

ORDINANCE 13 - 2010

**SITE-SPECIFIC AMENDMENT TO SAN JUAN COUNTY'S COMPREHENSIVE PLAN
OFFICIAL MAPS FOR PROPERTY ON SAN JUAN ISLAND LOCATED ON THE
NORTH SIDE OF ROCHE HARBOR ROAD, WEST OF THE TOWN OF FRIDAY
HARBOR LANDFILL SITE, AND ADJACENT TO SUTTON ROAD**

Background

- A. Under the Growth Management Act (GMA), RCW 36.70A, San Juan County adopted a Comprehensive Plan and Official Maps.
- B. RCW 36.70B.020(4) provides that site specific rezones authorized by a comprehensive plan are processed as project permits.
- C. The San Juan County Unified Development code permits site specific redesignations as authorized by RCW 36.70B.
- D. San Juan County Code (SJCC) 18.90.030 contains procedures for the amendment of Comprehensive Plan land use designations as site-specific redesignations.
- E. SJCC 18.30.030(F)(1) sets out nine criteria that must be met in order for the County to approve a site-specific redesignation.
- F. San Juan County Comprehensive Plan Section D.3.2.8.d allows for the correction of errors on the official map.
- G. The San Juan County Council initiated this proposed amendment by selecting this site as the most appropriate site for the expansion of a solid waste transfer station. The application (09RED004) submitted by the San Juan County Public Works Department is to change the land use designation for tax parcel number 350232004 from Agricultural Resource (AG) to Rural Industrial (RI).
- H. The application was made pursuant to SJCC 18.90.030(F) and Comprehensive Plan Section D.3.2.8.
- I. The suggested map changes submitted to the Community Development and Planning Department in 2009 were compiled and maintained in a docket for consideration and review by the public.
- J. The redesignation was evaluated by the Community Development and Planning Department.
- K. An environmental checklist was prepared by the Community Development and Planning Department staff for the proposed redesignation to the Official Comprehensive Plan Land Use Map and a notice of Determination of Non-significance (DNS) was published on August 19, 2009, pursuant to WAC 197-11-350.
- L. The Planning Commission considered the redesignation at duly advertised public hearings on October 18 and 23, 2009.

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M. After considering the redesignation proposal, the recommendations of the Community Development and Planning Department, as well as written and oral testimony received from the public, the Planning Commissioners deliberated and developed recommendations and findings for the proposed redesignation.

N. The County Council held a duly advertised public hearing on the redesignation on March 30, 2010, and considered the evidence in the record.

O. Findings. The County Council in their consideration of the proposed changes to the Comprehensive Plan Official Map makes the following FINDINGS:

I. The Official Maps of the San Juan County Comprehensive Plan were prepared as required by RCW 36.70A.040(1), and meet the requirements of and are consistent with the GMA, Chapter 36.70A RCW.

II. SJCC 18.90.030 establishes criteria and procedures for site-specific map changes, redesignations, and text amendments. Section D.3.2.8.d of the Comprehensive Plan also allows for a change in land use designations due to mapping errors. The amendments to the Official Maps of the San Juan County Comprehensive Plan that are shown on the attached Exhibit A have been evaluated and reviewed as part of the docket process and meet the procedural review requirements of the SJCC and San Juan County Comprehensive Plan.

III. The public has been provided notice and opportunity to review and comment on the proposed redesignations and the environmental impact of their adoption. This meets the requirements of SJCC 18.90.030, RCW 36.32.120, RCW 36.70A.030, RCW 36.70.A.140 and RCW 90.58.120 (2).

IV. State law assigns the primary responsibility of managing solid waste to the County.

V. A transfer station to collect and transport the island's solid waste off the island is the most efficient and preferred method of managing solid waste.

VI. The residents of San Juan Island currently create approximately 134 tons of solid waste per week.

VII. The current transfer station is unsafe, insanitary and inadequate to meet the demands of the island residents.

VIII. The current transfer station actively endangers residents and staff and constitutes a clear threat to the health, safety and welfare of all the residents of San Juan Island.

IX. Following a two-year public process that included numerous opportunities for public input and the development of a FEIS for an expanded transfer station the County Council decided that the area included in this application is the most appropriate site.

X. The redesignation of Tax Parcel Number 350232004 from Agricultural Resource to Rural Industrial is a necessary precursor to the development of a new, safe, sanitary and efficient transfer station.

XI. The current designation of Tax Parcel Number 350232004 as Agricultural Resource is inappropriate because the parcel does not meet the criteria for designation as Agricultural Resource for the reasons stated in the staff report for this matter. These reasons include the fact that the parcel is not and has not been in agricultural use; is less than ten acres in size; has a history of industrial use; and lacks soils in USDA-San Juan County Soil Survey Class II, III, IV, or any other soil class with demonstrated agricultural productivity. For these reasons, this should be identified as a mapping error and corrected.

