

ORDINANCE NO. 13-2016

**A 2016 DOCKET ORDINANCE AMENDING THE DEER HARBOR HAMLET PLAN, A
COMPONENT OF THE LAND USE ELEMENT OF THE SAN JUAN COUNTY COMPREHENSIVE
PLAN**

BACKGROUND

- A.** Pursuant to the Growth Management Act ((GMA); Chapter 36.70A (RCW), San Juan County (County) adopted the San Juan County Comprehensive Plan (Comprehensive Plan), official maps, and implementing development regulations in the Unified Development Code; Title 18 San Juan County Code (SJCC).
- B.** This ordinance is being considered as part of the County’s 2016 annual docket of amendments to the Comprehensive Plan. Consistent with RCW 36.70A.130(2)(b) all docket proposals are considered concurrently so that the cumulative effects of the various proposals can be ascertained.
- C.** The Deer Harbor Hamlet Plan, (Hamlet Plan) an activity center plan identified in the Land Use Element of the Comprehensive Plan (Section B, Element 2, subsection 2.3.B (8)), was adopted by Ordinance 26-2007. It identifies and characterizes the different land use districts in the Hamlet, contains a vision articulating the community’s preferred character, and goals and policies supporting the regulations which implement the community’s vision.
- D.** As part of the Deer Harbor Hamlet Plan Review Committee’s (DHHPRC) regular duties, the DHHPRC submitted proposed amendments to the Plan in June, 2013 to the Department of Community Development (DCD). County staff has been working with the DHHPRC to update, streamline, clarify and reorganize the Plan.
- E.** Public participation was early and continuous throughout this amendment process. Many opportunities for community input were provided. Multiple methods of public engagement were used to obtain input on the update including a public meeting to present the updated plan to the residents in Deer Harbor. Information about the proposed amendments was disseminated through the media in public notices and through a County listserve. It was also provided in an electronically accessible format on the County’s web site. Efforts to inform and involve the public in the update included the following activities:
- | | | |
|-------|--------------------|---|
| I. | July 13, 2016 | DHHPRC public meeting |
| II. | August 10, 2016 | DHHPRC public meeting |
| III. | August 30, 2016 | 60-day Commerce notification of intent to adopt |
| IV. | August 31, 2016 | Deer Harbor Community Club public meeting, |
| V. | September 14, 2016 | DHHPRC public meeting |
| VI. | September 16, 2016 | Planning Commission briefing |
| VII. | September 28, 2016 | State Environmental Policy Act DNS review published |
| VIII. | September 28, 2016 | Planning Commission public hearing notice published |
| IX. | October 18, 2016 | County Council briefing (1 st touch) |
| X. | October 21, 2016 | Public hearing with the Planning Commission |
| XI. | October 25, 2016 | County Council briefing (2 nd touch) |
| XII. | November 8, 2016 | County Council public hearing |
| XIII. | November 29, 2016 | County Council docket deliberations |

- F.** In compliance with the State Environmental Policy Act (SEPA), the environmental and nonproject action SEPA checklists were completed and evaluated for the project. It was determined that the proposals would be unlikely to create any significant adverse environmental impacts. A Determination of Non-significance (DNS) was published on September 28, 2016, in the Journal of the San Juan Islands and The Islands' Sounder. The DNS and checklists were provided to federal, state and local agencies in accordance with SJCC 18.80.050 and WAC 197-11-340. The Washington State Department of Ecology also published notice of the SEPA determination on their SEPA register under item No. 201605300.
- G.** As required by RCW 36.70A.106, a 60-day notice regarding the potential adoption of amendments to the Comprehensive Plan was provided to the Washington State Department of Commerce on August 30, 2016. Commerce acknowledged receipt of the notice indicating that the notice was processed by the State under Material ID No. 22789 on August 31, 2016.
- H.** The Planning Commission was briefed on the amendments on September 16, 2016 prior to holding a duly advertised public hearing on October 21, 2016. Notices of the Planning Commission's public hearing were published in the Journal of the San Juan Islands and the Islands' Sounder on September 28, 2016. The Planning Commission recommendation was forwarded to the County Council in October 2016. All documents were placed on the County's website.
- I.** The County Council was briefed on the amendments on October 18 and October 25, 2016 prior to holding a duly advertised public hearing on November 8, 2016. The hearing notice was published in The Journal of the San Juan Islands and Islands' Sounder. Following the hearing, County Council considered the recommendations of the Planning Commission and staff, and written and oral testimony from the public.
- J.** The County Council makes the following findings:
1. The Comprehensive Plan is the official policy statement of the County, and provides a long-range framework to guide decisions about growth, land uses, transportation systems, conservation of natural resources, capital expenditures, and procedures and programs. The public has been provided notice and opportunity to review and comment on the draft amendments to the Comprehensive Plan, its supportive documents, and the environmental impacts of their adoption. This meets the requirements of RCW 36.70A.035 and 36.70A.140.
 2. The Hamlet Plan as amended by this action, was prepared as required in RCW 36.70A.040(1), meets the requirements of, and is consistent with, the GMA.
 3. The Hamlet Plan amendments provide updated policy guidance, as shown in Exhibit A, and is consistent with the overall goals of the Comprehensive Plan and Vision Statement.
 4. The overall impact of the amendments to the Hamlet Plan is that it will be easier to use and understand because it is streamlined, better organized, and outdated, repetitive, or superfluous sections are deleted.
- K.** Pursuant to the Growth Management Act, this docket proposal is consistent with the GMA, the Town of Friday Harbor Comprehensive Plan, the relevant county-wide planning policies and other Comprehensive Plan elements and development regulations with two exceptions. The amendments

include updated population projections based on upon the latest Office of Financial Management projections and an updated land capacity analysis that will be updated during the County's periodic plan update.

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

Section 1. Adoption of Amendments to the Comprehensive Plan:

The Deer Harbor Hamlet Plan and Ordinance 26-2007 § 3 are amended as Appendix 12 of the Comprehensive Plan as shown in Exhibit A.

Section 2. Savings Clause:

This ordinance shall not affect any pending suit or proceeding; or any rights acquired; or liability or obligation incurred under the sections amended or repealed; nor shall it affect any proceeding instituted under those sections. All rights and obligations existing prior to adoption of this ordinance shall continue in full force and effect.

Section 3. Severability:

If any provision of this ordinance or its application to any person is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected. Remaining sections of the ordinance shall be interpreted to give effect to the spirit of the ordinance prior to removal of the portions declared invalid.

Section 4. Effective Date:

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

ADOPTED this 8TH day of NOVEMBER 2016.

