



SAN JUAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT

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STAFF REPORT FOR PREDES-19-0001

To: San Juan County Planning Commission
From: Adam Zack, Planner III *AZ*
Through: Linda Kuller, DCD Planning Manager *LK*
Briefing Date: July 19, 2019
Report Date: July 3, 2019
Project: Re-designate property from Rural General Use (RGU) to Friday Harbor Unincorporated Urban Growth Area (FH UUGA)
Applicant: Cornelius Holdings, LLC.
Agent: Stephanie O'Day
Recommendation: Approval with conditions

Project Data	
Site Address and Location:	Mullis Street, San Juan Island
Tax Parcel	351444005000
Owner(s):	Cornelius Holdings, LLC. 300 Lakeside Drive S., Suite 100, Seattle WA 98144
Land use designation:	Rural General Use (RGU)
Density	1 dwelling unit per five acres
Shoreline Designation:	N/A
Existing Land Use:	Residential
Surrounding Land Use:	North: Commercial (Browne's Home Center) South: Institutional (Dog Park and Fire Station) East: Residential West: Transportation (Friday Harbor Airport)
Land Division Status:	Simple Land Division PSLD00-16-0002
Sewage System:	On site-septic
Water Source:	SFR with illegal Town connection and existing well
Application Processing	
Date Application Submitted:	February 25, 2019
Date Application Complete:	March 22, 2019
Notice of Application	July 10, 2019 (Expected)
SEPA Determination	July 10, 2019 (Expected)

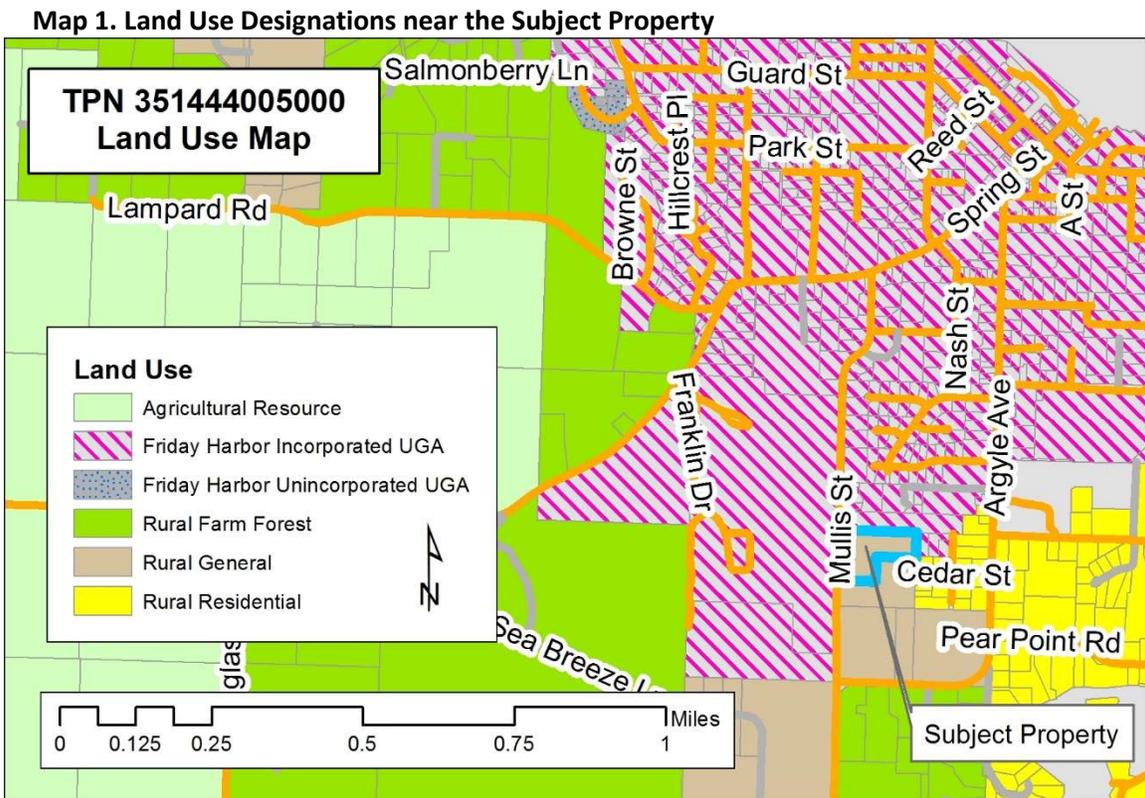
Purpose: To brief you on PREDES-19-0001. This is a 2019 Annual Docket site-specific land-use re-designation application for amendment to the Comprehensive Plan Official Map. This will prepare you for an August 16, 2019, public hearing.

Proposal: Cornelius Holdings LLC, recently purchased Browne's Home Center (Browne's) located in the Town of Friday Harbor (Town) Urban Growth Area (FH UGA) and the subject parcel, TPN 351444005000 to the south. They propose re-designating the subject parcel, TPN 351444005000, from the County's Rural General

Use (RGU) land use designation to Friday Harbor Unincorporated Urban Growth Area (FH UUGA). The parcel is located adjacent to Browne’s and fronts on Mullis Street. It is currently used by Browne’s for outdoor storage and parking. There is also a single-family residence and dog park on the subject parcel.

The purpose of the proposal is to relocate and expand Browne’s nursery to the subject parcel. This would allow for connection to Town utilities, i.e. urban services. According to page 11 of the applicant’s SEPA checklist, the removal of the existing dwelling is not anticipated.

The docket application suggested that other properties in the area also be considered for a change in designation to FH UUGA. The San Juan Island Fire and Rescue Fire Chief, Norvin Collins, suggested that the fire station (TPN 352312016) be brought into the FH UUGA (Exhibit 6). In addition, the Port of Friday Harbor and the Town Administrator, Duncan Wilson, suggest re-designating additional parcels south of the subject parcel including the fire station (Exhibits 6 and 7). The 2019 docket application was specific to the Cornelius property and did not provide analysis of other properties. These suggestions for expanding the Town’s unincorporated Urban Growth Area can be considered during the update of the SJC Comprehensive Plan because the required additional analysis was not provided with the application.



Existing Conditions: TPN 351444005000 is located on Mullis Street, adjacent to the Friday Harbor UGA and Friday Harbor Airport. It is a 5.10-acre parcel. The property has three access points: a driveway - connected to Cedar Street, a private road, a driveway on Mullis Street, and an entrance to a parking lot located on the north side of the property. Browne’s employees enter the parking area located on the subject property from the Browne’s Home Center property. See the aerial in Map 2 below.

The parcel was created by simple land division in 2016 by permit PSLD00-16-0002 (Exhibit 10.D). Many of the permits authorizing development on the subject parcel are filed under the original TPN 351444001000. There are three uses located on the parcel. A single-family residence, a public dog park, and a parking lot

with temporary storage area. There is a small category IV wetland on the parcel, near Mullis Street, on the western part of the property. The entire County is a critical aquifer recharge area. There are no other mapped critical areas on this parcel.

Map 2. TPN 351444005000 Aerial Map



Single-Family Residence

There is an existing single-family residence on the east portion of the parcel. According to the Assessor’s records, it was built in 1978 (Exhibit 12). The existence of an on-site septic permit was confirmed by sewage design application 2012961 (Exhibit 10.C). Sewage capacity for the number of bedrooms was not determined at that time. According to the Town, the home has an illegal water connection. Water service cannot be extended beyond the incorporated Town limits. Approval of the proposal and annexation would resolve this issue.

Dog Park

There is a driveway and parking area for a fenced, off-leash dog park operated by Island Rec on the southern portion of the parcel. The driveway provides access from Mullis Street to the dog park parking area. The dog park was permitted in 2008 (08 CU 0001, Exhibit 10.A). It was originally all on the subject parcel, but after a simple land division in 2016, it is only partially located on the subject property. According to the conditional use permit application, the dog park was planned to be eventually vacated and relocated to the gravel pit after Island Rec developed plans for use of the pit. There is no current plan or proposal suggesting relocation of the dog park.

Parking and Temporary Storage Area

A graveled parking lot and temporary storage area for Browne’s equipment and building supplies is located on the north side of the parcel. These uses were permitted in 2009 by conditional use permit (09 CU 0011, Exhibit 10.B).

Surrounding Land Uses:

The surrounding area is developed with residential, commercial, institutional, and transportation uses. The nearest homes are approximately 70 feet to the west and east of the property boundary.

North: Commercial (Browne's Home Center)
South: Institutional (Dog Park and Fire Station)
East: Residential
West: Transportation (Friday Harbor Airport)

The applicant describes the current use of the parcel as follows (Exhibit 1):

There is a substantive difference between most island properties and the subject parcel considering the property is surrounded on three sides by development consisting of Browne's Home Center to the north, Mullis Avenue and the Friday Harbor Airport to the west, and urban density residential development further to the north and to the east.

Land Use Designations: The RGU and the proposed FH UUGA land use designations are land use designations on the SJC Comprehensive Plan Official Map (SJC Official Map). Land use designations are governed by the SJC Comprehensive Plan. The implementing regulations are in San Juan County Code (SJCC) Title 18. The SJC Official Map includes twelve other parcels designated as FH UUGA. These are shown in grey on Map 1, west of Guard Street.

If approved, the proposal will not add the subject parcel to the Town of Friday Harbor. It will remain under the County's jurisdiction until it is annexed by the Town.

The Town and County agreed to comprehensive planning processes in the Joint Planning Policies with the Town of Friday Harbor and Other County-wide Planning Policies (SJC Comprehensive Plan Appendix 2 – Exhibit 13). Also guiding this process is the Friday Harbor Unincorporated Urban Growth Area Management Agreement (SJC Comprehensive Plan Appendix 3 - Exhibit 14). Section 8, Item 1 of this agreement says:

“Only those areas within the unincorporated UGA may be considered for annexation to the Town.”

These documents require the Town to annex parcels designated FH UUGA before annexing other parcels. Re-designating this parcel to FH UUGA would enable Browne's to pursue annexation into the Town of Friday Harbor. Then, the subject property could be legally served by urban level governmental services, particularly Town sewer and water necessary for the relocation and expansion of Browne's nursery.

Coordination with the Town: WAC 365-196-310 (3)(a) states:

“The designation process shall include consultation by the county with each city located within its boundaries. The adoption, review and amendment of the urban growth area should reflect a cooperative effort among jurisdictions to accomplish the requirements of the act on a regional basis, consistent with the county-wide planning policies and, where applicable, multicounty planning policies.”

A letter dated May 6, 2019, from the Town Administrator, Duncan Wilson, expressed the Town's support of the proposal (Exhibit 7). On May 14, 2019, County staff met with Town Land Use Administrator, Mike Bertrand, to facilitate cooperative planning between County and Town (Exhibit 8). Evaluation of this proposal

has been a cooperative process between Town and County consistent with the SJC Comprehensive Plan Appendices 2 and 3.

Summary of Staff Analysis: Staff analyzed the consistency of the proposal with the Growth Management Act (GMA), the SJC Comprehensive Plan, and San Juan County Code. The required analysis primarily addresses whether or not the parcel is “characterized by urban growth,” whether the Town needs extra commercial capacity, and if the subject parcel can be served by urban services. Additional staff analysis of applicable WACs, RCWs, and County policies is included in Exhibit 15.

Characterized by Urban Growth

The first factor to be considered for this request is whether the parcel was characterized by urban growth per state law. RCW 36.70.A 030 (21) defines urban growth as:

"Urban growth" refers to growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources, rural uses, rural development, and natural resource lands designated pursuant to RCW 36.70A.170. A pattern of more intensive rural development, as provided in RCW 36.70A.070 (5)(d), is not urban growth. When allowed to spread over wide areas, urban growth typically requires urban governmental services. **"Characterized by urban growth" refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.**

Although the subject parcel does not have urban growth on it, it meets the definition of ‘characterized by urban growth’ because it is adjacent to urban growth. Browne’s (TPN 351492017000) meets the definition of urban growth above. The subject parcel, being adjacent to TPN 351492017000, is “land located in relationship to an area with urban growth on it as to be appropriate for urban growth.”

SJC Residential and Commercial Capacity

This proposal is the only site-specific amendment to the SJC Comprehensive Plan Official Map being considered on the 2019 docket. The County’s supply of RGU designated lands was deemed sufficient at when the SJC Comprehensive Plan was adopted. There are 306 parcels designated RGU in San Juan County. These parcels represent approximately 1,771 acres (Exhibit 3). The subject parcel is five (5) acres or about 0.2 percent of the total land designated RGU. A net change of 0.2 percent of the overall supply of RGU designated lands does not represent a substantial change in expected RGU capacity.

Residential

There is no additional housing capacity on the parcel because the one dwelling unit per five-acre density is already achieved by the existing single-family residence.

Commercial

The County is preparing a Land Capacity Analysis with the SJC Comprehensive Plan update. Under the preliminary draft Gross Developable Lands Inventory, the subject parcel is identified as Re-developable Commercial based on its land use designation of RGU and existing development. RGU is typically understood as having commercial capacity. The parcel has additional commercial capacity that is somewhat limited by the existing development and the allowed uses in the RGU designation.

If the proposal were approved, the commercial capacity of the property would be temporarily reduced because the allowed uses in the FH UUGA Land use designation are limited until the property is annexed. This outcome could be offset by two staff-recommended conditions of approval requiring the property-owner to pursue annexation within a given period and to retain the commercial capacity on this property once annexed.

Town Commercial/Industrial land use Capacity

According to the June 21, 2019 letter (Exhibit 11) from Mike Bertrand, Town Land Use Administrator, the Town’s inventory of Light Industrial (IN) property is developed to about 80 percent and the Town needs more vacant IN designated parcels. County Staff conducted additional analysis of the IN zone and agrees with Mr. Bertrand’s assessment that approximately 80 percent of the IN zone is developed. In the same letter, Mr. Bertrand also indicated that the Mullis Street corridor is the logical place for this type of development.

The Friday Harbor Urban Growth Area (FH UGA) is approximately 1,300 acres. Approximately 61 parcels are zoned Light Industrial (IN). Lands zoned IN occupy about 67 acres of the FH UGA. The following analysis does not include the portion of the airport that is split zoned Public Service (PU) and IN. This area was excluded because the airport parcel is already developed with the existing airport.

Table 1 below shows the parcels that were determined to be undeveloped during the County’s analysis. Of the 61 IN zoned parcels, thirteen are undeveloped. This was determined based on the Town’s 2019 Zoning Map and available County parcel data, including the assessed improvement value. This assessed improvement value information is publicly available through the County’s Polaris web map <https://sjcgis.maps.arcgis.com/apps/webappviewer/index.html?id=39b87792947e40a5aa0fcb8af5910bd1>.

Any LI zoned parcel with an assessed improvement value below \$40,000 was considered vacant unless noted in Table 2. The \$40,000 threshold was used because improvements valued less than \$40,000 typically have improvements that would not preclude future development.

Table 1. Undeveloped IN Parcels in Town of Friday Harbor

TPN	Acres	Description
351491548000	0.1723	Eastern half of the parcel is occupied by Mullis Street
351491641000	0.4056	Undeveloped
351491545000	0.392	Undeveloped parcel used for parking and boat storage
351491555000	0.2983	Partially developed with a parking lot that serves the adjacent parcel
351491803000	10.4947	Undeveloped parcel adjacent to the Hospital (substantial wetlands)
351491644000	0.3451	Undeveloped
351460010000	0.6531	Undeveloped
351492023000	0.3707	Partially developed with a parking lot that serves the adjacent parcel
351492024000	0.3142	Undeveloped
351492025000	1.0776	Undeveloped (substantial wetlands)
351492029000	1.0097	Undeveloped (substantial wetlands)
351492027000	0.4589	Undeveloped (substantial wetlands)
351492028000	0.2344	Undeveloped (substantial wetlands)

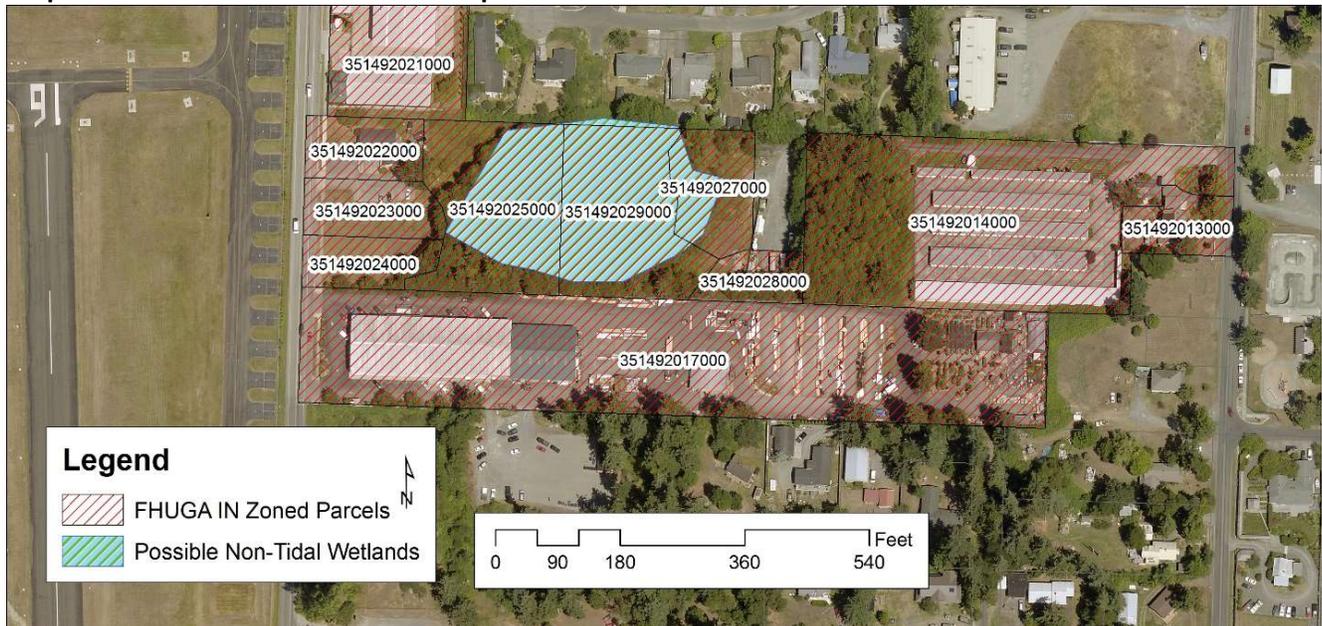
Table 2. Town Parcels zoned IN and with existing development that will likely preclude future development¹.

TPN	Description
351151111000	Machinery and equipment yard
351151110000	Machinery and equipment yard
351151109000	Machinery and equipment yard
351149092000	Existing Gas Station, part of a larger complex on the adjacent parcel (TPN 351149108000)
351151035000	Public Works Facility
351491625000	Part of the airport
351491627000	Part of the airport.

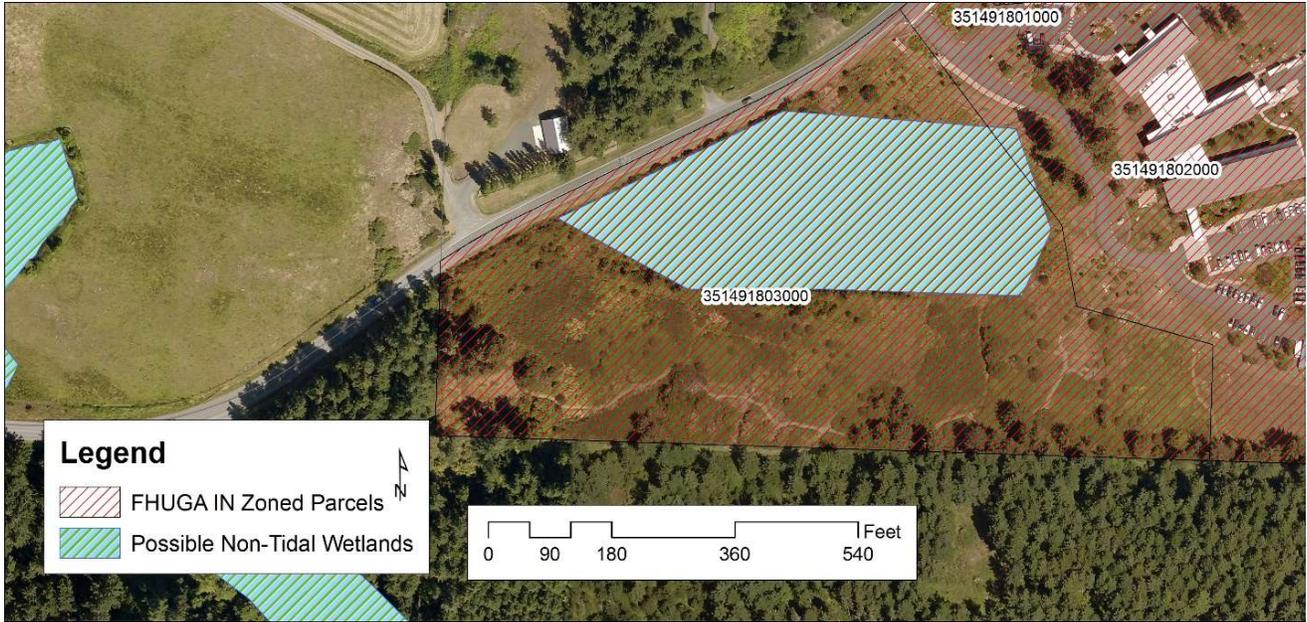
¹These parcels have an assessed improvement value below \$40,000.

Total Acreage of parcels in Table 1 is 16.23. This is approximately 24 percent of the 67 total acres of land zoned IN; indicating that around 76 percent of the land zoned IN is developed. The total acreage was calculated without deducting the areas constrained by wetlands. Several undeveloped parcels listed in Table 1 are covered by large wetlands. It is reasonable to assume that the size and location of these wetlands further constrains the development potential of these parcels. The area with substantial wetlands includes the undeveloped parcels directly adjacent to the north of Browne’s. Parcels zoned IN with substantial wetlands are shown in Map 3 and 4 below.

Map 3. Possible Wetlands on Undeveloped Parcels zoned IN.



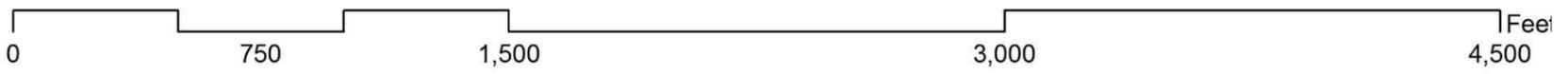
Map 4. Possible Wetlands on Undeveloped Parcels zoned IN.



Conclusion

In a letter dated June 21, 2019, Mike Bertrand, Town Land Use Administrator stated, “Currently our inventory in that zone (Light Industrial) has been developed to about 80%.” After review of the parcel and available wetland data, County staff concurs with this assessment of the existing development on lands zoned IN. The total area zoned IN is shown on Map 5 below.

Map 5. Parcels Zoned IN



Legend

 FHUGA IN Zoned Parcels



The purpose of this map is to assist with comprehensive planning only, it cannot be used for permitting or evaluation of development proposals.

Map Drawn: June 26, 2019
 Drawn By: Adam Zack, Planner III

Comparison of uses allowed in RGU designation and the Town’s Light Industrial zoning

The current proposal is not annexation into the Town of Friday Harbor but rather, a change from one County land use designation to another. The applicant has expressed a desire to pursue eventual annexation into the Town following the re-designation of the subject parcel into the FH UUGA land use designation. This step must occur prior to the Town considering annexation. The staff recommendation includes a condition of approval requiring the applicant to begin annexation proceedings in a set timeframe. The following analysis evaluates the implications of this possible annexation.

In a letter dated June 21, 2019, the Town indicated the parcel likely would be zoned Light Industrial (IN) if annexed (Exhibit 11). The change in land use designation/zoning would change the allowable and prohibited uses on the subject parcel. San Juan County Code (SJCC) 18.30.040 Land use table – Rural, resource and special land use designations provides the land use controls for the RGU Land use designation. Chapter 17.52 Friday Harbor Municipal Code (FHMC) provides the Town’s land use regulations for IN zoning.

Table 3 shows the uses that would be allowed in IN zoned areas by Chapter 17.52 FHMC and the corresponding information from SJCC 18.30.040. Many of the same uses are allowed in both LI and RGU though the required permit type may be different.

There are several uses specifically prohibited in the County’s RGU Land use designation. The named commercial uses explicitly prohibited in RGU by SJCC 18.30.040 are drinking establishments, hotel/motels, and nursing homes. The only named industrial use prohibited in RGU by SJCC 18.30.040 is a feedlot. Named uses are defined in Chapters 18.20 SJCC.

Table 3. Comparison of Allowed Uses in RGU and IN Zoning.