XII. Redesignation of Tax Parcel Number 350232004 is appropriate based on the redesignation criteria in SJCC 18.90.050(F)(1) for the reasons described in the staff report to the County Council on this matter and as summarized below.

XIII. Criterion a. The redesignation of the subject parcel from Agricultural Resource to Rural Industrial will benefit the public health, safety and welfare because it will enable the development of an efficient, safe and sanitary solid waste transfer station.

XIV. Criterion b. The redesignation is warranted because there is a clear need for Rural Industrial land on San Juan Island. This need may be derived from a number of sources, including the need to manage 134 tons of solid waste per week, the requirement to provide sufficient public facility capacity to meet future demand and the decision of the County Council that this site is the most appropriate site for a new transfer station.

XV. Criterion c. The redesignation is consistent with the criteria for land use designation because the lot has a history of industrial use as defined in SJCC 18.30.040, it is accessible by a major collector, the lot possesses physical features that can be used to limit the negative impacts on surrounding property, the area is large enough to provide space to expand the neighboring existing use, and the proposed use of the parcel is compatible with the neighboring landfill.

XVI. Criterion d. The redesignation will not be detrimental to uses or property in the immediate vicinity because immediately adjacent to the subject property there is a closed landfill and the current transfer station; the houses that abut the landfill and existing transfer station property were either in place or developed after the landfill was developed or later, when the transfer station became active; and the agricultural resource lands that abut the subject property are also in the immediate vicinity of the landfill and existing transfer station, therefore the potential negative value impacts of a rural industrial zone on the subject parcel have already accrued to those properties. It is possible that the new transfer station will lessen rather than increase the negative impacts of a transfer station on the surrounding property.

XVII. Criterion e. The redesignation has merit and value for the community as a whole because it will enable the county to develop a new safe, efficient and sanitary transfer station to replace the existing unsafe, inefficient, and insanitary transfer station the public is currently subjected to.

XVIII. Criterion f. The change 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. This is because, by definition, a public agency that is both constituted by and exists solely to serve the community, cannot make up part of an enclave; furthermore, there is no evidence that the redesignation will provide privileges and opportunities 'greater' than other property owners in the vicinity, rather it will allow the county to better serve the community it represents.

XIX. Criterion g. The benefits of the change will outweigh any significant adverse impacts of the change because the redesignation will benefit the entire island community as it is a necessary precursor to the development of a new transfer station. The new transfer station will benefit the entire community because it will replace an unsafe, inefficient and insanitary facility. The environmental impacts of siting a transfer station in this area were considered and analyzed and a determination was made that there would be no significant unavoidable impacts.

XX. Criterion h. The redesignation is consistent with the purpose and intent of the following sections of the Comprehensive Plan and UDC: Comprehensive Plan Element B Sections 2.3.C.10.d, 2.3.D.5.a, 2.3.C.10.a, 2.3.C.10.b, 2.3.C.10.c, 2.3.C.10.e, 2.3.D, 7.3.A.7.b(2)-(3), 2.2.A, 2.2.B.1, 2.2.F, 2.2.J, 2.2.D, 7.2.A.4, 7.2.A.12, 7.2.B, 7.3.A, and 7.3.A.7; and SJCC 18.10.020(B), 18.90.030, 18.10.040(C)(1), and 18.30.040 table 3.2.

XXI. Criterion i. The change complies with all applicable public procedures and other standards of the UDC.

NOW, THEREFORE, BE IT ORDAINED by the County Council of San Juan County, State of Washington, as follows:

Section 1. Amendment to Official Maps.

The San Juan County Comprehensive Plan Official Maps are amended to reflect the revised land use district designation for tax parcel number 350232004 as shown on attached Exhibit A. The Director of the Community Development and Planning Department shall show the changes as indicated on the next publication of the Official Maps.

Section 2. Map Exhibit.

The Chair of the San Juan County Council is authorized to sign the amendments to the San Juan County Comprehensive Plan Official Maps, as set forth in attached Exhibit A, on behalf of the Council.


Section 3. Effective Date.

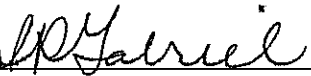
This Ordinance shall take effect on the tenth working day after adoption.

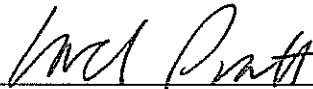
ADOPTED this 27th day of April 2010.

