

San Juan County Council Conditions of Approval

As part of the County, Rosario staff, and legal counsel's review process, Conditions of Approval were developed to address issues that were identified, and to provide a greater level of certainty on how the Rosario Resort Master Plan will be implemented. These conditions were prepared with input from County and Rosario and legal counsel, and are requirements that must be met. To the extent possible these conditions and requirements have been incorporated into the Plan and referenced accordingly. This appendix provides the entire set of conditions as approved by the San Juan County Council.

1. All new development, the renovation of existing development, and the operation and uses of the Rosario Master Planned Resort ("MPR" or the "Resort") shall be consistent with the provisions of the approved Rosario Resort Master Plan dated May 2007 (the "Master Plan") and shall follow the mitigation measures identified as "Option 'B'" in the Draft Environmental Impact Statement and Final Environmental Impact Statement.
2. Chapters 1 through 3 of the Master Plan provide introductory and background information about the Resort and about the development of the Master Plan. These chapters do not establish standards for design or the location of uses in the Resort but may be used to interpret or clarify the intent of the requirements in the redevelopment concept as set forth in Chapter 4 of the Plan, the design and functional elements as set forth in Chapter 5 of the Plan, the development standards and land use requirements of Chapter 6 of the Plan, and phasing and implementation provisions of Chapter 7 of the Plan.
3. A Planned Unit Development (PUD) application shall be approved prior to development of each phase of development in the Rosario MPR. A Planned Unit Development shall satisfy the requirements of SJCC 18.60.190 Master Planned Resort Development and SJCC 18.60.220 Planned Unit Development, provided that the development standards and allowable land uses established in Tables 6.1-1 and 6.2-1 of Chapter 6 of the Rosario Resort Master Plan shall be used in place of similar provisions contained in or referenced by SJCC 18.60.220.G.
4. When required, applications for shoreline development or uses for the portions of a PUD within shoreline jurisdiction shall be submitted at the same time as the PUD application and shall be processed along with the PUD application. A complete application for preliminary subdivision or binding site plan approval, as appropriate, shall be submitted with each PUD application.
5. Development under the Master Plan will proceed in the phases described in Chapter 7 of the Resort Master Plan, unless a change to this phasing is approved by the County Council, after receiving a recommendation from the Director of the Department of Community Development and Planning. The Council may allow changes in the overall phasing, including smaller phases and phasing within a single PUD, if concurrency standards, the criteria in SJCC 18.90.060.H.1.c, and other applicable requirements are met, without modifying the Master Plan.

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6. Each PUD or phase of a PUD shall be subject to environmental review under SEPA. The environmental documents for the Master Plan may be adopted by reference or supplemented as allowed by SEPA. Each application submitted for approval shall identify which mitigation measures identified in the FEIS have been adopted and incorporated into the proposal and which mitigation measures identified in the FEIS are not adopted and incorporated into the proposal. The County Department of Community Development and Planning and the County Engineer shall review the adopted mitigation to determine whether those measures adequately address the impacts of the proposal. Nothing shall prevent the applicant from substituting different but equally effective mitigation measures than those identified in the FEIS to address a specific impact, nor shall the requirement to adopt mitigation measures from the FEIS prevent the County from imposing additional or different mitigation measures in response to potential environmental impacts identified during environmental review of the specific Planned Unit Development proposal and/or Shoreline Permit application.
7. At least one public meeting shall be held by the applicant in the Rosario Resort area prior to the submittal of a Planned Unit Development application for any phase of development. The meeting shall be for the purpose of explaining the development proposed in the Planned Unit Development application and soliciting comments on the development proposal.
8. The resort shall be operated in a manner which assures that adequate capacity exists for short term use of condominium units, in a manner consistent with the operational objectives stated in the Master Plan. Except for the Cliffhouse Court residences, and also except for housing for employees of the resort, the condominium units that will be developed under the approved plan shall not be occupied as a primary residence or main home. The limitation on the use of condominium units as a primary residence or main home shall be included in the conditions of any subsequent Planned Unit Development approval.
9. When the first PUD application is filed the County Public Works Department and the County Engineer shall review the State approved Rosario Utilities Sewer System Plan, prepared by an engineer licensed in the State of Washington. The Sewer Plan shall include specifications for a sewer treatment plant of sufficient size to serve the anticipated demand from the build out of the Resort. The specifications shall include sufficient detail to identify the amount of land needed to support the expanded treatment plant and to determine whether sufficient land is available within the utility tract.
10. The preliminary stormwater analysis prepared for the Rosario Resort Master Plan FEIS identified the natural drainage basin that affect and are affected by the Resort. Under the County's Unified Development Code, applications for PUD approval include a requirement that a stormwater management analysis be submitted in support of the application. To assure that sufficient long term planning for stormwater management is included in the analysis, and to assure that short term construction is coordinated with long term stormwater management needs, the stormwater analysis for the first PUD application shall include a description of the stormwater management strategy for all the drainage basin(s) in which the Master Planned Resort is located. The sizing of stormwater facilities shall be based on long term anticipated stormwater management needs. For planning purposes, this stormwater management plan shall assume full development under the Master Plan within areas

in the basin(s) covered by the Master Plan, and shall assume development at existing densities or maximum allowable densities for areas outside the Master Plan (whichever is greater). The stormwater plan shall be certified by an engineer to show evidence that it is technologically sound, and the plan shall be reviewed by the County Engineer.