Chapter 17.52 FHMC Named Use	Light Industrial (IN) Zoning and Required Permit Type	SJCC Equivalent Use and Required Permit Type
Ancillary single-family uses	Permitted Outright (FHMC 17.52.020)	SFR accessory to allowed use, Provisional Use
Wholesale and retail commercial uses to include outdoor storage	Permitted Outright (FHMC 17.52.020)	Outdoor Storage Yards, Conditional Use
Light manufacturing uses	Permitted Outright (FHMC 17.52.020)	Light Manufacturing, Conditional Use
Automobile sales, service and repair	Permitted Outright (FHMC 17.52.020)	Automotive fuel, service and repair stations; Conditional Use
Commercial parking lots	Permitted Outright (FHMC 17.52.020)	Unnamed Commercial Uses, Provisional or Conditional Use depending on impacts
Community or public park and recreational facilities	Permitted Outright (FHMC 17.52.020)	Parks, Conditional Use
Indoor entertainment and amusement facilities	Permitted Outright (FHMC 17.52.020)	Indoor Entertainment Facility, Conditional Use
Outdoor storage	Permitted Outright (FHMC 17.52.020)	Outdoor Storage Yards, Conditional Use
Self-storage rental units	Permitted Outright (FHMC 17.52.020)	Warehouse, mini-storage, and moving storage facilities; Conditional Use

Chapter 17.52 FHMC Named Use	Light Industrial (IN) Zoning and Required Permit Type	SJCC Equivalent Use and Required Permit Type
Professional services	Permitted Outright (FHMC 17.52.020)	Personal and Professional Services; Provisional or Conditional Use depending on impacts
Cultural, religious, and health care facilities	Permitted Outright (FHMC 17.52.020)	Unnamed Institutional Uses, Conditional Use
Public and private utility structures	Conditional Use (FHMC 17.52.030)	Utility Facilities, Provisional or Conditional Use depending on impacts
Equipment maintenance and repair performed outdoors	Conditional Use (FHMC 17.52.030)	Unnamed Industrial Uses, Conditional Use
Activities of a marijuana processor or marijuana producer after such activities have been duly licensed by the state of Washington pursuant to Chapter 314-55 WAC	Conditional Use (FHMC 17.52.030)	There is currently a moratorium on this use in San Juan County outside of the Town's jurisdiction.

Urban Service Capacity

In Exhibit 9, Wayne Haeefe, Town Public Works' Director, provided information regarding the water and sewer capacity related to the proposal. According to the Friday Harbor Municipal Water System Plan Update from 2013, the minimum system capacity is 3,633 Equivalent Residential Units (ERUs). Currently, active service connections equal 3,307 ERUs. Mr. Haeefe determined that there is sufficient capacity for water service to the subject parcel (Exhibit 9). He also provides that the sewer system is measured on hydraulic and treatment capacity with neither nearing system limits, concluding that the Town has capacity to serve the parcel with both water and sewer service.

State Law: There are many specific requirements related to the proposal in State law (Chapter 36.70A RCW and Chapter 365-196 WAC). Detailed staff analysis of how the proposal is consistent with applicable state laws, including the Growth Management Act (GMA) is provided in Exhibit 15. The GMA requirements in Chapter 36.70A RCW and Chapter 365-196 WAC are summarized into three primary requirements, paraphrased below:

- An urban growth area may include lands outside a city if it is already characterized by urban growth defined in RCW 36.70A.030 (21) (WAC 365-196-200 (21)).
- Expansion of the UGA should be based on the need for more area that allows urban growth within the UGA (WAC 365-196-310 (4)(c)).
- Counties and cities should facilitate urban growth in areas already characterized by urban growth that are or can be served by existing services and facilities (WAC 365-196-310 (2)(f)).

Through the analysis in Exhibit 15, staff determined that the proposal is consistent with the applicable State laws. The subject parcel meets the definition of "Characterized by urban growth" provided in RCW 36.70A.030 (21). The expansion of the UGA is needed because Town has determined there is limited vacant land available in the IN zoning (Exhibit 11). The subject parcel is adjacent to lands with existing urban growth

and would be appropriate for future urban growth because it can be served by existing urban services (WAC 365-196-310 (2)(f)(ii)).

San Juan County Comprehensive Plan: SJC Comprehensive Plan provides many requirements for designating an UGA. Detailed staff analysis of the consistency of the proposal with all these requirements is provided in Exhibit 15. The SJC Comprehensive Plan requirements for designating unincorporated UGAs are summarized into three primary requirements, paraphrased below:

- Unincorporated UGAs should be located adjacent to incorporated towns, can be served by municipal services, and contain or are appropriate for a mixture of uses (Land Use Element, Policy 2.3.A.1.b).
- The County and Town must coordinate designating the FH UGA boundary (Appendices 2 and 3).
- Expansion of the UGA should be based on projected need (Appendix 2, Policies for Designation of Unincorporated Urban Growth Areas Policy 2).

Staff determined that the proposal is consistent with the SJC Comprehensive Plan (Exhibit 15). The subject parcel is adjacent to the FH UGA and the Town has indicated they have water and sewer capacity to serve it (Exhibit 9). The County and Town have coordinated during the staff review of this proposal (Exhibit 8). In a letter dated June 21, 2019, the Town indicated that the additional land is needed in the Town's IN zone (Exhibit 11).

San Juan County Code 18.90.030(F) Criteria for Approval:

Staff analysis of these criteria are provided below in bold.

F. Criteria for Approval. These actions are reviewed for conformance with the applicable provisions of the Comprehensive Plan, the UDC, and as follows:

1. Comprehensive Plan Official Map Amendments. The County may approve an application or proposal for a Comprehensive Plan Official Map amendment if all of the following criteria are met:

a. The changes would benefit the public health, safety, or welfare.

The proposal would allow for relocation and expansion of Browne's nursery on a parcel already partially used by the business. Browne's is a commercial use that provides goods and services for the rural areas but is most appropriate to be located in the UGA. The proposal will serve the public interest by allowing the store to expand its operation in an area already characterized by urban growth. The subject parcel is characterized by urban growth based on its location in relationship to other parcels with existing urban growth.

The proposal would enable an increase in the availability of goods and services for rural areas while focusing the associated growth in an area already characterized by urban growth. This serves the public welfare by enabling this growth on an appropriate parcel and helping to prevent urban growth from expanding into other rural areas not characterized by urban growth.

b. The change is warranted because of one or more of the following: changed circumstances; a demonstrable need for additional land in the proposed land use designation; to correct demonstrable errors on the official map; or because information not previously considered indicates that different

land use designations are equally or more consistent with the purposes, criteria and goals outlined in the Comprehensive Plan.

There is a need for the land use designation in the area. Cornelius Holdings, LLC, the new owner of the subject parcel and Browne's intends to expand the business by moving Browne's nursery to the subject parcel that is currently used for parking and equipment storage. The Town indicated that they are at about 80 percent capacity of the IN zoning, and the proposal would eventually allow annexation. Annexation would allow expansion of this zoning onto the subject property. The proposal and subsequent annexation would allow additional capacity for a use that serves the rural areas of San Juan County in an area already characterized by urban growth. Two of the staff recommended conditions of approval are intended to ensure that this transition takes place in a defined period and in a way that serves the public interest by preserving the commercial capacity of the subject parcel.

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

The change is consistent with the Comprehensive Plan as outlined in Exhibit 15. The analysis includes consideration of the SJC Comprehensive Plan land use designation policies and Appendices 2 and 3 (Exhibits 13, 14, and 15).

d. The change, if granted, will not result in an enclave of property owners enjoying greater privileges and opportunities than those enjoyed by other property owners in the vicinity where there is no substantive difference in the properties themselves or public purpose which justifies different designations.

An enclave will not be created by this proposal. The subject property is surrounded on three sides by Town urban growth. Although several property owners to the south of the subject property that are also designated RGU expressed general interest in the same re-designation, only one site-specific docket request was submitted. The proposal has a specific purpose, expansion of Browne's on the subject parcel, which is already partially used by the business. The adjacency to the incorporated FH UGA and current use of the subject parcel by Browne's indicates that granting the proposal will not give the property owners greater privileges beyond what is currently enjoyed by property owners in the vicinity. Further, the adjacency of the parcel to the FH UGA and its being characterized by urban growth is a difference substantive enough to justify the new designation.

e. The benefits of the change will outweigh any significant adverse impacts of the change.

Browne's is a commercial use that provides goods and services for the rural areas but is most appropriate to be located in the UGA. The benefits of the change is that a parcel characterized by urban growth would be eventually served by urban services; increasing the commercial development potential of the parcel. The proposed change will allow Browne's to relocate the nursery and expand their business. This will serve the public interest by allowing the store to expand its operation in an area already characterized by urban growth.

The adverse impacts of the change are minimal. The current RGU land use designation is one of the more permissive rural land use designations, allowing a breadth of commercial uses typically prohibited in other rural designations. Development on the parcel in the short-term will be limited by the allowed uses in the FH UUGA designation (Exhibit 14). The limit on uses in FH UUGA will

apply until the Town decides to annex the property. On a longer timeline, it is likely that once the parcel is annexed the allowed uses would not be significantly different from what is allowed under the RGU designation. One of the biggest net-changes is that it would allow the subject parcel to be served by urban level services.

2. Map Change. Following approval of a Comprehensive Plan Official Map amendment, the County shall amend the official maps to reflect the change. The County shall also indicate on the official maps the number of the ordinance adopting the change.

This will be done to implement the adopting ordinance.

3. Concomitant Agreement. The County is specifically authorized to enter into a concomitant agreement as a condition of any Comprehensive Plan Official Map amendment. Through that agreement, the County may impose development conditions designed to mitigate potential impacts of the use or development that may occur as a result of such an amendment.

Staff does not recommend a concomitant agreement for the proposed re-designation.

Findings of Fact

1. The applicant submitted a site-specific annual docket land use re-designation request for TPN 351444005000 and paid the required fees on February 25, 2019 (Exhibit 1).
2. The application was deemed complete on March 22, 2019.
3. There are no permit or code enforcement actions related to this application.
4. The applicants own the lot adjacent to the north (TPN 351492017000), the location of Browne's Home Center, a commercial use.
5. A notice of application and SEPA threshold Determination of Non-significance will be issued in July, prior to the Planning Commission's public hearing. Notice will be provided to federal, state and local agencies in accordance with SJCC 18.80.050 and WAC 197-11-340.
6. As required by RCW 36.70A.106, a notice of the County's intent to adopt comprehensive plan amendments will be mailed to the Washington Department of Commerce at least sixty days before adopting any changes.
7. The applicable Revised Code of Washington (RCW) sections are:

RCW 36.70A.020 Planning Goals
RCW 36.70A.030 Definitions
RCW 36.70A.110 Comprehensive Plans – urban growth areas
RCW 36.70A.115 Comprehensive plans and development regulations must provide sufficient land capacity for development

8. The applicable Washington Administrative Code (WAC) sections are:

WAC 365-196-310 Urban Growth Areas

9. The applicable Comprehensive Plan Sections are:

Section B.2	Land Use Element
Appendix 2	Joint Planning Policies with the Town of Friday Harbor, and other County-wide Planning Policies
Appendix 3	Friday Harbor Unincorporated Urban Growth Area management Agreement

10. The applicable Unified Development Code Sections are:

SJCC 18.80.050	SEPA Implementation Rules
SJCC 18.90.010	Legislative Decisions
SJCC 18.90.020	Legislative Procedures
SJCC 18.90.030	Amendments to Comprehensive Plan Official Maps

11. The proposal is consistent with the SJC Comprehensive plan goals and policies and the criteria for approval in SJCC 18.90.030(F).

Preliminary Staff Recommendation: The proposed site-specific re-designation of TPN 351444005000 from Rural General Use to Unincorporated Town of Friday Harbor UGA land use designation meets the criteria for approval in SJCC 18.90.020 SJCC 18.90.030(F) and the requirements for legislative procedures in SJCC 18.90.020, as conditioned.

Based on the coordination process with the Town and detailed analysis found in Exhibit 15, staff recommends approval of docket request PREDES-19-0001 for site-specific re-designation of tax parcel number 351444005000, on Mullis Street, San Juan Island from Rural General Use to Town of Friday Harbor Unincorporated UGA. The following conditions should apply:

1. Within two (2) calendar years of approval, the applicant must submit documentation for approval by the administrator demonstrating that they have begun the process of annexation into the Town of Friday Harbor Urban Growth Area. If the administrator determines that the applicant has made reasonable progress pursuing annexation into the Town of Friday Harbor this period may be extended up to an additional three (3) calendar years but not to exceed a total of five (5) calendar years from the date of approval.
2. Upon annexation into the Town, the parcel must maintain commercial development capacity at a minimum of the allowed uses in the County's Rural General Use land use designation.
3. Vegetative screening must be maintained between the existing dog park and any future proposed development.
4. Public right-of-way access for the commercial use of TPN 351444005000 must only be provided from Mullis Street.
5. The County shall amend the SJC Comprehensive Plan Official Maps and indicate the number of the ordinance adopting the proposed amendment.

Project Schedule:

July 19, 2019 – Initial Planning Commission briefing.

August 16, 2019 – Planning Commission public hearing.

September 2019 – County Council briefing, if the Planning Commission arrives at a recommendation.

October 2019 – County Council public hearing and deliberations.

October/November 2019 – County Council decision on PREDES-19-0001.

Exhibit List

Exhibit No.	Description of Item	Submitted By	Date	Number of Pages
1	Application Materials	Applicant	February 25, 2019	52
2	Memo from Agent to Town of Friday Harbor (Town)	Applicant	December 20, 2018	29
3	TPN 351444005000 Reference Maps	Planner	No date	6
4	Correspondence re: Request for Additional Information	Planner	March 22, 2019	4
5	SEPA Checklist	Applicant	February 11, 2019	16
6	Email from applicant re: Fire Station Property	Applicant	March 25, 2019	6
7	Letter of Support from Town Administrator, Duncan Wilson	Town	May 6, 2019	3
8	Email exchange between San Juan County Planner III, Adam Zack and Town Land Use Administrator, Mike Bertrand re: Town and County Coordination Meeting May 14, 2019	Planner	April 25, 2019	3
9	Letter from Town Public Works Director, Wayne Haefele	Town	May 31, 2019	5
10	Related permits	Planner	No date	
10.A	Conditional Use Permit 08- CU 001 (dog park)	Planner	Approved: April 2, 2008	10
10.B	Conditional Use Permit 09-CU 011 (parking and storage area)	Planner	Approved: September 11, 2009	20
10.C	On-Site Sewage System Inspection 2019961	Planner	January 11, 2016	3

Exhibit No.	Description of Item	Submitted By	Date	Number of Pages
10.D	Simple Land Division PSLD00-16-0002	Planner	Approved: April 13, 2016	9
11	Letter from Town of Friday Harbor Land Use Administrator Mike Bertrand re: Town's Capacity Need	Planner	June 21, 2019	6
12	San Juan County Assessor's Information for Tax Year 2018-2019	Planner	No date	4
13	Comprehensive Plan Appendix 2, Joint Planning Policies with the Town of Friday Harbor, and Other County-Wide Planning Policies	Planner	December 2, 2008	14
14	Comprehensive Plan Appendix 3, Friday Harbor Unincorporated Urban Growth Area Management Agreement	Planner	July 8, 2008	13
15	Detailed Staff Analysis	Planner	June 2019	20

Attorney & Counselor at Law
Stephanie Johnson O'Day, PLLC

540 Guard Street, Suite 160
Post Office Box 2112
Friday Harbor, WA 98250-2112

Telephone: (360) 378-6278 Fax: (360) 378-5066

E-Mail: sjoday@rockisland.com

February 11, 2019

Ms. Erika Shook; Director
San Juan County Department of Community Development
P.O. Box 947
Friday Harbor, WA 98250

**SJC DEPARTMENT OF
FEB 25 2019
COMMUNITY DEVELOPMENT**

RE: 2019 Docket Proposed Official Comprehensive Plan Land Use Map Amendment
Cornelius Holdings, LLC Request for Inclusion into the TFH UGA
TPN 351444005, San Juan Island

Dear Ms. Shook:

Please find enclosed an application for a proposed amendment to the Official Comprehensive Plan Land Use Map for TPN 351444005, a 5.1 acre property located immediately east of Mullis Avenue, and south of and adjacent to the Town of Friday Harbor's corporate limits, San Juan Island (TPN 351444005). The property owner would like to expand the existing TFH UGA to include this property for future urban development. Included are the following items:

1. San Juan County Comprehensive Plan Update Application;
2. SEPA Checklist and Non-Project Action Supplemental Sheets;
3. Statutory Warranty Deed (AFN 2017-0804006);
4. Existing Comprehensive Plan Official Land Use Map;
5. List of names and addresses of owners of property located within 300-feet of the site boundaries;
6. 2016 Aerial Photos;
7. 2018 Survey prepared by San Juan Surveying;
8. Proposed Site Development Plan;
9. Letter from Stephanie Johnson O'Day, Attorney for Cornelius Holdings, LLC to TFH Administrator Duncan Wilson; and
10. A check in the sum of \$2,300.00.

The applicant is requesting, by and through this letter, that the county expand the TFH UGA boundary to include this five acre parcel on Mullis Street. The specific request does not include a change in Land Use Designation. The current designation is Rural General Use – 5. The proposed use is to relocate the Browne's Home Center Nursery

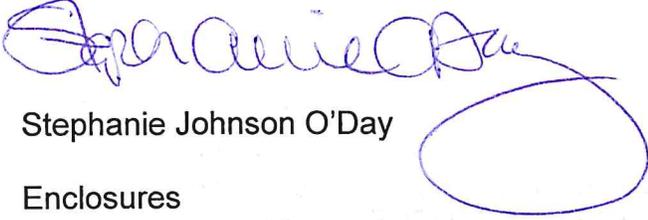
**PREDES-19-0001
HOLDINGS LLC, CORNELIUS**

from the east side of the abutting parcel (which IS in the TFH) to the west side of the five acre parcel. Inclusion in the UGA would allow future annexation into the Town limits, which will allow the project to pay for and hookup to Town utilities (water and sewer). I believe the Town of Friday Harbor is supportive of this request.

It may be wise for the County to propose inclusion of two additional properties within this request: the Fire Station property (owned by the Port of Friday Harbor) and the five acre parcel in between (TPN 351444001). This section of Mullis Street is all urban in nature – and is not suitable for rural use.

A similar application was submitted to the Department of Community Development in August, 2018. The current application is separate and distinct from the initial application. A discussion of affordable housing at this juncture on the property is irrelevant - and does NOT require a residential land use capacity analysis. Please include this application on the 2019 docket for amendments to the official Comprehensive Land Use Map. If you have any questions, need additional information or analysis for this application, please contact me by phone at (360) 378-6278 or by email at sjoday@rockisland.com at your earliest convenience.

Sincerely,



Stephanie Johnson O'Day

Enclosures

Cc. Cornelius Holdings, LLC
Graham Baba Architects; Susan Tilack
Town of Friday Harbor Administrator; Duncan Wilson
San Juan County Council
San Juan County Administrator, Mike Thomas



SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

135 Rhone Street, PO Box 947, Friday Harbor, WA 98250

(360) 378-2354 | (360) 378-2116

dcd@sanjuanco.com | www.sanjuanco.com

S.J.C. DEPARTMENT OF

AUG 16 2018

COMMUNITY DEVELOPMENT

San Juan County Comprehensive Plan Update 2018
Comprehensive Plan Map Amendment Request Form

REQUEST FORM COMPLETED BY:

Name	<u>Stephanie O'Day</u>	Name	_____
Address	<u>PO Box 2112</u>	Address	_____
City, State, Zip	<u>Friday Harbor, WA 98250</u>	City, State, Zip	_____
Phone Number	<u>3603786278</u>	Phone Number	_____
Email	<u>sjoday@rockisland.com</u>	E-mail	_____

SJC DEPARTMENT OF

FEB 25 2019

COMMUNITY DEVELOPMENT

PROPERTY OWNER INFORMATION:

Name of Owners	<u>Cornelius Holdings LLC</u>	Phone Number	_____
Address	<u>300 Lakeside Drive S., Suite 101</u>	E-mail	_____
City, State, Zip	<u>Seattle, WA 98144</u>		

PROPERTY INFORMATION:

List the Tax Parcel Numbers (TPN) & property information for each property included in the proposal. Attach a separate page if necessary.

Tax Parcel Number:	<u>351444005</u>	Land Use/Shoreline Designation:	<u>RGU/NA</u>	Parcel size:	<u>5 acres</u>
Tax Parcel Number:	_____	Land Use/Shoreline Designation:	____/____	Parcel size:	_____
Tax Parcel Number:	_____	Land Use/Shoreline Designation:	____/____	Parcel size:	_____
Tax Parcel Number:	_____	Land Use/Shoreline Designation:	____/____	Parcel size:	_____

PERMIT CERTIFICATION (Must be signed by all property owners of record or a notarized agent signature provided.)

I have examined this application and attachments and know the same to be true and correct, and certify that this application is being made with the full knowledge and consent of all owners of the affected property. (Signed by property owner or agent. For agent signature, notarized authorization must be attached.)

<u>William S. Cornelius</u> Signature	<u>William S. Cornelius</u> Printed Name	<u>Aug 13, 2018</u> Date
_____ Signature	_____ Printed Name	_____ Date
_____ Signature	_____ Printed Name	_____ Date

For CD&P Use Only Complete Application: YES NO

PREDES-19-0001
HOLDINGS LLC, CORNELIUS

DESCRIPTION OF PROPOSAL:

The proposal includes a request to expand the TFH UGA to include the project site for future annexation into the TFH.

CHECK ALL THAT APPLY:

- Redesignation of Land-Use designation,
- Redesignation of Shoreline designation
- Redesignation of maximum allowable residential density
- Other Inclusion in TFH UGA

PROPERTY INFORMATION:

List the Tax Parcel Numbers (TPN) & property information for each property included in the proposal. Attach a separate page if necessary.

Tax Parcel Number: _____	Land Use/Shoreline Designation: _____/_____	Proposed Density: _____
Tax Parcel Number: _____	Land Use/Shoreline Designation: _____/_____	Proposed Density: _____
Tax Parcel Number: _____	Land Use/Shoreline Designation: _____/_____	Proposed Density: _____
Tax Parcel Number: _____	Land Use/Shoreline Designation: _____/_____	Proposed Density: _____

General location of property:	The property is located immediately south of the Town of Friday Harbor corporate limits and east of and adjacent to Mullis Avenue.
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Island: San Juan	Total acres of proposal: 5
-------------------------	-----------------------------------

List all existing use(s) on property:	Residential and ancillary off-street parking for Browne's Home Center
---------------------------------------	--

List any special tax categories that apply to the property, such as Open Space or Designated Forest Land	None
--	-------------

Describe existing and proposed method of sewage disposal	Existing – on-site septic Proposed – Town of Friday Harbor Sewer
--	--

Describe existing and proposed water supply	Existing – on-site-well Proposed-Town of Friday Harbor Water
---	--

Did you attend a pre-application meeting?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Has this proposal been previously submitted?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes – which year? _____
---	--	--	--	----------------------------

DRAFT

1. Why is the amendment being proposed?

This parcel is proposed to be absorbed into the TFH UGA. It is a sister parcel to TPN 351492017 which is INSIDE the Town of Friday Harbor boundary and is the long time home of Browne's Home Center.

The applicant recently purchased both the Browne's Home Center site and the adjacent five acres to the south, which is the subject parcel in this application.

Agents for the applicant are preparing a proposal to relocate the Browne's Home Center Nursery from the Town parcel to the County parcel (the subject parcel) so that the plant nursery is fronting Mullis Avenue.

2. How would the map amendment benefit the public health, safety, or welfare?

It would allow the owner to annex into the Town of Friday Harbor and develop urban uses on the parcel.

3. Describe how the amendment is warranted due to one or more of the following: changed circumstances; a demonstrable need for additional land in the proposed land use designation; to correct demonstrable errors on the official map; or because information not previously considered indicates that different land use designations are equally or more consistent with the purposes, criteria and goals outlined in the Comprehensive Plan.

To the best of our knowledge, San Juan County has little property in the Friday Harbor UGA. There is only one small parcel (1.2 acre) adjacent to the Town at this writing.

The subject five acre parcel is an ideal location for expansion of the UGA with the allowances of more intense land uses that are urban in nature that can be served by urban utilities including Town water and sewer.

4. Describe how the proposed amendment is consistent with the criteria for the proposed land use designations as specified in the Comprehensive Plan.

The subject parcel is currently zoned RGU. This request is not to change the land use designation but rather expand the TFH UGA for future urban development on the property.

The County may want to consider inclusion of other nearby RGU properties into the UGA as well.

5. Describe how the amendment, if granted, will not result in an enclave of property owners enjoying greater privileges and opportunities than those enjoyed by other property owners in the vicinity where there is no substantive difference in the properties themselves or public purpose which justifies different designations.

There is a substantive difference between most island properties and the subject parcel considering the property is surrounded on three sides by development consisting of Browne's Home Center to the north, Mullis Avenue and the Friday Harbor Airport to the west, and urban density residential development further to the north and to the east.

6. Describe how the benefits of the change will outweigh any significant adverse impacts of the change.

There will be no significant adverse impacts created by this change. The benefits are providing additional land area suitable for urban development to serve the expanding needs of San Juan Island citizens.

7. How is this proposal consistent with the Growth Management Act (GMA) – RCW 36.70A?

It will provide more land for urban development in an area already characterized as being urban development.

8. Does this proposal include an Urban Growth Area (UGA) expansion? Yes No

9. If yes, which UGA? **Town of Friday Harbor**

10. Attach map(s) of the property that shows existing buildings, roads, water bodies, wetlands and other environmentally sensitive areas, soil types (for resource lands or where otherwise appropriate) and other significant features, as well as the land-use, shoreline environment, and density designations of the property and abutting properties. (In most instances, copies of GIS Legal parcel maps or Assessor's maps provide suitable base maps on which to provide this information.) See attached.

