and residential uses in the subarea and consistent with the adopted Orcas Island Airport Master Plan.

3. To create an airport use district separate and distinct from the service and light industrial district so that airport uses do not compete for available land in the service and light industrial district and allowable service and light industrial district uses do not occupy available land needed for future airport-related needs and facilities.

4. To allow for limited service and light industrial uses only when it can be clearly established that they are compatible with other airport and airport-related uses in the subarea and sufficient land is not available in the service and light industrial district. Uses which substantially reduce the land area available to accommodate other allowable uses in the airport use district are to be discouraged.

5. To establish a land use district that is separate and distinct from an airport overlay district as described in SJCC 18.30.180.

6. To prohibit new residential development.

B. **Allowable and Prohibited Uses.** Land uses not specifically listed in this subsection as either allowable or prohibited may be allowed subject to conditional use permit approval only if the proposed use will be consistent with the purpose of this district and sufficient land is not available in other districts which list the uses in question as permitted uses. Allowable uses are subject to the required permits and use limitations and site development and performance standards stated in this section.

**The following uses are allowable in the Airport Use District:**

**Commercial/Industrial:**

1. Airport and nonstructural uses such as fuel storage, tie-down areas and parking facilities

2. Airport-related uses such as hangars, aircraft parking, and aircraft sales and repair facilities, including their related incidental office and retail activities

3. Restaurant, which may include one bar or cocktail lounge as an accessory use. The maximum size of the restaurant and accessory use is 2,500 square feet

**Institutional:**

1. Aviation-related museums
2. Fire stations

Utilities:
1. Water, power, cable TV, telephone and sewer distribution lines
2. Sewage and water treatment facilities
3. Utility service office
4. Utility storage building

The following uses are prohibited in the Airport Use District:

Commercial/Industrial:
1. Retail sales and services not aviation-related
2. Offices not aviation-related
3. Restaurants and food service except as provided in this section
4. Warehousing not aviation-related; provided, that this shall not preclude storage of incoming or outgoing air cargo
5. Any public or private meeting place designed to accommodate more than 25 persons when located within the FAA-designated approach zone

Institutional:
1. Schools other than flight schools
2. Churches and religious assembly facilities
3. Museums not aviation-related

Recreational:
1. All recreational uses

Residential:
1. Residential units of any type

C. Lot Size. There is no minimum or maximum lot size.

D. Required Permits and Use Limitations.
1. Site plan review is required for allowable uses if total use area (the gross area of buildings, outdoor storage and other area including required parking area devoted to the proposed use and any accessory residential use) exceeds 10,000 square feet and conditional use permit approval is required if total use area exceeds 20,000 square feet. However, if the administrator determines that a proposed use which would otherwise be allowed outright would likely produce significant air, water or noise pollution or otherwise constitute a nuisance, site plan review shall be required.

2. Construction of or improvements to streets, pedestrian paths and off-site parking areas shall be subject to site plan review requirements. (Parking spaces, driveways and paths required for an allowable use shall not require a permit separate from any permit required for the use served; provided, that a road access permit must be obtained for construction of any driveway entering a public road.)

3. New developments with primary access from the Mount Baker Road Bypass shall be required to obtain or provide for shared access with at least one adjoining parcel by establishing common driveway easements and/or locating access at property lines. No use permitted in this district shall be designed in a manner that would result in traffic backing onto a public or private street or road right-of-way.

4. Museums allowed in this district shall be limited to those devoted to aviation and/or aircraft history and shall be allowed only north of Mount Baker Road. Any retail sales associated with such use shall be clearly incidental and secondary to the museum use.

5. No use shall be allowed which is likely to attract an unusual quantity of birds, particularly birds which normally fly at high altitudes.

E. Performance and Site Development Standards.
1. **Building Height.** No building shall exceed 32 feet measured from average grade to the highest point of the highest roof structure.

2. **Building Setbacks.**
   a. No structure shall be built within 40 feet of the centerline of a public right-of-way.
   b. Structures shall be set back from side and rear property lines by at least 10 feet. Architectural appendages (i.e., roof overhangs, chimneys, bay windows, and decks not over 30 inches above grade) may extend two feet into required yards.

3. **Outside Storage.** Outside storage shall be screened from view from adjoining properties and from public roadways by fencing, nondeciduous vegetation or other means. Any such screening shall be at least five feet high. Any outside storage associated with any nonresidential use allowed in this district shall also be so screened before any occupancy permit is issued.

4. **Utilities.** Utilities installed to serve new development shall be underground.

5. **Lot Coverage.** The maximum floor area ratio is 0.5.

6. **Vibration.** None permitted beyond building wall.

7. **FAA Recommended Restrictions.**
   a. All development in this district must comply with the Federal Aviation Regulations (FAR) Part 77, relating to heights of land uses proximate to airports and protection of airspaces critical to airport operations.
   b. All development in this district must comply with the Federal Aviation Administration Advisory Circular 150/5370–10, Standards for Specifying Construction on Airports. (Ord. 14–2000 § 7(VV); Ord. 13–2000; Ord. 4–1996; Ord. 12–1994)

16.55.300 General development standards.

The following standards are designed to effect the purposes and policies of this plan as stated in SJCC 16.55.110 and apply to all development subject to this plan and within all land use districts except as specified below.

**A. Permit Terms and Application Standards.**

1. Applications for permits required by this plan shall be in the form prescribed by the administrator and shall be accompanied by plans detailed sufficiently to define clearly the proposed project and demonstrate compliance with applicable provisions of this plan. Unless specified otherwise in application instructions provided by the administrator, all applications shall include:
   a. Identification of and signature of the fee owner or contract purchaser of the property;
   b. A plot (site) plan to scale no smaller than 1 inch = 40 feet for a plot (parcel) larger than one acre, and no smaller than 1 inch = 20 feet for a plot (parcel) one acre or smaller;
   c. Compass direction and graphic scale;
   d. Corner grades and, if required by administrator, existing and proposed topographic contours as necessary to describe grades, slopes and drainage;
   e. Proposed developments or use areas;
   f. Existing structures and significant features on the subject property and on adjacent properties;
   g. Property lines, adjoining streets and immediately adjoining properties and their ownerships;
   h. Location and dimensions of existing and proposed improvements on public rights-of-way, such as roads, sidewalks and curbs;
   i. Existing and proposed grades and volume and deposition of excavated material;
   j. Natural drainage direction and storm drainage facilities and improvements;
   k. Locations of all existing and proposed utility connections;
   l. Parking spaces and driveways; and
m. Landscaping.