ATTEST: Clerk of the Council

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

 11.14.2016
Ingrid Gabriel, Clerk Date


Jamie Stephens, Chair
District 3

REVIEWED BY COUNTY MANAGER

 11/9/16
Michael J. Thomas Date


Rick Hughes, Vice-Chair
District 2

RANDALL K. GAYLORD
APPROVED AS TO FORM ONLY

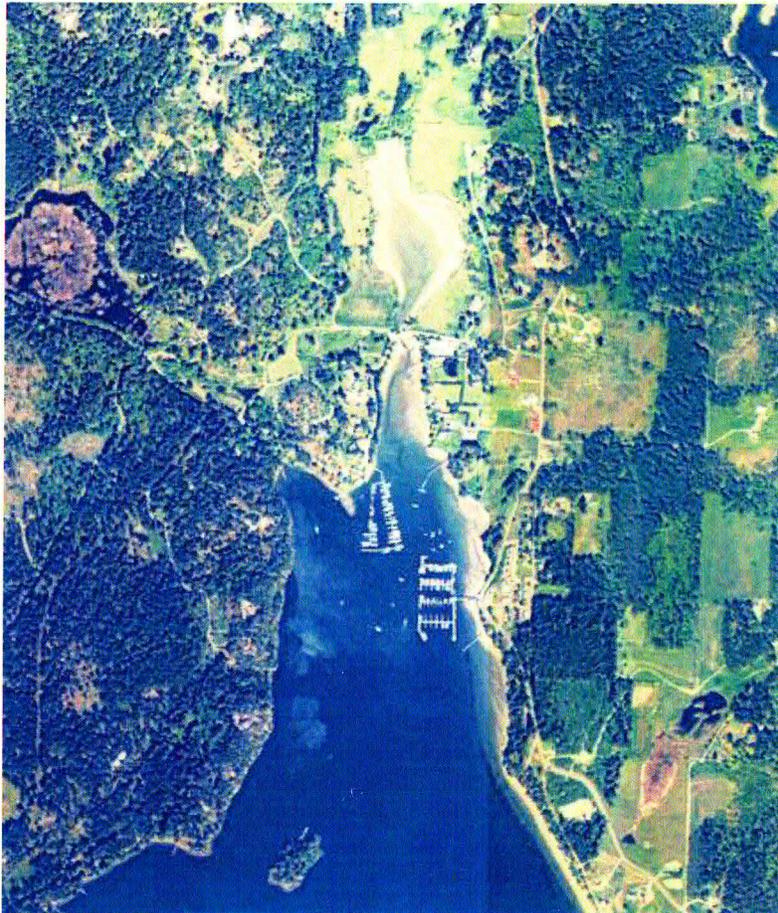

Bob Jarman, Member
District 1

By:  11-9-2016
Date

Exhibit A: The Deer Harbor Hamlet Plan

Exhibit A

Deer Harbor Hamlet Plan



SEPTEMBER 23, 2016
Adopted November 8, 2016

SAN JUAN COUNTY
WASHINGTON

San Juan County
Community Development & Planning Department
135 Rhone St., P.O. Box 947
Friday Harbor, WA 98250
(360) 378-2393 Fax (360) 378-3922

Deer Harbor Hamlet Plan

SEPTEMBER 23, 2016
Adopted November 8, 2016

Prepared by:
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Community Development & Planning Department
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1. Background and Introduction

The Deer Harbor Hamlet Plan (DH Hamlet Plan) establishes San Juan County's policy for the future development of the Deer Harbor Hamlet. This plan is a component of the San Juan County Comprehensive Plan adopted pursuant to the Growth Management Act, Chapter 36.70 RCW (GMA). Like the Comprehensive Plan, it includes a twenty-year planning horizon. A boundary for Deer Harbor Hamlet was first established in the County's 1979 Comprehensive Plan.

In the San Juan County Comprehensive Plan, Policy 2.3.B.2 designated Deer Harbor as a Hamlet Activity Center, a limited area of more intensive rural development (LAMIRD).

The Deer Harbor Hamlet Plan was developed following a substantial community effort. A brief history of the Deer Harbor Hamlet Plan is included in Attachment A.

Relationship to SJC Unified Development Code and Shoreline Master Program

The Deer Harbor Hamlet Plan provides policy guidance for the creation and implementation of the Deer Harbor Hamlet development regulations adopted in the Unified Development Code (UDC). The San Juan County Code may be found at:

<http://www.codepublishing.com/WA/SanJuanCounty/>

Specific Deer Harbor Hamlet development regulations in the UDC supersede other UDC development regulations (see SJCC 18.10.050 (G)). The Shoreline Master Program (SMP) (SJ Comprehensive Plan Section B, Element 3, SJCC 18.50) controls all shoreline development. It supersedes the Deer Harbor Hamlet Plan. In addition, the County's shoreline regulations apply to development and activities in shoreline jurisdiction.

Amendments

All future amendments to this plan will follow the legislative procedures detailed in SJCC 18.90.020.

Vision Statement

Purpose

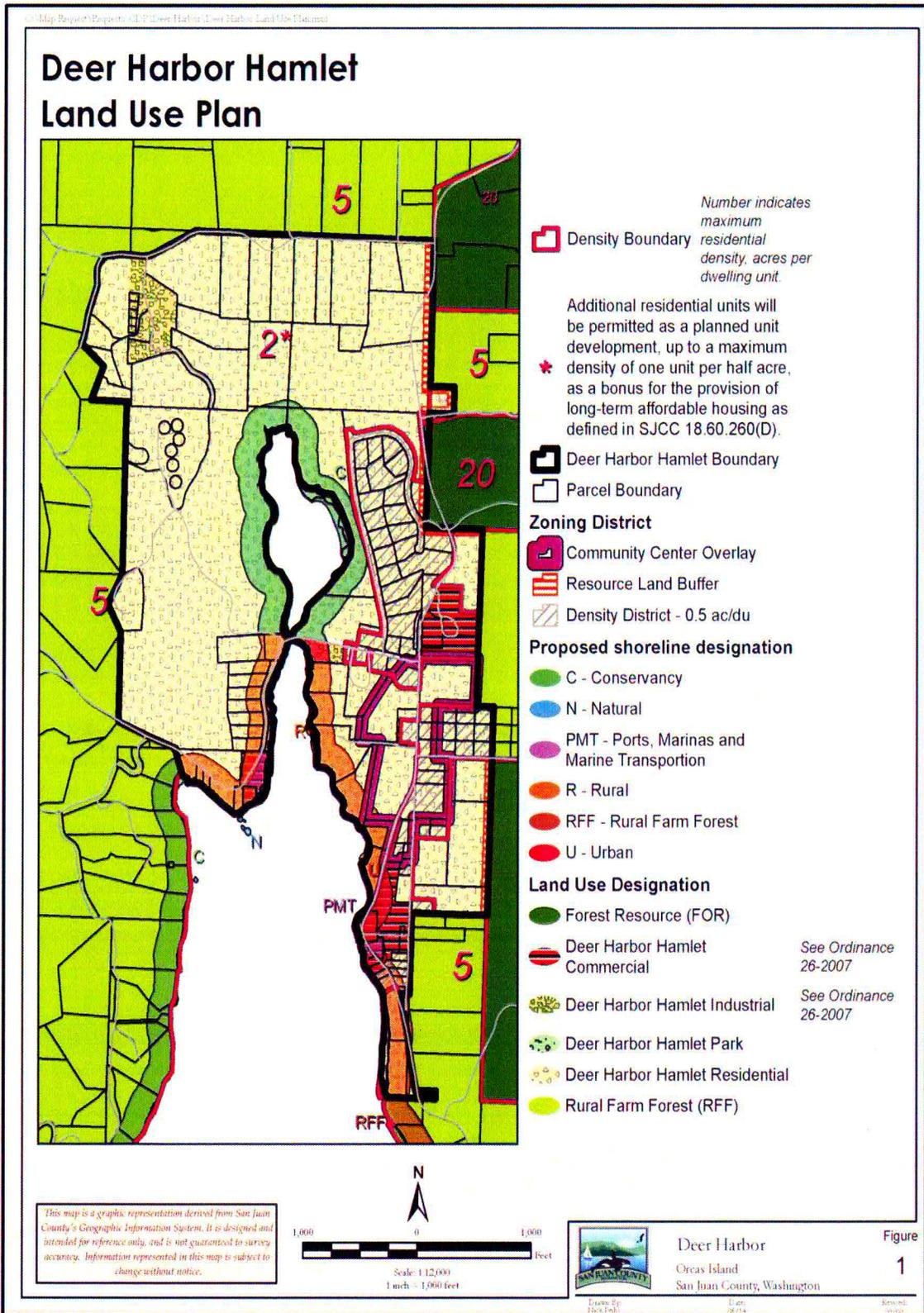
The Deer Harbor Hamlet Plan has been produced by and for its citizens. The Hamlet citizens are looking far into the future and trying to determine what the Hamlet will look and feel like if certain decisions are made now. This Plan integrates their ideas, concerns, and expressions of preference into statements about how the Hamlet should be developed, what development regulations should accomplish, what facilities and service levels are needed, and how publicly funded improvements should support these objectives. Although the Plan looks to 2036, the visions and values expressed in this Plan extend beyond the twenty-year planning horizon to future generations. The Plan is to be reviewed regularly to consider changes in conditions or the vision of the Hamlet's citizens.

Vision

The Hamlet is quiet and predominantly residential. The dark rocky cliffs to the west overlook the boats jostling their moorings and the stippled waters of the bay. In the east there are rolling verdant fields and forests that sweep down towards the valley floor. The hillside, marked by graceful wood framed houses and cottages, well-tended gardens and tightly manicured hedges, is a blaze of spring colors and scents.

By way of local roads, residents and visitors make their way to and from the community hub, a collection of buildings surrounded by well-screened parking spaces that houses the Post Office, one or two restaurants, the fire hall, a multi-purpose meeting room and some active retail.

