



## San Juan County

# Community Development & Planning

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### Application for Site-Specific Amendment to the Official Maps:

- 1) Redesignation of Land-Use District Designation,
- 2) Redesignation of Shoreline Environment Designation, or
- 3) Redesignation of Maximum Allowable Residential Density

A site-specific amendment to the Official Maps of the Comprehensive Plan is a legislative action that is governed by the procedures and regulations in the Unified Development Code (UDC), Title 18 of the San Juan County Code, Sections 18.90.010, .020, and .030. A property owner or his or her authorized agent may apply for a change to the land-use designation, shoreline environment designation, or density designation of the property in order to reflect such things as changed circumstances, new land-use needs, or new land-use policies. **The act of applying for a redesignation confers no vesting rights.**

#### Application Period.

Requests for site-specific land-use district, shoreline environment, or maximum allowable residential density redesignations must be submitted to the Community Development and Planning Department from January 1 through March 1 of any year for consideration during the remainder of that year. Requests that are submitted after March 1, or that are incomplete at the end of the submittal period, shall be returned to the applicant for resubmittal the following year. (If March 1 falls on a weekend, applications will be accepted through the close-of-business on the following Monday.)

#### Procedures.

Application Submittal. The applicant or authorized agent shall submit a timely application that meets the requirements described below, together with the application fee. The Community Development and Planning Department will evaluate all applications for completeness (to determine that all required and necessary materials and information are included). The application must be complete by the close of the application period (*see above*), or it will be returned to the applicant for submittal the next year.

Review. Complete applications will be reviewed for the characteristics of the land (such as soil types) and the applicability of the designation criteria for the current and proposed land-use and density designations, the appropriateness of intended new uses, and how well the proposal meets the Criteria for Approval (*see below*) of redesignations. The accuracy of the submitted information will be checked. The Community Development and Planning Department will also supplement the State Environmental Policy Act (SEPA) checklist, as warranted, prior to notice and public review.

Notice and Hearing. The Community Development and Planning Department will prepare and publish a Notice of Application and Notice of SEPA Threshold Determination, and the applicant will physically post the notice and will mail the notice to all owners of properties within 300 feet of the properties that are proposed for redesignation (*per* SJCC Sections 18.90.030(E) and 18.80.030). The Community Development and Planning Department will then forward its recommendations to the Planning Commission, which will hold a public hearing and make recommendations to the Board of County Commissioners (BOCC) for consideration. The BOCC will hold a public hearing, and will take final action. The County may approve or approve with modifications an

application for a change of designation or density of property if all of the Criteria for Approval are met. For shoreline redesignations, the final action is further subject to certification by the Washington Department of Ecology (WDOE), as required by RCW 90.58.120.

Appeals. BOCC decisions on redesignations may be appealed to the Western Washington Growth Management Hearings Board *per* Section 18.90.030(G) of the UDC. A decision by the WDOE to approve, adopt by rule, or deny a proposed master program amendment may be appealed to the Growth Management Hearings Board as provided in RCW 90.58.190 and Chapter 461–08 WAC.

Withdrawal of Application and Partial Refund of Fees. Applications may be withdrawn at the request of the applicant or authorized agent. A portion of the application fee will be refunded if the review and processing of the application have not been completed. Once an application is ready for submittal to the Planning Commission, there will be no refund of fees.

### **Application Requirements.**

There is no prepared form for this process (except the SEPA checklist). A complete application for redesignation must include all of the following:

1. Copy of deed(s), and a legal description of the property for which redesignation is requested.
2. Signed letter of application with complete information (*see below*), and completed and signed SEPA checklist. If an agent is submitting the application, the agent must demonstrate that he or she is authorized to submit this application on behalf of the owner, and that the owner concurs in the request for redesignation.
3. Required information:
  - a. Legal parcel numbers (12 digits), *not* tax parcel numbers (9 digits)(check with the Assessor’s Office), and subdivision name and lot number (if applicable);
  - b. Current land use district(s), density designation(s), and (if relevant) shoreline designation(s);
  - c. Historic and existing use of the property and of adjoining land;
  - d. Special tax categories that apply to the property, such as Designated Forest Land or Open Space, and any easements that apply which would limit the development potential;
  - e. Population density (residential development) of the property and of the surrounding area;
  - f. Existing soil and sewage disposal conditions;
  - g. Description of existing water supply to the property;
  - h. Suitability for agricultural or timber use (including soil types and mapping for Forest or Agricultural Resource lands);
  - i. Known archaeological or historic resources on the property;
  - j. Natural resources on the property;
  - k. Availability of existing public services and utilities;
  - l. Public and private roads that provide access to the property;
  - m. Names of owners of abutting property; and
  - n. The mailing addresses for all owners of property within 300 feet of the boundaries of the subject property (using the names and addresses of those individuals as shown on the tax assessment rolls on the date the redesignation application is submitted).