2. The administrator may require any additional information deemed necessary for evaluation or demonstration of project conformity with this plan.

3. Unless specified otherwise in permit conditions the provisions of Chapter 18.80 SJCC shall govern terms of permit duration and revision and the effect of discontinuation of any use permitted.

B. Off-Street Parking—General Requirements.

1. Off-street parking shall be established prior to occupancy of any new or expanded building or before a change occurs in the use of an existing building. Parking space requirements shall be determined from Table 300–1, following, and subject to the following provisions:
   a. Any existing conforming land use(s) may be changed to other conforming land use which has equal or diminished requirements for parking.
   b. Any existing nonconforming land uses may be changed to a conforming land use which has equal or diminished requirements for parking.
   c. Any existing conforming land use(s) may be enlarged or intensified in such a manner that increases the parking requirements; provided, that the number of parking spaces required will be the existing number of spaces plus the number of spaces required for the addition or expansion.
   d. Any existing conforming land use(s) may be changed to a conforming land use that has an increased requirement for parking spaces; provided, that the number of parking spaces required will be the existing number of spaces plus the number of spaces required for the new use that exceeds the number of nonconforming spaces.
   e. Any existing structure containing a nonconforming land use may be changed to a conforming land use that has an increased requirement for parking spaces; provided, that the number of parking spaces required will be the existing number of spaces plus the number of spaces required for the new use that exceeds the number of nonconforming spaces.

2. The barrier-free spaces which may be required by state law (Chapter 51–10 WAC, as amended) may be included in the total number of parking spaces required by Table 300–1 for a proposed use or expansion of use.

3. A parking layout plan shall be submitted to the administrator and the County engineer, for approval as consistent with requirements of this plan, at the time of application for a building permit (or occupancy permit if no building permit is required) or with application for any permit required by this plan, whichever occurs first. The layout plan shall conform to application standards in subsection (A) of this section.

4. Required off-street parking located within jurisdiction of the Shoreline Master Program shall also be consistent with applicable provisions of Chapter 18.50 SJCC. Where there is a conflict between the provisions of this plan and the Shoreline Master Program, the provisions of Chapter 18.50 SJCC shall prevail.

5. Off-street parking requirements may be satisfied in part by providing on-street parking along the public street frontage abutting a development site if right-of-way is dedicated to the County by a property owner. Existing parking that uses the right-of-way for circulation shall be allowed to continue in use until street improvements are made or traffic safety considerations warrant that said spaces be removed. The property owner shall receive credit for one parking space required under Table 300–1 for each private on-site parking space eliminated as a result of the dedication of right-of-way for parking. Where new or additional public on-street parking is provided in return for a dedication of right-of-way the property owner shall receive credit for one space required under Table 300–1 for each space created as a result of the dedication.

6. Off-street parking areas containing five or more spaces shall be landscaped as follows:
   a. If parking spaces or access to parking fronts on a street, a screen strip at least three feet deep along the full length of the parking area fronting on the street shall be provided and shall include at least one tree, as required by this plan, for each 30 feet of that frontage. If parking areas serving two or more adjoining properties are combined, perimeter screening and buffer requirements apply only to the perimeter of the entire area. Plant variety, size and spacing shall conform to standards in subsection (E) of this section.
b. If a proposed parking area is not screened by buildings from views from the street or from adjacent property, a landscaped buffer strip at least five feet deep shall be provided along the entire length of the perimeter not screened (excluding any necessary curb cuts) and shall include a screen of plants, or a combination of plants and fencing, to include at least one umbrella shade tree for each 30 lineal feet of the landscaped strip.

c. Interiors of parking areas shall include at least 10 square feet of landscaping for each parking space, with landscaping located at least at aisle ends and corners. Aisle ends shall include curbed planters.

d. Landscaping materials shall be selected and maintained in accordance with provisions in subsection (E) of this section.

7. Minimum dimensions of parking spaces required shall be nine feet by 18 feet, six inches; except that parking areas for four or more cars may include up to 25 percent of required spaces designated for compact cars with minimum dimensions of eight feet by 15 feet. Any parking space permitted parallel to a wall or other structure shall be at least 10 feet wide. New off-street parking areas shall be designed so that public right-of-way is not used for circulation. Street access to off-street parking areas shall be at least 75 feet from the centerline of intersections unless no alternative exists.

8. Minimum dimensions of driveways and aisles shall conform to those shown in Figure 300–2, below unless an alternative design is approved in writing by the County engineer.

9. Individual parking spaces, except spaces serving single-family residences, shall be delineated by striping or by wheel stops.

10. Off-street parking spaces shall be located on the site of the use(s) served; provided, that off-site parking spaces associated with a use or uses within the village commercial district shall be allowed (as an allowable use) if the parking spaces are also located within that district or adjacent to it in the village residential district, and:

   a. An easement or covenant guaranteeing use of the site for parking for the use(s) to be served for the life of the use(s), which shall run with the property, is recorded in the County auditor’s file after acceptance by the administrator; and

   b. Parking will be improved to comply with the standards for parking design required under this plan;

   c. The parking location is accessible to the site of the proposed use from a public path or street.

11. **Shared Parking.** Joint use of off-street parking facilities for uses in more than one building is desirable and may be authorized by the administrator if the applicant demonstrates that there is no significant conflict in the principal operating hours of the buildings or uses proposed to be served. The administrator may authorize reduced parking space requirements as follows:

   a. For uses with differing peak periods the total number of parking spaces required may be reduced to the number required to meet the greater of peak needs; or

   b. For uses with similar or overlapping peak periods the combined required parking may be reduced by 15 percent for each additional use sharing the parking; provided the total is not less than that required for the greatest peak use considered individually and the combined peak requirements is not reduced by more than 33 percent.

12. If public parking areas are provided by a public, private or semi-public organization established for this purpose, the total number of parking spaces required for a use in the village commercial district may be reduced if the developer pays for development of off-site public parking spaces within such parking areas, so that two off-site spaces thus created are the equivalent of three required on-site spaces.

13. All lighting installed in parking areas shall be the light-obscuring type designed and installed so that the source is not visible from adjacent property (i.e., McGraw-Edison “concourse,” RLM type, or equivalent).