11. The intersection of the Hilltop access road and Olga Road shall be studied, designed and any improvement required by such Traffic Study shall be completed prior to issuance of final approval of any building constructed on the Hilltop Parcel. The intersection Traffic Study shall be provided with the application for any PUD that proposes development on the Hilltop, and that study shall be reviewed by the County Engineer.
12. The employee food service and recreation building planned for the Hilltop parcel shall be constructed concurrently with or before new dormitory buildings are constructed. The food service and recreation facility shall be sized to adequately serve the needs of all employees who will live at the dormitory buildings.
13. The applicant shall develop rules of conduct for the people living at the employee housing facility. These rules of conduct shall be provided at the time of application for any PUD that proposes development on the Hilltop.
14. At the time an application is submitted for a PUD which proposes construction on the Hilltop Parcel, the County Department of Community Development and Planning will review the application for compliance with the Hilltop Conceptual Site Plan which is included in the plan as Figure 4.7-2, and the following:
 - a. The overflow parking lot shall be located on the elevated bench

between the Eastsound to Olga Road and the maintenance yard, placing the yard about 300 ft. from the road and the buildings approximately 400 ft. away.

- b. A naturalistic system of bio-filtration swales and settling ponds with planted wetland vegetation shall be used to treat stormwater rather than a visually obtrusive, engineered basin.
- c. Vegetative screening within and around the detention basin shall consist of native vegetation consistent with the findings and recommendations of the Historic Resources Management Plan.
- d. Buildings at the Hilltop shall be designed to maximize visual subordination through the use of non-reflective building materials, dark exterior colors (green or brown), large overhangs, etc.

If the Resort ceases to operate as a resort, the uses on the Hilltop property shall be vacated until the Plan is amended to allow alternate uses, or until the County Council takes other action.

15. The existing emergency helicopter landing zone is currently used and shall continue to be dedicated for emergency flight operations only. This landing zone currently consists of a concrete-paved area located on the center of the jetty, which is marked with a painted cross and is clearly visible from the air. To enhance operational safety, the site marker will be re-painted, the flag pole will be relocated, and the landing zone area will be maintained by the Resort as stipulated by Airlift Northwest and the Orcas Fire Department. This maintenance includes (but is not limited to) removal of debris, unsecured materials, and tall vegetation. When flight conditions require, the grass lawn area between the Figure-8 Lagoon and Cascade Bay will continue to be used as an alternate landing location.

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The entire Cascade Bay waterfront from the Discovery House to the jetty functions as a natural wildfire safety zone due to the fire breaks provided by the waters of the Figure-8 Lagoon and Cascade Bay, and the lack of ladder fuels (large dry vegetation) in this area. This waterfront area shall continue to serve as a wildfire safety zone under Section 5.8 of the Master Plan. With application for the first PUD, the applicant shall provide documentation showing that these, or other acceptable wildfire safety and the emergency helicopter landing zones have been approved by the Orcas Island Fire Chief and a helicopter medivac service provider.

16. The Resort Owner shall pay for all roadway and other traffic related improvements to mitigate the traffic impacts of new development, as identified in section 3.9 of the Master Plan FEIS and as may be modified by the provisions of Condition #6 above.

17. The Moran Mansion is an integral component of the on-site recreational amenities necessary for this Master Plan. To assure that the Moran Mansion is renovated in a timely manner, the first PUD application for development of more than the two Cliffhouse Court homes shall include, for approval of the County, a) a proposed plan for renovation of the Mansion adequate to ensure a life of at least 50 years, and b) a proposed construction schedule for the Mansion and the other development proposed under the PUD. This schedule may allow for construction of the 21 rooms and 3 suites proposed in the Mansion Annex, and up to 40 new and replacement resort units including condominium units. The 48 units to be constructed on the 9.13 acre Rosario Harbor Tract shall not be counted toward this limit, so this will allow construction of 66 of the remaining 134 rooms and units. Once the limit of 66 units is reached, no building permits will be issued until the Moran Mansion renovation, as set

forth in the schedule, is completed and final approval is granted by the Building Official. If the Moran Mansion renovation is not completed in accordance with this schedule, or any extension which may be granted, the County may suspend issuance of building permits within the MPR for non-compliance with this condition, with notice.

18. The shoreline in the Resort Core area shall remain open to the public, as provided in Plan Objective 2.6 and Section 5.3.2. Proposed rehabilitation of the shoreline will occur during construction proposed for that area as described in the Resort Master Plan and Final EIS, and this rehabilitation will be included in future shoreline permit applications. With the first PUD application, the applicant shall submit a proposed schedule for shoreline rehabilitation actions for County review and approval.

Explanation: The timing of shoreline restoration and enhancement is described in the RMP and FEIS. In general, the restoration accompanies the project in that particular area. One restoration, for example, can only occur during Phase II -- elimination of the revetment and restoration of the shoreline to natural, soft shoreline conditions can only occur in coordination with the marina expansion because the new, natural shoreline has to be protected from storm damage, which would be provided by the proposed floating breakwater as part of the marina expansion.

19. Operation of Rosario Resort under the approved Master Plan shall include the establishment of uses in the Mansion that provide the public with the opportunity to see this historic resource. The range of uses shall be generally consistent with the uses proposed in Section 4.4.1 of the Master Plan including food service, public performances and tours. With the exception of construction or health, safety or security concerns, the Mansion will be open during normal business hours for those types of uses, and under reasonable operational limitations.