4. Map(s) of the property that shows existing buildings, roads, water bodies, wetlands and other environmentally sensitive areas, soil types (for resource lands or where otherwise appropriate) and other significant features, as well as the land-use, shoreline environment, and density designations of the property and abutting properties. (In most instances, copies of GIS Legal parcel maps or Assessor's maps provide suitable base maps on which to provide this information.)
5. Statement of reasons for requesting the redesignation.
6. Written analysis of how the requested redesignation meets the Criteria for Approval (*see below*).
7. Completed and signed State Environmental Policy Act (SEPA) Environmental Checklist, including the supplemental sheet for nonproject actions.
8. Application Fee of \$1,500.00.

**Notice of Application, Notice of SEPA Threshold Determination, and Notice of Public Hearing.**

The applicant shall give notice (*per* SJCC Sections 18.90.030(E) and 18.80.030) of the request for a site-specific redesignation (and include a copy of the Notice of Application) by return-receipt mail to all owners of property within 300 feet of the applicant's property, and shall provide receipts of that mailing to the Community Development and Planning Department prior to the public hearing.

The applicant shall also post the notice according to requirements in SJCC Section 18.80.030. *See* the attached "About Providing Notice of Application and Notice of SEPA Threshold Determination, and Notice of Public Hearing for Site-Specific Redesignations."

The Community Development and Planning Department will publish on behalf of the applicant a Notice of Application and SEPA Threshold Determination in the official County newspaper.

The Notice of Public Hearing may be included with the above notice. If a separate notice of public hearing is required, the Community Development and Planning Department will publish the notice on behalf of the applicant, and the applicant will mail the notice *per* SJCC Section 18.80.030(C).

**Criteria for Approval.**

The County may approve—or approve with modifications—an application for a change of designation or density of property if *all* of the following criteria are met.

The applicant must demonstrate that the change:

- (1) would benefit the public health, safety, or welfare.
- (2) is warranted because of changed circumstances or because of a need for additional property in the proposed land-use designation.
- (3) is consistent with the criteria for land-use designations specified in the Comprehensive Plan.
- (4) will not be detrimental to uses or property in the immediate vicinity of the subject property.
- (5) has merit and value for the community as a whole.
- (6) if granted will not result in an enclave of property owners enjoying greater privileges and opportunities than those enjoyed by other property owners in the vicinity where there is no substantive difference in the properties themselves which justifies different designations;
- (7) will result in benefits that will outweigh any significant adverse impacts of the change.
- (8) is consistent with the purpose and intent of the Comprehensive Plan and the UDC.

- (9) (if a shoreline master program environment redesignation) is consistent with the policies and criteria set forth in the shoreline environment designation criteria of the County’s Shoreline Master Program and WAC 173–26–110, as amended, including:
  - a. the biophysical capabilities and limitations of the shoreline;
  - b. the existing development pattern; and
  - c. the goals and aspirations of the local citizenry.
- (10) (if within the Eastsound Planning Area or on Waldron or Shaw islands) is consistent with the policies and intent of the applicable subarea plan.
- (11) complies with all other applicable criteria and standards of the UDC.

**Availability of Comprehensive Plan, UDC, and Official Maps.**

To assist in addressing the criteria above, copies of the Comprehensive Plan, Unified Development Code, and Official Maps are available for review at the San Juan Island, Orcas Island, Lopez Island, and Shaw Island public libraries, Decatur School, and the Waldron Island Community Meeting. Electronic copies of these documents are available at the County’s internet site at [www.co.san-juan.wa.us/planning/index.html](http://www.co.san-juan.wa.us/planning/index.html). Maps and documents are also available for inspection at or purchase from the Community Development and Planning Department.