C. **Off-Street Parking—Village Commercial District Requirements.**

1. Off-street parking within the Village Commercial district required for any new use or structure shall be located at the side or rear of the use or building served: parking spaces required for expansion of an existing use or a change of use within an existing structure in that district shall be located at the side(s) or rear of the building if possible. This requirement shall not apply on lots less than 100 feet in width or where existing structures would make it impractical.
2. If the parking area is within the Village Commercial district but abuts the village residential district boundary, a view-obscuring barrier at least six feet high shall be provided at the district boundary; provided, that a lower barrier may be authorized if the administrator finds it adequate to screen commercial parking and structures from residential uses.

3. Within the Village Commercial designation only, the planning director may waive all or part of the on-site parking requirements prescribed in Table 300–1, either in accordance with the terms and provisions of the Eastsound Waterfront Access Plan or upon written request of the applicant to contribute to the Eastsound village parking fund created pursuant to subsection (C)(4) of this section.
   a. The fee to be paid in lieu of providing the required parking space(s) shall be $5,000 per space, or such other amount as the County commissioners shall hereafter set by ordinance.
   b. The payment of in-lieu fees for two off-site spaces shall equal the equivalent of three on-site required parking spaces.
   c. A property owner who donates land or easements in lieu of a monetary contribution or provision of on-site spaces will receive parking credits based upon the formula specified in subsection (C)(3)(b) of this section. The appraised value of the land shall be used to determine the amount of contribution. The property owner may utilize the County assessor’s assessed valuation or bear the cost of the appraisal to determine the value of the donation.
   d. For those properties covered by the Eastsound Waterfront Access Plan, the computation of the assumed tidelands value shall be 30 percent of assessed value of adjoining upland parcel.
   e. Property owners may make contributions of land or monies in advance of their actual current need or requirement to provide on-site parking. Such contributions shall be noted as a credit for the owner.
   f. Partial space credits shall be rounded to the nearest whole number.
   g. Nothing herein shall prevent the waterfront owners from conveying, pooling, or sharing their accrued parking credits with other properties within the geographic scope of the EWAP.

4. **Eastsound Village Parking Fund.**
   There is hereby created an Eastsound village parking fund, to be administered by the public works department, with all financial transactions to be administered by the San Juan County auditor. The fund has the authority to acquire, develop, maintain, and manage public parking areas within the Eastsound Subarea Plan boundaries. The County commissioners may from time to time direct that other monies be transferred into the fund to be used for the purposes of the fund.
   a. The auditor shall be authorized to accept monetary contributions and donations of land or easements in lieu of contributions and to maintain a Parking Improvement Fund to manage the funds collected for the purpose of developing additional public parking areas in Eastsound.
   b. The auditor shall be authorized to accept contributions and donations of land as outlined in subsection (C)(4) of this section, in lieu of meeting the on-site parking requirements of the Subarea Plan.
   c. The board of County commissioners, after receiving the recommendations of the EPRC and County engineer shall annually establish a fee-in-lieu charge which is based on the average current cost of providing a completed parking space in the Village Commercial district. An additional charge of $250.00 shall be included in the fee-in-lieu charge which shall be devoted to the repair and maintenance of the space so created.
   d. The fund shall be used exclusively for the planning, acquisition, design, development, financing, construction, repair, and maintenance of public parking areas in the Village Commercial district, all consistent with the specific priorities established by the Eastsound parking committee, the EPRC, and the board of County commissioners.
   e. The auditor shall develop a financing plan which will permit amortization of payments over a term of years for property owners who make monetary contributions in lieu of providing on-site parking. The auditor shall have authority to record any financing plan as a lien against the subject property in the manner prescribed by law.
   f. There shall be an Eastsound parking committee established as a subcommittee of the EPRC. Membership on the committee shall be by appointment of the County commissioners. The committee shall be comprised of five members; one representing the general public; one EPRC member; and
three of whom are contributors to the fee-in-lieu parking fund. The Eastsound parking committee shall advise the EPRC on the operations and management of the Eastsound Parking Improvement Fund. EPRC shall, in turn, advise the County engineer and auditor.

Table 300–1 Minimum Parking Space Requirements by Net Use Building Area.

<table>
<thead>
<tr>
<th>Net Use Building Area</th>
<th>Minimum Parking Space Requirement</th>
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<tbody>
<tr>
<td><strong>A. Commercial Uses</strong></td>
<td></td>
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<tr>
<td>1. Banks and financial services:</td>
<td>1 per 300 square feet.</td>
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<tr>
<td>2. Commercial and professional offices:</td>
<td>1 per 300 square feet.</td>
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<tr>
<td>3. Retail establishments:</td>
<td>1 per 300 square feet.</td>
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<tr>
<td>4. Retail establishments which are associated with substantial warehouse space (such as lumber yards) shall have the inside storage building or warehouse area calculated separately from above requirements:</td>
<td>1 space per 1,000 square feet.</td>
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<tr>
<td>5. Commercial storage space rental:</td>
<td>1 per 1,000 square feet, which may be located in front of the entrance door to storage units.</td>
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<tr>
<td>6. Day care centers:</td>
<td>1 per employee (including owner/operator) plus an off-street drop off and pick up area.</td>
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<tr>
<td>7. Resorts, hotels, motels, bed and breakfasts and other transient accommodations facilities:</td>
<td>1 per guest unit. Additional spaces required for other uses (except residential associated with a B&amp;B) contained within 1 per 300 square feet.</td>
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<td>8. Restaurants, taverns and cocktail lounges:</td>
<td>The greater of 1 per 100 square feet of seating area within the building or 1 per 7 seats. Seasonal outside seating does not require additional parking spaces.</td>
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<tr>
<td><strong>B. Industrial Uses</strong></td>
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<tr>
<td>1. Automotive, boat, airplane and other machinery repair services:</td>
<td>1 per 1,000 square feet of indoor repair and storage area.</td>
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<tr>
<td>2. Light industrial, warehouses and manufacturing facilities:</td>
<td>1 per 1,000 square feet.</td>
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<tr>
<td>3. Utility equipment and service facility buildings:</td>
<td>1 per 1,000 square feet.</td>
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<tr>
<td><strong>C. Institutional Uses</strong></td>
<td></td>
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<tr>
<td>1. Retirement, convalescent and group homes:</td>
<td>1 per 600 square feet.</td>
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<tr>
<td>2. Medical clinics:</td>
<td>1 per 200 square feet.</td>
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<tr>
<td>3. Libraries:</td>
<td>1 per 300 square feet.</td>
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<tr>
<td>4. Museums:</td>
<td>1 per 800 square feet.</td>
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<tr>
<td>5. Places of public assembly (includes theaters, auditoriums, churches, etc.):</td>
<td>The greater of 1 per 6 seats or 1 per 90 square feet of only the principal assembly area.</td>
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<tr>
<td><strong>D. Residential Uses</strong></td>
<td></td>
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<tr>
<td>1. Dwelling units over 550 square feet per unit (single-family or multi-family):</td>
<td>1.5 spaces per unit.</td>
</tr>
<tr>
<td>2. Dwelling units 550 square feet or less per unit (single-family or multi-family):</td>
<td>1 space per unit.</td>
</tr>
</tbody>
</table>
Notes:

1. Parking requirements for any use not specifically mentioned above shall be determined by the administrator.

2. Standards are the minimum requirements and do not necessarily imply that the number of spaces required will be adequate to serve the peak parking needs of a particular use.