20. To meet the requirements of the Shoreline Master Program, and to provide for adequate short term visitor accommodations, only commercial structures may be built within 200 feet of the ordinary high water mark of the shoreline. Structures owned by the Resort, and operated to provide retail sales and services related to the Resort, shall be considered commercial. For condominium units to be considered commercial the units must be included in, and remain in the Rosario Resort or Cascade Harbor Inn Rental Programs. For all property located within 200 feet of the ordinary high water mark, the applicant must include these requirements in a "Notice to Title", and provide a copy of the recorded notice to the Community Development and Planning Department before a building permit will be issued. Following is the language that must be used in the Notice to Title:

Notice to Title

Rosario Resort Shoreline Structures. To meet the requirements of the San Juan County Shoreline Master Program within the Rosario Resort Master Plan land use zone, only commercial structures may be built within 200 feet of the ordinary high water mark (OHWM) of the shoreline. Commercial structures include a) structures owned by the

Resort and operated to provide retail sales and services related to the Resort, and b) condominium units included in the Rosario Resort or Cascade Harbor Inn Rental Programs. Commercial structures located within 200 feet of the OHWM may not be converted to non-commercial uses.

21. The following minimum requirements are established for the sections of the Resort subject to the requirements of the Shoreline Master Program. These minimums do not supersede requirements that may subsequently be imposed by the Hearing Examiner or the Department of Ecology, and if there is a conflict the more restrictive requirement shall apply. If the applicant is unable to meet the required setbacks they may relocate and/or combine units in upland areas, without a loss in the total number of approved units.

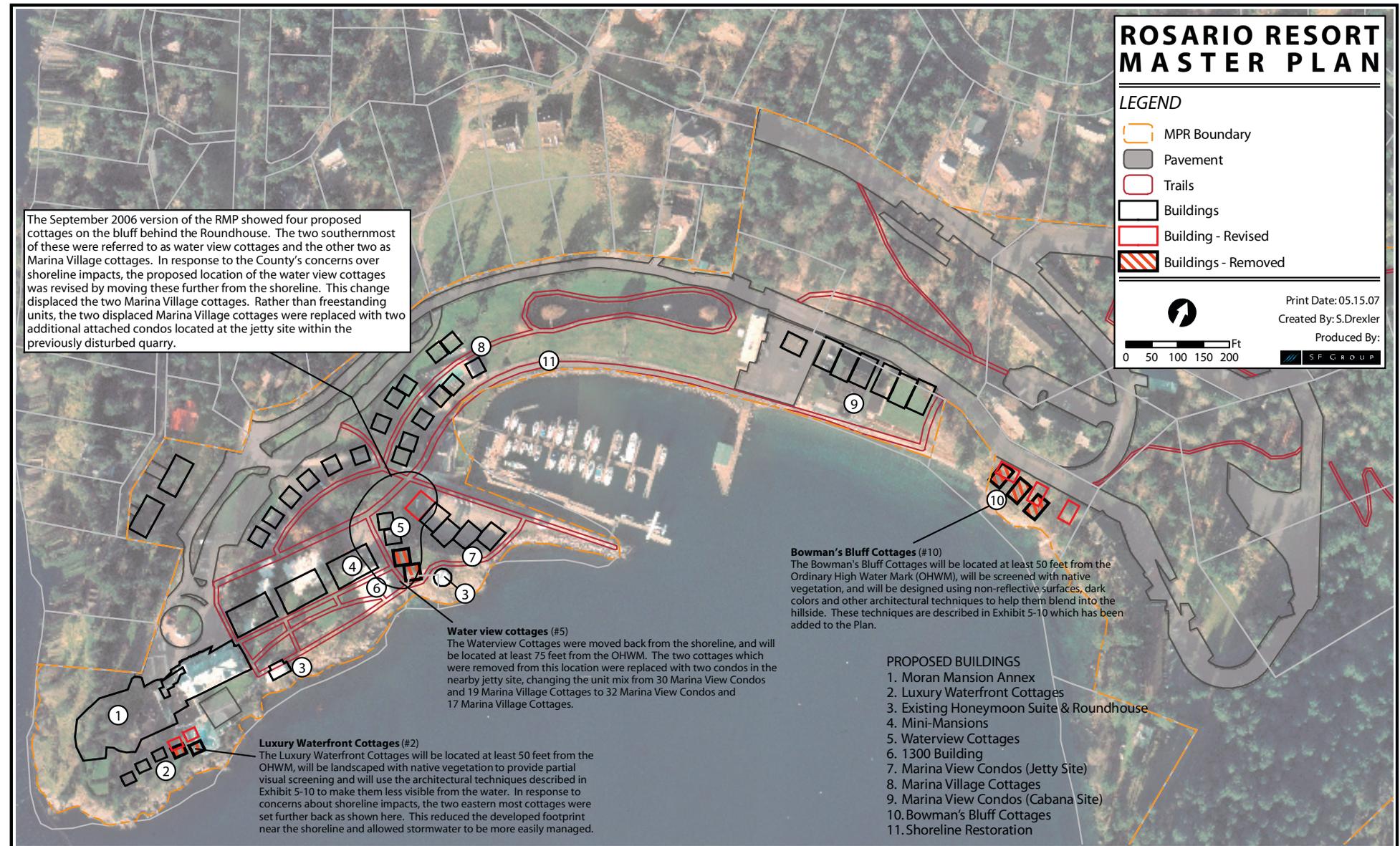
- a. The Bowman's Bluff Cottages shall be located at least 50 feet from the Ordinary High Water Mark (OHWM), shall be screened with native vegetation, and shall be designed using non-reflective surfaces, dark colors and other architectural techniques to help them blend into the hillside. These techniques are described in Exhibit 5-10 which has been added to the Plan.
- b. The Luxury Waterfront Cottages (Number 2 on Figure A-1, located between the Mansion Annex and Cascade Bay) shall be located at least 50 feet from the OHWM, shall be landscaped with native vegetation to provide partial visual screening and will use the architectural techniques described in Exhibit 5-10 to make them less visible from the water. In addition the two eastern most cottages will be set further back as shown in the attached plan. This will reduce the developed footprint near the shoreline and will allow stormwater to be more easily managed.

