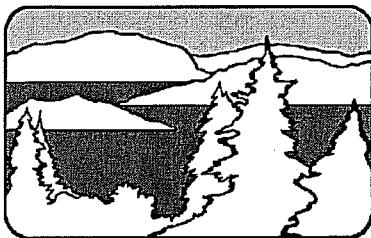


Approved as submitted  
at the April 16, 2010 PC Mtg.  
LG.



SAN JUAN COUNTY PLANNING COMMISSION  
MINUTES OF THE FEBRUARY 19, 2010 MEETING

The meeting of the San Juan County Planning Commission was called to order by Chair, Susan Dehlendorf, at 8:32 a.m. in the County Council hearing room, Legislative Building, 55 Second Street, Friday Harbor, San Juan Island.

Members Present: Susan Dehlendorf, Barbara Thomas, Brian Ehrmantraut, Bob Gamble, Mike Carlson (in at 8:43 a.m.), John Lackey, Bruce Orchid, Stephen Adams, and Karin Agosta

Community Development  
And Planning Department

Staff Present: Shireene Hale, Planning Coordinator; Julie Thompson, Associate Planner; and Lynda Guernsey, DAI.

Administrative Items

Update from the Chair – Susan Dehlendorf

1. Sutton Road - Having rejected the Sutton Road redesignation, using the nine criteria in the U.D.C., and based on the seven page report presented to the Planning Commission, the project then went to the County Council with new information in a report that was over thirty pages. The County Council thought about sending it back to the Planning Commission but they voted not to. Susan would like to discuss procedures, processes, and state law at a future meeting, and send a letter to the County Council voicing their findings. Karin and Barbara stated that they would help Susan gather her information and the discussion with the Planning Commission could be done at the March 5<sup>th</sup> meeting. Lynda will make sure the Planning Commission gets a copy of the County Council staff report regarding Sutton Road. This will be done electronically where possible.

Update from Planning – Shireene Hale

1. CD&P is hiring a new planner and an office manager.
2. The fairgrounds overlay and Country Corner LAMIRD have been passed and are now headed to the docket hearing tentatively set for April 27th.
3. There are applications for Conservation and Farm Open Space awaiting the Planning Commission. The state has a procedure for processing the applications and then they will be coming forward to the Planning Commission.
4. On the May 21<sup>st</sup> date set for the Planning Commission meeting, Shireene and Colin will both be out. They are looking at moving the meeting date to May 12, 13, 26, or 27.

Update from Housing Bank – None.

Update from the EPRC – None.

Minutes of December 11, 2009 –

Moved by Bob Gamble, seconded by Mike Carlson, to approve the minutes as submitted. Motion passed with seven yes votes and two abstentions (Thomas and Adams).

Minutes of January 15, 2010 –

Moved by Barbara Thomas, seconded by Bob Gamble, to approve the minutes as submitted. Motion passed with eight yes votes and one abstention (Adams).

Return to Open Space –

1. All Planning Commission please review open space state process.

**Continued public hearing and deliberations on the Gerard Redesignation, Orcas Island, File No. 09RED002**

Susan Dehlendorf updated the Planning Commission as to the status of the project and the questions that had been asked of staff at the last meeting.

Julie Thompson, addressed the points that had been raised at the last meeting and responded to question from the Planning Commission. Francine Shaw, applicant's representative, addressed concerns both orally and through a visual presentation. She also responded to questions from the Planning Commission.

The Planning Commission then asked questions of Julie, Francine, and Shireene.

**Deliberations**

Each Planning Commissioner addressed concerns and thoughts regarding this application.

The Planning Commission then went through the nine criteria for redesignation as stated in the U.D.C.

*a. The change would benefit the public health, safety, and welfare.*

Moved by Stephen Adams, seconded by Barbara Thomas, that the change would **not** benefit the public health, safety, and welfare. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – no, Bruce Orchid – no, Stephen Adams – yes, Brian Ehrmantraut – no, Mike Carlson – no, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed with five yes votes and four no votes (Lackey, Orchid, Ehrmantraut, and Carlson).