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

ATTEST: Clerk of the Council

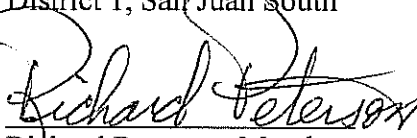

Richard Fralick, Chair
District 4, Orcas West/Waldron

By: 
Ingrid Gabriel – Clerk
Date: 4-27-2010



Lovel Pratt, Vice-Chair
District 1, San Juan South

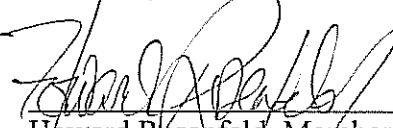
REVIEWED BY COUNTY
ADMINISTRATOR



Pete Rose Date: 4-20-10

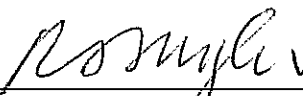

Richard Peterson, Member
District 2, San Juan North

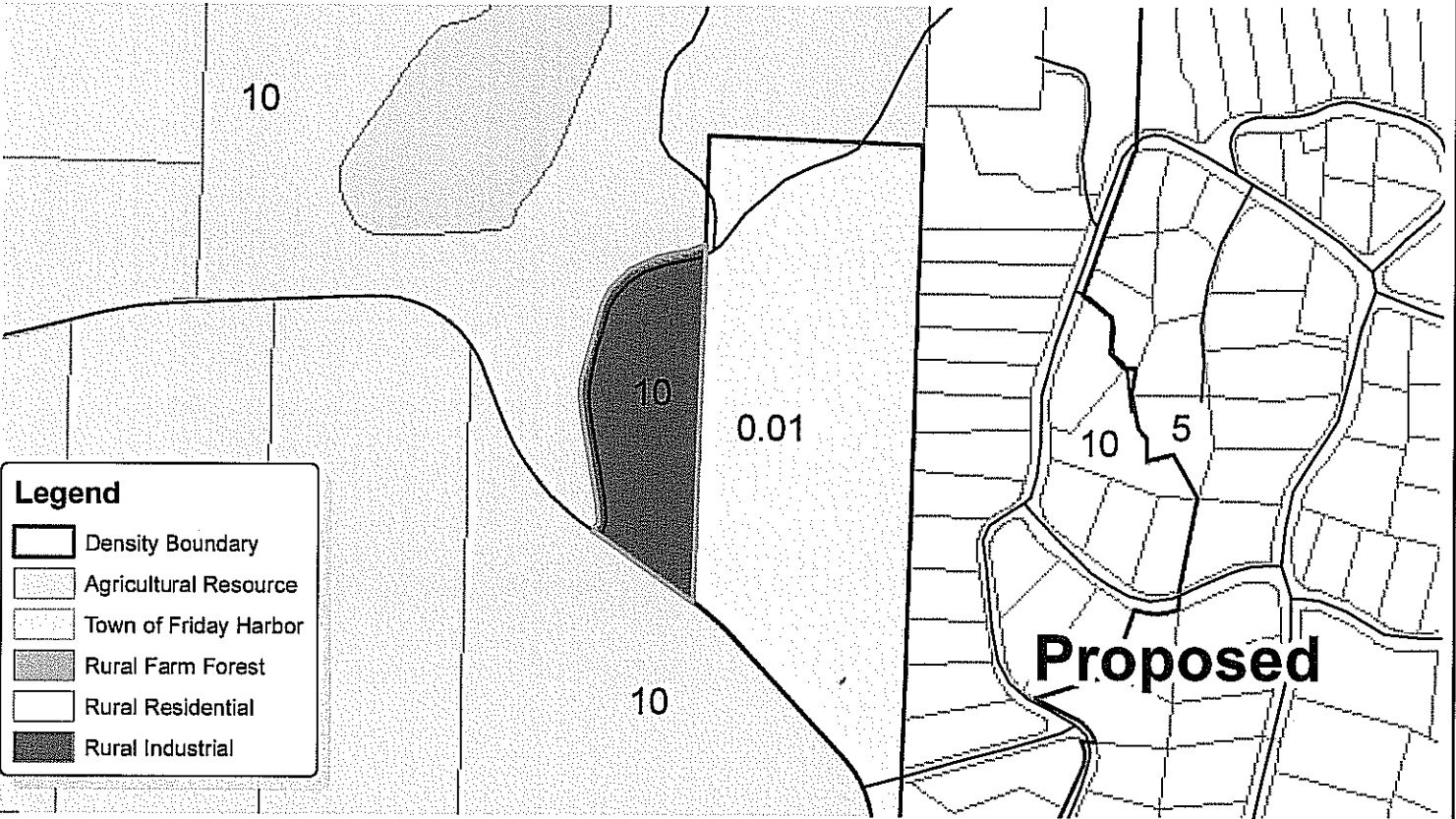
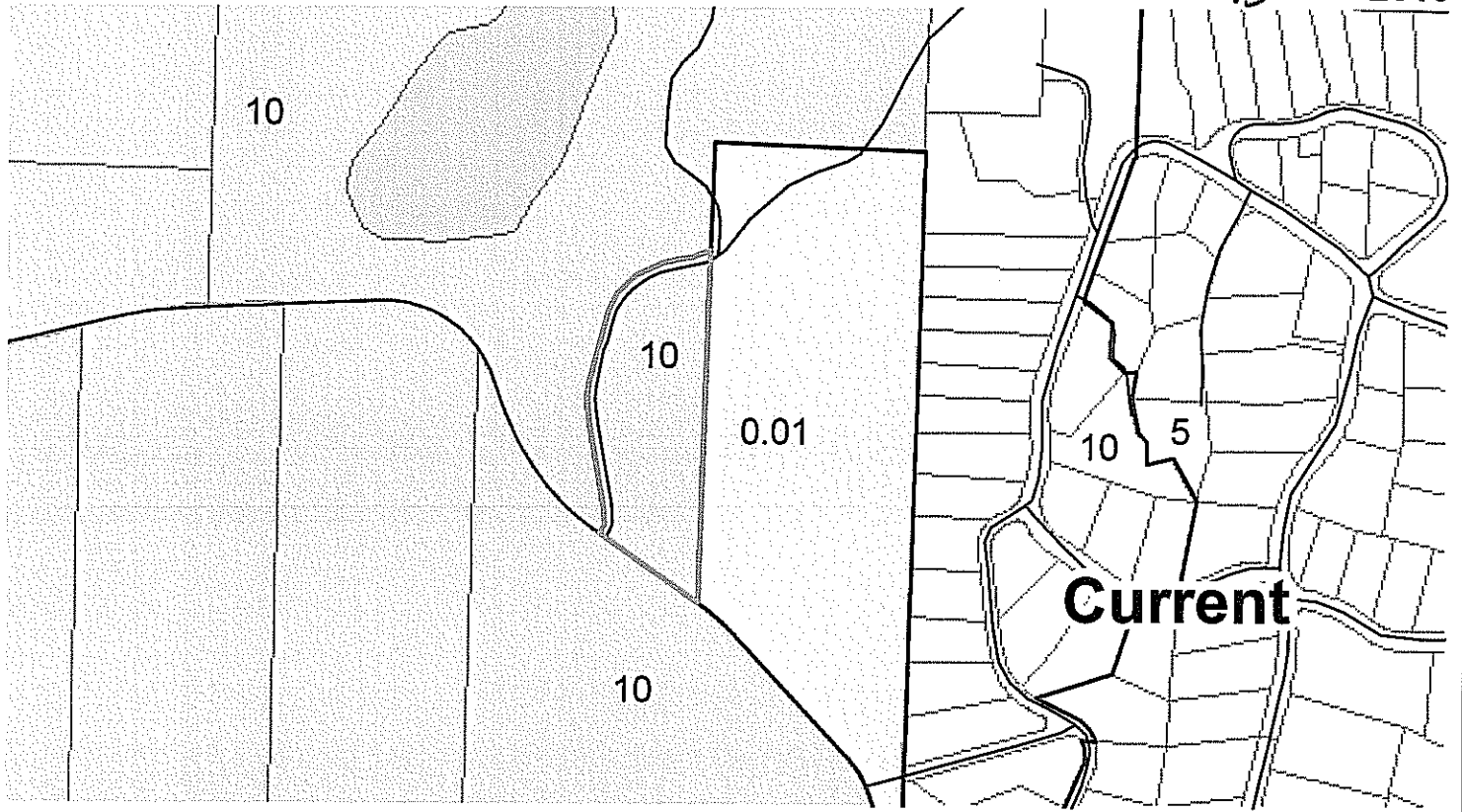
APPROVED AS TO FORM ONLY
RANDALL K. GAYLORD

By: 
Date: 4/20/2010


Howard Rosenfeld, Member
District 3, Friday Harbor


Gene Knapp, Member
District 5, Orcas East

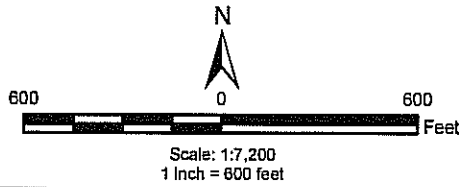

Bob Myhr, Member
District 6, Lopez/Shaw



Legend

- Density Boundary
- Agricultural Resource
- Town of Friday Harbor
- Rural Farm Forest
- Rural Residential
- Rural Industrial

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 survey accuracy. This map is based on the best information available as of the publication date.



Proposed Redesignation for Parcel 350232004000
San Juan Island
San Juan County, Washington

Exhibit A