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- c. The Waterview Cottages (Number 5 on the attached site plan, located near the Roundhouse) shall be located at least 75 feet from the OHWM, and may be combined with other upland structures or configured as stacked flats or town-homes located at the former quarry (jetty site) to meet this requirement (see Figure A-1). Relocating two cottages as shown changes the unit mix from 30 Marina View Condos and 19 Marina Village Cottages to 32 Marina View Condos and 17 Marina Village Cottages.
 - d. Changes in the location of the OHWM as a result of shoreline restoration approved by the County shall not result in an increased setback requirement (i.e. the OHWM prior to restoration will be used to determine this setback).
22. To reduce the risks associated with structural fires, the renovated mansion and all new development shall be provided with automatic fire sprinklers.
23. The approved Rosario Resort Master Plan includes removal of 42 existing rooms and units with overnight accommodations, and the construction of up to 182 new and replacement rooms and units, for a net increase in 140 units with overnight accommodations.

24. Violation of these Conditions of Approval may be considered grounds for the County to withhold new building permits within the MPR, to initiate proceedings to revoke or modify approval of the Master Plan, or to take other enforcement action as allowed by law.
25. Nothing in these conditions shall be evidence of the approval of a permit to be issued in the future or waiver of any requirement of county, state or federal law.
26. These conditions are binding.

Figure A-1: Rosario Resort Master Plan



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ORDINANCE 11 - 2007

AN ORDINANCE APPROVING THE ROSARIO RESORT MASTER PLAN AND ADOPTING AMENDMENTS TO THE SAN JUAN COUNTY OFFICIAL COMPREHENSIVE PLAN LAND USE MAPS

RECITALS

- WHEREAS**, San Juan County adopted a Comprehensive Plan, Development Code, and Comprehensive Plan Land Use and Shoreline Master Program Maps (the Official Maps) pursuant to the Growth Management Act, Chapter 36.70A, RCW; and
- WHEREAS**, RCW 36.70A.362 authorizes San Juan County to designate resorts existing before July 1990 as "Master Planned Resorts"; and
- WHEREAS**, Rosario Resort has existed on Orcas Island since before July 1, 1990; and
- WHEREAS**, the official maps for San Juan County designate the Rosario Resort Property, except for the Hillside Parcel, and other small parcels as "Master Planned Resort"; and
- WHEREAS**, Section B.2.3.B of the San Juan County Comprehensive Plan, and San Juan County Code (SJCC) Sections 18.90.060, 18.60.190, and 18.30.060 establish standards and requirements for Master Planned Resorts and provide a process whereby the owner may submit a plan for resort development and uses to the County Council for approval; and
- WHEREAS**, an application for approval of the Rosario Resort Master Plan and associated map amendments was originally received on December 4, 2000, and a complete application for approval of a revised Plan together with amendments to the Official Map was received in March 2005; and
- WHEREAS**, the SJCC and *Comprehensive Plan* contain procedures, adopted under RCW 36.70A.130, for the submittal and review of corrections and amendments to the Official Maps, and provide that map amendments related to a Master Planned Resort (MPR) may be considered with the application for approval of the Resort; and
- WHEREAS**, under the State Environmental Policy Act (SEPA) a Determination of Significance and Scoping Notice was issued May 25, 2005; a scoping workshop was held June 6, 2005; a Draft Environmental Impact Statement (DEIS) was issued August 19, 2005; a public hearing on the DEIS was held September 26, 2005; and a Final Environmental Impact Statement was issued on December 21, 2006; and
- WHEREAS**, the Rosario Resort Master Plan and four (4) map amendments (05RED05) were considered by the Planning Commission at a properly noticed public hearing held on January 30, 2007 and continued to February 26 and March 7, 2007; and

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WHEREAS, after considering the evidence in the record the Planning Commission issued findings and a recommendation to approve the Rosario Resort Master Plan, as submitted, but with changes and Conditions of Approval; and

WHEREAS, the Rosario Resort Master Plan and associated land use and density amendments were considered by the County Council during a properly noticed public hearing held on March 30, 2007 and continued on April 10 and May 7, 2007; and

WHEREAS, after hearing the testimony of citizens and considering the evidence in the record, the County Council decided to accept the recommendations of the Planning Commission but, to require modifications to the Master Plan and modify the Conditions of Approval; and