11. Attach a list of the names and mailing addresses for all owners of property within 300 feet of the boundaries of the subject property (using the names and addresses of those individuals as shown on the tax assessment rolls on the date the application is submitted)

See attached.

12. Attach a completed and signed State Environmental Policy Act (SEPA) Environmental Checklist, including the supplemental sheet for non-project actions.

See attached.

13. Attach copy of deed(s), and a legal description of the property for which the amendment is requested. *See attached.*

DRAFT

Lynda Guernsey

From: Linda Ann Kuller
Sent: Monday, February 11, 2019 3:35 PM
To: Stephanie Johnson O'Day
Cc: Lynda Guernsey
Subject: Correct fee for a 2019 specific map re-designation docket request TPN 351444005 Cornelius

Hi Stephanie,

We received your 2019 redesignation request for Cornelieus Holdings. The DCD fee table says the correct fee is:

Site Specific Map Re-designation	\$3,900 +\$95/ hr over 40 hrs
----------------------------------	-------------------------------

Linda Kuller, AICP
Planning Manager
360-370-7572

NOTICE: All emails and attachments, sent to and from San Juan County are public records and may be subject to public disclosure pursuant to the Public Records Act, Chapter 42.56 RCW.

PREDES-19-0001
HOLDINGS LLC, CORNELIUS

Attorney & Counselor at Law
Stephanie Johnson O'Day, PLLC

540 Guard Street, Suite 160
Post Office Box 2112
Friday Harbor, WA 98250-2112

Telephone: (360) 378-6278 Fax: (360) 378-5066
E-Mail: sjoday@rockisland.com

February 11, 2019

Ms. Erika Shook; Director
San Juan County Department of Community Development
P.O. Box 947
Friday Harbor, WA 98250

**SJC DEPARTMENT OF
FEB 25 2019
COMMUNITY DEVELOPMENT**

RE: 2019 Docket Proposed Official Comprehensive Plan Land Use Map Amendment
Cornelius Holdings, LLC Request for Inclusion into the TFH UGA
TPN 351444005, San Juan Island

Dear Ms. Shook:

Please find enclosed an application for a proposed amendment to the Official Comprehensive Plan Land Use Map for TPN 351444005, a 5.1 acre property located immediately east of Mullis Avenue, and south of and adjacent to the Town of Friday Harbor's corporate limits, San Juan Island (TPN 351444005). The property owner would like to expand the existing TFH UGA to include this property for future urban development. Included are the following items:

1. San Juan County Comprehensive Plan Update Application;
2. SEPA Checklist and Non-Project Action Supplemental Sheets;
3. Statutory Warranty Deed (AFN 2017-0804006);
4. Existing Comprehensive Plan Official Land Use Map;
5. List of names and addresses of owners of property located within 300-feet of the site boundaries;
6. 2016 Aerial Photos;
7. 2018 Survey prepared by San Juan Surveying;
8. Proposed Site Development Plan;
9. Letter from Stephanie Johnson O'Day, Attorney for Cornelius Holdings, LLC to TFH Administrator Duncan Wilson; and
10. A check in the sum of \$2,300.00.

The applicant is requesting, by and through this letter, that the county expand the TFH UGA boundary to include this five acre parcel on Mullis Street. The specific request does not include a change in Land Use Designation. The current designation is Rural General Use – 5. The proposed use is to relocate the Browne's Home Center Nursery

**PREDES-19-0001
HOLDINGS LLC, CORNELIUS**



San Juan County
Building Permit, Planning & Land Use

135 Rhone Street P.O. Box 947 Friday Harbor, WA 98250
(360) 378-2354 (360) 378-2116 Fax (360) 378-3922
www.sanjuanco.com

Permit Receipt
RECEIPT NUMBER 00017924

Account number: 008053

Date: 2/26/2019

Applicant: CORNELIUS HOLDINGS LLC
300 LAKESIDE AVE #101
SEATTLE, WA 98144

Type: check # 0077668989

<u>Permit Number</u>	<u>Fee Description</u>	<u>Amount</u>
PREDES-19-0001	RE-DESIGNATION	3,900.00
	Total:	\$3,900.00

Receipt Description:

Receipt Comments:

REQUEST TO EXPAND THE TOWN OF FRIDAY HARBOR UGA TO INCLUDE THE PROJECT SITE FOR FUTURE ANNEXATION INTO THE TOWN OF FRIDAY HARBOR. PORTION OF FEE PAID BY CK#0077668989 \$2,300.00
PORTION OF FEE PAID BY CK#0082706299 \$1,600.00

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background

1. Name of proposed project, if applicable:

Cornelius Holdings, LLC Request for Official Comprehensive Plan Map Amendment

SJC DEPARTMENT OF
FEB 25 2019
COMMUNITY DEVELOPMENT

2. Name of applicant:

Cornelius Holdings, LLC

3. Address and phone number of applicant and contact person:

*Applicant: Cornelius Holdings, LLC
300 Lakeside Drive South
Suite 101
Seattle, WA 98144*

*Contact Person: Stephanie Johnson O'Day, Attorney
PO Box 2112
Friday Harbor, WA 98250
Phone: (360) 378-6278*

4. Date checklist prepared:

January 2019

5. Agency requesting checklist:

San Juan County Department of Community Development

6. Proposed timing or schedule (including phasing, if applicable):

If approved, the inclusion of this property into the Town of Friday Harbor's Urban Growth Area (UGA) will likely occur at the end of 2019.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Yes. A Conditional Use Permit Application is being considered by the property owner for relocating the existing nursery on the Browne's Home Center property, which is located immediately to the north of the subject site, onto this property.

In addition, if the Town of Friday Harbor's UGA is expanded to include this property, the applicant would apply for annexation into the corporate limits of the Town of Friday Harbor.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

A wetland report was prepared for the property and it was determined that a small Category IV wetland is located on the property. This wetland, which is located adjacent to Mullis Avenue, has been artificially enhanced and enlarged from stormwater runoff that has been directed onto the site from Mullis Avenue and surrounding development.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

There are no applications or other governmental approvals pending for development on this site.

10. List any government approvals or permits that will be needed for your proposal, if known.

The expansion of the Town of Friday Harbor's UGA will need the approval of the San Juan County Council and the adoption of an amended County Comprehensive Plan Map. It will also need to be approved by the Town of Friday Harbor.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The proposal includes a request for an amendment to the San Juan County Comprehensive Land Use Map for the purpose of including the subject property into the Town of Friday Harbor's UGA. The proposal does not include a change of county zoning designation.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The 5.1 acre property is located immediately east of Mullis Avenue, and south of and adjacent to the Town of Friday Harbor's corporate limits on San Juan Island. There is no address assigned to this property at this time but it is identified as TPN 351444005 and is located in Section 14, Township 35 North, Range 3 West, WM, in San Juan County.

B. Environmental Elements

1. Earth

- a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

- b. What is the steepest slope on the site (approximate percent slope)?

The steepest slope on the property does not exceed 5%.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

The site encompasses two soil types: 1) Mitchellbay gravelly sandy loam at 0 to 5% slopes and 2) Alderwood-Everett complex, warm at 5 to 15% slopes.

Mitchellbay gravelly sandy loam is considered prime farmland and Alderwood-Everett complex, warm is considered prime farmland, if irrigated.

The property is mostly undeveloped. When it is developed, it will remove land from the potential of producing agricultural crops. However, due to its small size and its location between developed urban properties (Browne's Home Center to the north, the dog park and fire station to the south, Mullis Avenue to the west and residential development to the east) the property is not suited for agricultural purposes.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Review of the San Juan County Critical Area Maps for geo-hazards indicates there are no unstable soils on this site.

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

NA – this is a non-project action.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

When the site is developed, there could be the potential for erosion when soils are exposed during construction.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Unknown at this time.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Erosion controls will be addressed at the time when building permits are submitted and the property is developed.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Unknown. The types of emissions generated by development on this property will be evaluated at the time of development.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

There are no noticeable odors from off-site emissions.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

None proposed at this time.

3. Water

a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

The site includes a Category IV wetland that has been enhanced and enlarged due to stormwater runoff generated along Mullis Avenue and surrounding development being directed to and disposed on this site.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

NA – this is a non-project action.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

There will be no dredging or filling of the wetland when the site is developed.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No – this proposal is a non-project action.

b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

If the property is annexed into the Town of Friday Harbor, it will connect to the Town's municipal water system. The Town of Friday Harbor has confirmed they have the capacity to provide municipal water service to this parcel.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

If the property is annexed into the Town of Friday Harbor, it will connect to the Town's municipal sewage system. The Town of Friday Harbor has confirmed they have the capacity to provide municipal sewer service to this parcel.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

The source of runoff generated by this site is currently stormwater which is left to naturally absorb into the soils on site or flow into the Category IV wetland on site. Additional runoff may be generated when the site is developed. Runoff will be evaluated at that time when development plans are prepared.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

No, not with this proposed Comprehensive Plan Map Amendment.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No – this is a non-project action.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

None proposed at this time.

4. **Plants**

- a. Check the types of vegetation found on the site:

deciduous tree: **alder, maple**, aspen, other
 evergreen tree: **fir**, cedar, pine, other
 shrubs
 grass
 pasture
 crop or grain
 Orchards, vineyards or other permanent crops.

- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
 water plants: water lily, eelgrass, milfoil, other
 other types of vegetation

- b. What kind and amount of vegetation will be removed or altered?

There will be no vegetation removal with this non-project action. At the time of development native vegetation will be removed to accommodate structures, parking lots, etc. The extent of vegetation removal will be addressed at the time.

- c. List threatened and endangered species known to be on or near the site.

Review of the San Juan County Critical Area maps shows no threatened or endangered plant species on this property.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

No new landscaping is currently proposed.

- e. List all noxious weeds and invasive species known to be on or near the site.

There are no noxious weeds or invasive plant species known to exist on this property.

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other: raccoons, rats, bats, fox
fish: bass, salmon, trout, herring, shellfish, other _____

- b. List any threatened and endangered species known to be on or near the site.

There are no threatened and endangered animal species known to be on or near the site as per the San Juan County Critical Areas Map.

- c. Is the site part of a migration route? If so, explain.

The San Juan Islands are a migration route for Bald eagles. However, the property is not a significant migratory site.

- d. Proposed measures to preserve or enhance wildlife, if any:

None proposed at this time.

- e. List any invasive animal species known to be on or near the site.

There are no known invasive animal species known to be on or near the site.

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

If the site is developed as proposed, energy sources will include electricity, propane and, potentially, solar.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Unknown. There are no specific development plans at this time.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

No, not with this proposed Comprehensive Plan Map Amendment.

- 1) Describe any known or possible contamination at the site from present or past uses.

Since the site remains primarily undeveloped, it is highly unlikely that there have been any contaminants introduced onto the property.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

NA

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Unknown at this time. Evaluation of toxic and hazardous chemical will be done when site development plans are prepared.

- 4) Describe special emergency services that might be required.

Use of the site for commercial purposes will not require "special" emergency services. Existing EMT, police and fire protection services will be adequate to serve the

property.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

No measures are proposed at this time.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

The primary noise sources that affect this property are generated by vehicular traffic traveling along Mullis Avenue and air traffic from the Friday Harbor Airport, both which are located just west of the property.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

When the property is developed, there would be short term noise generated during construction. Long term noise sources would be from vehicular traffic generated by those working and shopping on the property.

- 3) Proposed measures to reduce or control noise impacts, if any:

None proposed at this time.

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The property is currently occupied by an off-street parking area, one single-family residence and portions of a dog park. Adjacent land uses include Browne's Home Center to the north, single-family residential uses to the east, the remaining portion of the dog park and a fire station to the south, and Mullis Avenue and the Friday Harbor Airport to the west.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

The property has not been used as working farmland or forestland. It is not zoned for use as agricultural or forestland of long term commercial significance. It is not in a farmland or forestland tax deferred status.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No.

- c. Describe any structures on the site.

A single-family residence is located near the east property line, a parking lot is centrally located on the property and portions of a dog park lie within the property adjacent to the south property line.

- d. Will any structures be demolished? If so, what?

Unknown. The old house on the east side of the property may be demolished in the future.

- e. What is the current zoning classification of the site?

Rural General Use

- f. What is the current comprehensive plan designation of the site?

Rural

- g. If applicable, what is the current shoreline master program designation of the site?

NA

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Yes, the property encompasses a Category IV wetland and is entirely a Critical Aquifer Recharge Area (CARA) as is all of San Juan County.

- i. Approximately how many people would reside or work in the completed project?

Unknown at this time.

- j. Approximately how many people would the completed project displace?

None.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

None proposed at this time.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

This request for an amendment to the official San Juan County Comprehensive Plan Map is simply for the expanding of the Town of Friday Harbor's UGA to include this property. It is not for the purpose of changing its land use designation. The property is currently zoned Rural General Use, and if the UGA boundary is expanded as requested, it will remain zoned Rural General Use until is annexed into the Town of Friday Harbor at some unknown time in the future.

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

None. This land is not considered agricultural or forest lands of long-term commercial significance.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

NA – this is not a housing project.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None at this time.

- c. Proposed measures to reduce or control housing impacts, if any:

NA – this is a non-project action.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Unknown at this time.

- b. What views in the immediate vicinity would be altered or obstructed?

There are no views in the area that would be altered or obstructed when the property is developed.

- b. Proposed measures to reduce or control aesthetic impacts, if any:

Unknown at this time.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

NA - this is a non-project action. Light and glare will be addressed when the property is developed.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Unknown at this time, but likely "no."

- c. What existing off-site sources of light or glare may affect your proposal?

There are currently no off-site light sources affecting this property other than lighting of the Friday Harbor Airport landing strip which is very evident at night.

- d. Proposed measures to reduce or control light and glare impacts, if any:

None proposed at this time.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

The dog park located on and to the south of this property provides passive recreational opportunities to dogs and their owners.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No, not with this non-project action.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Unknown at this time.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

Unknown.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

No.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

There has been no methods used to assess potential impacts to cultural and historic resources on or near the project site with this request for map amendment.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

None proposed at this time.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

The property is currently accessed at two separate points including direct access from Mullis Avenue to the west and access from the north via a parking lot located on the south side of the Browne's Home Center.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

No – there is no public transit available on San Juan Island.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

Unknown at this time.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

Unknown at this time.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

The property lies across Mullis Avenue to the east of the Friday Harbor Airport.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Unknown at this time.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No.

- h. Proposed measures to reduce or control transportation impacts, if any:

None proposed or required at this time.

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

Unknown at this time.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None proposed.

16. Utilities

- a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____

- c. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

If and when the property is annexed into the Town of Friday Harbor, it will be served by the Town's municipal water and sewer service. Construction activities required to extend utilities to the property are unknown at this time.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Francine Shaw

Name of signee: *Francine Shaw, Land Use Consultant*

Position and Agency/Organization: *Planning and Permit Services, LLC*

Date Submitted: 2-11-19

D. Supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Stormwater run-off will be generated by impervious surfaces placed on the property at the time of development which will require the development and implementation of a stormwater drainage plan. There are no specific development plans prepared at this time, so it is difficult to determine what emissions to the air will be generated by future development or what types of, if any, toxic or hazardous substances will be stored on the property. Noise will be generated when the property is developed, primarily by traffic generated by the site

Proposed measures to avoid or reduce such increases are:

To be determined at the time of development.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Existing vegetation will be removed in areas other than where the wetland and wetland buffers are located to accommodate future development. Animals using this vegetation will likely be unaffected due to the retention of vegetation in and around the wetland.

There is no fish or marine life on this property.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

As noted above, vegetation in and around the Category IV Wetland on this property will be retained and may even be enhanced at the time of development.

3. How would the proposal be likely to deplete energy or natural resources?

There will be absolutely no depletion of energy or natural resources if this property is more fully developed in the future.

Proposed measures to protect or conserve energy and natural resources are:

Structure constructed on this site will be required to comply with the Energy Code for Washington State.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Unknown at this time.

Proposed measures to protect such resources or to avoid or reduce impacts are:

To be determined at the time of development.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

If the requested map amendment to extend the Town of Friday Harbor's UGA boundary to include this property is approved and the land is annexed into the Town, it will allow the relocation of the Brownes Home Center nursery on Mullis Street. It may also result in the construction of multi-family housing on the east side of the property.

Proposed measures to avoid or reduce shoreline and land use impacts are:

This is not a shoreline parcel but an upland parcel. Development of the property will require compliance with the applicable development codes which are intended to avoid and reduce land use impacts.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

There is no indication that there will be increased need for public services if the property is included in the Town of Friday Harbor's UGSA. Existing services will have the capacity to serve the site. This specific proposal will bring the parcel into the UGA, but keep the same

RGU zoning designation. If the property is annexed, the Browne Lumber nursery can be relocated. The increase in traffic will be negligible.

Proposed measures to reduce or respond to such demand(s) are:

None proposed or required.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed Comprehensive Plan Map Amendment, in and of itself, will have no impact on the environment.

Environmental impacts are better addressed at the time of development.



RECORDING REQUESTED BY AND
AFTER RECORDING RETURN TO:

FOSTER PEPPER PLLC
1111 Third Avenue, Suite 3000
Seattle, Washington 98101
Attention: Nathan Luce

Recorded at the request of:
CHICAGO TITLE

SAN JUAN COUNTY WASH.
REAL ESTATE EXCISE TAX
AMOUNT PAID \$
\$ 98,134 - 100
AUG 04 2017
079175
RHONDA PEDERSON
COUNTY TREASURER

245393661

STATUTORY WARRANTY DEED

Grantor: R & TB, LLC,
a Washington limited liability company

Grantee: CORNELIUS HOLDINGS, LLC,
a Washington limited liability company

Legal Description: Ptn. NE ¼ SE ¼ Section 14, Township 35 N, Range 3 W,
W.M., San Juan County, Washington; and
Ptn. NW ¼ SE ¼ SE ¼ Section 14, Township 35 N, Range 3
W, W.M., San Juan County, Washington
Complete legal description attached as Exhibit A

Assessor's Tax Parcel ID#: 351444005000 and 351492017000

For the consideration of Ten and no/100 Dollars, and other valuable consideration, R & TB, LLC, a Washington limited liability company ("Grantor"), does hereby convey and warrant to CORNELIUS HOLDINGS, LLC, a Washington limited liability company ("Grantee") the real property situated in San Juan County, Washington, legally described on Exhibit A attached hereto and incorporated herein.

SUBJECT TO: Items listed on Exhibit B attached hereto and incorporated herein.

[Remainder of page intentionally left blank; signatures follow.]

SJC DEPARTMENT OF
FEB 25 2019
COMMUNITY DEVELOPMENT

DATED: This 31st day of July, 2017.

GRANTOR: R & TB, LLC,
a Washington limited liability company

By: [Signature]
Name: Terry C. Browne
Title: Member

STATE OF WASHINGTON
COUNTY OF SAN JUAN | ss.

I certify that I know or have satisfactory evidence that Terry C. Browne is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the authorized Member of R & TB, LLC, a Washington limited liability company, to be the free and voluntary act of such entity for the uses and purposes mentioned in the instrument.

Dated this 31st day of July, 2017.

[Signature]
(Signature of Notary)

Kathryn C. Loring
(Legibly Print or Stamp Name of Notary)

Notary public in and for the state of Washington, residing at Friday Harbor

My appointment expires 2/26/2022



- Exhibits
Exhibit A: Legal Description
Exhibit B: Permitted Exceptions

Exhibit A
Legal Description

PARCEL A:

That portion of the Northeast quarter of the Southeast quarter of Section 14, Township 35 North, Range 3 West, W.M., in San Juan County, Washington, described as follows:

Commencing at the Northeast corner of the Northeast Quarter of the Southeast Quarter of Section 14, Township 35 North, Range 3 West, W.M.;

THENCE South 70 rods to the POINT OF BEGINNING;

THENCE West 80 rods;

THENCE South 10 rods;

THENCE East 80 rods, on the line between the said Northeast Quarter of said section, township and range, and the Southeast Quarter of said section, township and range, to the East line of said Northeast Quarter of the Southeast Quarter;

THENCE North 10 rods to the POINT OF BEGINNING;

EXCEPT the East 260 feet thereof;

ALSO EXCEPT the West 10 feet thereof conveyed to San Juan County under Auditor's File No. 88153433, records of San Juan County, Washington.

PARCEL B:

The North 220.00 feet of the Northwest quarter of the Southeast quarter of the Southeast quarter of Section 14, Township 35 North, Range 3 West, W.M., in San Juan County, Washington; AND

Also the North 437.00 feet of the West 334.00 feet of said Northwest quarter of the Southeast quarter of the Southeast quarter; AND

EXCEPT the West 10 feet conveyed to San Juan County by deed recorded September 22, 1988 under Auditor's File No. 88153432, records of San Juan County, Washington.

Exhibit B
Permitted Exceptions

[To be Inserted from Pro Forma]

Unofficial
Copy

Exhibit B
Permitted Exceptions

1. Easement, including the terms and conditions thereof, granted by instrument

Recorded: June 28, 1994
Auditor's No.: 94062826, records of San Juan County, WA
In favor of: ORCAS POWER AND LIGHT COMPANY
For: Electric transmission and/or distribution line, together with necessary appurtenances
Affects: Parcel A

2. Covenants, conditions, and restrictions contained in declaration of restrictions

Recorded: March 12, 1996
Auditor's No.: 96031202, records of San Juan County, WA
Executed by: TED S. ELFVING, et al
Affects: Parcel A

3. Easement, including the terms and conditions thereof, granted by instrument

Recorded: November 21, 1963
Auditor's Nos.: 58130, records of San Juan County, WA
In favor of: ORCAS POWER AND LIGHT COMPANY
For: Electric transmission and/or distribution line, together with necessary appurtenances
Affects: Parcel B

4. Easement, including the terms and conditions thereof, granted by instrument

Recorded: June 28, 1994
Auditor's Nos.: 94062827, 94062828 and 94062830, records of San Juan County, WA
In favor of: ORCAS POWER AND LIGHT COMPANY
For: Electric transmission and/or distribution line, together with necessary appurtenances
Affects: Parcel B

5. Any rights, interests, or claims which may exist or arise by reason of the following matters disclosed by survey,

Recording Date: March 27, 2002
Recording No.: 20020327022 in book 17 of Surveys pg 133
Matters shown: gap

6. Any rights, interests, or claims which may exist or arise by reason of the following matters disclosed by survey,

Recording Date: December 8, 2016
Recording No.: 2016-1208025
Matters shown: overlap

7. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Town of Friday Harbor
Purpose: Water main
Recording Date: September 11, 2003
Recording No.: 20030911006
Affects: Portion of said premises

8. Notice to Land Title of Land Use Permit including the terms, covenants and provisions thereof

Recording Date: March 6, 2009
Recording No.: 2009-0306012

9. Simple Land Division including the terms, covenants and provisions thereof

Recording Date: June 1, 2016
Recording No.: 2016-0601022
Affects: Parcel B and other property

10. Reserved.

12. Reserved.

13. Reserved.

14. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled: Memorandum of Ground Lease
Lessor: Cornelius Holdings, LLC, a Washington limited liability company
Lessee: TAL Holdings, LLC, a Washington limited liability company
Recording Date: , 2017
Recording No.: 2017

15. Reserved.

16. Reserved.

17. An unrecorded lease with certain terms, covenants, conditions and provisions as disclosed by the document

Entitled: Rental Agreement, Dwelling Unit Only
Lessor: R&TB, LLC
Lessee: Mike Barnes
Dated: July 29, 2014

18. Access and Parking rights in favor of Eddie and Friends Off-Leash Dog Park over a portion of said premises, as disclosed by unrecorded Ground Lease, dated July 17, 2008

CORNELIUS HOLDINGS BORDERING PARCELS

win 300'

SJC DEPARTMENT OF

FEB 25 2019

COMMUNITY DEVELOPMENT

351444001

R&TB LLC
P.O. Box 742
Friday Harbor, WA 98250

351454303

CLARK D. CASEBOLT
12003 – 23RD Ave. N.E.
Seattle, WA 98125-5249

351454304

R. STEPHEN & LYNNE M. BARNES
P.O. Box 1451
Friday Harbor, WA 98250

351454401

JERRY L. & CONNIE L. BLACK
P.O. Box 2832
Friday Harbor, WA 98250

351454402

TIMMONS CALSTATE LLC
P.O. Box 2181
Friday Harbor, WA 98250

351454403

TIMMONS CALSTATE LLC
P.O. Box 2181
Friday Harbor, WA 98250

351454404

TIMMONS CALSTATE LLC
P.O. Box 2181
Friday Harbor, WA 98250

351454405

JERRY L. & CONNIE L. BLACK
P.O. Box 2832
Friday Harbor, WA 98250

351454406

JERRY L. & CONNIE L. BLACK
P.O. Box 2832
Friday Harbor, WA 98250

351491902

PORT OF FRIDAY HARBOR
P.O. Box 889
Friday Harbor, WA 98250

351492017

CORNELIUS HOLDINGS LLC
c/o TAL Holdings LLC
9300 Vancouver Mall Dr., Suite 101
Vancouver, WA 98662-7935