No single building dominates the skyline, rather the Hamlet is home to a variety of uses and activities that fall within a broad spectrum of context sensitive scales. In addition to people's houses, an assortment of businesses and institutions reside in the Hamlet. The overwhelming impression the visitor leaves with is of a kempt community that is careful to preserve its natural resources while maintaining a diverse economic base that enables residents to work, shop and play in place.



2. Deer Harbor Hamlet Description

Deer Harbor Hamlet is located on the southwestern portion of Orcas Island. The center of the Hamlet is approximately four miles southwest of West Sound Hamlet and eleven miles southwest of Eastsound.

Deer Harbor Hamlet is located in a valley encircled by hills on three sides, with Wasp Passage to the south. The Hamlet is between two ridges that, west of Deer Harbor Bay, rise to 300 to 400 feet above sea level and to over 150 feet above sea level to the east.

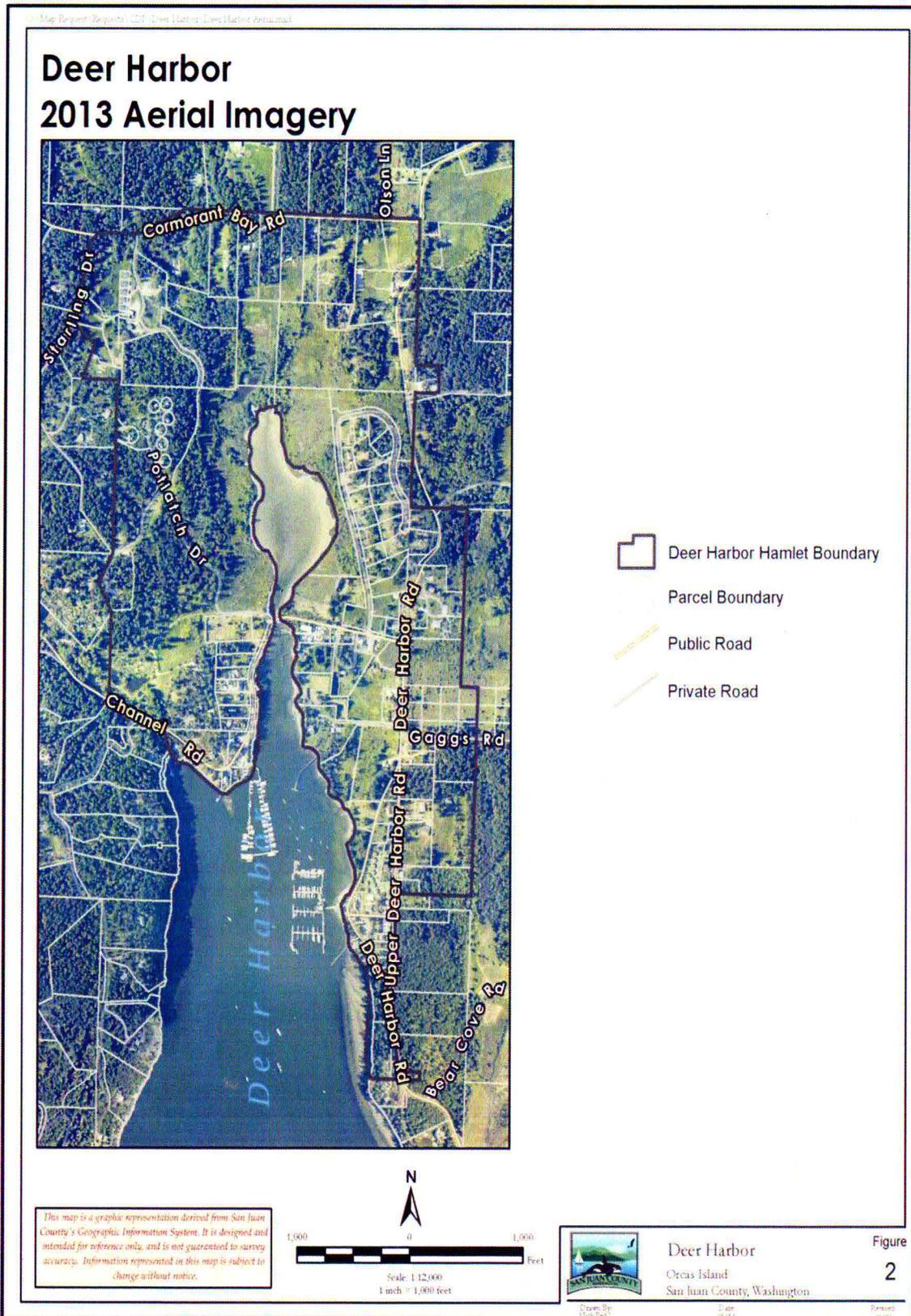
The area designated as Deer Harbor Hamlet has a total area of approximately 299 acres. The Hamlet encompasses a large tidal marshland known as Deer Harbor slough. The higher elevations of the Hamlet offer magnificent southern vistas. The shoreline within the Hamlet is extensive with some sheer cliffs and the balance sandy or rock strewn beaches.

The Harbor

The harbor and the saltwater lagoon (the slough) are Deer Harbor Hamlet's most prominent natural features and divide Deer Harbor Hamlet.

The lagoon at the north end of the harbor is a major collection point for the surrounding watersheds. Portions of the area are wetlands. The lagoon and nearby marsh areas provide habitat for oysters and wintering bird populations. Extending south from the lagoon, the shallow channel leading to the harbor is eelgrass habitat. This shallow trench extends southward along the eastern shore and supports eelgrass, shellfish, sea urchin, crab and herring populations. Midway on this shore is one of the few sizable sand beaches in the San Juan Islands.

The harbor provides adequate depth for navigation as well as a good bottom for anchoring. Along the west shore of the harbor, there are cliffs designated as bird habitat areas. At the north end of the harbor there is a submerged rock reef running in a north-south direction for several hundred feet.



Population

The 2010 census data for the Deer Harbor zip code shows that the population's median age, 58.3 years overall (59.7 years for males and 56.1 years for females), was twenty-one years higher than the median age for the state of Washington (and that household size was smaller (1.86), than the State average, (2.51).

There are eighty-seven residential units in the Hamlet. If each residential unit were home for an average household, then the total population for Deer Harbor Hamlet would be approximately 162 people.

The County's population may rise by 8.9 percent between 2010 and 2036, or approximately nine new residents of Deer Harbor Hamlet.¹

The County's population may decline by minus seventeen percent between 2010 and 2036 or approximately seventeen Deer Harbor Hamlet residents.

The 2010 census shows that thirty-five percent of the County's housing units are seasonally occupied, (second homes).

Two implications of the strength of the second home market are:

1. The population of Deer Harbor Hamlet is probably closer to 106² than 162 because residential development and home ownership is not necessarily linked with residency; and
2. Even if the County's population declines over the next twenty years, residential development Deer Harbor Hamlet is likely to continue.

Current Use

The current use map Figure 3, displays the spatial distribution of Deer Harbor Hamlet uses and activities. The map may appear misleading because agricultural land with scattered seasonal residential units is displayed as residential use. A significant part of the Hamlet is forested, but some relatively large tracts have been clear-cut or

¹ The County is required to use State population projections for planning. The small increase or decrease in the Hamlet's population reflects medium and low population projections for the County.

² 35% of 87 housing units = 30, 57 units x 1.86 = 106

substantially thinned. Combined with the substantial blowdown due to major storms, the area of forested lands has declined. Grasses predominate in cleared areas.