3. Space requirements based upon square footage shall be determined from net use area. For the purposes of calculating the number of spaces required based on net use area, the following will be excluded from the gross floor area of a use or structure:
   a. 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
   b. Mechanical, custodial and storage areas such as mechanical rooms and chasesshafts, electrical/utility rooms and vaults, toilets, custodial rooms, and areas used solely for storage;
   c. The area of structural and design elements is not excluded. In general, net use area should not include floor area which does not generate parking space demand by employees and customers or patrons.

Figure 300–2 Parking Area Dimension Standards

Notes:

1. End spaces shall be at least 10 feet wide when directly alongside a wall or building.

2. End aisles shall have a curbed planter.

3. In gravel areas, parking spaces shall be in groups of no more than four cars each, separated by a curbed planter, log, or other approved means.

4. Parking areas shall be landscaped as required including at least one tree per ten cars.

5. Landscaping may encroach one foot if protected by a curb or bumper.

6. Angle parking is allowed if it conforms to the Highway Research Board Special Report No. 125, Parking Principles.

7. Barrier-free parking shall be provided in accordance with WAC 51-10.

8. Minimum width for two-way driveways shall be:

   1 to 6 cars: 10 feet
   7 to 12 cars: 16 feet
   13 plus: 20 feet

9. See SJCC 16.55.400 (6) for storm drainage requirements.

D. Signs.

1. Off-premises outdoor advertising signs shall not be allowed.

2. Geographic directional signs shall be allowed subject to regulations in SJCC 18.40.380.

3. Exterior signs that are illuminated from within or that move, flash or are otherwise animated shall not be allowed.

4. Freestanding signs shall not be allowed where they would degrade or obstruct scenic views, nor exceed 12 feet in height above existing grade.
5. Canopies or awnings containing any text shall be regarded as signs for purposes of this section. Canopies or awnings illuminated from within, with or without text, shall not be allowed.

6. The County shall reserve the right to remove all nonconforming signs.

7. The required level of review for signs shall be as follows, subject to conformance with the standards in this subsection and, if applicable, to policies, regulations and permit requirements of the Shoreline Master Program. If a permit is required by this plan or the Master Program for a proposed use associated with a proposed sign, required applications shall be submitted and acted on together, in accordance with provisions of SJCC Title 18.
   a. Signs up to 10 square feet aggregate area per building shall be permitted outright.
   b. Signs 11 to 32 square feet aggregate area per building shall be permitted subject to site plan review.
   c. Signs larger than 32 square feet aggregate area/building shall be subject to conditional use permit requirements and in no case exceed one square foot per linear foot of primary building frontage.

8. No sign mounted on a building shall extend above the eave, rake, or parapet of the wall on which it is mounted.

E. Architectural Standards. The following regulations fall into two categories: architectural standards and provisions for discretionary exceptions to architectural standards.

1. Architectural Standards. Architectural Standards shall apply to all but single-family dwelling units and shall apply within the village commercial and residential districts only. The following standards shall apply except as specifically provided in subsection (E)(2) of this section.
   a. Continuous walls of buildings in excess of 40 feet in length and fronting on a public street shall be broken with an offset or setback of at least four feet for every 40 feet. Roof planes shall have corresponding offsets.
   b. Exterior wall surfaces shall be ship lap horizontal siding, cedar shingles, vertical or horizontal tongue and groove siding, board and batten siding, or rough-sawn textured panels with applied battens. However, other materials may be used for surface area, which does not exceed 10 percent of the total wall surface area of the building, for decorative details.
   c. Roof slopes shall not be less than 6:12 nor more than 12:12 for the principal roof of a building. Secondary roofs of porches, dormers and appurtenances shall not be less than 3:12. Flat roofs are allowed but shall not be closer than 18 feet to any eave.
   d. Sloped roof surfaces shall be cedar shakes, cedar shingles, composition shingles, or metal roofing. Color shall be subdued gray or an earth tone.
   e. Any change from a presently (1991) single-family residential use of a dwelling unit to a permitted nonresidential use shall be exempt from these standards unless exterior structural alteration is required or proposed for the change of use.
   f. Expansion or alteration of existing structures shall comply with the standards in this subsection unless the applicant demonstrates that compliance would result in an inharmonious building design due to incompatible existing design features.

2. Procedure for Exceptions to Architectural Standards.
   a. There is hereby created an Eastsound design review subcommittee (EDRS) of the Eastsound planning review committee. The EDRS shall be appointed by the board of County commissioners to create three-year staggered terms. The EDRS shall consist of three citizens and one alternate, whose legal residence is on Orcas Island, including at least one registered architect and one member of the Eastsound planning review committee. The EDRS shall be empowered to grant design approval to projects which may not comply with the architectural standards in subsection (E)(1) above, but which are deemed by the EDRS to meet the purpose and intent of this plan as expressed in this section and in the General Goals and Policies, SJCC 16.55.110(B) and 16.55.180. The EDRS shall make written findings outlining the specific reasons for any determination that a proposal does or does not meet the requirements of this subsection. The EDRS shall submit its findings and conclusions to the
Eastsound Subarea Plan, as amended through Ordinance 14-2010

administrator. Such approval shall be limited to variation from the specific standards in subsection (E)(1) of this section; all other provisions of this plan shall apply.

**Figure 300-3 Architectural Standards**

b. Permit applicants who choose not to comply with architectural standards in subsection (E)(1) of this section may elect to pay a discretionary design review fee and appear before the Eastsound design review subcommittee for action as outlined above.