351492023

CALVIN & MARY KAREN RYAN
739 Telegraph Lane
Friday Harbor, WA 98250

351492024

RUSSELL L. SAMPLES
P.O. Box 4156
Roche Harbor, WA 98250

351492026

CRAIG & MARIANNE STARR
P.O. Box 961
Friday Harbor, WA 98250

351492027

JIMMIE R. LAWSON & DONALD A. GALT
P.O. Box 222
Friday Harbor, WA 98250

351492025

CALVIN & MARY KAREN RYAN
739 Telegraph Lane
Friday Harbor, WA 98250

351492029

JIMMIE R. LAWSON & DONALD A. GALT
P.O. Box 222
Friday Harbor, WA 98250

351492601

LISA BROWN
14 Apple Tree Lane
Friday Harbor, WA 98250

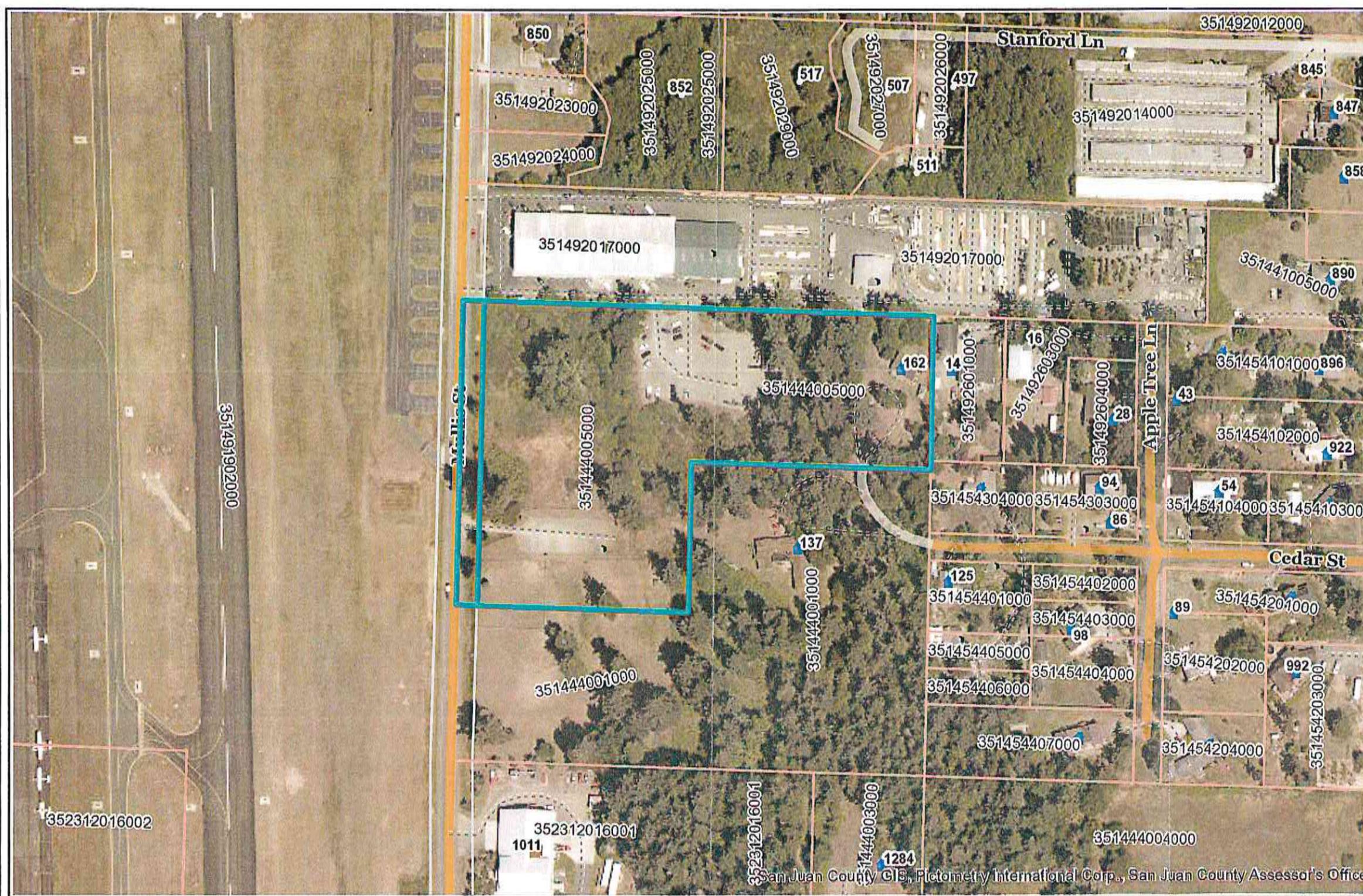
351492603

TIMOTHY A. & SALLY A. THOMSEN
745-C Larsen Street
Friday Harbor, WA 98250

351492604

AARON & JODI ROCK
28 Apple Tree Lane
Friday Harbor, WA 98250

PREDES-19-0001
HOLDINGS LLC, CORNELIUS



San Juan County GIS, Pictometry International Corp., San Juan County Assessor's Office

SJC DEPARTMENT OF
 FEB 25 2019
 COMMUNITY DEVELOPMENT



This map is derived from San Juan County's Geographic Information System (GIS). It is intended for reference only and is not guaranteed to survey accuracy. The information represented on this map is subject to change without notice.



Cornelius Holdings 5 acre parcel



FRIDAY HARBOR AIRPORT

MULLIS ST

PROJECT SITE

ROSE LN

ARGYLE AVE

CEDAR ST

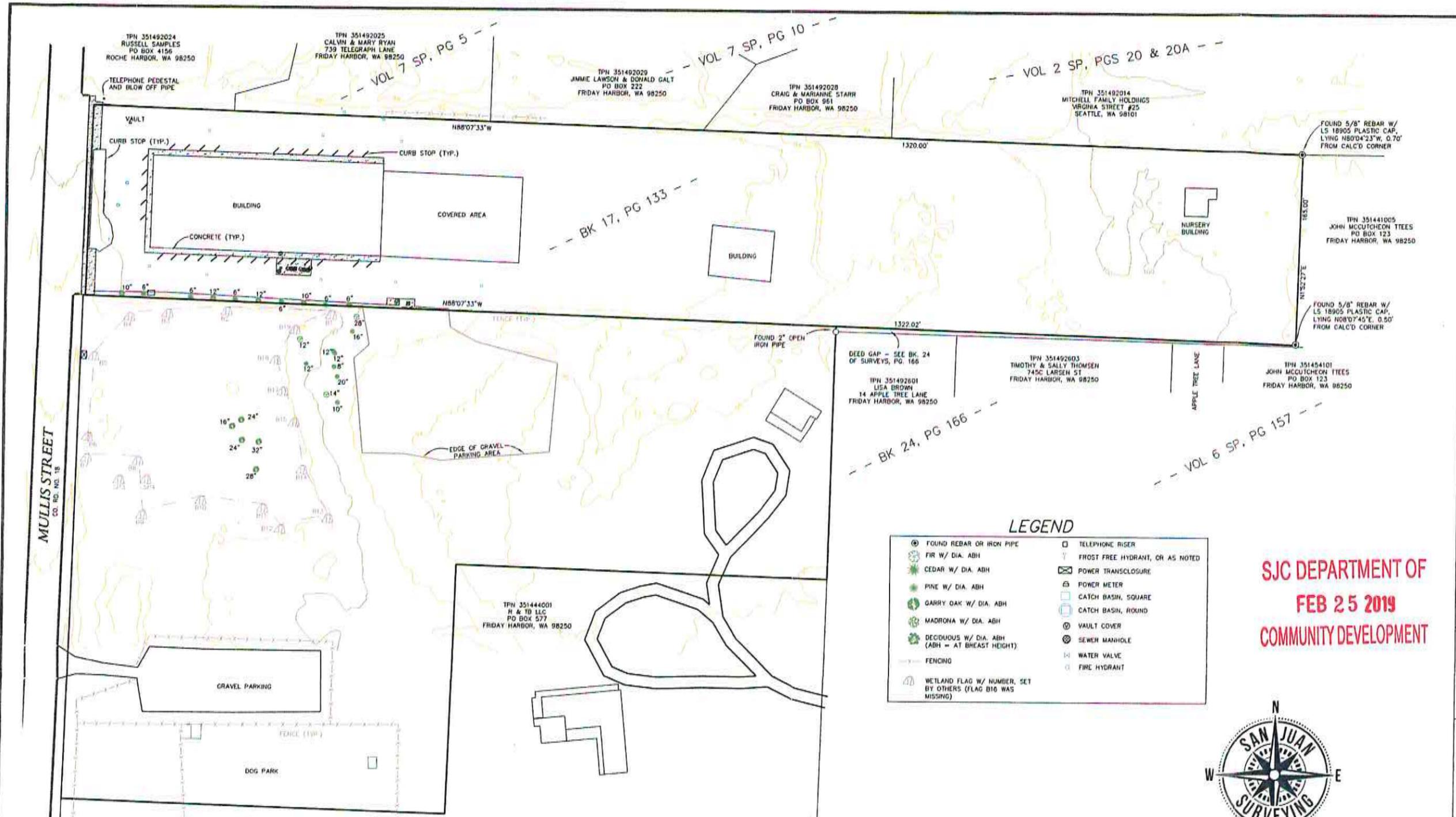
BROWNE'S HOME CENTER NURSERY SITE

⌚ NOT TO SCALE

GRAHAM BABA / SJC DEPARTMENT OF

PREDES-19-0001
HOLDINGS LLC, CORNELIUS

FEB 25 2019
COMMUNITY DEVELOPMENT



CORNELIUS HOLDINGS, L.L.C.
 860 MULLIS ST
 FRIDAY HARBOR, WA 98250

TOPOGRAPHIC SURVEY FOR
CORNELIUS HOLDINGS, L.L.C.
 ON
 SAN JUAN ISLAND
 CONVEYED BY DEED NO. 11-182
 CHECKED BY: R.W.
 DATE: 2/19/18
 SHEET: 1 OF 1

SAN JUAN SURVEYING
 P.O. BOX 611
 FRIDAY HARBOR, WA 98250
 WWW.SANJUANSURVEYING.COM
 SECTION 14, TOWNSHIP 35 NORTH, RANGE 3 WEST
 QUARTER 3, NE/SE & SE/SE



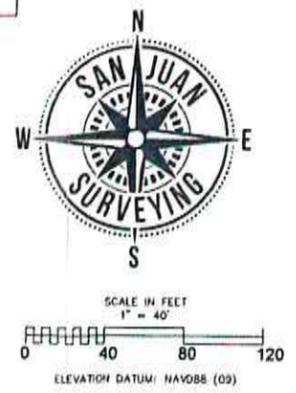
PROPERTY INFORMATION
 TAX PARCEL NUMBER: 351492017 & 351444005
 SITE ADDRESS: 860 MULLIS STREET
 DESCRIPTION: PTN NE-SE, SE-SE, S1/4, T35N, R3W

DEED GAP - SEE BK. 24 OF SURVEYS, PG. 166
 TPN 351492601 LISA BROWN 14 APPLE TREE LANE FRIDAY HARBOR, WA 98250
 TPN 351492603 TIMOTHY & SALLY THOMSEN 745C LARSEN ST FRIDAY HARBOR, WA 98250
 TPN 351454101 JOHN MCCUTCHEON TTEES PO BOX 123 FRIDAY HARBOR, WA 98250

LEGEND

⊙ FOUND REBAR OR IRON PIPE	☐ TELEPHONE RISER
⊙ FIR W/ DIA. ABH	⊙ FROST FREE HYDRANT, OR AS NOTED
⊙ CEDAR W/ DIA. ABH	⊙ POWER TRANSCLUSURE
⊙ PINE W/ DIA. ABH	⊙ POWER METER
⊙ GARRY OAK W/ DIA. ABH	⊙ CATCH BASIN, SQUARE
⊙ MADRONA W/ DIA. ABH	⊙ CATCH BASIN, ROUND
⊙ DECIDUOUS W/ DIA. ABH (ABH = AT BREAST HEIGHT)	⊙ VAULT COVER
⊙ FENCING	⊙ SEWER MANHOLE
⊙ WETLAND FLAG W/ NUMBER, SET BY OTHERS (FLAG B10 WAS MISSING)	⊙ WATER VALVE
	⊙ FIRE HYDRANT

**SJC DEPARTMENT OF
 FEB 25 2019
 COMMUNITY DEVELOPMENT**



EQUIPMENT AND PROCEDURES
 EQUIPMENT: TOPCON ROBOTIC TOTAL STATION (PS103A)
 HIPER V GPS DUAL FREQUENCY GNSS RECEIVER W/ BASE STATION
 PROCEDURE: FIELD TRAVERSE

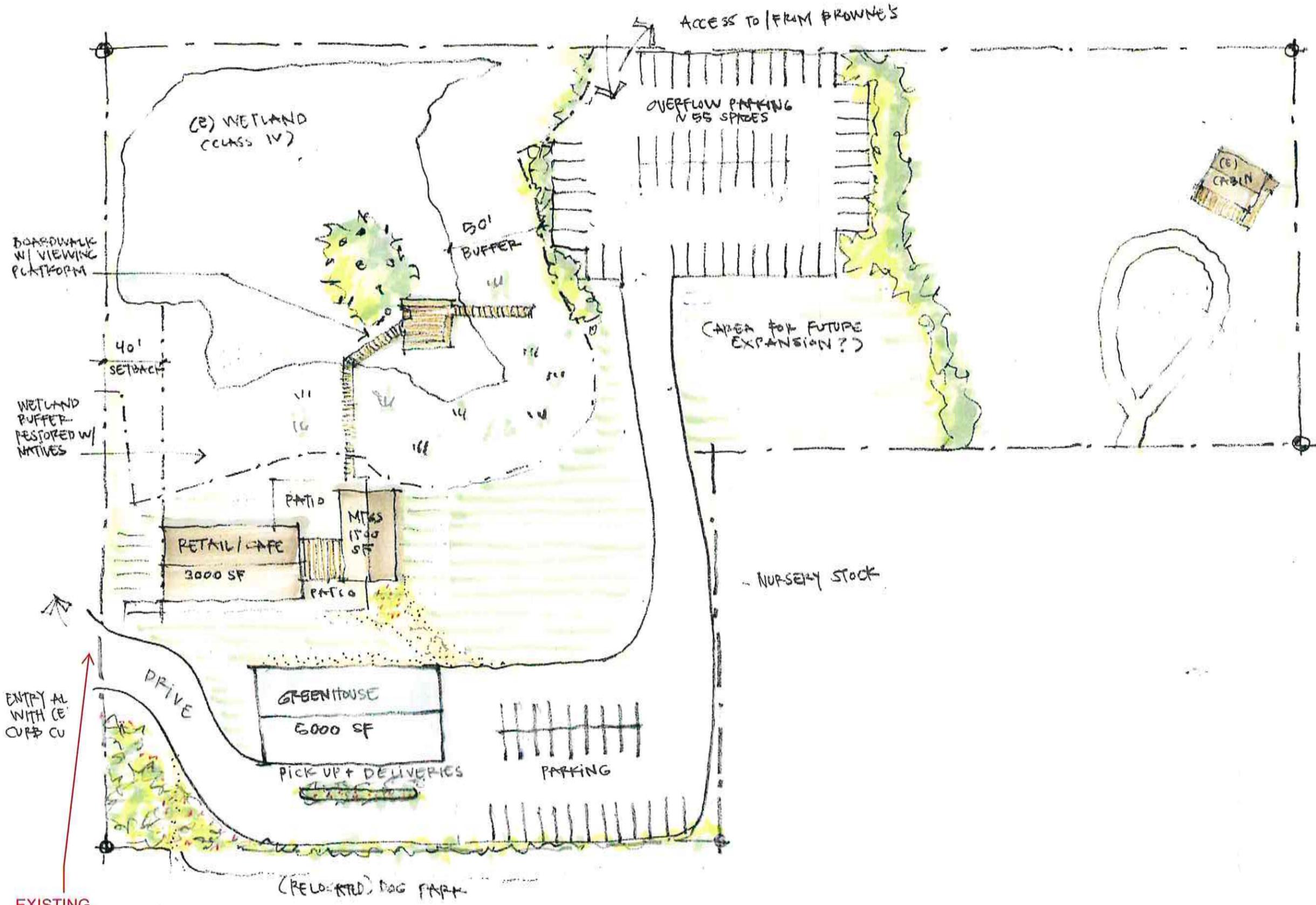
LAND DESCRIPTION

PARCEL A:
 THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 35 NORTH, RANGE 3 WEST, W.M., IN SAN JUAN COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:
 COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 35 NORTH, RANGE 3 WEST, W.M.; THENCE SOUTH 70 ROODS TO THE POINT OF BEGINNING; THENCE WEST 80 ROODS; THENCE SOUTH 10 ROODS; THENCE EAST 80 ROODS, ON THE LINE BETWEEN THE SAID NORTHEAST QUARTER OF SAID SECTION, TOWNSHIP, AND RANGE, AND THE SOUTHEAST QUARTER OF SAID SECTION, TOWNSHIP, AND RANGE, TO THE EAST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 10 ROODS TO THE POINT OF BEGINNING.
 EXCEPT THE EAST 200 FEET THEREOF.
 ALSO EXCEPT THE WEST 10 FEET THEREOF CONVEYED TO SAN JUAN COUNTY UNDER AUDITOR'S FILE NO. 88153433, RECORDS OF SAN JUAN COUNTY, WASHINGTON.

PARCEL B:
 THE NORTH 220.00 FEET OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 35 NORTH, RANGE 3 WEST, W.M., IN SAN JUAN COUNTY, WASHINGTON; AND,
 ALSO THE NORTH 437.00 FEET OF THE WEST 334.00 FEET OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, AND,
 EXCEPT THE WEST 10 FEET CONVEYED TO SAN JUAN COUNTY BY DEED RECORDED SEPTEMBER 22, 1988 UNDER AUDITOR'S FILE NO. 88153432, RECORDS OF SAN JUAN COUNTY, WASHINGTON.

SURVEYOR'S NOTES

1. THIS TOPOGRAPHIC SURVEY MEETS OR EXCEEDS THE REQUIREMENTS OF WAC 332-130-090.
2. THIS MAP REPRESENTS A TOPOGRAPHIC SURVEY WHICH LOCATED EXISTING MONUMENTS, STAKES AND PHYSICAL FEATURES. NO BOUNDARY MARKERS OR STAKES WERE SET. ALL PARTIES ARE HEREBY ADVISED THAT THIS MAP DOES NOT CONSTITUTE A BOUNDARY SURVEY, AND IS EXEMPT FROM THE REQUIREMENTS FOR FILING UNDER THE PROVISIONS OF THE WASHINGTON STATE SURVEY RECORDING ACT PER RCW 58.09.090(1)(D).
3. FOR MORE BOUNDARY INFORMATION SEE BOOK 17 OF SURVEYS, PAGE 133, RECORDS OF SAN JUAN COUNTY, WASHINGTON.
4. THE BASIS OF BEARINGS FOR THIS SURVEY IS THE WASHINGTON STATE PLANE COORDINATE SYSTEM - NORTH ZONE.
5. THE CONTOURS SHOWN ARE PER THE PUGET SOUND LIDAR CONSORTIUM AND HAVE BEEN FIELD VERIFIED.



EXISTING CURB CUT

SJC DEPARTMENT OF
FEB 25 2019
COMMUNITY DEVELOPMENT

1A CONCEPTUAL PLAN USING PERVIOUS PAVERS (IF ALLOWED)
N.T.S. 3.9.2018
UPDATED 3.21.2018

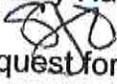
BROWNE'S NURSERY

Law Offices Of
STEPHANIE JOHNSON O'DAY, PLLC

540 Guard Street, Suite 160
Post Office Box 2112
Friday Harbor, Washington 98250-2112

Telephone: (360) 378-6278 Fax: (360) 378-5066
E-Mail: sjoday@rockisland.com

SJC DEPARTMENT OF
FEB 25 2019
COMMUNITY DEVELOPMENT

To: Duncan Wilson, Town of Friday Harbor Administrator
From: Stephanie Johnson O'Day 
Re: Cornelius Holdings LLC request for inclusion in TFH UGA
Date: December 20, 2018

This memo is in response to your request for a legal basis to support my client's request to San Juan County to expand the UGA to include a five-acre parcel on Mullis Street, located immediately adjacent to the Town of Friday Harbor boundary.

FACTS

On August 4, 2017, Cornelius Holdings LLC purchased two parcels of land on Mullis Street, Friday Harbor. Both parcels are located east of the Friday Harbor airport. One parcel is located inside the Town boundaries and is the home of Browne Lumber. The other parcel is vacant and within the County boundaries. The owner would like to move the Browne Lumber nursery from the back of the Town parcel to the Mullis Street side of the County parcel, retaining the right to use the back of one or both properties for affordable housing purposes. The owner would like to utilize Town of Friday Harbor water and sewer for the project.

Current Allowed Zoning:

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PREDES-19-0001
HOLDINGS LLC, CORNELIUS

GMA Applicable Laws

The Growth Management Act requires that Counties and Towns regulate urban growth by containing it to outside of the rural areas. San Juan County is primarily rural in nature.

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On July 8, 2008, San Juan County and the Town of Friday Harbor entered into a UGA management agreement. At that time, ten years ago, three areas around the TFH were designated as UGA's. All three, with the exception of a very small acreage near the water tower, have been annexed into the Town. It is now time to update that agreement. It would be in the best interests of the citizens to designate additional lands adjacent to the Town as UGA to accommodate growth in the next ten years. The Cornelius five acre parcel is a logical choice.

Mullis Street is already characterized by Urban Growth. This is not a residential area nor is it a rural area. The frontage of the Mullis Street properties are not appropriate for residential use, being so close to the airport. Neither are these properties appropriate for agricultural use. Once the Cornelius five-acre property is included in the UGA, the owner can apply for annexation – which would allow the Town to sell water and sewer hookups not only for the proposed Nursery and possible café use, but potentially for a multi-family complex on the east side of the property.

The Town of Friday Harbor does not have parcels large enough to accommodate the placement of a large outdoor nursery, nor does the Town have a parcel large enough to accommodate what the every day workers on the island really need – which is a large new apartment building which is affordable.

We all know that the need exists. Now there is a way that need can be filled. The Town will clearly benefit financially as well by the inclusion of this parcel and sale of utility hookups.

We urge the Town Council to support the inclusion of the Cornelius five-acre parcel into the Town UGA. We ask that the Council send a letter of support of the Cornelius UGA inclusion request to: Linda Kuller, Planning Manager, San Juan County DCD, PO Box 947, Friday Harbor, WA 98250.

Thank you in advance for your support.

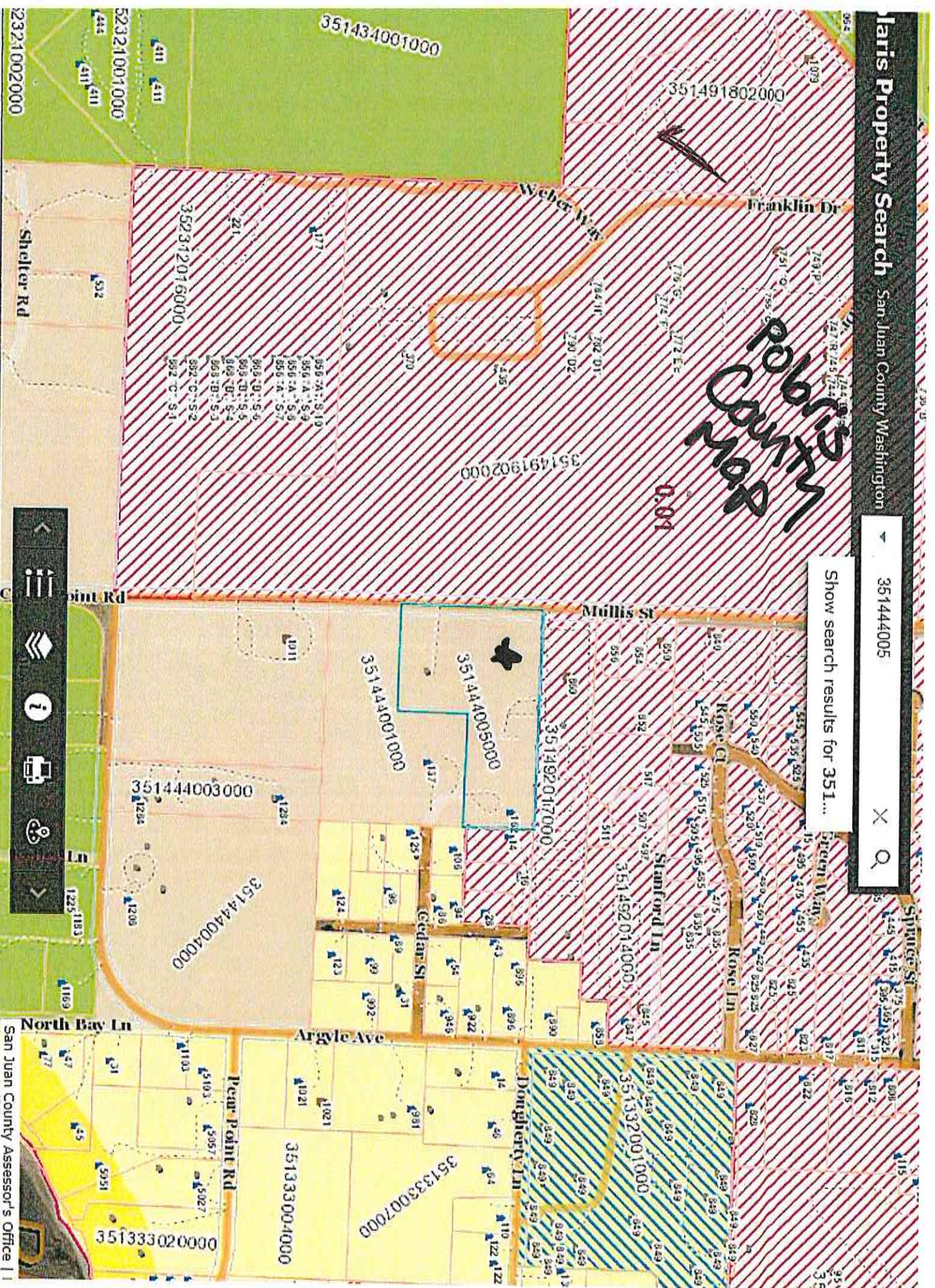
Cc: Linda Kuller
Mike Bertrand
client

351444005

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Chapter 17.76
FRIDAY HARBOR URBAN GROWTH AREA ADMINISTRATION

Sections:

- 17.76.010 Purpose.
- 17.76.020 Applicability.
- 17.76.030 Geographic area.
- 17.76.040 Urban services.