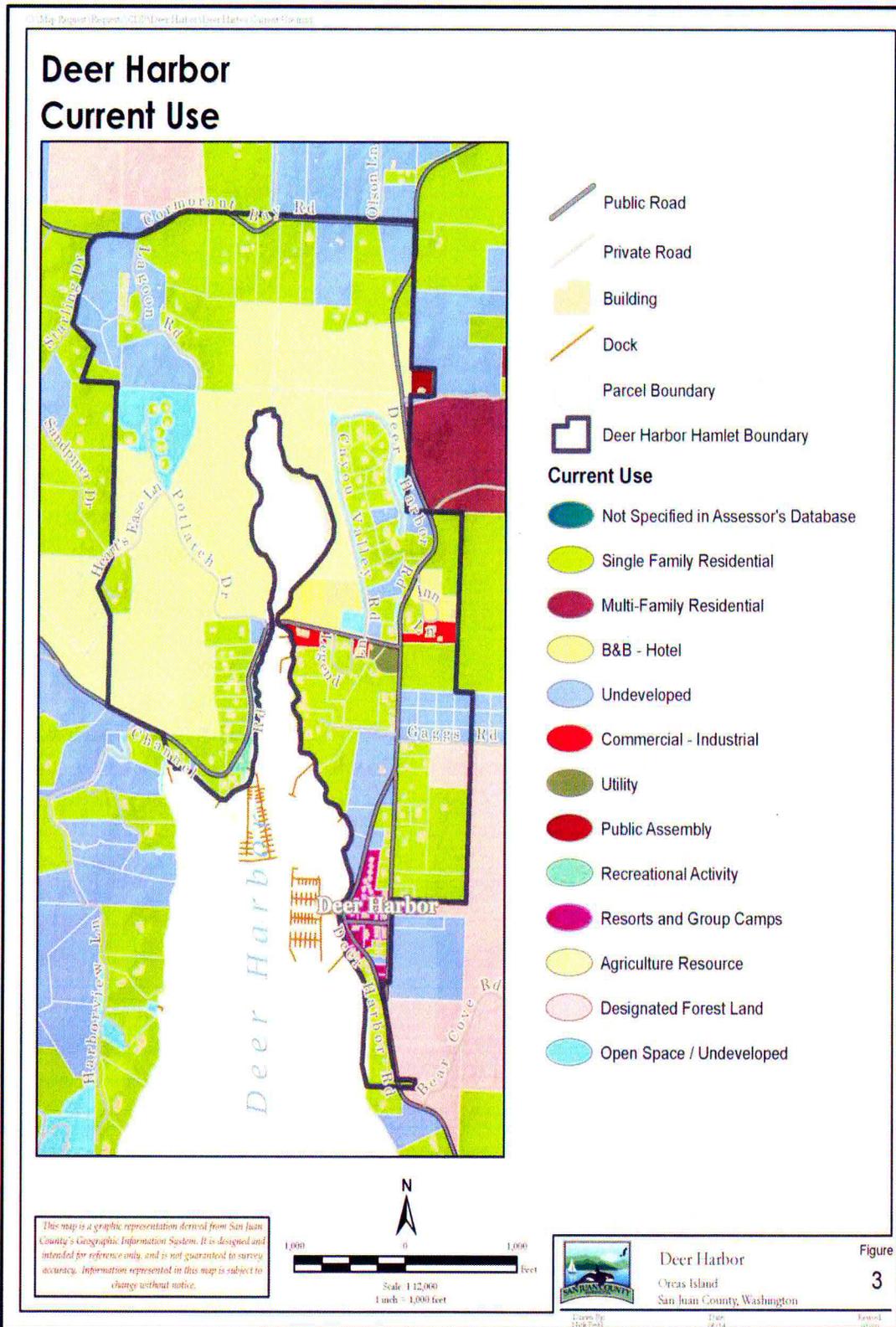
The water-related businesses presently located in Deer Harbor Hamlet include:

- a. One fuel dock;
- b. One mail/freight boat serving Waldron Island;
- c. Three inter-island freight barge services which use the boat ramp located at the Cayou Quay Marina;
- d. The Deer Harbor Boatworks which includes a single ramp and a boat repair facility with space for approximately thirty boats in dry storage;
- e. One mobile marine emergency service; and
- f. Two marinas which, combined, have over 200 slips serving both transient and local boat owners.

Overwater development of Deer Harbor includes:

- a. Twenty-eight mooring buoys; and
- b. Ten docks, three of which are commercial.
The docks range in size from six feet by thirty feet to 600 feet by 250 feet for the total area covered by the largest marina.

There is development potential for nearly tripling the mooring buoys; however, the Shoreline Master Program and the Unified Development Code limit an increase in the number of docks and buoys. The harbor's current use, history, and environmental sensitivity should be a significant consideration for future uses.



Existing and potential development

Under the County's current Comprehensive Plan, Deer Harbor Hamlet is classified as an Activity Center. Accessory dwelling units (ADUs) area allowed on all residential parcels. Table 1 illustrates the residential build out for Deer Harbor based on the number of developed parcels and the growth of the Hamlet if all residential parcels are fully developed.

Development of some of the largest undeveloped parcels in the Hamlet surrounding the estuary and directly west of the Deer Harbor Community Club are restricted by conservation easements that limit the location, type and number of units possible. These restrictions will remain in effect unless significantly changed by an agreement between landowners and San Juan County Land Bank.

There are 126 residential lots in Deer Harbor Hamlet.

There are eighty-seven dwelling units in the Hamlet. If every residential parcel is developed to the maximum capacity, the Hamlet's build out would be 298 units including accessory dwelling units (ADUs).

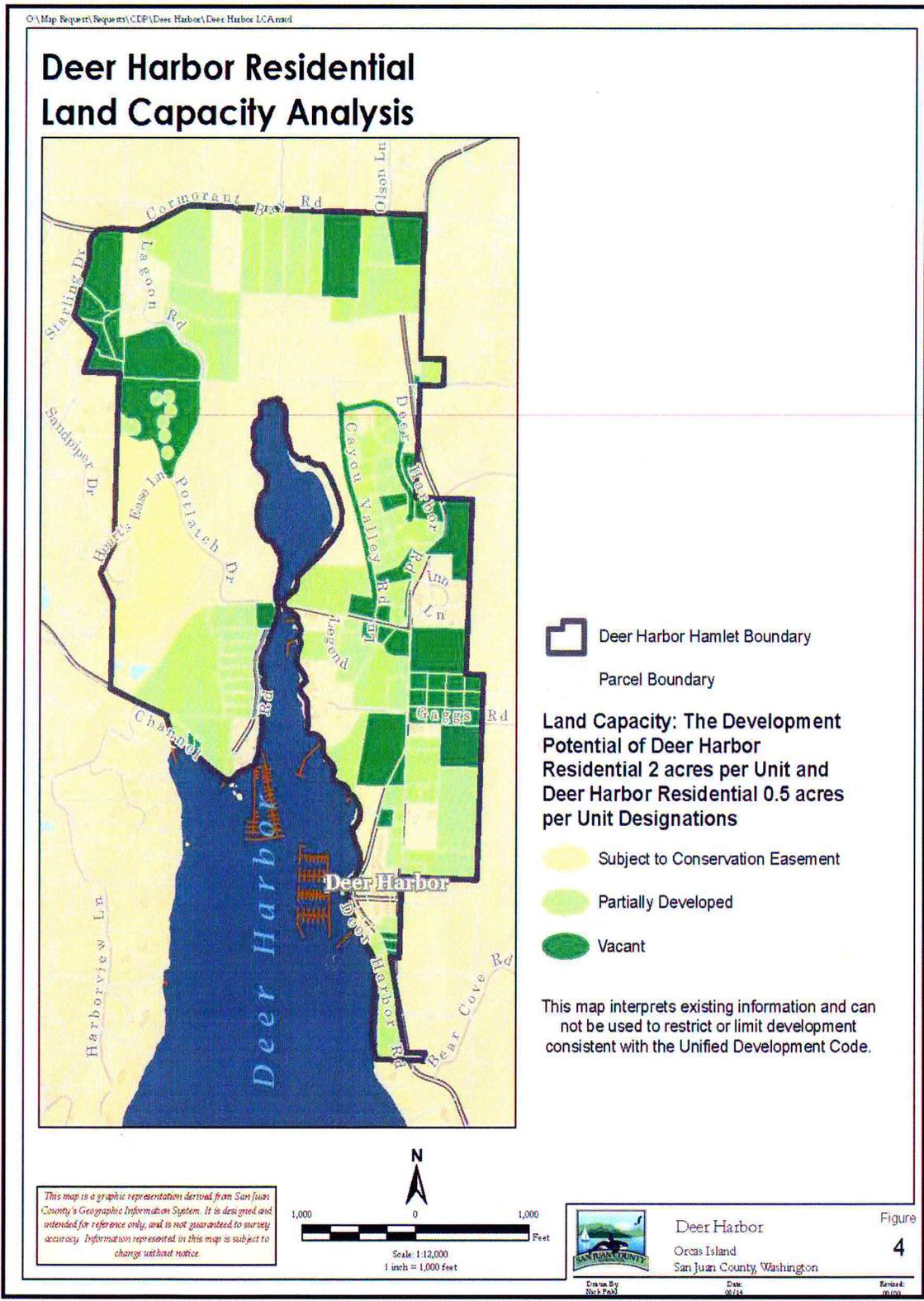
Within the existing planned residential density, there is the potential for 209 additional units, including ADUs. This build out projection does not include additional affordable units.