*b. The change is warranted because of changed circumstances or because of a need for additional property in the proposed land use designation.*

Moved by Barbara Thomas, seconded by Bob Gamble, that the change is **not** warranted because the circumstances have not changed. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – no, Bruce Orchid – yes, Stephen Adams – yes, Brian Ehrmantraut – no, Mike Carlson – no, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed with six yes votes and three no votes (Lackey, Ehrmantraut, and Carlson).

*c. The change is consistent with the criteria for land use designations specified in the Comprehensive Plan.*

Moved by Bob Gamble, seconded by Stephen Adams, that the change is **not** consistent with the criteria for land use designations specified in the Comprehensive Plan. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – no, Bruce Orchid – yes, Stephen Adams – yes, Brian Ehrmantraut – yes, Mike Carlson – no, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed with seven yes votes and two no votes (Lackey and Carlson).

*d. The change will not be detrimental to uses or property in the immediate vicinity of the subject property.*

Moved by Stephen Adams, seconded by Karin Agosta, that the change **will** be detrimental to uses or property in the immediate vicinity of the subject property. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – no, Bruce Orchid – no, Stephen Adams – yes, Brian Ehrmantraut – no, Mike Carlson – no, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed with five yes votes and four no votes (Lackey, Orchid, Ehrmantraut, and Carlson).

*e. The change has merit and value for the community as a whole.*

Moved by Bob Gamble, seconded by Stephen Adams, that the change **does not have** merit and value for the community as a whole. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – no, Bruce Orchid – yes, Stephen Adams – yes, Brian Ehrmantraut – no, Mike Carlson – no, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed with six yes votes and three no votes (Lackey, Ehrmantraut, and Carlson).

- f. *The change, 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.*

Moved by Karin Agosta, seconded by Bob Gamble, that this criteria is moot in regards to this application. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – yes, Bruce Orchid – yes, Stephen Adams – yes, Brian Ehrmantraut – yes, Mike Carlson – yes, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed unanimously.

- g. *The benefits of the change will outweigh any significant adverse impacts of the change.*

Moved by Bruce Orchid, seconded by Brian Ehrmantraut, to approve as written. Bob Gamble – no, Barbara Thomas – no, John Lackey – yes, Bruce Orchid – yes, Stephen Adams – no, Brian Ehrmantraut – yes, Mike Carlson – yes, Karin Agosta – no, Susan Dehlendorf – no. Motion failed with four yes votes and five no votes (Thomas, Gamble, Adams, Agosta, and Dehlendorf).

- h. *The change is consistent with the goals, policies, purpose and intent of the Comprehensive Plan and this code.*

Moved by Barbara Thomas, seconded by Bob Gamble, that the change is not consistent with the goals, policies, purpose and intent of the Comprehensive Plan and this code. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – yes, Bruce Orchid – yes, Stephen Adams – yes, Brian Ehrmantraut – yes, Mike Carlson – yes, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed unanimously.

- i. *The change complies with all other applicable criteria and standards of this code.*

Moved by Bob Gamble, seconded by Stephen Adams, that this criteria is moot as the Planning Commission does not fully understand it. Bob Gamble – no, Barbara Thomas – no, John Lackey – no, Bruce Orchid – no, Stephen Adams – no, Brian Ehrmantraut – no, Mike Carlson – no, Karin Agosta – no, Susan Dehlendorf – no. Motion failed unanimously.

Moved by Karin Agosta, seconded by Bob Gamble, that, as far as we know, the change complies with all other applicable criteria and standards of this code. Bob Gamble – yes, Barbara Thomas – abstain, John Lackey – yes, Bruce Orchid – yes, Stephen Adams – yes, Brian Ehrmantraut – abstain, Mike Carlson – yes, Karin Agosta – abstain, Susan Dehlendorf – yes. Motion passed with six yes votes and two abstentions (Agosta and Thomas).