17.76.010 Purpose.

The purpose of this chapter is to provide the town with a process for administration and management of the Friday Harbor urban growth area as defined in the Friday Harbor Unincorporated Urban Growth Area Management Agreement (hereinafter "management agreement"), adopted jointly by the San Juan County board of county commissioners and the Friday Harbor town council and set forth in Appendix C of the comprehensive plan. (Ord. 1194 § 5, 2002; Ord. 1172 § 102, 2001)

17.76.020 Applicability.

Any and all land use and/or development occurring in the Friday Harbor urban growth area shall be subject to the provisions of the management agreement as amended unless the management agreement is terminated as defined in Section 10 of the management agreement. (Ord. 1172 § 103, 2001)

17.76.030 Geographic area.

The boundaries of the Friday Harbor urban growth area shall be as defined in Section 3 of the management agreement. (Ord. 1172 § 104, 2001)

17.76.040 Urban services.

Water and sewer services shall not be provided outside the corporate boundary, including the Friday Harbor urban growth area, until it has been annexed into the town, except where the town has a contractual obligation to provide, or is providing, such services. (Ord. 1172 § 105, 2001)

The Friday Harbor Municipal Code is current through Ordinance 1644, passed June 21, 2018.

Disclaimer: The Town Clerk's Office has the official version of the Friday Harbor Municipal Code. Users should contact the Town Clerk's Office for ordinances passed subsequent to the ordinance cited above.

**Unincorporated Urban Growth Area
Management Agreement Between
The Town of Friday Harbor and San Juan County, Washington**

Section 1. Preface.

This document is adopted pursuant to RCW 36.70A.110 to set forth an agreement between San Juan County (the "County") and the Town of Friday Harbor (the "Town") for the management of the unincorporated Urban Growth Area (UGA) located adjacent to the Town of Friday Harbor (the "unincorporated UGA" or "Friday Harbor UGA"). Both jurisdictions recognize the need for cooperation in land use planning and public service delivery in the unincorporated UGA. The policies and strategies in this Agreement are to guide the actions of each jurisdiction. This Agreement does not, however, substitute for comprehensive planning by the Town or the County.

Section 2. Purpose.

This Agreement is to accomplish the following purposes:

1. To promote communication and participation in planning for the unincorporated UGA;
2. To establish guidelines for orderly growth and development within the unincorporated UGA;
3. To concentrate urban development within the Town of Friday Harbor and not within the unincorporated UGA;
4. To coordinate land use regulation and development services to minimize the public and private costs of development within the unincorporated UGA;
5. To prepare for the orderly provision of public facilities and services to accommodate and serve as a guide for urban development of those lands within the unincorporated UGA;
6. To contain urban development within a planned urban area where basic services such as sewer and water facilities, storm drainage, police, and fire protection can be efficiently and economically provided; and
7. To make economical use of local tax dollars in locating facilities and providing services for the benefit of all citizens within the unincorporated UGA; since urban services are interrelated, coordination is best achieved by a single government unit, the Town of Friday Harbor.

Section 3. Designation of Unincorporated UGA on Official Maps.

The geographic area designated on Figure 1 to this Agreement is the unincorporated UGA that is the subject of this Agreement and is coterminous with the area designated on the Town and County official comprehensive plan maps, respectively. The Town will provide the County with a copy of its official map.

Section 4. General Provisions.

1. The County and the Town will coordinate land use planning and the application of development regulations within the unincorporated UGA as provided for in this Agreement. Nothing shall prevent the County and the Town from establishing other cooperative agreements addressing particular projects, geographic areas, or concerns, which are not subject to this management Agreement.
2. Notwithstanding the provisions of this Agreement, the ultimate authority for land use and development decisions is retained by the County and the Town within their respective jurisdictions. Neither jurisdiction may assign or defer its decision-making authority to the other.

Section 5. Joint Planning.

The County and the Town affirm their commitment to the Joint Planning Policy adopted by San Juan County and the Town of Friday Harbor in Appendix 2 of the San Juan County Comprehensive Plan as it now exists or may be jointly amended hereafter.

Section 6. Development Review Procedures.

1. Applications—General. This section applies to all land use and development permit applications, including all building permits, use permits, and land division applications.
2. Applications—Submittal to Town. Land use and development applications for projects located within the existing municipal boundaries of the Town of Friday Harbor shall be submitted to and acted upon by the Town of Friday Harbor according to its adopted regulations and procedures and the applicable provisions of this Agreement (*see* Section 7, below).
3. Applications—Submittal to County. Land use and development applications for projects located within the unincorporated UGA shall be submitted to and acted upon by San Juan County according to its adopted regulations and procedures and the applicable provisions of this Agreement (*see* Section 7, below).
4. Notice Requirements.
 - a. The jurisdiction receiving a use or development application involving property located within 1,000 feet of the municipal boundary or within 1,000 feet of the UGA boundary shall give notice to the other as specified below.
 - b. If no notice is required and/or no comment period is provided for a given application type by the applicable, adopted Town or County procedures, then the jurisdiction accepting the application shall provide notice to the other within three working days of finding an application to be complete. It shall then allow up to five working days for comments before action may be taken on the application.

- c. If the applicable Town or County procedures specify notice requirements and the duration of a comment period, then the jurisdiction accepting the application shall give notice to the other and provide opportunity to comment as provided in the applicable procedures for the type of application involved.
- d. The County shall notify the Town in writing of any comprehensive plan amendment, development code amendment, and of any other proposals for legislative action which affects land located within 1,000 feet of the municipal boundary or within the unincorporated UGA. Such notice shall be sufficient to allow the Town staff the opportunity to review and comment on such proposals before final action is taken. Likewise, the Town shall notify the County in writing of any comprehensive plan amendment, zoning code amendment, and any other proposals for legislative action which affects land within 1,000 feet of the municipal boundary or within the unincorporated UGA.
- e. Nothing shall prevent the Town Administrator and County Administrator from agreeing to exempt certain types of developments from interjurisdictional notice requirements. Any such agreement shall be in writing and signed by both Administrators.

Section 7. Intention Regarding Additional Use and Development Regulations.

The applicable use and development regulations shall be those adopted by the applicable jurisdiction, with the following additional provisions intended for the unincorporated UGA upon the designation of such land by the County Council.

1. Land Uses – Limitations Generally,

- a. San Juan County will retain responsibility for land use decisions and actions affecting the unincorporated UGA until such time as annexation to the Town occurs.
- b. San Juan County will review and, as necessary, amend its comprehensive plan and development regulations to establish a moratorium and/or create an overlay zone such that development within the unincorporated UGA is consistent with the intent and purposes of this Agreement to protect such lands in such a way that allows for the development for urban uses only at such time as the land is annexed to the Town. Specifically, the County Council will conduct hearings on ordinances which will, if adopted, prohibit all uses and developments, except the following uses and developments which shall be allowed outright:
 - i. Single-family residence and structures appurtenant to a single-family residence;
 - ii. Two-family residential uses (duplex);
 - iii. Home occupation;
 - iv. Public streets;
 - v. Public trails and paths;
 - vi. Agricultural uses and activities;

- vii. Forest practices, no processing;
 - viii. Lumber mills, portable;
 - ix. Nurseries;
 - x. Retail sales of agricultural products.
2. **Urban Services.** The Town and the County will review and, as necessary, amend the comprehensive plan and development regulations so that each jurisdiction will refrain from the development, creation or extension of water or sewer service to those areas lying within the unincorporated UGA until such areas are first annexed to the Town.

Property within the unincorporated UGA proposed for new development which requires urban services (Town water and sewer facilities) shall be annexed before a land use or building permit is issued.

Proposed developments which do not require urban services shall be subject to conditions establishing an enforceable developer extension agreement to pay for Town services upon the annexation of the subject property. County code requirements for on-site water supply, fire flow, sewage disposal and stormwater control facilities shall apply to allowable uses and developments that do not require urban services.

The County will not authorize the creation of a special purpose district for the provision of utilities, recreation or other public facilities unless such district includes all of the area within the unincorporated UGA and the creation has been approved by both parties.

3. **Buffers.** The County will review and, as necessary, amend its comprehensive plan and development regulations to require that new development within the unincorporated UGA on property abutting the UGA-County boundary shall provide drought-resistant vegetated buffers sufficient to mitigate significant adverse impacts to land and land uses outside of the unincorporated UGA boundary.
4. **Critical Areas/Environmentally Sensitive Areas.** The San Juan County Code requirements for critical areas shall apply to critical areas within the unincorporated UGA
5. **Subdivisions and Short Subdivisions.** The county will review and, as necessary, amend its comprehensive plan and development regulations by use of a moratorium or overlay zone to prohibit all subdivisions, including subdivision by long subdivision, short subdivision, simple land division, binding site plan or condominium, that result in the creation of any parcel or unit of land smaller than five acres. Boundary line modifications shall be allowed so long as no new parcel is created. In allowing for rural land division, the County will ensure that the developments design does not preclude future infill development at urban densities.

Section 8. Annexation.

1. Only those areas within the unincorporated UGA may be considered for annexation to the Town.

2. Urban services and capital facilities may be extended to properties within the unincorporated UGA only when those properties are annexed to the Town.
3. Property owners seeking annexation to the Town will be required to include in annexation petitions a full description of proposed development and any phasing plans, and the specific urban services needed together with the analysis and reports required by the Town.

Section 9. Administration.

The responsibility for administration of this Agreement shall rest jointly with the San Juan County Council and the Friday Harbor Town Council, through their respective administrators. Within 30 days of the effective date of this Agreement the County and Town administrators will exchange the names and addresses to be used in official correspondence regarding this Agreement. Each jurisdiction is responsible for keeping this contact information current and for directing correspondence consistent with this information.

Section 10. Periodic Review, Amendment, and Termination.

The term of this Agreement shall be five years from the effective date and shall automatically be renewed for subsequent five-year terms unless one of the following actions is taken:

1. The County and the Town may agree at any time to revise or terminate this Agreement. Any such agreement shall be in writing.
2. Either party may notify the other of a desire to revise or terminate this Agreement. Such notice shall be in writing and be given no fewer than ninety days prior to the automatic renewal date. Should such notice be given, the County and the Town will begin immediately and, in good faith, to revise and renew this Agreement.
3. This agreement does not apply to portions of the unincorporated UGA after such property has been duly annexed by the Town.
4. Should the County designate additional unincorporated UGAs in accordance with the procedure set forth in RCW 36.70A.110(2), this Agreement shall be reviewed by the parties and amended as necessary to address mutual concerns relating to the additional unincorporated UGA.

Section 11. Effective Date and Filing Procedures.

The effective date of this Agreement shall be the date it is filed with the County Auditor and with the Town Clerk.

//

TOWN OF FRIDAY HARBOR

By: David F. Jones 7/3/08
DAVID F. JONES, Mayor Date

APPROVED AS TO FORM ONLY
DONALD E. EATON

By: [Signature] 7/7/08
DONALD E. EATON Date

ADOPTED this 8th day of July 2008.

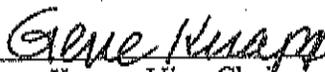
COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON

ATTEST: Clerk of the Council


Howard Rosenfeld, Chair
District 3, Friday Harbor

By: 
Ann Larson - Clerk

Date: 7/8/08

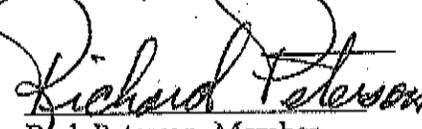

Gene Knapp, Vice-Chair
District 5, Orcas East

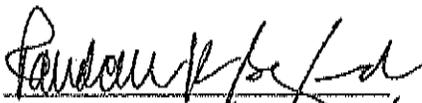
REVIEWED BY COUNTY
ADMINISTRATOR

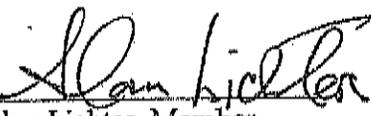

Pete Rose Date: 7-8-08

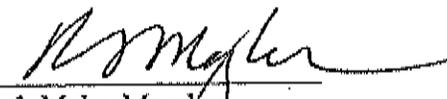

Kevin M. M. Ranker, Member
District 1, San Juan South

APPROVED AS TO FORM ONLY
RANDALL K. GAYLORD


Rich Peterson, Member
District 2, San Juan North

By: 
Date: 7/8/2008


Alan Lichter, Member
District 4, Orcas West/Waldron

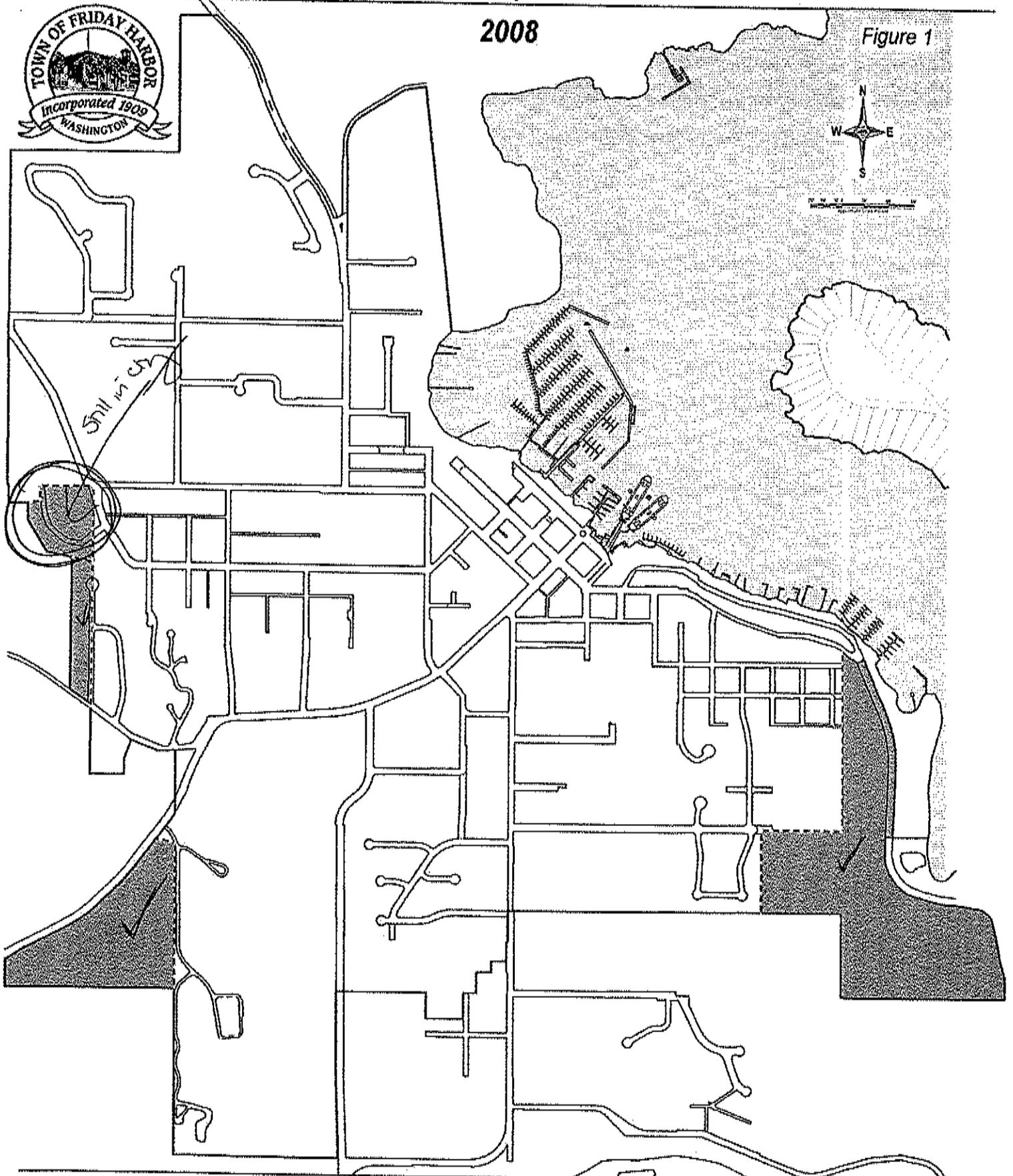

Bob Myhr, Member
District 6, Lopez/Shaw

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Friday Harbor with Unincorporated UGA areas Shaded

2008

Figure 1



Linda Ann Kuller

From: Stephanie Johnson O'Day <sjoday@rockisland.com>
Sent: Thursday, December 20, 2018 1:09 PM
To: duncanw@fridayharbor.org
Cc: 'Mike Bertrand'; Linda Ann Kuller
Subject: FW: Memo to Town Administrator and Council urging inclusion in UGA
Attachments: doc20181220142809.pdf

-----Original Message-----

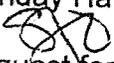
From: sjoday@rockisland.com <sjoday@rockisland.com>
Sent: Thursday, December 20, 2018 2:28 PM
To: sjoday@rockisland.com
Subject:

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Law Offices Of
STEPHANIE JOHNSON O'DAY, PLLC

540 Guard Street, Suite 160
Post Office Box 2112
Friday Harbor, Washington 98250-2112

Telephone: (360) 378-6278 Fax: (360) 378-5066
E-Mail: sjoday@rockisland.com

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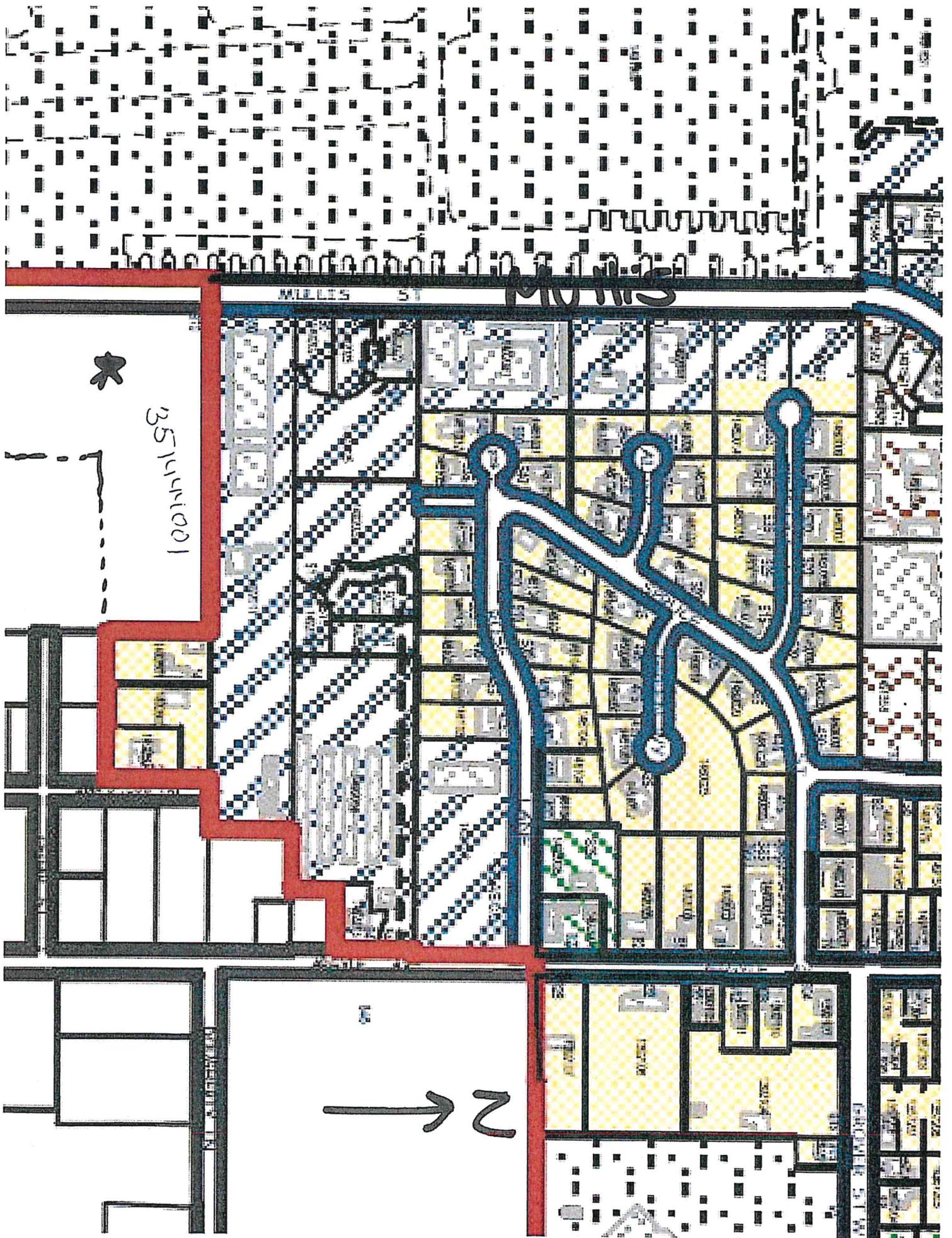
Cc: Linda Kuller
Mike Bertrand
client

351444005 Show search results for 351...

POWELL
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Navigation toolbar with icons for Home, Back, Forward, Print, and other map controls.



351441001

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MILLES ST

Chapter 17.76 FRIDAY HARBOR URBAN GROWTH AREA ADMINISTRATION

Sections:

- 17.76.010 Purpose.
- 17.76.020 Applicability.
- 17.76.030 Geographic area.
- 17.76.040 Urban services.

17.76.010 Purpose.

The purpose of this chapter is to provide the town with a process for administration and management of the Friday Harbor urban growth area as defined in the Friday Harbor Unincorporated Urban Growth Area Management Agreement (hereinafter "management agreement"), adopted jointly by the San Juan County board of county commissioners and the Friday Harbor town council and set forth in Appendix C of the comprehensive plan. (Ord. 1194 § 5, 2002; Ord. 1172 § 102, 2001)

17.76.020 Applicability.

Any and all land use and/or development occurring in the Friday Harbor urban growth area shall be subject to the provisions of the management agreement as amended unless the management agreement is terminated as defined in Section 10 of the management agreement. (Ord. 1172 § 103, 2001)

17.76.030 Geographic area.

The boundaries of the Friday Harbor urban growth area shall be as defined in Section 3 of the management agreement. (Ord. 1172 § 104, 2001)

17.76.040 Urban services.

Water and sewer services shall not be provided outside the corporate boundary, including the Friday Harbor urban growth area, until it has been annexed into the town, except where the town has a contractual obligation to provide, or is providing, such services. (Ord. 1172 § 105, 2001)

The Friday Harbor Municipal Code is current through Ordinance 1644, passed June 21, 2018.

Disclaimer: The Town Clerk's Office has the official version of the Friday Harbor Municipal Code. Users should contact the Town Clerk's Office for ordinances passed subsequent to the ordinance cited above.

**Unincorporated Urban Growth Area
Management Agreement Between
The Town of Friday Harbor and San Juan County, Washington**

Section 1. Preface.

This document is adopted pursuant to RCW 36.70A.110 to set forth an agreement between San Juan County (the "County") and the Town of Friday Harbor (the "Town") for the management of the unincorporated Urban Growth Area (UGA) located adjacent to the Town of Friday Harbor (the "unincorporated UGA" or "Friday Harbor UGA"). Both jurisdictions recognize the need for cooperation in land use planning and public service delivery in the unincorporated UGA. The policies and strategies in this Agreement are to guide the actions of each jurisdiction. This Agreement does not, however, substitute for comprehensive planning by the Town or the County.

Section 2. Purpose.

This Agreement is to accomplish the following purposes:

1. To promote communication and participation in planning for the unincorporated UGA;
2. To establish guidelines for orderly growth and development within the unincorporated UGA;
3. To concentrate urban development within the Town of Friday Harbor and not within the unincorporated UGA;
4. To coordinate land use regulation and development services to minimize the public and private costs of development within the unincorporated UGA;
5. To prepare for the orderly provision of public facilities and services to accommodate and serve as a guide for urban development of those lands within the unincorporated UGA;
6. To contain urban development within a planned urban area where basic services such as sewer and water facilities, storm drainage, police, and fire protection can be efficiently and economically provided; and
7. To make economical use of local tax dollars in locating facilities and providing services for the benefit of all citizens within the unincorporated UGA; since urban services are interrelated, coordination is best achieved by a single government unit, the Town of Friday Harbor.