A population increase of 8.9 percent in Deer Harbor Hamlet between 2016 and 2036 would raise the resident population by approximately nine people and five residential housing units. It is likely that a further two residences may be constructed as second homes.

A population decrease of minus seventeen percent will reduce the population by approximately seventeen fulltime residents. The strength of the second home market indicates that the eight homes left behind by the declining population will become second homes rather than permanent residences. Furthermore, in the case of a declining population, it is likely that additional seasonally occupied residences will be constructed.

Table 1. Existing and Potential Development Projections

<u>Land Use Designation</u>	<u>Area (acres)</u>	<u>Number of Parcels</u>	<u>Existing Units</u>	<u>Potential New Units</u>	<u>Potential Growth (Existing and Potential)</u>
Hamlet Residential 1 unit per 2 acres	232	62	49	99	148
Hamlet Residential 2 units per acre	43	64	38	109	149
Total encumbered by Conservation Easement	87	6	0	10	10
Total Residential	275	126	87	209	298
Hamlet Commercial	13	16	34		34
Hamlet Industrial A&B	8	9	9		9
Park	3	2	0		0
Community Club	0	0	0	0	0
Total Hamlet Plan	299	153	130	209	341



3. Issues, Problems and Opportunities

A number of community planning issues were identified in the development of the Deer Harbor Hamlet Plan. These issues helped focus the planning efforts on developing solutions to problems and taking advantage of opportunities. The following issues were particularly important in developing the Plan:

1. The Post Office is a vital component of the rural community culture of Deer Harbor. The Post Office helps sustain the identity of the greater Deer Harbor community, and is an important meeting point and center of information.

The Deer Harbor Community Club presently owns the Deer Harbor Post Office Building and has a ten-year lease agreement with United States Post Office that will be open for renewal in 2021.

2. Water supply is a significant potential development limitation in Deer Harbor. The projections indicate a possible eight percent increase in housing units during the twenty-year planning period. Due to the lack of detailed groundwater information, it is difficult to determine if this demand can be met by groundwater. Since the projected growth is single-family residences, most new wells will be required to meet domestic demand. If it becomes difficult to develop wells without encroaching on existing wells, then it is likely that more community water systems will be created with fewer wells but with higher demands on each. Desalination may be used to meet water demands.

The County's development regulations require any individual requesting a building permit to demonstrate a satisfactory water supply exists for the proposed development. The residents of Deer Harbor Hamlet obtain water from a variety of sources, including groundwater, surface water, desalination and other methods.

Groundwater is the principal source of water supply for the Hamlet. There are thirteen water systems serving different areas in the Hamlet. Of these, three are Group A systems serving more than fourteen connections, the remainder are Group B systems serving between two and fourteen connections. These public systems are regulated by San Juan County and the Washington State Department of Health.

Although the Hamlet relies predominately on groundwater as its current water source, very little is actually known about the existing aquifers or even the amount of water being withdrawn annually. What is known; however, is that several existing wells within the Hamlet have suffered saltwater intrusion and have been abandoned or had their use restricted; several wells have gone dry in recent years; several groundwater users have had to haul water to meet their needs; and at least one water user relies on desalination to meet their need.

The number of wells serving the Hamlet will increase as new development occurs. Most wells are several hundred feet deep, but the depth to static water levels is usually less than fifty feet. The better producing wells appear to be located in or adjacent to the surface water drainages to Deer Harbor.

The water level in many wells is below sea level and these are subject to saltwater intrusion if not managed correctly.

Table 2. Water Systems in Deer Harbor Hamlet

Name	Group (A or B)	Capacity	Served	Total System Storage (Gallons)
Deer Harbor Inn	A	13		1,000
Lahari Ridge Water System	B	9	7	23,000
Trumble and Gibbs Water System	B	2	1	NA
Cayou Valley Homeowners Association	A	21	21	20,000
Morning Light Water System	B	9	8	7,000
Cayou Quay Marina Water System	B	NA	2	1,700
Cayou Cove Water System	B	NA	5	12,000
Alexander Windward Water System	B	3	3	17,000
Heinmiller/Stameisen/Irwin Water System	B	3	2	NA
Westmont Well-Jack Boot Water System	B	NA	3	NA
Resort at Deer Harbor Water System	A	51	31	106,000
Upper Deer Harbor Water Association	B	6	5	3,500
Deer Harbor Community Club	B	5	NA	NA

The highest density of wells in the Hamlet is in the vicinity of the Deer Harbor Resort where there are a number of existing wells that serve domestic users as well as the two wells that serve the Resort.

- Maintaining the rural character of the Hamlet area is a high priority. If the rural character of the area is to be retained, the existing natural characteristics of the land should be protected as far as possible. The rural character of the Hamlet may be compromised by

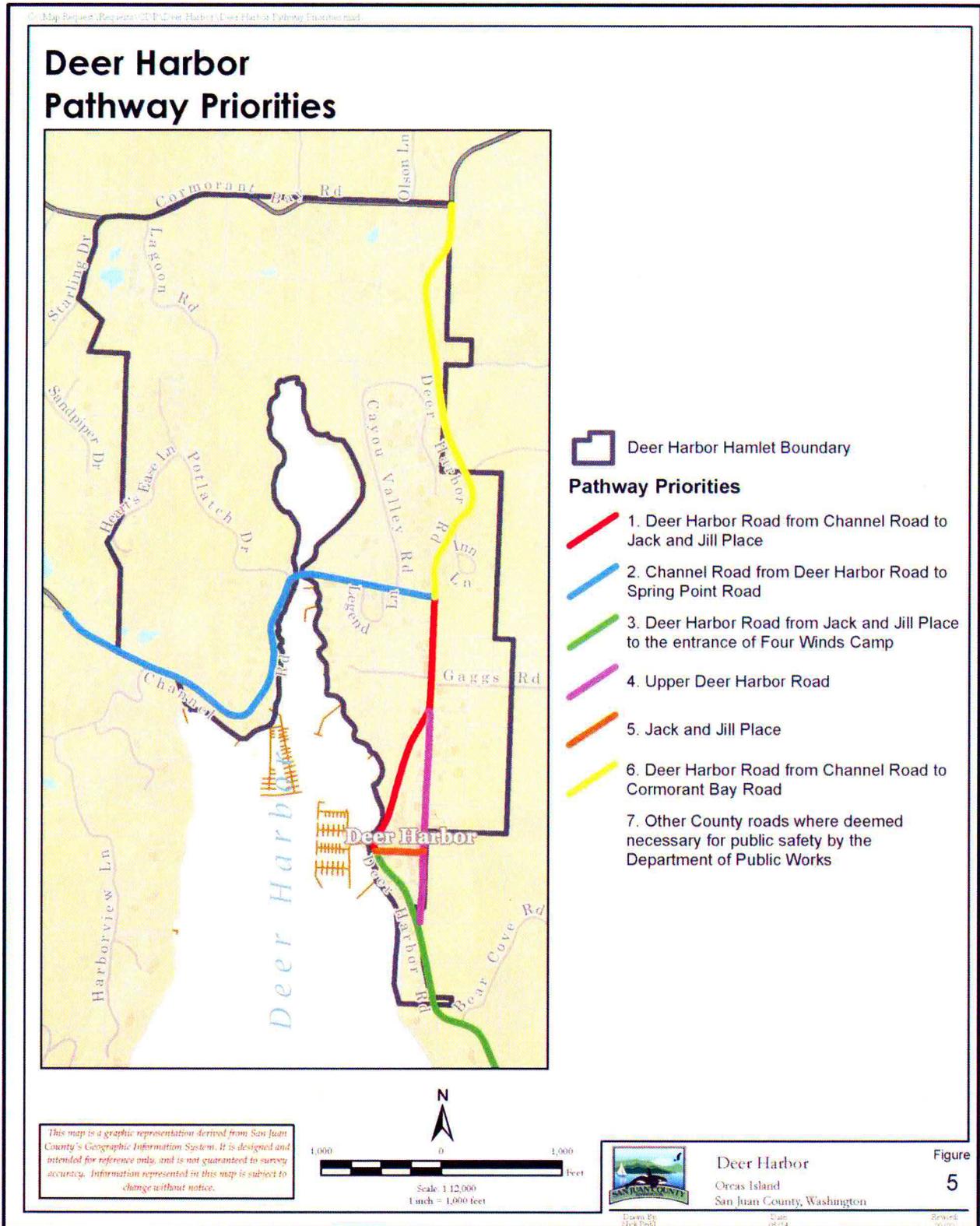
residential or commercial architecture, sidewalks, or building designs that are inconsistent with the built environment.