**F. Landscaping**

Landscaping required by this plan, as specified in SJCC 16.55.200 through 16.55.230, shall be designed, installed and maintained in conformance with the following provisions:

1. **Types.** Landscaping required by this plan is one of the following three types.

   a. **Screening.** Screening is to provide a visual barrier at least five feet high. When screening is specified, landscaping shall generally consist of a mix of evergreen groundcovers, trees and shrubs. Shrubs shall be at least two feet tall at the time of planting and, if shrubs (or hedges) are to provide
the majority of the screen, shall have a minimum height of five feet at maturity. Trees shall be at least four feet tall at the time of planting and all plants shall be spaced so as to grow together within three years of planting to achieve a sight-obscuring screen of at least 80 percent opacity. Required screening shall be at least five feet deep. Existing vegetation, walls, fences or grading (maximum slope 3:1) may be incorporated into the design of the screen if they contribute to the intent of this requirement.

b. Landscaped Buffers. A buffer is a separation, but not necessarily a visual barrier. When landscaped buffers are specified, landscaping shall generally consist of a mix of evergreen and deciduous groundcovers, trees and shrubs, chosen and spaced to cover the buffer area within three years of planting. However, buffers required along public streets shall consist of walkways, groundcovers, shrubs and deciduous trees only. Buffers shall be at least eight feet wide for the length required unless specified otherwise in this plan. Deciduous trees shall have a minimum trunk diameter of one and one-half inches at planting and be spaced so that branches will touch after 10 years of normal growth. Along public streets such buffers shall include at least one tree for every 30 feet of lineal street frontage. Existing vegetation, walls, fences or grading (maximum slope 3:1) may be incorporated into the design of the buffer if they contribute to the intent of this requirement.

c. Open Space Landscaping. Open space may be natural or landscaped including grass, paved walkways and open decks, but does not include parking areas or driveways. The minimum dimension of required open space is 10 feet.

2. Maintenance. The property owner and any tenant permittee shall be responsible for maintenance of all landscaping required by this plan, which shall be maintained in good condition so as to present a healthy appearance. All landscaped areas required by this plan shall be provided with a readily available water supply. Tree limbs shall not be allowed to extend over walkways or driveways below a height of eight feet above grade.

3. Plant Selection. Plant varieties selected to fulfill requirements of this plan shall be of a type suitable to the climate and site conditions. The administrator may require that plant lists and design for required landscaping be reviewed or prepared by a landscape architect.

G. Drainage and Erosion Control. Until Eastsound stormwater plan and regulations are developed, the following standards shall apply in all areas subject to this plan:

1. All development is subject to the approval of a drainage plan developed in accordance with best management practices, which must include provisions for regular maintenance, as determined by the County engineer and as modified herein.
   a. No development shall be allowed which will result in an increase in the rate of stormwater runoff over predevelopment conditions by more than one percent except where discharged into the Main Street or Langell Street stormwater sewers.
   b. All parking lots and vehicular use areas shall be subject to stormwater quality control measures, such as oil separators, biofiltration swales, etc.
   c. Applications for building permits or for any permit required by this plan shall include a calculation of drainage increase attributable to the proposed development.

2. Applications for any development other than one single-family residence shall include a plan for control of erosion and sedimentation during construction and to permanently stabilize soil during construction.

3. Any area cleared and/or graded and not covered with gravel or an impervious surface immediately after clearing and/or grading is completed shall be seeded immediately on completion.

4. Grading regulations in SJCC 18.60.060 shall apply to development within the jurisdiction of this plan.

H. Exterior Lighting. All exterior lighting shall be shielded so that the light source is not visible from adjacent property.

I. New Development and Substantially Altered Development in the Eastsound Urban Growth Area. The standards of SJCC 18.60.220 shall apply to all new development and all substantial alterations to a building or facility within the Urban Growth Area. A substantial alteration is where the total cost of all alterations (including but
not limited to electrical, mechanical, plumbing, and structural changes) for a building or facility within any 12-month period or single development permit application amounts to 50 percent or more of the value of the building or facility. In determining the current value of the building or facility, the assessor’s fair market value, or a current appraisal acceptable to the County, may be used. (Ord. 13–2000; Ord. 4–1996; Ord. 12–1994 Att. A; Ord. 62–1992 § 2)

16.55.400 Implementation.

A. Overview and Purpose. This section identifies various ways to implement those elements of this plan which direct physical public improvements within the Eastsound planning area. It describes priorities for funding planned improvements. It is intended for use in the preparation of County capital facilities plans, annual budgeting and other funding decisions affecting Eastsound.

The Eastsound planning review committee should prepare an annual written report or verbal presentation for presentation to the board of County commissioners by June 1st of each year which describes the status of any capital projects and planning activities occurring and which recommends priorities for these and other projects for timely consideration in the annual budgeting process.

B. Capital Improvements. Table 400-1, Eastsound Capital Plan and Funding Sources, is a summary of the capital improvements plan for Eastsound. [N.B. Erratum. No copy of a “Table 400-1” was attached to Ordinance 4-1996.] A description of specific improvement projects follows.

1. Roads shown in Figure Plan 130–1 are priorities, particularly where proposed right-of-way must be acquired.

2. A public restroom is needed in Eastsound to serve the summer and weekend visitors.

3. Streetscape improvements encompass a range of pedestrian amenities. These include curbs to separate pedestrian and vehicle traffic, walkways, street trees, benches, etc. These are to be provided in accordance with SJCC 16.55.130.

4. Parking is a private responsibility but one which requires a cooperative solution if the goals of this plan are to be achieved.

5. Acquisition, development and maintenance of parks will require funding from various sources: state grant programs and private donations should be pursued for acquisition and development; County general funds should provide for maintenance of park grounds and facilities.

6. The Village Square is a priority for implementation of the Village Plan, SJCC 16.55.140.

7. The Eastsound swale is both a distinctive feature of the community and a critical filter for surface water runoff into East Sound. The permanent viability of water quality in East Sound, particularly in and near Fishing Bay, depends on maintaining this wetland function. The County should pursue a State Centennial Clean Water Fund Grant for development of a nonpoint pollution control plan for East Sound which will include stormwater management recommendations to protect marine water quality and the functions of the swale. The County should acquire rights to manage the swale as part of an Eastsound stormwater system. The County should acquire easements unless fee simple acquisition is necessary.