WHEREAS, the notice of intent to adopt the Rosario Master Plan and map amendments was received by the Washington State Dept. of Community, Trade and Economic Development on January 26, 2007 (ID # 11273), and they did not submit comments on the proposal; and

WHEREAS, the Map Amendments are attached hereto as Exhibit A; and

WHEREAS, the Rosario Resort Master Plan was modified to satisfy the requirements of the County Council and the Conditions of Approval were incorporated as Appendix 1 to the May 2007 Resort Master Plan (the "Master Plan"), a copy of which is attached hereto as Exhibit B; and

WHEREAS, a public hearing notice and a summary of this ordinance approving the Rosario Resort Master Plan and associated amendments to the Official Maps was published in the County's official newspaper on May 23, 2007; and

WHEREAS, the County Council held a public hearing on this ordinance approving the Rosario Resort Master Plan and associated amendments to the Official Maps on June 4, 2007, and the County Council considered the evidence in the record, including the analysis and recommendations of the Planning Commission, Community Development and Planning Department, advice provided by the Office of the Prosecuting Attorney, and written and oral testimony from agencies and the public.

FINDINGS OF FACT

NOW, THEREFORE, the County Council, makes the following FINDINGS of FACT:

Procedure

1. Each of the recitals set forth above are hereby incorporated as findings of fact.
2. The Council agrees with the Planning Department staff and Planning Commission analysis, conclusions and recommendations as presented in the January 11, 2007 staff reports (Exhibits S-16 and S-17) and the Planning Commission Findings and Recommendations (Exhibit PC-4), but finds that additional Plan changes and Conditions of Approval are necessary to assure

that the Master Plan meets the requirements of the *Comprehensive Plan* and County Code. These changes and Conditions of Approval are included in the final Master Plan attached as Exhibit B.

3. The public was provided notice and an opportunity to review and comment on the Master Plan, prior drafts of the Master Plan, the map redesignations and the Draft and Final Environmental Impact Statements, in conformance with the *Comprehensive Plan* Section D.3, SJCC 18.90.030, SJCC 18.90.060, SJCC 18.80.050, RCW 36.32.120, and RCW 36.70.A.140.

Map Amendments

4. The Council agrees with Planning Department staff and the Planning Commission that all of the requested map redesignations are made to correct mapping errors. All property owned by Rosario Resort should be designated as “Master Planned Resort.” *Comprehensive Plan* Section D.3 provides criteria and procedures for the correction of mapping errors, and in Section D.3.2.8.d. states “*Criteria. Changes in land use designations shall be approved if such change is necessary to correct errors on the Official Maps . . .*”. Additional procedures are included in SJCC 18.90.030. The amendments to the Official Maps shown on the attached Exhibit A have been evaluated and meet the procedural requirements of the *Comprehensive Plan* and SJCC for the correction of mapping errors.

Parcels 173143002000 and 173134002000

5. Parcel numbers 173143002000 and 173134002000 are not part of the Resort and should not have been included in the “Master Planned Resort” land use designation. These parcels are most appropriately designated “Rural Residential” found in *Comprehensive Plan* Section B.2.3.C.c. which states:

Rural Residential

Goal: To protect the predominantly residential character of some rural areas and provide for a variety of residential living opportunities at rural densities.

Policies:

- (1) Areas which are characterized by the following criteria may be designated as Rural Residential on the Comprehensive Plan Official Maps:*
- i. There are existing small acreage platted areas generally with private covenants and restrictions, and some exclusively residential developments are expected to continue to occur; and*
 - ii. Parcels are generally two to five acres in size, and may also include areas with lots less than two acres in size.*

The area where the two lots are located meets the first part of criterion i. because there are existing small acreage platted areas generally with private covenants and restrictions. The development that is planned for the immediate area is not exclusively residential, but exclusively residential development is likely in the surrounding area, so these lots are compatible with the second part of criterion i. Each lot is less than 2 acres and therefore they are compatible with criterion ii.

Resort Hilltop Parcel

6. The Resort's Hilltop Parcel (number 173043001000), is owned by and has been an integral part of Rosario Resort since before July 1, 1990. The Resort's employee housing was constructed at this location in 1988, under building permit no. 5227, and it has been in operation since that time. This parcel should have been included in the "MPR" designation and it was an error not to include it. The parcel meets the criteria for "MPR" designation found in RCW 36.70A.362.

Southern Portion of Tennis Court Parcel

7. The Council finds that the southern portion of the Resort's Tennis Court parcel (parcel number 173142002000) was divided into two designations: Rural Residential and Master Planned Resort. The property should not have been split zoned. The property is owned by the Resort, it is used to provide amenities for the guests of the Resort, it is contiguous to the Resort and, accordingly, the entire parcel should be designated "MPR."

Master Planned Resort

8. Rosario Resort is an existing resort, in existence since before July 1, 1990, and developed, in whole or in part, as a significantly self-contained and integrated development that includes short-term visitor accommodations associated with a range of indoor and outdoor recreational facilities within the property boundaries in a setting of significant natural amenities. Rosario Resort includes other permanent residential uses, conference facilities, and commercial activities supporting the resort, because they are integrated into and consistent with the on-site recreational nature of the resort.

9. The *San Juan County Comprehensive Plan* specifically identifies policies to guide the development of the existing resort.