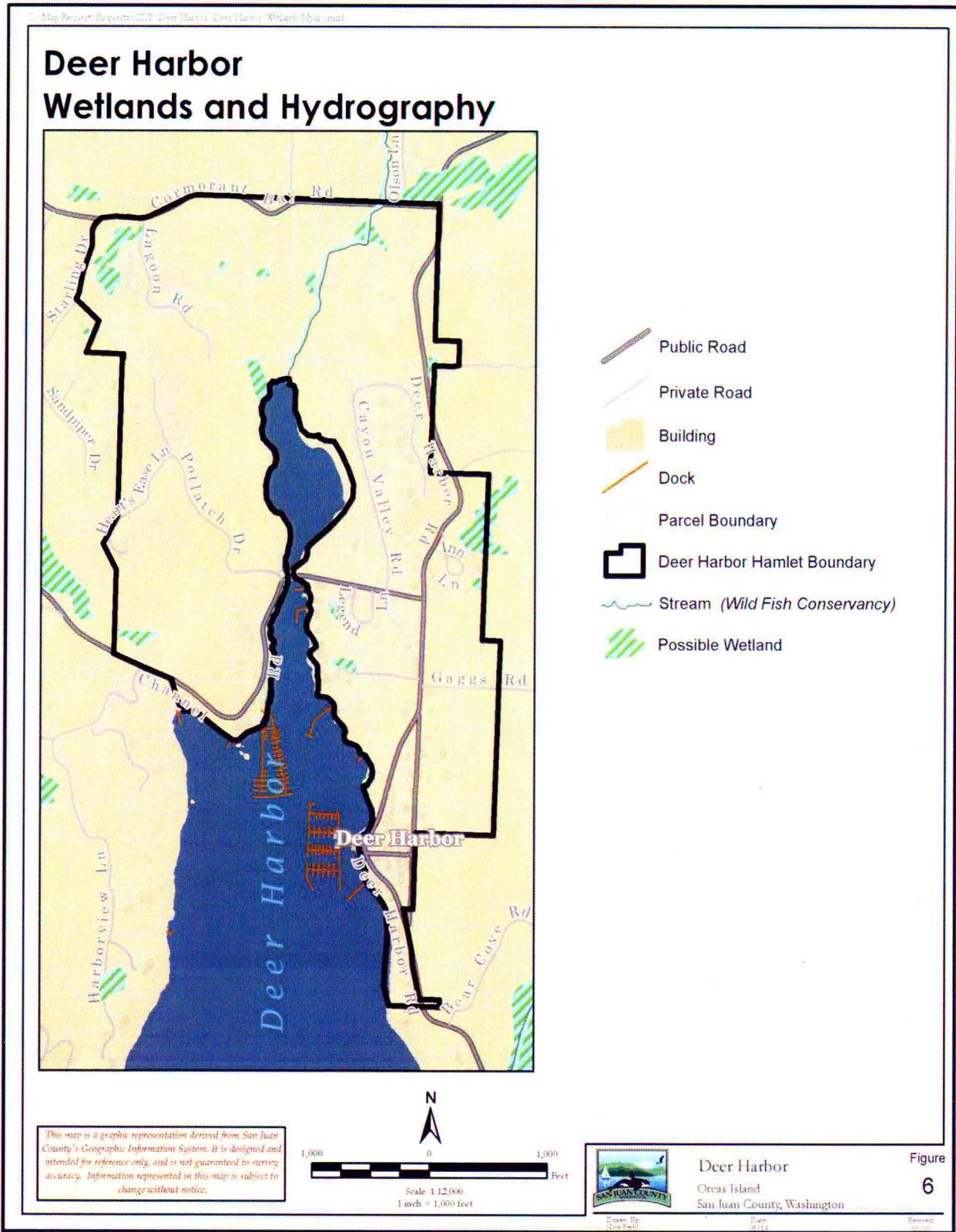
4. As more of the land in the Deer Harbor Hamlet is developed, the limited public access to the shoreline and constrained public open space in the Hamlet will become a telling community deficiency. If shoreline access and open space are to be available to the public in the future, land needs to be identified and set aside in public ownership for these purposes. The acquisition of the two acre waterfront park site, north of the Deer Harbor Marina, significantly increases the public shoreline and accommodates walking paths as well as providing a very limited number of regulated automobile parking spaces. Deer Harbor road is too narrow to allow for parallel parking.
5. The demand for additional commercial, industrial, public and institutional uses during the twenty-year planning period is difficult to accurately predict. In order to prevent future random, unplanned and scattered mixed land uses in the Hamlet, and to preserve the rural character while providing these services, all new non-residential land uses (not already located in a Hamlet Commercial and Industrial Districts) will be confined to the Community Center Overlay District.
6. As Deer Harbor Hamlet continues to grow over the twenty-year planning period, available agricultural land will decrease as will other open space uses that contribute to the rural character of the Hamlet. The establishment of the Deer Harbor Community Center District will also decrease available open space. Additionally, high and rapidly increasing land prices in the Deer Harbor area make acquisition of land for public facilities or open space, particularly in waterfront or view locations, very expensive.
7. The current center of activity in Deer Harbor is located in the vicinity of the Deer Harbor Resort with its store, Post Office, and the Deer Harbor Marina This is a fully developed part of Deer Harbor. This location generates a substantial percentage of the existing trips both to and within the Deer Harbor Hamlet. Road right-of-way and parking at this location are at capacity in summer months.
8. The marinas in Deer Harbor Hamlet are both commercial sites and transportation links to the nearby non-ferry served islands People living on these islands often keep a car in the Hamlet and use the leased County dock at the Deer Harbor Marina for access. This dock

provides a crane for loading cargo on small boats. Many of these outer island residents park on upper Deer Harbor Road above and south of the Deer Harbor Resort. This location does not provide a suitable permanent solution to meet this parking need and may interfere with future pathways in the vicinity.

The County acknowledges earlier agreements to provide increased parking in the Deer Harbor Hamlet and, to this end, will make a good faith effort to provide such parking as space presents itself.

9. Pedestrian and bicycle circulation in the core of Deer Harbor is dangerous because of narrow roadways and limited sight distances resulting from curves, hills and vegetation. A comprehensive pathways network program is developing and will be implemented for Deer Harbor.





4. The Plan

The overall goal of the Deer Harbor Hamlet plan is to preserve significant natural areas and features necessary to protect the watersheds and maintain the water table, to conserve the forests, to check erosion, and to preserve areas of notable landscape interest and value while identifying and supporting appropriate marine, residential, commercial, and light industrial uses.

Goals are general achievements that the community wishes to accomplish in the future. Goals provide overall guidance for developing Planning objectives.

Policies are specific and achievable projects in support of a goal.

Actions are task-oriented events that lead to implementation of the Plan goals and objectives.

4.1. Planning Goals, Policies and Actions

1. The character of the Deer Harbor Hamlet is defined by its rural setting. The first goal of the Deer Harbor Hamlet Plan is to maintain the rural character and open space resources of the Hamlet. The rural character of the Deer Harbor area is a landscape dominated by pastoral, forested and natural areas interspersed with residences, small businesses, and farm structures.

Policy 1: Control the density, location and type of development in the Hamlet Commercial District, Hamlet Industrial Districts and the Hamlet Residential District.

Policy 2: Maintain the existing, relatively small, residential scale of structures.

Policy 3: Support the maintenance and development of rural small-scale industry, business, and agriculture.

Action a: Encourage landowner use of the public benefit rating system (PBRs) for scenic, agricultural and open space designations.