C. Planning Actions. To achieve the goals of this plan, several planning efforts must be pursued.

1. A goal of this plan is the establishment of an effective off-street public parking program for the village.

2. A capital facilities plan for the Eastsound area should be adopted in accordance with requirements of the State Growth Management Act. This should describe existing sewer, water and fire protection service capacities and plans for long-term service expansion. (See SJCC 16.55.110(D).)

3. A stormwater management plan and regulations should be prepared for Eastsound in concert with a watershed management plan for East Sound.

4. The waterfront access plan to establish legal public access to the village shoreline and to guide County investment in physical improvements is necessary to provide and maintain public access. (See SJCC 16.55.110(C)(3)(a)(vi).)

5. Actions to comply with the Growth Management Act which will affect Eastsound and this plan include:

   a. A review of the consistency of the Eastsound Subarea Plan with the Comprehensive Plan and GMA should be completed, as required by the Comprehensive Plan;
b. Adoption of a housing element based on analysis of projected population growth and demographic information to forecast the numbers, types and distribution of housing units in the Eastsound planning area;

c. The boundaries of the Eastsound planning area were expanded in 1996 to accommodate the projected 20-year population growth among island villages and the share to be assigned to Eastsound. Following analysis of county activity centers to meet the requirements of RCW 36.70A.070(5)(d), reviewing the needs and expectations for Eastsound in the Subarea Plan and the Comprehensive Plan, and considering the affordable housing needs of Orcas Island, an interim urban growth area was analyzed and delineated. The work necessary for the final UGA should be completed; and

d. Adoption of a capital facilities plan as described in subsection (C)(2) of this section, but also including service capacity and expansion projections for transportation systems, public libraries, and other public services, and a plan for financing all scheduled improvements.

The San Juan County Comprehensive Plan adopted pursuant to the Growth Management Act includes a housing element and a capital facilities plan for the County, which includes provisions for Eastsound. The subarea plan contains goals, policies, and regulatory provisions to enhance the diversity of housing opportunities and to provide for all necessary capital facilities.

6. A parks and trails element should be established for this plan. The Eastsound planning review committee should explore the desired scope and effect of this elements and establish a work program for development. (Ord. 13–2000; Ord. 4–1996; Ord. 62–1992 § 2)
18.30.450 Country Corner island center plan.

A. Amendments. All future amendments to this section of the San Juan County Code will follow the legislative procedures detailed in SJCC 18.90.020.

B. Applicability. This section applies to all land and land use activity and to all structures and facilities within Country Corner as shown on the official map.

C. Land Use District. The official map depicts one land use district within the Country Corner island center: the Country Corner commercial district (CCC). This district exists:

1. To provide for a service/commercial center to the east of Eastsound which accommodates commercial services and construction-related activities along with office and retail uses that are necessary and important components of the local economy.

2. To allow for development that preserves the existing character, natural features and visual qualities by imposing specific development standards, including building height, setbacks and landscaped buffers between districts and open space.

3. To allow for a mixture of commercial uses and accessory residential units while protecting adjoining residential areas from incompatible commercial and industrial activities.

D. Relationship to Eastsound Subarea Plan. The area designated as Country Corner on the official map is part of the Eastsound Subarea. Issues not explicitly addressed in the Country Corner Plan are subject to Chapter 16.55 SJCC (Eastsound Subarea Plan).

E. Relationship to San Juan County Unified Development Code. Issues that are not explicitly addressed in either the Country Corner Plan or the Eastsound Subarea Plan are subject to the San Juan County Unified Development Code (UDC), SJCC Title 18. Following SJCC 18.10.050(G), however, where the regulations in the Country Corner Plan conflict with those of the Eastsound Subarea Plan or UDC, the Country Corner Plan regulations shall control.

F. Allowed Uses. All development and uses within Country Corner shall conform to the table of permitted land uses in the following tables:

Table 450 – 1 LAND USES

<table>
<thead>
<tr>
<th>COMMERCIAL LAND USES</th>
<th>CCC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal Hospitals, Shelters and Veterinary Clinics</td>
<td>C</td>
</tr>
<tr>
<td>Automotive Service, Fuel and Repairs</td>
<td>P</td>
</tr>
<tr>
<td>Bed and Breakfast Inn (up to 5 units total)</td>
<td>D</td>
</tr>
<tr>
<td>Bed and Breakfast Residence</td>
<td>N</td>
</tr>
<tr>
<td>Camping Facilities</td>
<td>N</td>
</tr>
<tr>
<td>Day Care with 1 – 6 Children</td>
<td>C</td>
</tr>
<tr>
<td>Day Care with 7+ Children</td>
<td>D</td>
</tr>
<tr>
<td>Drinking Establishment</td>
<td>C</td>
</tr>
<tr>
<td>Eating Establishment</td>
<td>C</td>
</tr>
<tr>
<td>Service Type</td>
<td>Approval</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Equipment Rental Services</td>
<td>P</td>
</tr>
<tr>
<td>Hotel/Motel</td>
<td>N</td>
</tr>
<tr>
<td>Indoor Entertainment Facility</td>
<td>P</td>
</tr>
<tr>
<td>Landscaping, Nurseries and Retail Plant Sales</td>
<td>D</td>
</tr>
<tr>
<td>Nursing Homes</td>
<td>N</td>
</tr>
<tr>
<td>Personal Wireless Communication Facility</td>
<td>C</td>
</tr>
<tr>
<td>Personal and Professional Services</td>
<td>Y</td>
</tr>
<tr>
<td>Residential Care Facilities (up to 6 persons)</td>
<td>N</td>
</tr>
<tr>
<td>Residential Care Facilities (9 – 15 persons)</td>
<td>N</td>
</tr>
<tr>
<td>Camps, New</td>
<td>N</td>
</tr>
<tr>
<td>Resorts, New</td>
<td>N</td>
</tr>
<tr>
<td>Retail Sales and Services’</td>
<td>Y/C</td>
</tr>
<tr>
<td>Vacation Rental of Residence or ADU</td>
<td>N</td>
</tr>
<tr>
<td>Mini-Storage, and Moving Storage Facilities</td>
<td>C</td>
</tr>
<tr>
<td>Laundromat</td>
<td>C</td>
</tr>
<tr>
<td>Car Wash</td>
<td>N</td>
</tr>
<tr>
<td>Unnamed Commercial Uses</td>
<td>C</td>
</tr>
</tbody>
</table>

