

December 11, 2009

To: San Juan County Council

From: Eastsound Planning and Review Committee Members

CC: San Juan County Planning Commission  
Randy Gaylord – Prosecuting Attorney

RE: Country Corner LAMIRD Proposal

Dear County Council Members,

The Eastsound Subarea Plan was adopted to provide land use and development goals, policies and regulations specifically for the Eastsound planning area. The Eastsound Planning Review Committee was established in conjunction with the adoption of this Subarea Plan, with a purpose to advise the planning department, planning commission and the County Council on land use and development matters affecting Eastsound.

In light of this responsibility, members of EPRC have regularly participated in the public process surrounding the development of the LAMIRD proposal you are reviewing today. Our goal was to gain a solid understanding of the GMA requirements, the community concerns, and the proposals submitted by the County planning staff and Planning Commission.

After this review, by unanimous vote, we would like to offer our support to the recommendations of both the Community Development and Planning and the Planning Commission to adopt the Country Corner LAMIRD with the following changes:

1. We do not support the following changes in allowable use made by the Planning Commission to the Land Use Tables:
  - a. Mini-Storage, and Moving Storage\_Facilities from Yes to No
  - b. Eating Establishments from Conditional to No
  - c. Drinking Establishments from Conditional to No
  
2. Our objections are based on the following:
  - a. LAMIRDs are intended to consider existing land use practices and patterns in place as of 1990.
  - b. Each of these uses existed in this area since that time.
  - c. Disallowing these uses now, makes a significant portion of the existing uses on these parcels nonconforming which seems to contradict one of the primary reasons for the designation.

3. While we respectfully appreciate the advice of the Prosecuting Attorney's office with regard to Land Use law, we do not support their recommendation that the LAMIRD be removed from the Eastsound Subarea Plan. Our objections are based on the following:
  - a. Long Range Planning policy must consider much broader issues and we are not aware of any GMA requirement or recommendation that discourages the use of subarea plans as a tool for local planning, nor any suggestion that subarea boundaries should align with UGA boundaries.
  - b. As noted in our Comprehensive Plan, 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 plan, put into place in the early 1980's, long before establishment of any GMA UGA, provides land use and development goals, policies and regulations specific to the Eastsound area.
  - c. In the early 80's the community recognized the desire to plan for this broader geographic area.
  - d. When asked, the Prosecuting Attorney's office indicated that the reason it was recommending removing the LAMIRD from the Subarea was that since GMA passed, the entire Subarea was obsolete, and that all of the borders of the Subarea should be changed to match the UGA. Our issue with this concept is twofold:
    - i. First, this seems to imply that there is no need for local planning or decision making and that all planning should simply match the GMA definitions. This is not a concept that the EPRC supports.
    - ii. Second, any decision to modify the boundaries of the Eastsound Subarea should be a community based decision, made after community discussions. It should not be done on a piecemeal basis. If realignment of the subarea boundaries is a goal shared by the County Council and the CD&P departments then EPRC recommends that this be added to the 2010 docket and that CD&P be instructed to work with EPRC and the community to consider this recommendation.

As a committee, appointed by the County Council and mandated to advise the planning department, planning commission and the County Council on land use and development matters affecting Eastsound we urge you to seriously consider our advice and adopt the proposal with the above recommended changes.

Sincerely,

Gulliver Rankin  
Chair, Eastsound Planning and Review Committee