Action b: Encourage commercial ecotourism visitor services that place an emphasis on marine ecology, aquaculture, agriculture, forestry and

ranching by including the activity as a permitted use within residential districts.

2. The second goal of the Deer Harbor Hamlet Plan is to limit the locations of high density residential development in the Deer Harbor Hamlet.

Policy: Maintain the Deer Harbor Hamlet Residential designations as shown on Figure 1, Deer Harbor Hamlet Land Use Plan to regulate location and density of residential uses.

Action a: Implement the adopted Hamlet Residential Development regulations for future residential development in the Hamlet.

3. The third goal of the Deer Harbor Hamlet Plan is to encourage adherence to the architecture and design guidelines developed by the Deer Harbor Hamlet Review Committee.

Policy: Encourage potential homebuilders and land-owners to attend pre-application meetings.

Action a: Distribute the design guidelines to property owners.

4. The fourth goal of the Deer Harbor Hamlet plan is to maintain the Deer Harbor Plan Review Committee.

5. The fifth goal of the Deer Harbor Hamlet Plan is to provide for adequate and safe circulation in the Hamlet, including pedestrian and bicycle circulation and a vehicular parking area within the community core for local and outer island residents' use.

Policy: Adopt a map (Figure 5) establishing potential routes for improved pedestrian and bicycle circulation.

Action a: Adopt the following list as the priority for providing pedestrian and/or bicycle pathways:

1. Deer Harbor Road from Channel Road to Jack and Jill Place road;
2. Channel Road from Deer Harbor Road to Spring Point Road;
3. Deer Harbor Road from Jack and Jill Place to the entrance of Four Winds Camp;
4. Upper Deer Harbor Road;
5. Jack and Jill Place;

6. Deer Harbor Road from Channel Road to Cormorant Bay Road; and
7. Other County roads where deemed necessary for public safety by the Department of Public Works.

Policy 2: The County recognizes the importance of walking trails and pathways and recommends that appropriate County Departments, Volunteer Citizen Groups assist in promoting and developing such pathways in the Deer Harbor Hamlet.

Policy 3: Footpath designs that reflect the rural context are preferred over urban curb and gutter designs.

Policy 4: DHHPRC supports research and may recommend potential solutions to the outer island parking issues to the County.

6. The sixth goal of the Deer Harbor Hamlet Plan is to ensure the limited water resources of the Deer Harbor area are sufficient to meet the goals for the area. The water demands should be monitored and be met through the judicious use of surface and ground water and other alternative means.

Policy 1: Maintain an adequate supply of water resources as necessary for the growth of the Hamlet.

Policy 2: Encourage the use of alternative water sources such as rain catchment and desalination where appropriate.

Action a: Prepare an analysis of existing and future water systems capacity to provide potable water and fire flows.

Action b: A study of water as a critical resource in Deer Harbor by County Health Department officials, a consulting Hydro-geologist, Orcas Island water system professionals and local property owners is necessary to gather sufficient data to effectively regulate water use in the Hamlet.

7. The seventh goal of the Deer Harbor Hamlet Plan is to develop the necessary information to ensure the smooth creation of a Community Center district of uses and facilities needed to serve as the social and economic hub of community life. The Community Center should be developed under a coordinated plan that incorporates a specific list of preferred commercial and public uses, shared facilities

such as public restrooms and parking, and shared open space. It should provide a strong, positive physical image as the center of Deer Harbor. It should emphasize uses where people meet to work, play and interact.

The concept and need for a Community Center was an important component of the community-initiated *Deer Harbor Comprehensive Plan (1999)* which was submitted to the County by members of the community who had worked together to prepare it.

Policy: The DHHPRC shall support collection, collation and compilation of information appropriate to the creation of the Community Center.

Action a: Maintain the Community Center Overlay District that follows Deer Harbor road between the southern edge of the Deer Harbor Inn to the northern parcel of the Resort at Deer Harbor.

Action b: Continue to keep the Community Center Overlay District designation on the Community map.

8. The eighth goal of the Deer Harbor Hamlet Plan is to encourage responsible use and maintenance of water in the Hamlet and encourage the use of alternative water sources.

Policy: The use of alternative and innovative water sources such as rainwater catchment and desalination

4.2 Land Use Plan

Figure 1 of this Plan displays the land use designations established within the Deer Harbor Hamlet. The following pages describe the purposes of the four land use districts established by the Plan:

1. Deer Harbor Hamlet Commercial (DHHC);
2. Deer Harbor Hamlet Industrial-A (DHHI-A);
3. Deer Harbor Hamlet Industrial-B (DHHI-B); and
4. Deer Harbor Hamlet Residential (DHHR).

Commercial land use designation:

There are four dominant commercial establishments in the Hamlet, and they have a substantial impact visually, economically and culturally upon the community.

The commercial establishments are:

1. Cayou Quay Marina;
2. The Deer Harbor Marina;
3. The resort at Deer Harbor; and
4. The Deer Harbor Inn.

The impact of the two marinas upon this waterfront Hamlet cannot be overstated. The marinas provide access to the water for, and are the home base for subsidiary businesses such as whale watching and kayak tours.

Changes in demand for these and additional commercial, industrial and public uses over the twenty-year life of the Plan is unpredictable. Commercial activities in the Hamlet have changed over time, shifting focus from resource industries such as fishing and forestry to service and hospitality industries. The Hamlet is a residential community with residual industrial and water related tourist activities.

The goal of the Deer Harbor Hamlet Commercial land use designation is to allow the very limited expansion of existing commercial uses to provide for services needed by the community and its visitors.

Policy 1: Existing and established businesses, such as the Deer Harbor Resort and Deer Harbor Inn are allowed in the Deer Harbor Hamlet Commercial District; however, an increase to the existing scale or scope of services is subject to the provisions in the UDC.

Light industrial land use designations:

There are two light industrial land use designations in the Hamlet:

1. The 1.422 acre Deer Harbor Boat Works site east of the Deer Harbor bridge on Channel Road. This site combines both industrial and commercial activities and is designated DHHI-A; and

2. The 6.6 acre Connor/Cookston light industrial use site south of Cormorant Road in the northwest corner of the Hamlet is designated DHHI-B.

The goal of DHHI-A and DHHI-B is to recognize and regulate the light industrial land uses occurring within the Hamlet and allow limited expansion to provide services for the community and for employment opportunities. Expansion shall be limited to similar and compatible activities that do not significantly affect water, sewerage, surface water drainage and traffic.

Residential land use designations:

The majority of the Deer Harbor Hamlet has a land use designation of Deer Harbor Hamlet Residential (DHHR). Within the DHHR area, residential uses are allowed. In addition, limited commercial (such as bed and breakfast inns) and institutional uses are allowed.

The goal for the Deer Harbor Hamlet residential land use designation is to protect the predominantly residential character of the rural Hamlet while providing a variety of residential living opportunities at different rural densities.

Figure 1 establishes the residential density permitted in the Deer Harbor Hamlet. The majority of the Hamlet has a density of one dwelling unit per two acres. In the core of the Hamlet, primarily in areas already developed or sub-divided for higher density, areas are attributed a density of one unit per one-half acre. In addition, one accessory dwelling unit per residence is allowed.

Residential Density Bonus

In all areas in the Deer Harbor Hamlet designated with a residential density of one unit per two acres, a density bonus is available for construction of affordable housing units, up to a maximum density of one dwelling unit per half acre, as provided for in the Planned Unit Development standards in the UDC.

The goal of the Deer Harbor Hamlet Residential density bonus is to manage high-density residential development in the Deer Harbor Hamlet. Small areas of the Hamlet, primarily along Deer Harbor Road and in the subdivision between Deer Harbor Road and Cayou Valley Road, have developed at a higher density than two units per acre. These areas have a residential density of two units per acre. The

remainder of the Hamlet area has a residential density of one dwelling unit per two acres, with an available density bonus of up to two units per acre for projects that incorporate affordable housing.

Policy: Maintain the adopted bonus density overlay district for affordable housing in the Hamlet.

Action a: Maintain the Floating Zone with bonus density on the official map of Deer Harbor Hamlet for the Hamlet Residential 2*.