**INDUSTRIAL LAND USES**

<table>
<thead>
<tr>
<th>Use Type</th>
<th>Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulk Fuel Storage Facility</td>
<td>N</td>
</tr>
<tr>
<td>Concrete and Concrete Batch Plants</td>
<td>N</td>
</tr>
<tr>
<td>Construction Yard and Related Businesses</td>
<td>C</td>
</tr>
<tr>
<td>Feed Lots</td>
<td>N</td>
</tr>
<tr>
<td>Garbage and Solid Waste Transfer Stations</td>
<td>N</td>
</tr>
<tr>
<td>Heavy Industrial</td>
<td>N</td>
</tr>
<tr>
<td>Light Industrial</td>
<td>N</td>
</tr>
<tr>
<td>Light Manufacturing</td>
<td>C</td>
</tr>
<tr>
<td>Lumber Mills, Stationary</td>
<td>N</td>
</tr>
<tr>
<td>Outdoor Storage Yards</td>
<td>N</td>
</tr>
<tr>
<td>Recycling Center</td>
<td>N</td>
</tr>
<tr>
<td>Recycling Collection Point</td>
<td>N</td>
</tr>
<tr>
<td>Resource Processing Accessory to Extraction Operations</td>
<td>N</td>
</tr>
<tr>
<td>Mining and Mineral Extraction Activities</td>
<td>N</td>
</tr>
<tr>
<td>Reclamation of Mineral Extraction Sites</td>
<td>N</td>
</tr>
<tr>
<td>Wholesale Distribution Outlets</td>
<td>N</td>
</tr>
<tr>
<td>Wrecking and Salvage Yards</td>
<td>N</td>
</tr>
<tr>
<td>Storage and Treatment of Sewerage, Sludge, and Septage – Lagoon Systems</td>
<td>N</td>
</tr>
<tr>
<td>Unnamed Industrial Uses</td>
<td>N</td>
</tr>
</tbody>
</table>

**INSTITUTIONAL LAND USES**

| College | N |
| Community Club or Community Organization Assembly Facility | D |
| Emergency Services | D |
| Government Offices | N |
| Institutional Camps | N |
| Library | N |
| Museum | N |
| Post Office | N |
| Religious Assembly Facility | C |
| School, Primary and Secondary | N |
| Technical School/Adult Education Facility | N |
| Unnamed Institutional Uses | C |

**RECREATIONAL LAND USES**

| Camping Facilities in Public Parks | N |
| Indoor Recreation Facilities | D |
| Outdoor Recreation Developments | C |
| Parks | P |
| Playing Fields | C |
| Recreational Vehicle Parks | N |
| Outdoor Shooting Ranges | N |
| Unnamed Recreational Uses | C |

**RESIDENTIAL LAND USES**

<p>| Cottage Enterprise | D |
| Farm Labor Accommodations for persons employed in agricultural production on the premises | C |
| Farm Stay | N |
| Home Occupation | Y |
| Mobile Home Parks | N |
| Multifamily Residential Units (3+ units) | N |</p>
<table>
<thead>
<tr>
<th>Land Use Description</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family Residential (or apartment), only as an accessory to an allowable nonresidential use</td>
<td>Y</td>
</tr>
<tr>
<td>Two-Family Residential (duplex)</td>
<td>N</td>
</tr>
<tr>
<td>Vacation Rental of Residential or Accessory Dwelling Unit</td>
<td>N</td>
</tr>
<tr>
<td>Unnamed Residential Uses</td>
<td>C</td>
</tr>
<tr>
<td><strong>TRANSPORTATION LAND USES</strong></td>
<td></td>
</tr>
<tr>
<td>Airfields</td>
<td>N</td>
</tr>
<tr>
<td>Airports</td>
<td>N</td>
</tr>
<tr>
<td>Airstrips</td>
<td>N</td>
</tr>
<tr>
<td>Hangars</td>
<td>N</td>
</tr>
<tr>
<td>Helipads</td>
<td>N</td>
</tr>
<tr>
<td>Helipads, Emergency Services</td>
<td>N</td>
</tr>
<tr>
<td>Parking Lots Commercial</td>
<td>C</td>
</tr>
<tr>
<td>Parking Structures</td>
<td>C</td>
</tr>
<tr>
<td>Streets, Public</td>
<td>Y</td>
</tr>
<tr>
<td>Streets, Private</td>
<td>Y</td>
</tr>
<tr>
<td>Trails and Paths, Public</td>
<td>Y</td>
</tr>
<tr>
<td>Unnamed Transportation Uses</td>
<td>D</td>
</tr>
<tr>
<td><strong>UTILITIES LAND USES</strong></td>
<td></td>
</tr>
<tr>
<td>Commercial Communication Facilities</td>
<td>N</td>
</tr>
<tr>
<td>Commercial Power Generation Facilities (except small single-family wind turbines)</td>
<td>N</td>
</tr>
<tr>
<td>Community Sewerage Treatment Facilities</td>
<td>N</td>
</tr>
<tr>
<td>Storage and Treatment of Sewerage, Sludge, and Septage – Systems Other Than Lagoons</td>
<td>N</td>
</tr>
<tr>
<td>Utility Distribution Lines</td>
<td>Y</td>
</tr>
<tr>
<td>Utility Facilities</td>
<td>C</td>
</tr>
<tr>
<td>Utility Substations</td>
<td>N</td>
</tr>
<tr>
<td>Utility Transmission Lines</td>
<td>Y</td>
</tr>
<tr>
<td>Community Water Systems</td>
<td>D</td>
</tr>
<tr>
<td>Water Treatment Facilities</td>
<td>D</td>
</tr>
<tr>
<td>Unnamed Utility Uses</td>
<td>C</td>
</tr>
<tr>
<td><strong>AGRICULTURAL AND FORESTRY LAND USES</strong></td>
<td></td>
</tr>
<tr>
<td>Agricultural and Aquacultural Processing, Retail, and Visitor-Serving Facilities for Products</td>
<td>Y/C*</td>
</tr>
<tr>
<td>Agricultural Uses and Activities</td>
<td>D</td>
</tr>
<tr>
<td>Forest Practices, no processing</td>
<td>N</td>
</tr>
</tbody>
</table>
Notes:

1. All land uses in all districts must meet the general regulations in SJCC 16.55.300 and 18.30.050 unless otherwise stated therein.

2. Overlay districts and subarea plans provide policies and regulations in addition to those of the underlying land use districts for certain land areas and for uses that warrant specific recognition and management. For any land use or development proposal located entirely or partly within an overlay district, or within the jurisdiction of a subarea plan, the applicable provisions of the overlay district or subarea plan as provided in Chapter 18.30 SJCC shall prevail over any conflicting provisions of this title.