Section 3. Designation of Unincorporated UGA on Official Maps.

The geographic area designated on Figure 1 to this Agreement is the unincorporated UGA that is the subject of this Agreement and is coterminous with the area designated on the Town and County official comprehensive plan maps, respectively. The Town will provide the County with a copy of its official map.

Section 4. General Provisions.

1. The County and the Town will coordinate land use planning and the application of development regulations within the unincorporated UGA as provided for in this Agreement. Nothing shall prevent the County and the Town from establishing other cooperative agreements addressing particular projects, geographic areas, or concerns, which are not subject to this management Agreement.
2. Notwithstanding the provisions of this Agreement, the ultimate authority for land use and development decisions is retained by the County and the Town within their respective jurisdictions. Neither jurisdiction may assign or defer its decision-making authority to the other.

Section 5. Joint Planning.

The County and the Town affirm their commitment to the Joint Planning Policy adopted by San Juan County and the Town of Friday Harbor in Appendix 2 of the San Juan County Comprehensive Plan as it now exists or may be jointly amended hereafter.

Section 6. Development Review Procedures.

1. Applications—General. This section applies to all land use and development permit applications, including all building permits, use permits, and land division applications.
2. Applications—Submittal to Town. Land use and development applications for projects located within the existing municipal boundaries of the Town of Friday Harbor shall be submitted to and acted upon by the Town of Friday Harbor according to its adopted regulations and procedures and the applicable provisions of this Agreement (*see* Section 7, below).
3. Applications—Submittal to County. Land use and development applications for projects located within the unincorporated UGA shall be submitted to and acted upon by San Juan County according to its adopted regulations and procedures and the applicable provisions of this Agreement (*see* Section 7, below).
4. Notice Requirements.
 - a. The jurisdiction receiving a use or development application involving property located within 1,000 feet of the municipal boundary or within 1,000 feet of the UGA boundary shall give notice to the other as specified below.
 - b. If no notice is required and/or no comment period is provided for a given application type by the applicable, adopted Town or County procedures, then the jurisdiction accepting the application shall provide notice to the other within three working days of finding an application to be complete. It shall then allow up to five working days for comments before action may be taken on the application.

- c. If the applicable Town or County procedures specify notice requirements and the duration of a comment period, then the jurisdiction accepting the application shall give notice to the other and provide opportunity to comment as provided in the applicable procedures for the type of application involved.
- d. The County shall notify the Town in writing of any comprehensive plan amendment, development code amendment, and of any other proposals for legislative action which affects land located within 1,000 feet of the municipal boundary or within the unincorporated UGA. Such notice shall be sufficient to allow the Town staff the opportunity to review and comment on such proposals before final action is taken. Likewise, the Town shall notify the County in writing of any comprehensive plan amendment, zoning code amendment, and any other proposals for legislative action which affects land within 1,000 feet of the municipal boundary or within the unincorporated UGA.
- e. Nothing shall prevent the Town Administrator and County Administrator from agreeing to exempt certain types of developments from interjurisdictional notice requirements. Any such agreement shall be in writing and signed by both Administrators.

Section 7. Intention Regarding Additional Use and Development Regulations.

The applicable use and development regulations shall be those adopted by the applicable jurisdiction, with the following additional provisions intended for the unincorporated UGA upon the designation of such land by the County Council.

1. Land Uses – Limitations Generally.

- a. San Juan County will retain responsibility for land use decisions and actions affecting the unincorporated UGA until such time as annexation to the Town occurs.
- b. San Juan County will review and, as necessary, amend its comprehensive plan and development regulations to establish a moratorium and/or create an overlay zone such that development within the unincorporated UGA is consistent with the intent and purposes of this Agreement to protect such lands in such a way that allows for the development for urban uses only at such time as the land is annexed to the Town. Specifically, the County Council will conduct hearings on ordinances which will, if adopted, prohibit all uses and developments, except the following uses and developments which shall be allowed outright:
 - i. Single-family residence and structures appurtenant to a single-family residence;
 - ii. Two-family residential uses (duplex);
 - iii. Home occupation;
 - iv. Public streets;
 - v. Public trails and paths;
 - vi. Agricultural uses and activities;

- vii. Forest practices, no processing;
 - viii. Lumber mills, portable;
 - ix. Nurseries;
 - x. Retail sales of agricultural products.
2. Urban Services. The Town and the County will review and, as necessary, amend the comprehensive plan and development regulations so that each jurisdiction will refrain from the development, creation or extension of water or sewer service to those areas lying within the unincorporated UGA until such areas are first annexed to the Town.

Property within the unincorporated UGA proposed for new development which requires urban services (Town water and sewer facilities) shall be annexed before a land use or building permit is issued.

Proposed developments which do not require urban services shall be subject to conditions establishing an enforceable developer extension agreement to pay for Town services upon the annexation of the subject property. County code requirements for on-site water supply, fire flow, sewage disposal and stormwater control facilities shall apply to allowable uses and developments that do not require urban services.

The County will not authorize the creation of a special purpose district for the provision of utilities, recreation or other public facilities unless such district includes all of the area within the unincorporated UGA and the creation has been approved by both parties.

3. Buffers. The County will review and, as necessary, amend its comprehensive plan and development regulations to require that new development within the unincorporated UGA on property abutting the UGA-County boundary shall provide drought-resistant vegetated buffers sufficient to mitigate significant adverse impacts to land and land uses outside of the unincorporated UGA boundary.
4. Critical Areas/Environmentally Sensitive Areas. The San Juan County Code requirements for critical areas shall apply to critical areas within the unincorporated UGA.
5. Subdivisions and Short Subdivisions. The county will review and, as necessary, amend its comprehensive plan and development regulations by use of a moratorium or overlay zone to prohibit all subdivisions, including subdivision by long subdivision, short subdivision, simple land division, binding site plan or condominium, that result in the creation of any parcel or unit of land smaller than five acres. Boundary line modifications shall be allowed so long as no new parcel is created. In allowing for rural land division, the County will ensure that the developments design does not preclude future infill development at urban densities.

Section 8. Annexation.

1. Only those areas within the unincorporated UGA may be considered for annexation to the Town.

2. Urban services and capital facilities may be extended to properties within the unincorporated UGA only when those properties are annexed to the Town.
3. Property owners seeking annexation to the Town will be required to include in annexation petitions a full description of proposed development and any phasing plans, and the specific urban services needed together with the analysis and reports required by the Town.

Section 9. Administration.

The responsibility for administration of this Agreement shall rest jointly with the San Juan County Council and the Friday Harbor Town Council, through their respective administrators. Within 30 days of the effective date of this Agreement the County and Town administrators will exchange the names and addresses to be used in official correspondence regarding this Agreement. Each jurisdiction is responsible for keeping this contact information current and for directing correspondence consistent with this information.

Section 10. Periodic Review, Amendment, and Termination.

The term of this Agreement shall be five years from the effective date and shall automatically be renewed for subsequent five-year terms unless one of the following actions is taken:

1. The County and the Town may agree at any time to revise or terminate this Agreement. Any such agreement shall be in writing.
2. Either party may notify the other of a desire to revise or terminate this Agreement. Such notice shall be in writing and be given no fewer than ninety days prior to the automatic renewal date. Should such notice be given, the County and the Town will begin immediately and, in good faith, to revise and renew this Agreement.
3. This agreement does not apply to portions of the unincorporated UGA after such property has been duly annexed by the Town.
4. Should the County designate additional unincorporated UGAs in accordance with the procedure set forth in RCW 36.70A.110(2), this Agreement shall be reviewed by the parties and amended as necessary to address mutual concerns relating to the additional unincorporated UGA.

Section 11. Effective Date and Filing Procedures.

The effective date of this Agreement shall be the date it is filed with the County Auditor and with the Town Clerk.

//

TOWN OF FRIDAY HARBOR

By: David F. Jones 7/3/08
DAVID F. JONES, Mayor Date

APPROVED AS TO FORM ONLY
DONALD E. EATON

By: [Signature] 7/7/08
DONALD E. EATON Date

ADOPTED this 8th day of July 2008.

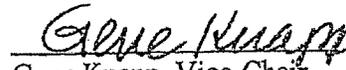
COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON

ATTEST: Clerk of the Council


Howard Rosenfeld, Chair
District 3, Friday Harbor

By: Ann Larson
Ann Larson - Clerk

Date: 7/8/08


Gene Knapp, Vice-Chair
District 5, Orcas East

REVIEWED BY COUNTY
ADMINISTRATOR

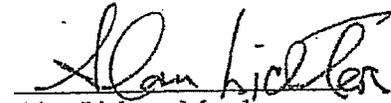

Pete Rose Date: 7-8-08

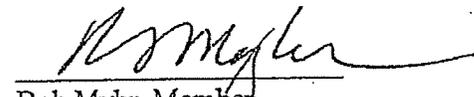

Kevin M. M. Ranker, Member
District 1, San Juan South

APPROVED AS TO FORM ONLY
RANDALL K. GAYLORD

By: Randall K. Gaylord
Date 7/8/2008


Rich Peterson, Member
District 2, San Juan North


Alan Lichter, Member
District 4, Orcas West/Waldron

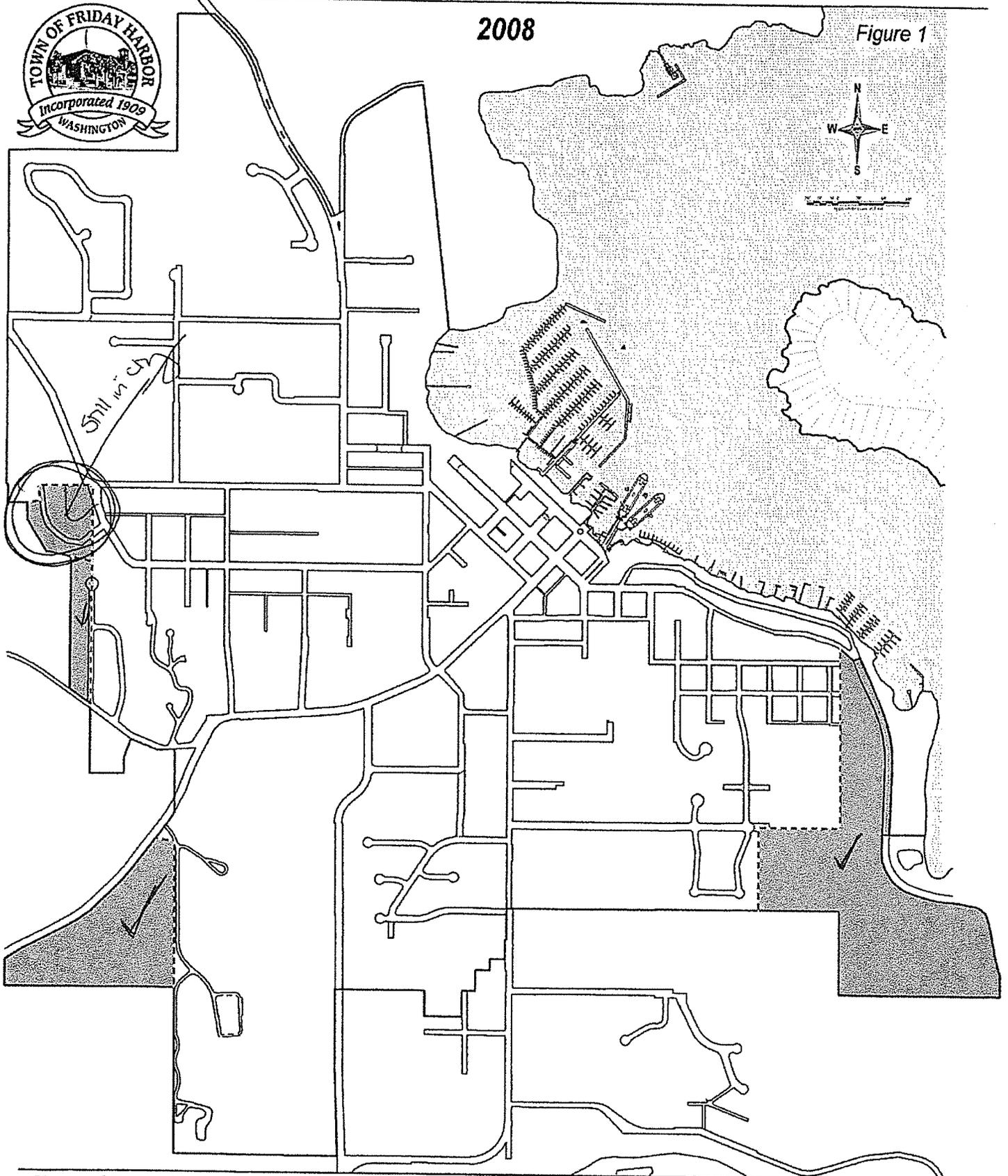

Bob Myhr, Member
District 6, Lopez/Shaw

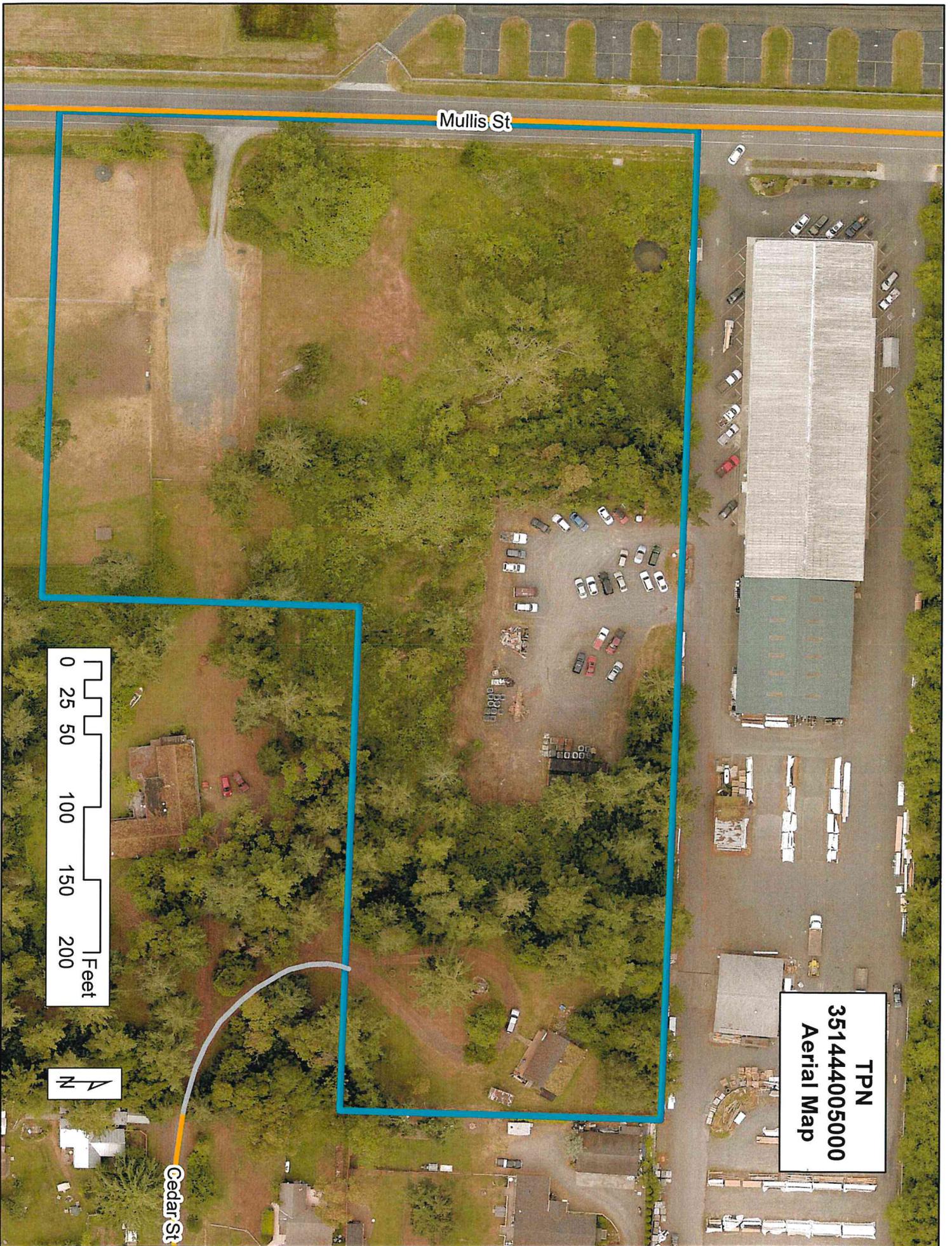
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Friday Harbor with Unincorporated UGA areas Shaded

2008

Figure 1



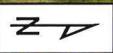


Mullis St

Cedar St

0 25 50 100 150 200 Feet

TPN
351444005000
Aerial Map

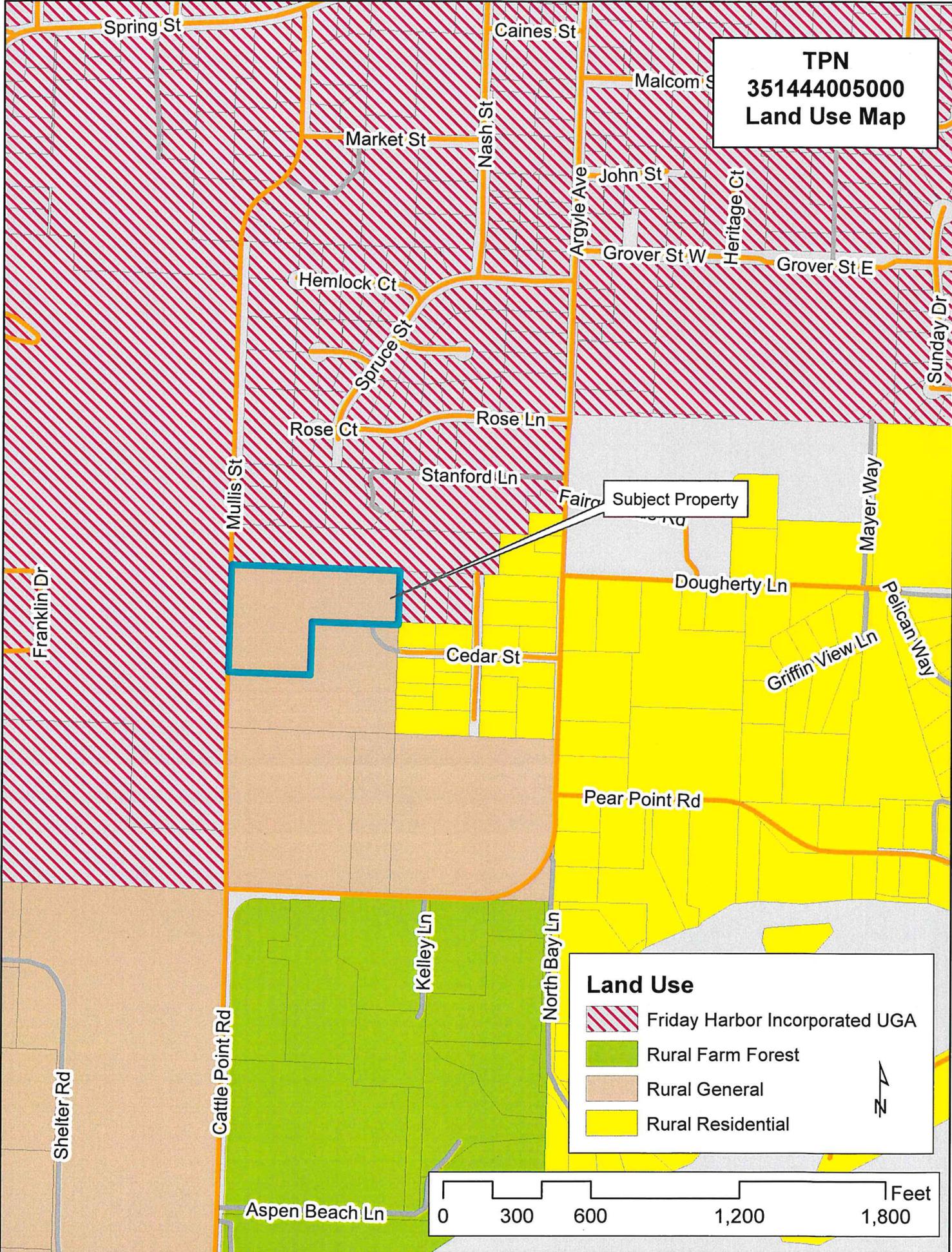


TPN
351444005000
Vicinity Map



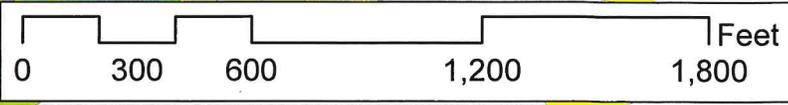
Subject Property

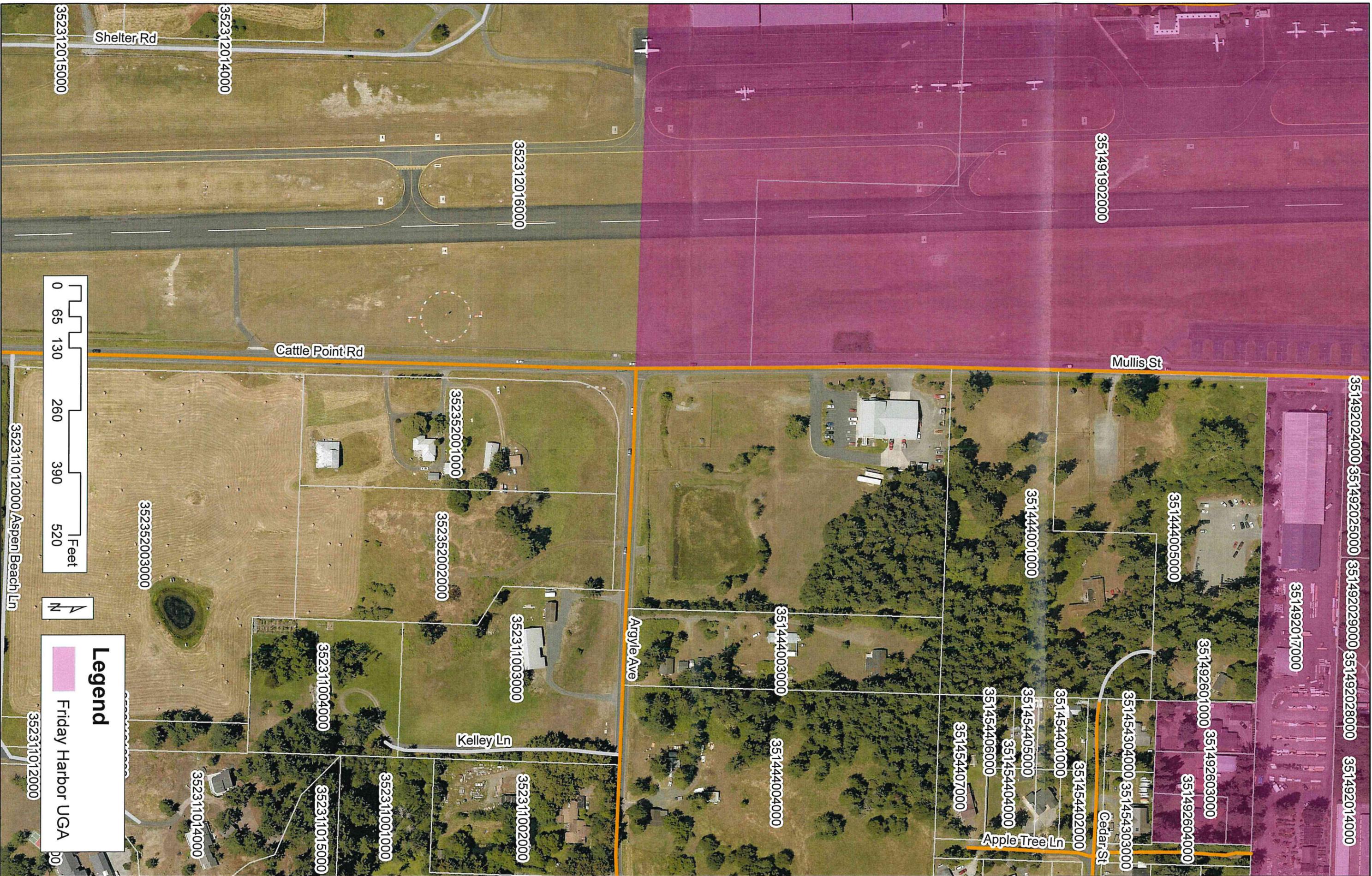
**TPN
351444005000
Land Use Map**



Land Use

-  Friday Harbor Incorporated UGA
-  Rural Farm Forest
-  Rural General
-  Rural Residential





351492024000 351492025000 351492029000 351492028000 351492014000

351492017000

351444005000

351492601000 351492603000

351492604000

351454304000 351454303000

Cedar St

351454402000

351454401000

351454405000

351454404000

351454406000

351454407000

351444001000

Apple Tree Ln

351444003000

351444004000

Argyle Ave

352311003000

352311002000

Kelley Ln

352352001000

352352002000

352311004000

352311015000

352311001000

352312014000

352311014000

Shelter Rd

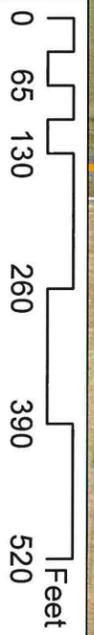
352312015000

Cattle Point Rd

352352003000

352311012000 Aspen Beach Ln

352311012000



Legend

 Friday Harbor UGA

Map 2. Parcels Zoned IN



Legend

 FHUGA IN Zoned Parcels

The purpose of this map is to assist with comprehensive planning only, it cannot be used for permitting or evaluation of development proposals.