10. The *Comprehensive Plan* and development regulations include restrictions that preclude new urban or suburban land uses in the vicinity of the existing resort, except in areas otherwise designated for urban growth under RCW 36.70A.110 and 36.70A.360(1);

11. The land in the Rosario Resort is not located on land that would otherwise be designated as forest land or agricultural land under RCW 36.70A.170.

12. The Master Plan is consistent with the development regulations established for critical areas.

13. On-site and off-site infrastructure impacts have been fully considered and are mitigated.
14. The Master Plan describes the project and provides a framework for project control and operation during and after development. Specifically, the Master Plan includes an appropriate level of detail and adequate discussion of the following elements of the Master Plan Resort:
 - a. A description of the setting and natural amenities that the MPR is being situated to use and enjoy, and the particular natural and recreational features that will attract people to the area and Resort.
 - b. A description of the destination resort facilities of the MPR, including short-term visitor accommodations, on-site outdoor and indoor recreational facilities, off-site and excursion opportunities offered or provided as part of the Resort's services, and commercial and supportive services provided. The manner in which these services will support and be integrated into the on-site recreational nature of the Resort is discussed in the Master Plan.
 - c. A description, with supportive information, of the design and functional features that provide for a unified development, superior site design and protection of natural amenities, and which further the goals and policies of the Comprehensive Plan. The Master Plan explains how landscaping and open space, recreational facilities, road and parking design, capital facilities, and other components of the Master Plan work together in the project.
 - d. The Master Plan lists additional allowable uses and maximum density of the MPR as provided in SJCC 18.60.190(B)(2) and (3), and includes a discussion of how these uses and their distribution meet the needs of the Resort and its patrons.
 - e. A description of location-specific standards that are established to retain and enhance the character of the Resort, and of how the MPR is meeting or will meet those standards.
 - f. A description of the intended phasing of development of the project. The application for the MPR provided sufficient detail for the phases such that the full intended scope and intensity of the development could be evaluated. The Master Plan also discusses how the project will function at interim stages prior to completion of all phases of the project, and how the project may operate successfully and meet its environmental protection, concurrency, and other commitments should development cease before all phases are completed.
 - g. Maps that depict the completed MPR development, showing the full extent and ultimate development of the Resort and its facilities and services.
 - h. Additional maps, drawings, illustrations, or other materials, as appropriate, to assist in understanding and visualizing the design and operation of the development and its facilities and services, landscaping, protection of environmentally sensitive areas, and other features of the development.
 - i. A description of how the MPR relates to surrounding properties, and how its design and arrangement minimize adverse impacts and promote compatibility among land uses within the development and adjacent to the development.
 - j. Specific values and supportive information and rationale for the choices made for the flexible standards listed in SJCC 18.60.190(B)(1).

- k. A demonstration that sufficient facilities and services which may be necessary, appropriate, or desirable for the support of the development will be available, and that concurrency requirements of SJCC 18.60.200 will be met.
- l. A description of the environmentally sensitive areas of the project area, and the measures that will be employed for their protection.
15. The 2007 Master Plan contains an appropriate level of detail and adequate discussion of the following criteria for Master Planned Resort approval:
- a. The Master Plan meets or exceeds the requirements of SJCC 18.90.060.H.1 and 18.60.190.
 - b. The MPR is consistent with the goals and policies of the Comprehensive Plan, the requirements of the Shorelines Master Program in SJCC Chapter 18.50, and complies with all other applicable sections of the San Juan County Code and all other codes and policies of the County.
 - c. The MPR will be phased, and each phase contains adequate infrastructure, open space, recreational facilities, landscaping and all other conditions of the MPR sufficient to stand alone if no subsequent phases are developed.
 - d. The MPR will provide active recreational uses such as boating, pools, and playing fields, and sufficient services such as transportation access, police, fire, and social and health services, to adequately meet the needs of the guests and residents of the MPR.
 - e. The MPR will contain within the development (or be provided by outside providers as per SJCC 18.30.060(C)) all necessary supportive and accessory on-site urban-level commercial and other services, and such services shall be oriented to serve the MPR.
 - f. Environmental considerations are employed in the design, placement, and screening of facilities and amenities so that all uses within the MPR are harmonious with each other, and in order to incorporate and retain, as much as feasible, the preservation of natural features, public views, and historic and other important features.
 - g. Improvements and activities are located and designed in such a manner as to avoid or minimize adverse effects of the MPR on surrounding lands and property.
 - h. The Master Plan establishes location-specific standards to retain and enhance the character of the resort.
16. The 2007 Master Plan contains an appropriate level of detail and adequate discussion of the following development standards for Master Planned Resorts as follows:
- a. The Rosario Master Planned Resort is a self-contained and fully integrated development in a setting of significant natural amenities, with primary focus on destination resort facilities, and which is planned for as whole and developed in a programmed series of stages. See also SJCC 18.30.060 and 18.90.060.
 - b. The Rosario Master Planned Resort is located within an MPR activity center, and adjacent to the Rosario Residential Activity Center.