Recommendation:

Moved by Bob Gamble, seconded by Stephen Adams, to recommend to the County Council that this application be denied. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – abstain, Bruce Orchid – yes, Stephen Adams – yes, Brian Ehrmantraut – yes, Mike Carlson – abstain, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed seven yes votes and two abstentions.

Moved by Susan Dehlendorf, seconded by Mike Carlson, to recommend that the code be changed for Airport Overlay Zone 5 to allow for the repair, maintenance, and expansion of up to 25% of legal non-conforming structures. Bob Gamble – yes, Barbara Thomas – no, John Lackey – yes, Bruce Orchid – no, Stephen Adams – no, Brian Ehrmantraut – yes, Mike Carlson – yes, Karin Agosta – no, Susan Dehlendorf – yes. Motion passed with five yes votes and four no votes (Thomas, Orchid, Adams, and Agosta).

Moved by Susan Dehlendorf, seconded by Barbara Thomas, that the Planning Commission is concerned about potential hazards around airports and recommend that the appropriate bodies purchase non-conforming and dangerous structures when possible. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – yes, Bruce Orchid – no, Stephen Adams – yes, Brian Ehrmantraut – yes, Mike Carlson – yes, Karin Agosta – yes, Susan Dehlendorf – yes. Motion passed with eight yes votes and one no vote (Orchid).



**Page 1, 4.1 Introduction and Purpose, 1<sup>st</sup> Paragraph**

By consensus, the paragraph will now read: As a maritime community made up of small islands located in an area with limited precipitation during the spring and summer, our most precious resource may be fresh water.

**4.1, 3<sup>rd</sup> Paragraph**

Moved by Bob Gamble, seconded by Barbara Thomas, that in the first sentence, to delete the words “fragile”, and “a network of small”. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – no, Bruce Orchid – yes, Stephen Adams – yes, Brian Ehrmantraut – yes, Mike Carlson – no, Karin Agosta – yes, Susan Dehlendorf – no. Motion passed with seven yes votes and three no votes (Lackey, Carlson, and Dehlendorf).

**4.1 Introduction and Purpose, as a whole**

Moved by Barbara Thomas, seconded by Bob Gamble, to retain the language as modified. Bob Gamble – yes, Barbara Thomas – yes, John Lackey – yes, Bruce Orchid – no, Stephen Adams – yes, Brian Ehrmantraut – no, Mike Carlson – no, Karin Agosta – no, Susan Dehlendorf – no. Motion failed with four yes votes and five no votes (Orchid, Ehrmantraut, Carlson, Agosta, and Dehlendorf).

By Consensus, Karin Agosta volunteered to do an edit of the Introduction to Element 4 and solicit comment from the Planning Commission. She will then submit to the staff and Water Resources Committee for comment.

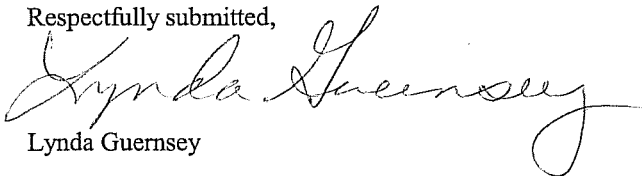
**Public hearing and deliberations on the Personal Wireless Facilities Ordinance**

This hearing is continued to March 5, 2010, in the County Council hearing room, Legislative Building, 55 Second Street, Friday Harbor, San Juan Island, at 8:45 a.m.

**Adjournment**

The meeting was adjourned at 1:43 p.m., the next meeting will be on March 5th, 2010 at 8:30 a.m. in the County Council hearing room, Legislative Building, 55 Second Street, Friday Harbor, San Juan Island.

Respectfully submitted,



Lynda Guernsey

U:Lynda:Planning Commission: 2.19.10 min.doc