Map Drawn: June 26, 2019
Drawn By: Adam Zack, Planner III

Parcels Designated Rural General Use

Subject Parcel

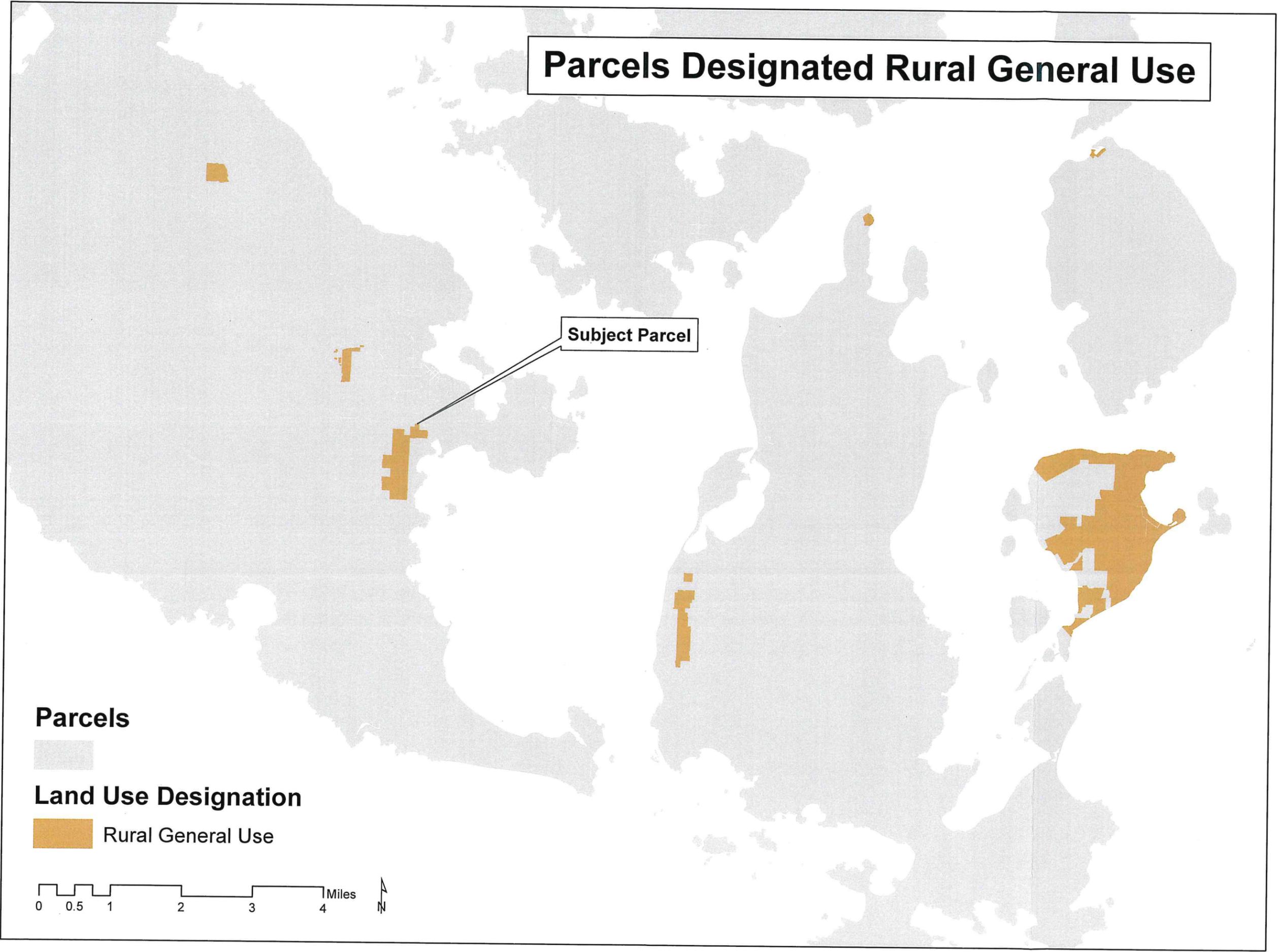
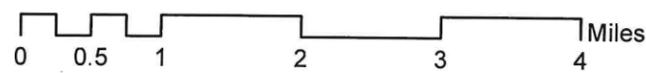
Parcels



Land Use Designation



Rural General Use



Adam Zack

From: Adam Zack
Sent: Friday, March 22, 2019 9:48 AM
To: 'Stephanie Johnson O'Day'; 'Francine Shaw'
Subject: Cornelius Holdings LLC Re-Designation File Number: PREDES-19-0001 TPN 351444005000

Dear Stephanie O'Day,

I have finished the completeness review for the Cornelius Holdings LLC application for site-specific re-designation (PREDES-19-0001 TPN 351444005000). The application is complete for submittal, but some additional information is needed to address the code requirements in San Juan County Code (SJCC) 18.90.030 (code section included below).

Please provide the following information for PREDES-19-0001:

- A complete description of the historic use of the property and adjoining lands (SJCC 18.90.030(D)(1)(a))
 - Please include information about the development history of TPN 351444005000 including when the parking lot, single-family residence, and Dog Park were developed. This will help determine the historic use of the property by establishing a timeline of the existing development on the parcel.
 - Please fill in the table below to account for the historic uses of the surrounding area.

Surrounding Historic Uses for TPN 351444005000		
	Description of historic use, including approximate time of development	Historic use type (i.e. residential, commercial, transportation etc.)
North		
South		
East		
West		

- Information on the site's suitability for timber use (SJCC 18.90.030(D)(1)(e)).
- To assist in the review, please send a word copy of the SEPA checklist

I will prepare the staff recommendation on this proposal once I receive the information requested above. The next steps for this proposal will be:

- Giving the Planning Commission a preliminary briefing on this proposal;
- Issuing and advertising a SEPA determination;
- Scheduling, advertising and posting/ mailing notice for a public hearing before the Planning Commission; and
- Scheduling, advertising and posting/ mailing notice for a public hearing before the County Council.

A complete description of the process can be found in SJCC 18.90.020 and SJCC 18.90.030.

Let me know if you have any questions.

Thanks,
 Adam Zack

Planner III
Department of Community Development
San Juan County, WA
360-370-7580
adamz@sanjuanco.com

NOTICE: All emails, and attachments, sent to and from San Juan County are public records and may be subject to disclosure pursuant to the Public Records Act, Chapter 42.56 RCW.

18.90.030 Amendments to Comprehensive Plan Official Maps.

A. Purpose of Amendments to Comprehensive Plan Official Maps. Amendments to the Comprehensive Plan Official Maps are the mechanism by which the Comprehensive Plan land use district designation or density applicable to property can be changed to reflect such things as changed circumstances, new land use needs, new land use policies, or inconsistencies between designations, area characteristics and the goals and policies as well as purpose and intent of the Comprehensive Plan.

B. Who May Initiate. The County council, planning commission, department, or any other interested party may propose an amendment to this code or the Comprehensive Plan and the official maps at any time subject to the requirements of this section.

C. Time Limitations. Requests for amendment of the official maps (redesignation or density change) shall only be submitted to the planning department between January 1st and March 1st of any year for consideration during the remainder of that year. Requests submitted after March 1st shall be returned to the applicant for resubmittal the following year. This limitation does not apply to requests by the County council.

D. Application Procedure.

1. The request shall be in writing, in a form approved by the planning director, and shall include the following information:

a. Historic use of the property and adjoining lands;

b. Allowable population density of the surrounding area as measured by the maximum allowable residential density;

c. Existing soil and sewage disposal conditions;

d. Description of existing water supply;

e. Suitability for agricultural or timber use;

f. Known archaeological or historical resources on the property;

g. Natural resources involved;

h. Availability of existing public services and utilities; and

i. Names of abutting property owners.

2. Through the use of legal descriptions and maps, the application shall identify clearly the areas for which the change is requested. The reason or reasons for the request shall be clearly stated. The application shall describe how the proposed change meets all of the criteria for approval listed in subsection (F) of this section.

3. If a proposal would remove a resource land designation from property, the applicant must provide information demonstrating that the property is not appropriately designated as agricultural land or forest land under RCW [36.70A.170](#).

E. Notice of Hearing. The following notice provisions are required in addition to publication of notice of public hearing.

1. For Comprehensive Plan Official Map amendments involving any number of parcels the applicant shall mail a notice of hearing at least 30 days prior to the planning commission hearing to all directly affected property owners and to all property owners within 300 feet of the proposal's outer boundary line.

2. For Comprehensive Plan Official Map amendments involving five parcels or fewer, the applicant shall mail a notice of hearing to all property owners within 300 feet of the boundaries of all subject properties at least 30 days prior to the planning commission hearing, using the names and addresses shown on the tax assessment rolls. The notice of hearing shall be deemed to have been provided on the date the notices are deposited in the mail. The applicant shall provide the director with a declaration of mailing and a list of those individuals to whom the notice was mailed. All notices returned to the applicant must be submitted to the director for inclusion in the file.

3. For Comprehensive Plan Official Map amendments involving five parcels or fewer, the applicant shall post a notice of hearing on each of the subject properties in accord with the provisions of SJCC [18.80.030\(A\)\(2\)\(c\)](#) prior to the planning commission hearing.

F. Criteria for Approval. These actions are reviewed for conformance with the applicable provisions of the Comprehensive Plan, the UDC, and as follows:

1. Comprehensive Plan Official Map Amendments. The County may approve an application or proposal for a Comprehensive Plan Official Map amendment if all of the following criteria are met:

a. The changes would benefit the public health, safety, or welfare.

b. The change is warranted because of one or more of the following: changed circumstances; a demonstrable need for additional land in the proposed land use designation; to correct demonstrable errors on the official map; or because information not previously considered indicates that different land use designations are equally or more consistent with the purposes, criteria and goals outlined in the Comprehensive Plan.

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

d. The change, if granted, will not result in an enclave of property owners enjoying greater privileges and opportunities than those enjoyed by other property owners in the vicinity where there is no substantive difference in the properties themselves or public purpose which justifies different designations.

e. The benefits of the change will outweigh any significant adverse impacts of the change.

2. Map Change. Following approval of a Comprehensive Plan Official Map amendment, the County shall amend the official maps to reflect the change. The County shall also indicate on the official maps the number of the ordinance adopting the change.

3. Concomitant Agreement. The County is specifically authorized to enter into a concomitant agreement as a condition of any Comprehensive Plan Official Map amendment. Through that agreement, the County may impose development conditions designed to mitigate potential impacts of the use or development that may occur as a result of such an amendment.

G. Appeals. Appeals of County council decisions under this section must be filed with the Growth Management Hearings Board as provided by state law.

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background

1. Name of proposed project, if applicable:

Cornelius Holdings, LLC Request for Official Comprehensive Plan Map Amendment

SJC DEPARTMENT OF
FEB 25 2019
COMMUNITY DEVELOPMENT

2. Name of applicant:

Cornelius Holdings, LLC

3. Address and phone number of applicant and contact person:

*Applicant: Cornelius Holdings, LLC
300 Lakeside Drive South
Suite 101
Seattle, WA 98144*

*Contact Person: Stephanie Johnson O'Day, Attorney
PO Box 2112
Friday Harbor, WA 98250
Phone: (360) 378-6278*

4. Date checklist prepared:

January 2019

5. Agency requesting checklist:

San Juan County Department of Community Development

6. Proposed timing or schedule (including phasing, if applicable):

If approved, the inclusion of this property into the Town of Friday Harbor's Urban Growth Area (UGA) will likely occur at the end of 2019.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Yes. A Conditional Use Permit Application is being considered by the property owner for relocating the existing nursery on the Browne's Home Center property, which is located immediately to the north of the subject site, onto this property.

In addition, if the Town of Friday Harbor's UGA is expanded to include this property, the applicant would apply for annexation into the corporate limits of the Town of Friday Harbor.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

A wetland report was prepared for the property and it was determined that a small Category IV wetland is located on the property. This wetland, which is located adjacent to Mullis Avenue, has been artificially enhanced and enlarged from stormwater runoff that has been directed onto the site from Mullis Avenue and surrounding development.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

There are no applications or other governmental approvals pending for development on this site.

10. List any government approvals or permits that will be needed for your proposal, if known.

The expansion of the Town of Friday Harbor's UGA will need the approval of the San Juan County Council and the adoption of an amended County Comprehensive Plan Map. It will also need to be approved by the Town of Friday Harbor.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The proposal includes a request for an amendment to the San Juan County Comprehensive Land Use Map for the purpose of including the subject property into the Town of Friday Harbor's UGA. The proposal does not include a change of county zoning designation.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The 5.1 acre property is located immediately east of Mullis Avenue, and south of and adjacent to the Town of Friday Harbor's corporate limits on San Juan Island. There is no address assigned to this property at this time but it is identified as TPN 351444005 and is located in Section 14, Township 35 North, Range 3 West, WM, in San Juan County.

B. Environmental Elements

1. Earth

- a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

- b. What is the steepest slope on the site (approximate percent slope)?

The steepest slope on the property does not exceed 5%.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

The site encompasses two soil types: 1) Mitchellbay gravelly sandy loam at 0 to 5% slopes and 2) Alderwood-Everett complex, warm at 5 to 15% slopes.

Mitchellbay gravelly sandy loam is considered prime farmland and Alderwood-Everett complex, warm is considered prime farmland, if irrigated.

The property is mostly undeveloped. When it is developed, it will remove land from the potential of producing agricultural crops. However, due to its small size and its location between developed urban properties (Browne's Home Center to the north, the dog park and fire station to the south, Mullis Avenue to the west and residential development to the east) the property is not suited for agricultural purposes.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Review of the San Juan County Critical Area Maps for geo-hazards indicates there are no unstable soils on this site.

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

NA – this is a non-project action.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

When the site is developed, there could be the potential for erosion when soils are exposed during construction.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Unknown at this time.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Erosion controls will be addressed at the time when building permits are submitted and the property is developed.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Unknown. The types of emissions generated by development on this property will be evaluated at the time of development.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

There are no noticeable odors from off-site emissions.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

None proposed at this time.

3. Water

- a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

The site includes a Category IV wetland that has been enhanced and enlarged due to stormwater runoff generated along Mullis Avenue and surrounding development being directed to and disposed on this site.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

NA – this is a non-project action.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

There will be no dredging or filling of the wetland when the site is developed.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No – this proposal is a non-project action.

- b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

If the property is annexed into the Town of Friday Harbor, it will connect to the Town's municipal water system. The Town of Friday Harbor has confirmed they have the capacity to provide municipal water service to this parcel.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

If the property is annexed into the Town of Friday Harbor, it will connect to the Town's municipal sewage system. The Town of Friday Harbor has confirmed they have the capacity to provide municipal sewer service to this parcel.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

The source of runoff generated by this site is currently stormwater which is left to naturally absorb into the soils on site or flow into the Category IV wetland on site. Additional runoff may be generated when the site is developed. Runoff will be evaluated at that time when development plans are prepared.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

No, not with this proposed Comprehensive Plan Map Amendment.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No – this is a non-project action.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

None proposed at this time.

4. Plants

a. Check the types of vegetation found on the site:

- deciduous tree: **alder, maple**, aspen, other
 evergreen tree: **fir**, cedar, pine, other
 shrubs
 grass
 pasture
 crop or grain
 Orchards, vineyards or other permanent crops.

- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
 water plants: water lily, eelgrass, milfoil, other
 other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

There will be no vegetation removal with this non-project action. At the time of development native vegetation will be removed to accommodate structures, parking lots, etc. The extent of vegetation removal will be addressed at the time.

c. List threatened and endangered species known to be on or near the site.

Review of the San Juan County Critical Area maps shows no threatened or endangered plant species on this property.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

No new landscaping is currently proposed.

e. List all noxious weeds and invasive species known to be on or near the site.

There are no noxious weeds or invasive plant species known to exist on this property.

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other: raccoons, rats, bats, fox

fish: bass, salmon, trout, herring, shellfish, other _____

b. List any threatened and endangered species known to be on or near the site.

There are no threatened and endangered animal species known to be on or near the site as per the San Juan County Critical Areas Map.

c. Is the site part of a migration route? If so, explain.

The San Juan Islands are a migration route for Bald eagles. However, the property is not a significant migratory site.

d. Proposed measures to preserve or enhance wildlife, if any:

None proposed at this time.

e. List any invasive animal species known to be on or near the site.

There are no known invasive animal species known to be on or near the site.

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

If the site is developed as proposed, energy sources will include electricity, propane and, potentially, solar.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Unknown. There are no specific development plans at this time.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

No, not with this proposed Comprehensive Plan Map Amendment.

- 1) Describe any known or possible contamination at the site from present or past uses.

Since the site remains primarily undeveloped, it is highly unlikely that there have been any contaminants introduced onto the property.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

NA

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Unknown at this time. Evaluation of toxic and hazardous chemical will be done when site development plans are prepared.

- 4) Describe special emergency services that might be required.

Use of the site for commercial purposes will not require "special" emergency services. Existing EMT, police and fire protection services will be adequate to serve the

property.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

No measures are proposed at this time.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

The primary noise sources that affect this property are generated by vehicular traffic traveling along Mullis Avenue and air traffic from the Friday Harbor Airport, both which are located just west of the property.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

When the property is developed, there would be short term noise generated during construction. Long term noise sources would be from vehicular traffic generated by those working and shopping on the property.

- 3) Proposed measures to reduce or control noise impacts, if any:

None proposed at this time.

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The property is currently occupied by an off-street parking area, one single-family residence and portions of a dog park. Adjacent land uses include Browne's Home Center to the north, single-family residential uses to the east, the remaining portion of the dog park and a fire station to the south, and Mullis Avenue and the Friday Harbor Airport to the west.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

The property has not been used as working farmland or forestland. It is not zoned for use as agricultural or forestland of long term commercial significance. It is not in a farmland or forestland tax deferred status.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No.

- c. Describe any structures on the site.

A single-family residence is located near the east property line, a parking lot is centrally located on the property and portions of a dog park lie within the property adjacent to the south property line.

- d. Will any structures be demolished? If so, what?

Unknown. The old house on the east side of the property may be demolished in the future.

- e. What is the current zoning classification of the site?

Rural General Use

- f. What is the current comprehensive plan designation of the site?

Rural

- g. If applicable, what is the current shoreline master program designation of the site?

NA

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Yes, the property encompasses a Category IV wetland and is entirely a Critical Aquifer Recharge Area (CARA) as is all of San Juan County.

- i. Approximately how many people would reside or work in the completed project?

Unknown at this time.

- j. Approximately how many people would the completed project displace?

None.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

None proposed at this time.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

This request for an amendment to the official San Juan County Comprehensive Plan Map is simply for the expanding of the Town of Friday Harbor's UGA to include this property. It is not for the purpose of changing its land use designation. The property is currently zoned Rural General Use, and if the UGA boundary is expanded as requested, it will remain zoned Rural General Use until is annexed into the Town of Friday Harbor at some unknown time in the future.

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

None. This land is not considered agricultural or forest lands of long-term commercial significance.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

NA – this is not a housing project.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None at this time.

- c. Proposed measures to reduce or control housing impacts, if any:

NA – this is a non-project action.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Unknown at this time.

- b. What views in the immediate vicinity would be altered or obstructed?

There are no views in the area that would be altered or obstructed when the property is developed.

- b. Proposed measures to reduce or control aesthetic impacts, if any:

Unknown at this time.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

NA - this is a non-project action. Light and glare will be addressed when the property is developed.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Unknown at this time, but likely "no."

- c. What existing off-site sources of light or glare may affect your proposal?

There are currently no off-site light sources affecting this property other than lighting of the Friday Harbor Airport landing strip which is very evident at night.

- d. Proposed measures to reduce or control light and glare impacts, if any:

None proposed at this time.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

The dog park located on and to the south of this property provides passive recreational opportunities to dogs and their owners.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No, not with this non-project action.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Unknown at this time.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

Unknown.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

No.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

There has been no methods used to assess potential impacts to cultural and historic resources on or near the project site with this request for map amendment.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

None proposed at this time.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

The property is currently accessed at two separate points including direct access from Mullis Avenue to the west and access from the north via a parking lot located on the south side of the Browne's Home Center.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

No – there is no public transit available on San Juan Island.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

Unknown at this time.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

Unknown at this time.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

The property lies across Mullis Avenue to the east of the Friday Harbor Airport.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Unknown at this time.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No.

- h. Proposed measures to reduce or control transportation impacts, if any:

None proposed or required at this time.

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

Unknown at this time.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None proposed.

16. Utilities

- a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____

- c. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

If and when the property is annexed into the Town of Friday Harbor, it will be served by the Town's municipal water and sewer service. Construction activities required to extend utilities to the property are unknown at this time.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Francine Shaw

Name of signee: *Francine Shaw, Land Use Consultant*

Position and Agency/Organization: *Planning and Permit Services, LLC*

Date Submitted: 2-11-19

D. Supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Stormwater run-off will be generated by impervious surfaces placed on the property at the time of development which will require the development and implementation of a stormwater drainage plan. There are no specific development plans prepared at this time, so it is difficult to determine what emissions to the air will be generated by future development or what types of, if any, toxic or hazardous substances will be stored on the property. Noise will be generated when the property is developed, primarily by traffic generated by the site

Proposed measures to avoid or reduce such increases are:

To be determined at the time of development.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Existing vegetation will be removed in areas other than where the wetland and wetland buffers are located to accommodate future development. Animals using this vegetation will likely be unaffected due to the retention of vegetation in and around the wetland.

There is no fish or marine life on this property.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

As noted above, vegetation in and around the Category IV Wetland on this property will be retained and may even be enhanced at the time of development.

3. How would the proposal be likely to deplete energy or natural resources?

There will be absolutely no depletion of energy or natural resources if this property is more fully developed in the future.

Proposed measures to protect or conserve energy and natural resources are:

Structure constructed on this site will be required to comply with the Energy Code for Washington State.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Unknown at this time.

Proposed measures to protect such resources or to avoid or reduce impacts are:

To be determined at the time of development.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

If the requested map amendment to extend the Town of Friday Harbor's UGA boundary to include this property is approved and the land is annexed into the Town, it will allow the relocation of the Brownes Home Center nursery on Mullis Street. It may also result in the construction of multi-family housing on the east side of the property.

Proposed measures to avoid or reduce shoreline and land use impacts are:

This is not a shoreline parcel but an upland parcel. Development of the property will require compliance with the applicable development codes which are intended to avoid and reduce land use impacts.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

There is no indication that there will be increased need for public services if the property is included in the Town of Friday Harbor's UGSA. Existing services will have the capacity to serve the site. This specific proposal will bring the parcel into the UGA, but keep the same

RGU zoning designation. If the property is annexed, the Browne Lumber nursery can be relocated. The increase in traffic will be negligible.

Proposed measures to reduce or respond to such demand(s) are:

None proposed or required.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed Comprehensive Plan Map Amendment, in and of itself, will have no impact on the environment.

Environmental impacts are better addressed at the time of development.

Adam Zack

From: Stephanie O'Day <sjoday@rockisland.com>
Sent: Monday, March 25, 2019 8:28 AM
To: Adam Zack; mikeb@fridayharbor.org
Cc: Shaw Francine; Susan@grahambaba.com; wec.pcr@gmail.com
Subject: Fwd: UGA follow-up

Adam and Mike – I just received this email from chief Collins. It looks like the fire station which is on port property is interested in annexation as well. 'Stephanie

Sent from my iPad

Begin forwarded message:

From: "Norvin Collins" <chief@sjifire.org>
Date: March 25, 2019 at 7:45:15 AM PDT
To: "Stephanie Johnson O'Day" <sjoday@rockisland.com>
Subject: Port land follow-up

Good morning, Stephanie,

Sorry, I was out of the office last week. I did receive your phone call about the Port.

Yes, I did talk with Todd at the Port and they are interested in pursuing the annexation into the Town. He was going to talk to his Commissioners and didn't see a downside to the option.

If you need more, please let me know. Todd will need to take it from here as it is Port land. We will remain supportive and do what we can as we move forward.

Norvin Collins, MS, EFO
Fire Chief
San Juan Island Fire & Rescue
1011 Mullis St.
Friday Harbor, WA 98250
360.378.5334 - Office
360.977.0586 - Mobile

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Adam Zack

From: Stephanie Johnson O'Day <sjoday@rockisland.com>
Sent: Wednesday, April 3, 2019 2:57 PM
To: Adam Zack; Linda Ann Kuller
Subject: FW: Port letter of support and joinder
Attachments: doc20190403142957.pdf

Adam and Linda: Here is a copy of the letter the Port of Friday Harbor sent today to the County Council, Mike Thomas, the Town Council and Duncan Wilson. Please put this in the Cornelius Holdings LLC UGA file. Thank you.