- c. The tracts of land are the subject of a joint application by the owners of all the property included.
- d. When the Resort owner divides the land into individual lots, the requirements of Chapter 18.60 and 18.70 SJCC will be met. If the MPR does not divide the land into individual lots, a binding site plan will be prepared to meet the requirements of Chapter 18.60 SJCC and 18.70.080.
- e. The site design of the MPR includes the clustering of units, lots, and uses insofar as is consistent with the overall purpose or theme of the MPR, and to achieve an energy-efficient design.
- f. A mix of urban and suburban densities may be established within a Master Planned Resort activity center. Conditions of approval are designed to assure that these residential uses are integrated into and support the on-site recreational nature of the resort. *See* SJCC 18.30.060(B).
- g. An activity center adjoins the Rosario Master Plan Resort. New urban and suburban land uses and densities are prohibited outside the boundaries of the Master Planned Resort activity center, except as allowed in the Rosario Residential Activity Center.
- h. The area of the Rosario MPR adjacent to water is subject to the jurisdiction of the Shoreline Master Program. The Resort owner, as a condition of approval, shall dedicate public access to the shoreline area as required by the Shoreline Master Program in Chapter 18.50 SJCC and by the terms of the Master Plan.
- i. The Rosario Master Plan contains provisions to assure that the owner will meet requirements for water quality specified in SJCC 18.60.020, 18.60.060(B), and 18.60.070.
- j. At the time of building permit approval, the owner will need to demonstrate adequate and available water to serve each phase of the development. (*See* also SJCC 18.60.020).
- k. At the time of permit approval, the owner will meet the requirements and standards of SJCC 18.60.020, 18.60.060(B) and (C), and 18.60.070.
- l. The value and appeal of the Rosario Resort is the preservation and enhancement of environmentally sensitive areas. The Rosario Master Plan has demonstrated that it will meet the minimum standards of the San Juan County Code (see SJCC 18.30.110 through 18.30.160), and should attempt to exceed these standards.
- m. Open space and landscaped areas shall be designed as an integrated part of the

MPR rather than as an isolated element. A landscaping plan shall be prepared consistent with the requirements of and incorporating the development standards of SJCC 18.60.160. A visual buffer shall be established along the perimeter, appropriate to the project, if required by the administrator. All significant trees within the project area and its buffer areas shall be retained whenever feasible.

n. Roads, streets, and access drives within and adjacent to the MPR will meet the requirements specified in SJCC 18.60.080 through 18.60.140 and Table 6.3.

o. MPR parking shall be screened from view from public rights-of-way.

p. Signs shall be designed and erected in conformance with design guidelines in SJCC 18.40.370 through 18.40.400.

q. Concurrency requirements for transportation and Category A capital facilities shall be met as provided in SJCC 18.60.200.

r. The following standards are set within the Master Plan (*See SJCC 18.90.060(C) and (D)*) for the MPR:

i. All density, dimension, and open-space standards in Table 6.1 in SJCC 18.60.050.

ii. The maximum density within the Master Planned Resort activity center was modified to allow flexibility within the MPR, as per SJCC 18.30.060(B); the total development is consistent with the provisions of the Comprehensive Plan.

17. The 2007 Master Plan contains an appropriate level of detail and adequate discussion of the special provisions for Master Planned Resorts found in SJCCC 18.30.060 as follows:

a. Allowable uses and their locations within the Master Planned Resort are set forth in the Master Plan.

b. Subsequent changes in uses or in the location of allowable uses at the Rosario Master Planned Resort will be handled by an amendment to the Master Plan. The procedures and process for adopting or amending a Master Plan are as provided in SJCC 18.90.060 and in the particular Master Plan Table 3.1 in SJCC 18.30.030, Allowable and Prohibited Uses in Activity Center Land Use Districts, identifies those uses which may be allowed by the administrator without a Master Plan amendment after establishment of the Master Planned Resort. The list of uses in Table 3.1 in SJCC 18.30.030 that may be allowed after establishment of a Master Planned Resort is only to be used for changes to the uses in an approved Master Plan. It is not intended to, in any way, indicate which land uses or activities are appropriate to or may be approved for any particular Master Planned Resort.

c. A mix of urban and suburban development densities is established in the Master Plan. The Plan provides that these residential uses will be integrated into and support the on-site recreational nature of the resort.

- d. New urban and suburban land uses and densities are prohibited outside the boundaries of Master Planned Resort.
- e. All necessary supportive and accessory on-site urban-level commercial and other services will be contained within the boundaries of the Rosario Master Planned Resort, and such services shall be oriented to serve the Rosario Master Planned Resort. An outside service provider (including a municipality or special purpose district) may provide sewer, water, storm water, security, fire suppression, or emergency medical services to the resort; provided, that all costs associated with service extensions and capacity increases directly attributable to the Master Planned Resort are fully borne by the Resort. A master planned resort and service providers may enter into agreements for shared capital facilities and utilities; provided, that such facilities and utilities serve only the Master Planned Resort or urban growth areas.
- f. Any new development and any new phase of development in the MPR land use designation, except as provided in SJCC 18.90.060(D)(5), requires the approval of a planned unit development as provided in SJCC 18.90.060. A phase that is consistent with the approved Master Plan will not require a Master Plan amendment.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

Section 1. Map Amendment. The Official Land Use Maps of the *San Juan County*

Comprehensive Plan shall be amended to appear as shown in Exhibit A. The Director of the Community Development and Planning Department shall make these changes on the full-sized maps and then present the full-sized map to the Chair of the County Council for signature.

Section 2. Approval of the Rosario Resort Master Plan. The Rosario Resort Master Plan attached hereto as Exhibit B is hereby approved. This Master Plan will control future development and use of the property shown on the Official Map as the Rosario Master Planned Resort.