4.3 Recommended architectural and design standards

The goals of the recommended architectural and design standards are:

1. To inform potential homeowners and project developers of the Deer Harbor community architectural and design preferences.
2. To establish recommended architectural guidelines and site planning standards to ensure that new development projects harmonize with, reinforce, and strengthen the existing character and scale of Deer Harbor.
3. To maintain balance between historic contiguous open space and allow for future development.
4. To acknowledge that it is the desire of the community to maintain the existing character and scale of Deer Harbor; to recognize that, in the face of growth and development pressures, this requires making conscious choices with regard to preferred form, height, size, placement of buildings on lots, and exterior materials used in new developments within the Deer Harbor Hamlet.
5. To raise the level of probability that as Deer Harbor grows, new buildings, while each being different, will complement one another and blend together as parts of a harmonious whole.
6. To acknowledge that spaces around buildings contribute to the character and scale of the Hamlet and to recommend site-

planning standards so that new development maintains and compliments the built environment of Deer Harbor Hamlet.

7. To recognize new growth pressures have fostered the need for public improvements in Deer Harbor Hamlet including increased public parking, pedestrian and bicycle pathways and to strive to maintain the existing character of the Hamlet while accommodating these new growth pressures.

4.4 Design Elements

1. The character and scale of Deer Harbor Hamlet can be defined by describing elements of the existing pattern. This then becomes the basis for the recommended site planning and development standards in this section.
 - a. Deer harbor Hamlet includes a number of buildings whose unadorned and rudimentary style mirrors the straightforward folk who built them, and is characteristic of the Hamlet as a whole.
 - b. There are a number of recently constructed and remodeled buildings that strive to retain these same characteristics.
 - c. The buildings in Deer Harbor Hamlet are often accompanied by pleasant and attractive open spaces visible from the roads.

4.5 Recommended architectural standards

1. The Deer Harbor Plan Review Committee is in favor of strict adherence to the existing San Juan County Codes and the Deer Harbor Hamlet development standards regarding building height, size, roof slope, lot placement, setbacks, lighting, noise, screening and signage contained in San Juan County Code.
2. Although not mandatory, the Deer Harbor Plan Review Committee recommends that all new construction be consistent with the following architectural design guidelines:

- a. Preferred wall surfaces are shiplap horizontal siding, cedar shingles, vertical or horizontal tongue and groove siding, board and batten siding or rough-sawn textured panels with applied battens. Preferred colors are natural earth tones.
 - b. Preferred roof surfaces are cedar shakes, cedar shingles, composition shingles, or metal roofing. Preferred colors are natural earth tones.
 - c. It is preferred that expansion or alteration of existing structures complies with the architecture and recommendations in this subsection.
3. The Deer Harbor Plan Review Committee will be the primary forum for questions regarding the recommended architectural guidelines. Any questions may be brought to the DHHPRC during one of the regularly scheduled monthly meetings.

Attachment A

A Brief History of the Deer Harbor Plan

1. The Deer Harbor Hamlet Plan was developed following a substantial community effort to gather information and prepare policy recommendations. This community effort is reflected in the 1999 Deer Harbor Comprehensive Plan, which was prepared by members of the greater Deer Harbor community and revised in a number of community meetings in 1998 and 1999. The final version of the Deer Harbor Comprehensive Plan was presented to the San Juan County Board of County Commissioners in 1999 and was considered as part of the process to develop a compliant countywide Comprehensive Plan.
2. The community participated in a number of public meetings focused on the development of a Hamlet plan in 2001, 2002, 2003 and 2005.
3. In April 2006 a planning committee of nine members and three alternates was formed. This committee in accordance with a San Juan County public participation plan conducted a series of eighteen public meetings from April 18, 2006 to August 14, 2006. Numerous landowners were active participants in the Deer Harbor Hamlet activity center planning process during that time.
4. A public hearing on the plan developed by the 2006 planning committee was held in September 2006. Following public testimony, the Planning Commission recommended further public meetings to develop a plan that met with greater support within the community.
5. Altogether five further public meetings were held during the winter of 2006-2007.
6. The Planning Commission held a public hearing March 15, 2007. The hearing was continued to March 21, April 10, 20, and 26, 2007. The Planning Commission made findings and recommendations to approve with amendments.

7. San Juan County Council held a public hearing on June 26, 2007. The hearing was continued to July 9, 2007. Ordinance 26-2007 adopting a Deer Harbor Hamlet plan was approved on July 17, 2007.

8. The adopted plan was challenged to the Western Washington Growth Management Hearings board. The Western Washington Growth Management Hearings Board directed the County to amend the adopted plan.

9. The Planning Commission held properly advertised public hearing on June 11, 2008 and took testimony on the proposed amendments to the Deer Harbor Plan. The Planning Commission recommended approval of the proposed ordinance.

10. The County Council held a properly advertised public hearing on July 22, 2008 to consider the proposed amendment to the definition of Environmental, Agricultural, Marine, Forestry, Aquacultural Research and Education Facilities in Deer Harbor Hamlet Residential. The proposed amendment was approved.

Table 3
Deer Harbor Ordinances

Number/ Date	Title	Purpose
Ordinance 2-1998 June, 1998	An ordinance adopting pursuant to the Growth Management Act (RCW 36.70A): A comprehensive plan; development regulations; shoreline master program and official maps; <i>etc.</i>	Adopted a new county comprehensive plan, new land use maps, and new unified development code.
Ordinance 11-2000 October, 2000	An ordinance amending Ordinance 2-1998 and adopting amendments to the San Juan County Comprehensive Plan; development regulations and official maps; <i>etc.</i>	Following decisions of the Growth Management Hearings board, the ordinance amended the boundary of the Deer Harbor Hamlet activity center.

<p>Ordinance 12-2005 October, 2005</p>	<p>An ordinance to suspend for six months the acceptance of applications for building and land use permits in the Deer Harbor Activity Center</p>	<p>To establish a moratorium on building and land use permits in Deer Harbor.</p>
<p>Ordinance 17-2005 December, 2005</p>	<p>Ordinance to suspend for six months the acceptance of applications for building and land use permits in the Deer Harbor Activity Center.</p>	<p>Amended the moratorium by clarifying regulations that would apply to repairing failing onsite sewage systems and certificates of water availability.</p>
<p>Ordinance 5-2006 April, 2006</p>	<p>Ordinance to renew ordinance 12-2005 as amended by ordinance 17-2005 for a period of six months and suspend the acceptance of applications for building and land use permits in the Deer Harbor Activity Center.</p>	<p>Renewed moratorium.</p>
<p>Ordinance 21-2006 December 2006</p>	<p>Ordinance to extend existing moratorium for Deer Harbor Hamlet for 90 Days and suspend the acceptance of applications for building and land use permits in the Deer Harbor Activity Center and make findings of fact in support thereof.</p>	<p>Renewed moratorium.</p>
<p>Ordinance 6-2007 April 2007</p>	<p>Ordinance to extend existing moratorium for Deer Harbor</p>	<p>Renewed moratorium for a further 60 days.</p>

	Hamlet and suspend the acceptance of applications for building and land use permits in the Deer Harbor Activity Center and make findings of fact in support thereof.	
Ordinance 15-2007 June 2007	Ordinance to extend existing moratorium for Deer Harbor Hamlet and suspend the acceptance of applications for building and land use permits in the Deer Harbor Activity Center and make findings of fact in support thereof.	Renewed moratorium for a further 30 days. This enabled Council to complete deliberations and adopt the Deer Harbor Hamlet Plan.
Ordinance 26-2007 July 2007	An ordinance approving the Deer Harbor Hamlet Plan and adopting amendments the San Juan County Official Land Use Map, making corrections to the shoreline master program map and repealing ordinance 15-2007.	Adopted the Deer Harbor Hamlet plan and established the development standards that apply in the Hamlet.
Ordinance 31-2008 July 2008	An ordinance to amend ordinance 26-2007 regarding the definition of research and educational facilities in the Deer Harbor Hamlet to comply with orders of the Western Washington Growth Management Hearings	The adopted plan was challenged at the Western Washington Growth Board. The County amended the Deer Harbor Plan to comply with the direction Western Washington Growth Board's final decision and order.

	Board	
Ordinance 13-2016 November 8, 2016	A 2016 docket ordinance amending the Deer Harbor Hamlet Plan, a component of the Land Use Element of the San Juan County Comprehensive Plan.	Updated and streamlined the previous version of the Deer Harbor Hamlet Plan.