3. Categories of Uses:

   - **Y** = Uses allowed outright (i.e., without a project permit), subject to the applicable development standards (subsection (G) of this section); 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 subject to administrative consistency review for compliance with Chapter 18.60 SJCC development standards and Chapter 18.40 SJCC performance standards specific to the use; see SJCC 18.80.080.

   - **D** = Discretionary use: A discretionary use subject to administrative permit approval and consistency with Chapter 18.60 SJCC development standards. The administrator may require a conditional use permit based on project impacts (see SJCC 18.80.090 and Table 8.2).

   - **C** = Conditional use subject to public notice and permit hearing procedure; see SJCC 18.80.100.

   - **N** = Prohibited use.

4. The assignment of allowed and prohibited uses may not directly or indirectly preclude the siting of “essential public facilities.”

5. In all activity center land use districts the transient rental of a residence or guest house may be allowed by provisional (“P”) permit only if the owner or lessee demonstrates that the residence or guest house in question was used for transient rental on or before June 1, 1997; otherwise, a conditional use (“C”) permit is required.

6. Forest practices (including timber harvesting), except for Class IV General (see SJCC 18.40.120 through 18.40.180), are regulated by the Washington Department of Natural Resources.

7. Retail operations with a footprint of 4,000 square feet or less are allowed outright (Y). Retail operations with a footprint larger than 4,000 square feet are required to obtain a conditional use permit (C).

8. Agricultural or aquacultural processing, retail, and visitor-serving facilities for products with a 4,000-square-foot footprint or less are allowed outright, facilities with a footprint that is larger than 4,000 square feet are required to obtain a conditional use permit.

9. Agricultural retail sales with a footprint of 4,000 square feet or less are allowed outright, facilities with a footprint that is larger than 4,000 square feet are required to obtain a conditional use permit.
G. Development Standards.

Table 2

<table>
<thead>
<tr>
<th>Development Standards</th>
<th>Country Corner Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Density</td>
<td>One residential unit per half acre. Residential development permitted only as an accessory to an allowable commercial use.</td>
</tr>
<tr>
<td>Minimum Lot Size</td>
<td>1/2 acre</td>
</tr>
<tr>
<td>Minimum Setback$^{2,3,4,5}$</td>
<td></td>
</tr>
<tr>
<td>Front or Road (feet)</td>
<td>35 ft. Crescent Beach Road/50 ft. Terrill Beach/Olga Road</td>
</tr>
<tr>
<td>Rear and Side</td>
<td>5'/15' ft.</td>
</tr>
<tr>
<td>Maximum Building Dimensions</td>
<td>10,000 sq. ft. footprint</td>
</tr>
<tr>
<td>Building Height (feet)</td>
<td>30' ft.</td>
</tr>
<tr>
<td>Lot Coverage$^6$</td>
<td>40%</td>
</tr>
<tr>
<td>Minimum open space$^7$</td>
<td>30%</td>
</tr>
<tr>
<td>Landscaping</td>
<td>10 ft. buffer along public road frontage with Landscaping Screen C; 15 ft. buffer between commercial and residential districts with Landscaping Screen A.</td>
</tr>
<tr>
<td>Parking</td>
<td>Parking that requires cars to reverse into the County right-of-way will not be permitted under any condition.</td>
</tr>
</tbody>
</table>

Notes:

1. The construction of residential units shall only occur simultaneously or after the development of the commercial use. In no case may the construction of new residential units be permitted prior to the allowable commercial use. All residential units must be located within the same structure/building as the commercial use.

2. Setbacks from roads shall be measured from the margin line of the road right-of-way. This measurement shall be to a line parallel to and measured perpendicularly from the appropriate line. Side and rear setbacks are measured from the edge of the property in the same manner as street setbacks.

3. Fences are exempt from setback requirements, except when they impair sight lines at intersections, as determined by the County engineer.

4. Setbacks do not apply to mail boxes, wells, pump houses, bus shelters, septic systems and drainfields, landscaping (including berms), utility apparatus such as poles, wires, pedestals, manholes, water pipes, water valves and vaults, and other items as approved by the director.
5. Road right-of-way setbacks may be waived, at the discretion of the County engineer, when the presence of shoreline setbacks, property lines, topography or other restrictions make it unreasonable to construct a structure without encroaching into the road right-of-way setback.

6. New development shall be required to maintain a 10-foot landscaped buffer along public street frontage. This landscaped strip will be created and maintained with a minimum of a “Screen C” in conformance with SJCC 18.60.160(E)(4).

7. New development will require a minimum five-foot setback on parcels beside other Country Corner commercial properties. Where parcels abut residential uses and zones there is a minimum 15-foot setback which must include “Screen A” landscaping in conformance with SJCC 18.60.160(D)(1).

8. Chimneys, smokestacks, fire or parapet walls, ADA-required elevator shafts, flagpoles, utility lines and poles, skylights, communication sending and receiving devices, HVAC and similar equipment, and spires associated with places of worship are exempt from height requirements.

9. A height bonus allowing a maximum height of 32 feet will be granted for those buildings with a minimum roof pitch of 6:12.

10. Lot coverage is the area of the lot covered by structures as determined by measurement of the physical footprint of the structures.

11. Open space (area not occupied by buildings, parking or driveways) shall be maintained in its natural condition or landscaped in conformance with SJCC 18.60.160.

H. Building Height Measurement. No structure shall exceed 30 feet above grade, measured as described in the illustration below. Structure height limit measurement methods are as follows:

1. Where the natural grade remains unchanged the structure height shall be measured by a plumb line from every point on the roof to the natural grade (NG). Natural grade shall mean the existing grade prior to any human modification. See Figure A, below.

2. Where the natural grade has been cut at any point around the structure footprint, the structure height shall be measured as by a plumb line from every point on the roof to the altered grade elevation (AGE). See Figure B, below.

3. Where fill material has been added to the natural grade, the structure height shall be measured as by a plumb line from every point on the roof to the natural grade, regardless of the height of fill. See Figure C, below.

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**Figure 450 – 2 Roof Pitch**

(Ord. 14-2010 § 6)
Figure 450 – 3 Country Corner - Ordinance 14-2010

See pages 30 & 31 for a larger scale representation of this map.
REFERENCE MAPS

Figure 500 – 1 Airport Overlay District
Figure 500 – 2 Ordinance 13-2005 Map