**Concomitant Agreement.**

**The County is specifically authorized (by SJCC 18.90.030(F)(1) and (3)) to require that the applicant enter into a concomitant agreement** with the County as a condition of any site-specific Map change. Through that agreement, the County may impose development conditions designed to mitigate potential impacts of the use or development that may occur as a result of such change.

**For Further Information.**

If you need additional information or help, please contact the Community Development and Planning Department at the Courthouse Annex (135 Rhone Street, Friday Harbor, next to the Post Office) or phone at (360) 378-2354.

**Enclosures:**

1. “About Providing Notice of Application and Notice of SEPA Threshold Determination, and Notice of Public Hearing for Site-Specific Redesignations.”
2. SEPA Checklist

## **About Providing Notice of Application and SEPA Determination, and Notice of Public Hearing for Site-Specific Redesignations**

The Community Development and Planning Department will prepare a Notice of Application and Notice of SEPA Threshold Determination, based on your application and submittal. This Notice will be published by the Community Development and Planning Department in the Legal Notices of the Sounder and the Journal of the San Juans on **[fill in date]**.

The Community Development and Planning Department will provide copies of the Notice of Application and Notice of SEPA Threshold Determination to you, the Applicant or authorized agent.

You are required (*per* SJCC 18.80.030) to

- 1) mail (by return-receipt mail) the Notice of Application, as is described below; and
- 2) post the Notice of Application table, as is described below.

You are required to complete both the mailing and posting within five days from the date on which you receive your copy of the Notice of Application.

**Mailing.** Mail—by return-receipt mail—the Notice of Application to all owners of property located within 300 feet in all directions of the exterior boundaries of the property for which the redesignation is proposed, using the names and addresses of those individuals as shown on the tax assessment rolls on the date the redesignation application is submitted to the Community Development and Planning Department.

The return receipts shall be addressed to the County, so that they come directly to the County:

San Juan County Community Development and Planning Department  
Long-Range Planning  
Attn: [name of Applicant] Redesignation file, #[of the application]  
P.O. Box 947  
Friday Harbor, WA 98250

After you have completed the mailings, you must send to the Community Development and Planning Department the receipts you obtain from the Post Office at the time of mailing.

**Posting.** In addition to mailing the Notice of Application to neighboring property owners, you must post the Notice of Application as follows:

- 1) Post the Notice of Application on the property, on a board that is purchased from the Community Development and Planning Department. The notice board shall meet these specifications:
  - It shall be at the midpoint of the site road frontage or as otherwise directed by the Director of the Community Development and Planning Department for maximum visibility;
  - Five feet inside the street property line, except when the board is structurally attached to an existing building; *provided*, a notice board shall not be placed more than five feet from

the margin line of the road or right-of-way without approval of the Director of the Community Development and Planning Department;

- Between five and eight feet above grade as measured from the top of the notice board;
  - Completely visible to pedestrians;
  - Maintained in good condition by the applicant during the notice period;
  - In place at least 30 days prior to the date of public hearing; and
  - Removed within 15 days after the notice of decision is received by the Applicant.
- 2) If the property is served by a private road, an additional notice board shall be located at the nearest intersection of the private road with a public road. Where a notice board cannot be placed as indicated or would not provide effective notice, the Director of the Community Development and Planning Department shall determine a suitable location for posting.
- 3) The posting shall include:
- at the top of the posting, the words “NOTICE OF PROPOSED DESIGNATION CHANGE” shall be printed in two-inch block letters (a suitable form is provided with the Notice of Application); and
  - the Notice of Application table and any associated maps.
- 4) The Applicant shall submit an Affidavit of Posting and a photograph showing the location(s) of posting to the Director of the Community Development and Planning Department prior to the publication of the Notice of Application, and at least 30 days prior to the date of the public hearing. A blank Affidavit of Posting will be provided with the Notice of Application.

**Note:** You are responsible for properly notifying adjacent landowners, and for properly posting notice of your application. Failure to properly meet these responsibilities could delay the processing of your application, or create a cause for appeal.

**Notice of Public Hearing.** If the Notice of Public Hearing is not included with the Notice of Application, you will need to make a separate mailing for this notice after it is provided by the Community Development and Planning Department. This mailing is done simply by regular first-class mail.