Section 3. Notice of Adoption. Notice of Adoption of the Rosario Master Plan and this Ordinance shall be promptly published as required by the County Charter and RCW 36.70A.290.

Section 4. Codification. This Ordinance will not be codified. A copy of the approved Master Plan shall be available to the public for inspection or copying at the office of the San Juan County Community Development and Planning Department.

ADOPTED this 4th day of June 2007
11th

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

ABSENT

ATTEST: Clerk of the Council

By: [Signature] Clerk
Date: 6/11/07

Bob Myhr, Chair
District 6, Lopez/Shaw

[Signature]
Howard Rosenfeld, Vice-Chair
District 3, Friday Harbor

REVIEWED BY COUNTY
ADMINISTRATOR

[Signature]
Kevin M. Ranker, Member
District 1, San Juan South

By: Pete Rose
Date: 5-30-07

Rich Peterson, Member
District 2, San Juan North

APPROVED AS TO FORM ONLY
RANDALL K. GAYLORD

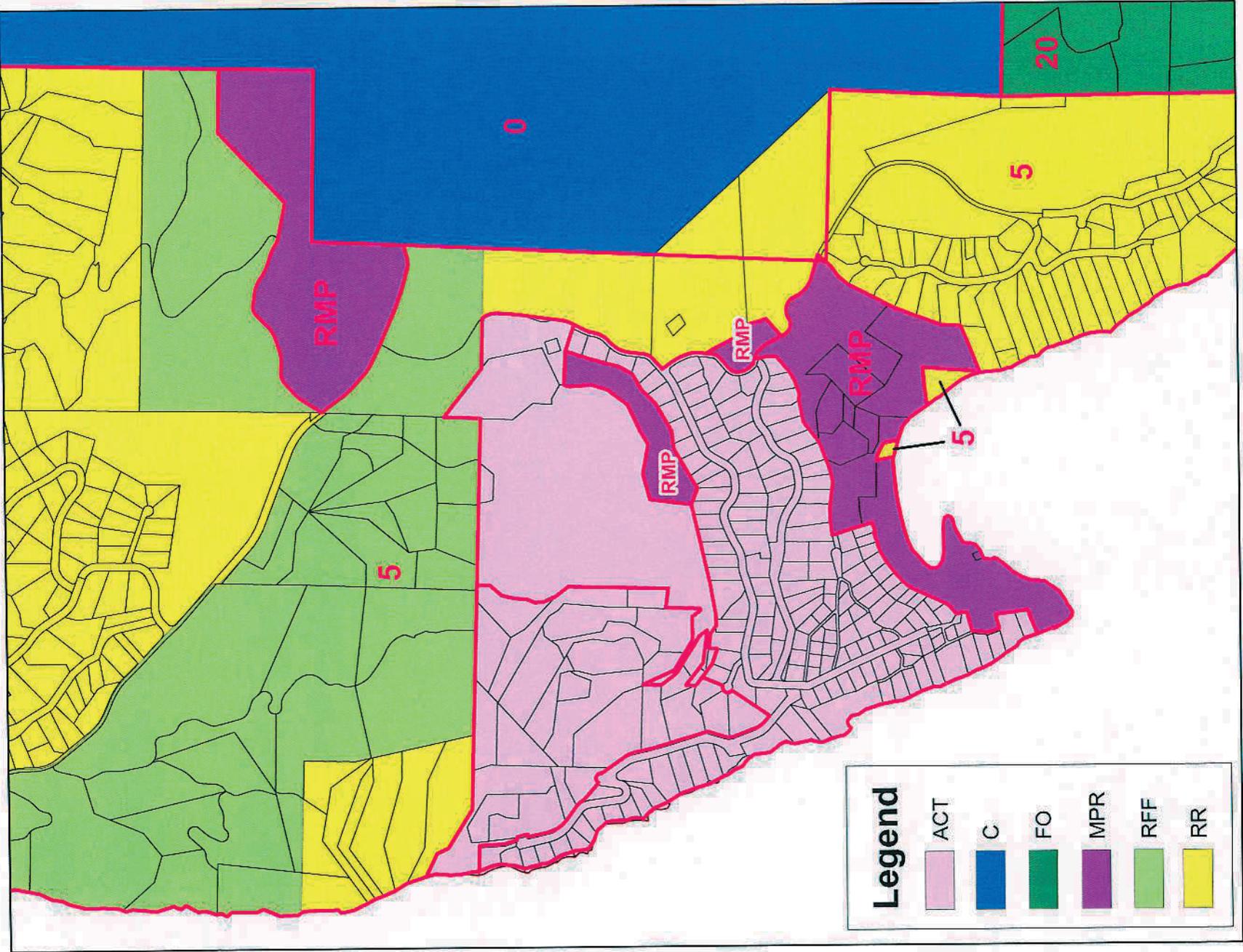
By: [Signature]
Date: 5/24/07

[Signature]
Alan Lichter, Member
District 4, Orcas West

[Signature]
Gene Knapp, Member
District 5, Orcas East

CLERK OF THE COUNTY
JUNE 11 2007
COUNTY CLERK'S OFFICE
FRIDAY HARBOR, WA

EXHIBIT A
Official Map Amendment - June 4, 2007



Density for MPR designation is found in the Rosario Resort Master Plan (RMP)