Stephanie O'Day

-----Original Message-----

From: sjoday@rockisland.com <sjoday@rockisland.com>
Sent: Wednesday, April 03, 2019 3:30 PM
To: sjoday@rockisland.com
Subject:

TASKalfa 3050ci
[00:c0:ee:a7:2c:91]



P.O. Box 889, Friday Harbor, WA 98250 * 360-378-4724 * fax 360-378-6120 * <http://www.portfridayharbor.org>
Commissioners: Graham Black * Greg Hertel * Barbara Marrett

April 3, 2019

Duncan Wilson, Administrator
Town Council, Town of Friday Harbor
PO Box 219
Friday Harbor, WA 98250

Mike Thomas, Administrator
County Council, San Juan County
PO Box
Friday Harbor, WA 98250

Re: Expansion of UGA on Mullis Street

PREDES-1-0001 Cornelius Holdings LLC

Dear Mr. Wilson, Town Council, Mr. Thomas and County Council:

It has come to our attention that Cornelius Holdings LLC, the owner of a five-acre parcel just south of Browne Lumber (TPN 351444005), has applied to San Juan County for a site specific rezone for the parcel to be included in the Town/County Urban Growth Area (UGA). The Port supports this proposal and would like its adjacent property to be included in the UGA as well.

The Port of Friday Harbor – An Island Friendly Port



P.O. Box 889, Friday Harbor, WA 98250 * 360-378-4724 * fax 360-378-6120 * <http://www.portfridayharbor.org>
Commissioners: Graham Black * Greg Hertel * Barbara Marrett

The Port of Friday Harbor is the owner of TPN 352312016, a 7.08 acre parcel partially leased by the Fire Department. The expansion of the UGA to include the Mullis Street properties is in the best interests of the Port and also the citizens of the County and the Town.

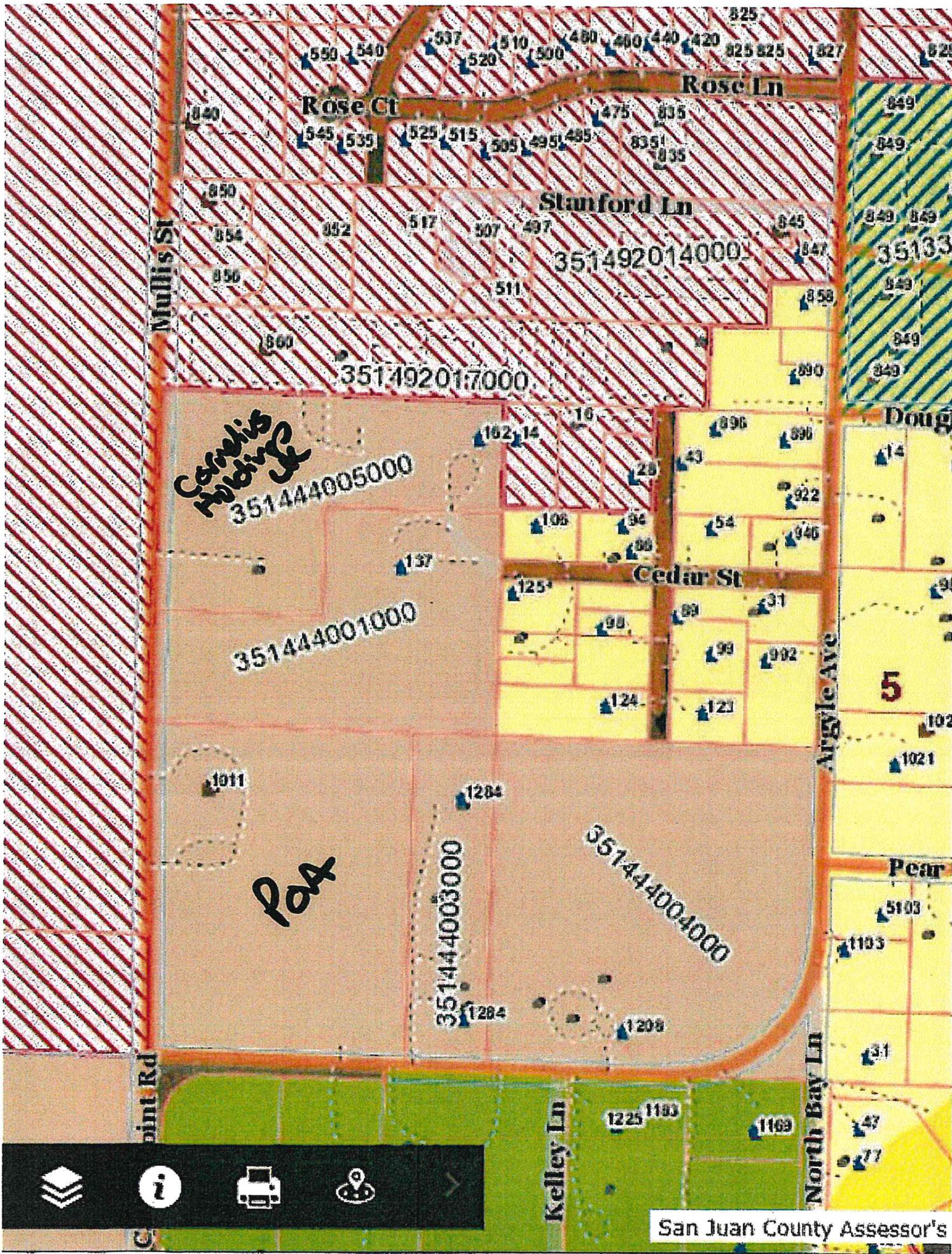
The Port Commission is unanimous in support of placement of this Port property into the Town/County Urban Growth Area. We request that the Town and the County place not only the Cornelius property but also the Port property into the Urban Growth Area. Mullis Street is clearly appropriate for urban services.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd Nicholson", written in a cursive style.

Todd Nicholson

Executive Director



Show search results for mul...

Fire Station
1011

Part property



Linda Ann Kuller

From: Erika Shook
Sent: Monday, May 6, 2019 1:06 PM
To: Linda Ann Kuller; Adam Zack
Subject: FW: External: Comp Plan Amendment--Cornelius Holdings/TP351444005
Attachments: CompPlanAmendment-CorneliusHoldings.pdf

From: Julie Greene <julie@fridayharbor.org>
Sent: Monday, May 6, 2019 1:03 PM
To: Erika Shook <erikas@sanjuanico.com>
Cc: Mike Thomas <miket@sanjuanico.com>; Mayor Farhad Ghatan <mayorfarhad@fridayharbor.org>; Duncan Wilson <duncanw@fridayharbor.org>; Stephanie O'Day <sjoday@rockisland.com>
Subject: External: Comp Plan Amendment--Cornelius Holdings/TP351444005

Hello Erika,
Attached please find the letter from Duncan Wilson on behalf of the Town of Friday Harbor regarding the request by Cornelius Holdings, LLC, to expand the UGA to include tax parcel 351444005. A hard copy is in the mail.

Best regards,
Julie Greene
Executive Assistant
TOWN OF FRIDAY HARBOR
PO Box 219 / Friday Harbor, WA 98250
Ph (360) 378-2810, ext. 229 / Fax 378-5339
Direct line (360) 622-2035
julie@fridayharbor.org

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TOWN OF FRIDAY HARBOR
Post Office Box 219 • Friday Harbor, Washington 98250
(360) 378 – 2810 • FAX: (360) 378 – 5339 • www.fridayharbor.org

May 6, 2019

Ms. Erika Shook
San Juan County Community Development
P.O. Box 947
Friday Harbor, WA 98250

RE: 2019 Comprehensive Plan Amendment

Dear Erika:

It is the understanding of the Town of Friday Harbor that you have received a Docket request from Cornelius Holdings, LLC related to your 2019 Comprehensive Plan and Land Use Map amendments. Specifically, you have been requested to add Tax Parcel Number 351444005 to the Urban Growth Area of the Town of Friday Harbor. This letter is sent in support of that request and to ask for the inclusion of additional properties to the UGA as well.

I would call your attention to the application submitted by attorney Stephanie O'Day of behalf of Cornelius on February 11, 2019. Based upon the proposed use of this property it would be entirely appropriate to designate the land as part of the Town UGA which would then authorize future Town annexation of the parcel and extension of urban services. Given this parcel's proximity to the Port's airport operations, as well as the headquarters for Fire District #3 to the south, the parcel is well suited for Urban use.

In addition, the Town would request that you consider expanding the UGA to the south of the subject parcel and include parcel numbers 351444001 and 352312016001 as well. The Town believes that it has the utility capacity to serve these parcels and their unique location offers opportunities to expand our industrial zoning. We also believe that being on Town sewer would benefit the Fire District as they consider their options for future expansion.

SJC DEPARTMENT OF
MAY 08 2019
COMMUNITY DEVELOPMENT

Thank you for your consideration and please feel free to contact me should you have any questions or concerns.

Sincerely,



Duncan Wilson
Friday Harbor Town Administrator

Cc: Mayor Farhad Ghatan
Mike Thomas, County Manager

Adam Zack

From: Adam Zack
Sent: Thursday, April 25, 2019 3:24 PM
To: 'Mike Bertrand'
Cc: Linda Ann Kuller; Erika Shook
Subject: RE: Town and County Coordination meeting re: request to add a parcel to UGA TPN 351444005000 File No. PREDES-19-0001
Attachments: 2019-04-24_DCD_PREDES-19-0001_transmittal_W_attachments_Zack_PC_05-17-2019.pdf

Hi Mike,

Thank you for getting back to me. I scheduled a meeting at 10:00 am on May 14 in the Dept. of Community Development Conference Room and sent you an outlook invite. A memo with the proposal and some background information was mailed to you today. A PDF of that memo is attached to this email.

The purpose of our meeting on May 14 will be to outline the best way to coordinate with the Town during this process and to gather more information about pertinent goals and policies from the Town's Comprehensive Plan.

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In particular, I am interested in finding out more about the following:

- Which policies in the Town's Comprehensive Plan will apply to amending the UGA boundary?
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- More information about the Town's Land Capacity Analysis (including where to find the results):
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 - o Where can I find the Town's adopted levels of service for capital facilities?
- What process will the Town prefer for further coordination with the County regarding this proposal?

Please let me know if you need any other information. I will be out of the office from April 29 to May 9, please contact Linda Kuller (lindak@sanjuanco.com) if you need something during that time.

Thanks,
Adam Zack
Planner III
Department of Community Development
San Juan County, WA
360-370-7580
adamz@sanjuanco.com

NOTICE: All emails, and attachments, sent to and from San Juan County are public records and may be subject to disclosure pursuant to the Public Records Act, Chapter 42.56 RCW.

From: Mike Bertrand
Sent: Tuesday, April 23, 2019 10:55 AM
To: Adam Zack
Cc: Linda Ann Kuller ; Erika Shook
Subject: RE: Town and County Coordination meeting re: request to add a parcel to UGA TPN 351444005000 File No. PREDES-19-0001

HiAny morning that week works for me....Mike Bertrand, Land Use Administrator, Town of Friday Harbor

From: Adam Zack <adamz@sanjuanco.com>
Sent: Monday, April 22, 2019 1:21 PM
To: Mike Bertrand <mikeb@fridayharbor.org>
Cc: Linda Ann Kuller <lindak@sanjuanco.com>; Erika Shook <erikas@sanjuanco.com>
Subject: Town and County Coordination meeting re: request to add a parcel to UGA TPN 351444005000 File No. PREDES-19-0001

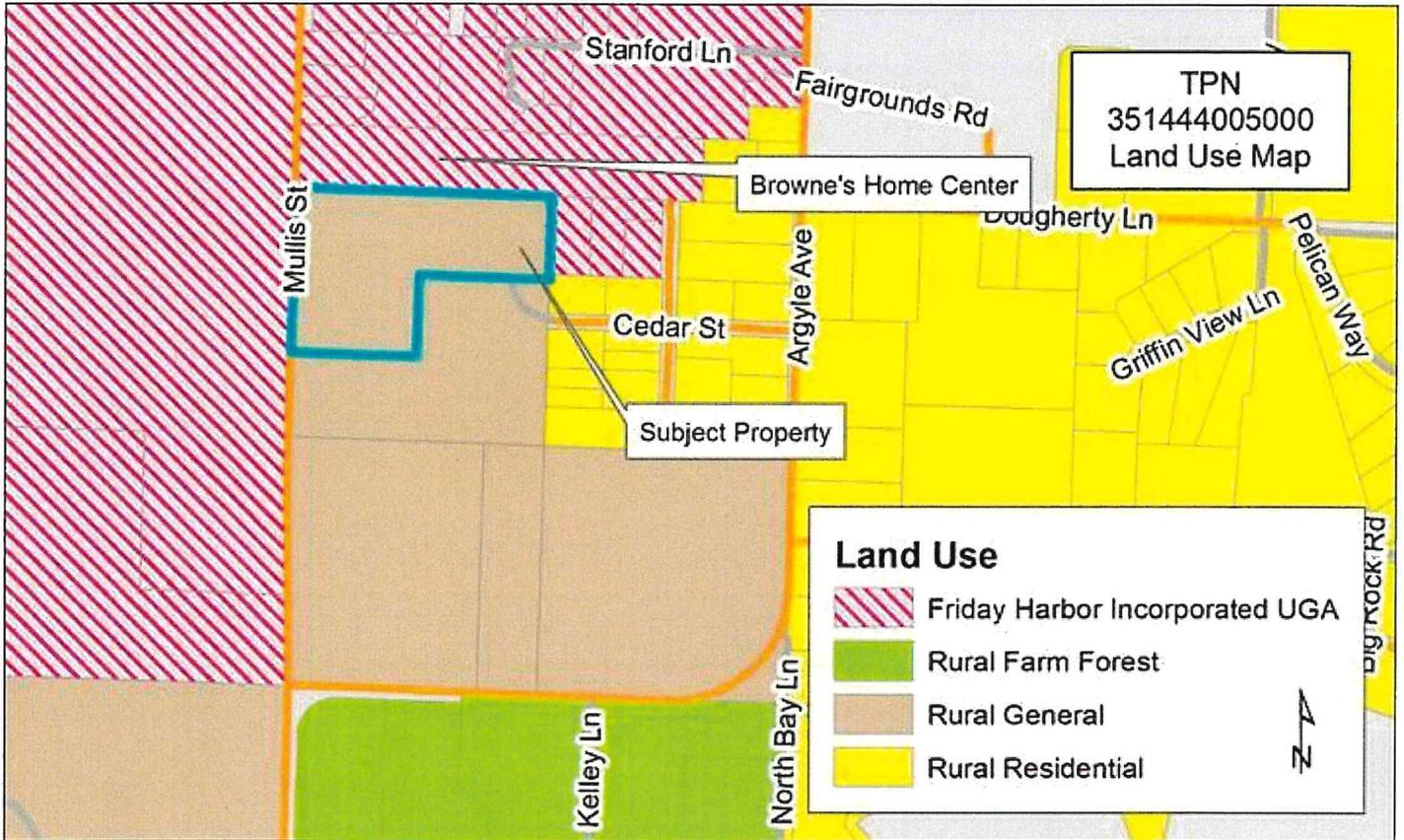
Dear Mike Bertrand,

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https://www.sanjuanco.com/DocumentCenter/View/18283/PREDES-19-0001_Application

As I'm sure you know, the County needs to coordinate with the town on this request. Is there a time during the week of May 13th through the 17th that you would be able to meet with me to discuss this application?

Let me know if you need any other information.



Adam Zack
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TOWN OF FRIDAY HARBOR
Post Office Box 219 • Friday Harbor, Washington 98250
(360) 378 – 2810 • FAX: (360) 378 – 5339 • www.fridayharbor.org

May 31, 2019

To: Mike Bertrand

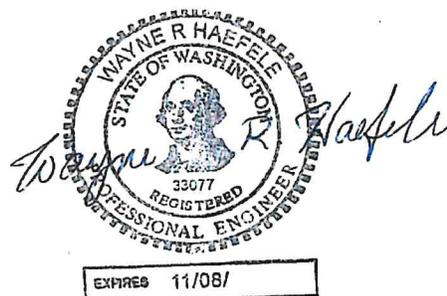
From: Wayne Haeefe

Subject: Availability of Water and Sewer for Annexation of
TPN 351-444-005

As you requested I have reviewed the capacity of the Town's utilities and concluded as follows:

Washington DOH has not specified an approved number of service connections. The Friday Harbor Municipal Water System's approved Water System Plan Update (2013) shows a minimum system capacity of 3633 ERU's limited by treatment capacity. The current number of ERU's represented by active service connections is 3,307. There is sufficient capacity to serve water to the lot.

Sewer capacity is measured on hydraulic capacity and treatment capacity. The sewer treatment plant is not currently running anywhere near either limit. There is sufficient capacity to serve sewer needs to the lot.



Adam Zack

From: Mike Bertrand <mikeb@fridayharbor.org>
Sent: Friday, June 7, 2019 10:52 AM
To: Adam Zack
Cc: Linda Ann Kuller; Erika Shook
Subject: RE: Town and County Coordination meeting re: request to add a parcel to UGA TPN 351444005000 File No. PREDES-19-0001
Attachments: Memo - Mike Bertrand re Capacity for Brown's Annexation 19 05 31.docx

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Adam,

Attached is a letter concerning utility capacity and level of service for the parcel in question. Also, this parcel, if annexed, would be zoned Light Industrial. Adding one lot will not have an adverse impact on the Town's overall zoning capacity needs. If you need anything else let me know.

Sincerely,

Mike Bertrand
Land Use Administrator
Town of Friday Harbor

From: Adam Zack <adamz@sanjuanco.com>
Sent: Friday, June 7, 2019 9:00 AM
To: Mike Bertrand <mikeb@fridayharbor.org>
Cc: Linda Ann Kuller <lindak@sanjuanco.com>; Erika Shook <erikas@sanjuanco.com>
Subject: RE: Town and County Coordination meeting re: request to add a parcel to UGA TPN 351444005000 File No. PREDES-19-0001

Hi Mike,

I wanted to follow up after our meeting a few weeks ago regarding the proposal to add TPN 351444005000 to the UGA. Have you had a chance to put together a letter and information related to the following:

- Which policies in the Town's Comprehensive Plan will apply to amending the UGA boundary?
- What are the Town's policies on annexation?
- More information about the Town's Land Capacity Analysis (including where to find the results):
 - What is the projected need for commercial development in the Town?
 - Where can I find the Town's adopted levels of service for capital facilities?

I will be putting together a staff report in the next couple of weeks and this information will be important to include with my analysis.

Please let me know if you need any other information.

Thanks,
Adam Zack
Planner III
Department of Community Development
San Juan County, WA
360-370-7580

adamz@sanjuanco.com

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From: Adam Zack

Sent: Thursday, April 25, 2019 3:24 PM

To: 'Mike Bertrand' <mikeb@fridayharbor.org>

Cc: Linda Ann Kuller <lindak@sanjuanco.com>; Erika Shook <erikas@sanjuanco.com>

Subject: RE: Town and County Coordination meeting re: request to add a parcel to UGA TPN 351444005000 File No. PREDES-19-0001

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Adam Zack

Planner III

Department of Community Development

San Juan County, WA

360-370-7580

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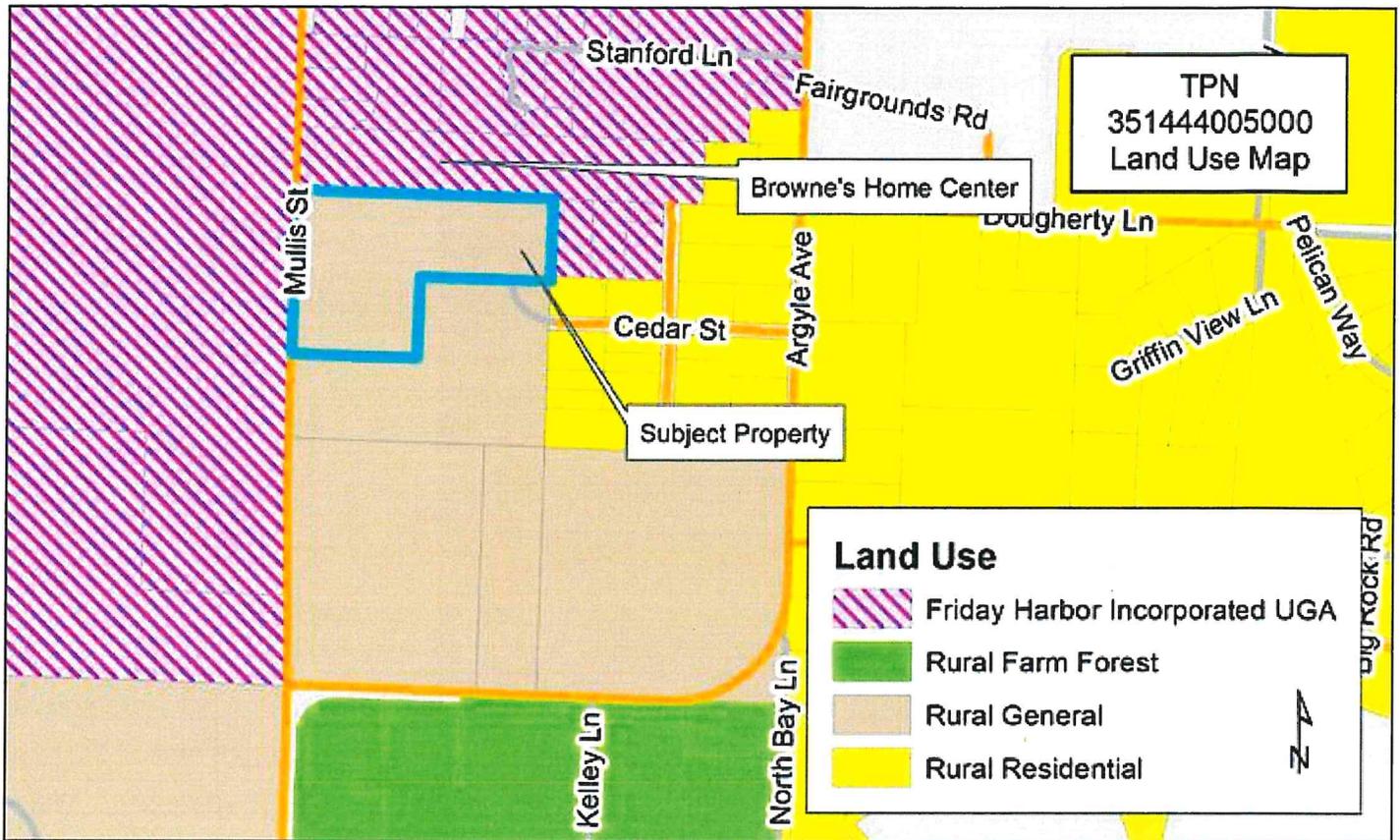
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 Department of Community Development
 San Juan County, WA
 360-370-7580
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**SAN JUAN COUNTY
HEARING EXAMINER**

FINDINGS, CONCLUSIONS AND DECISION

Applicants: R&TB, LLC
PO Box 577
Friday Harbor, WA 98250

Agent: Jim Stegall
595 Linder #10
Friday Harbor, WA 98250

File No: HE17-08 (08CU001)

Request: Conditional Use Permit

Parcel No: 351444001

Location: On Mullis Street between Browne's Home Center and
District 3 Fire Station
San Juan Island

Summary of Proposal: An application to allow a public dog park.

Land Use Designation: Rural general

Public Hearing: After reviewing the report of the Community
Development and Planning Department a public hearing
was held on March 19, 2008.

**Applicable Policies
and Regulations:** SJCC 18.40.330 Recreational Developments
SJCC 18.80.100 Conditional Use Permits

Decision: The application is approved subject to conditions.

S.J.C. COMMUNITY
APR 02 2008
DEVELOPMENT & PLANNING

Findings of Fact

1. This is a request for a public, off-leash dog park to be located outside the town of Friday Harbor limits on Mullis Street. The site will consist of two acres of undeveloped and gently rolling open pasture. The entire area will be fenced with a separate smaller fenced area for small dogs.
2. The surrounding neighborhood contains a variety of uses. To the north is Browne's Home Center. To the south is the District 3 Fire Station. The Friday Harbor Airport is located across the street and residential property is located to the east.
3. The land use district at this location is Rural general. An off-street gravel parking area is to be included. No sewer or water hookups are proposed.
4. There will not be any adverse impacts on adjacent properties. The use is not one that will impact the airport.
5. The parking area will be 55 feet by 155 feet. A stormwater management plan, filed prior to construction, is required by County code. The operation will be limited to daylight hours only to lessen any potential impacts. Adequate facilities exist for the small-scale, low impact use request. No buildings are proposed nor is any vegetation to be removed.
6. Any future signs will need approval from the Community Development and Planning Department (CDPD).
7. The proposal is exempt from State Environmental Policy Act review.
8. Notice of application and hearing was published January 23, 2008. Mailing occurred on January 22, 2008 and the site was posted on January 23, 2008. No comments were received. No one from the public appeared at the hearing on March 19, 2008.
9. The staff report is incorporated herein by reference as though fully set forth. The analysis and factual statements contained in the staff report are adopted as a finding herein.
10. Any conclusion herein which may be deemed a finding is hereby adopted as such.

Conclusions of Law

1. The Hearing Examiner has jurisdiction over the persons and subject matter of this proceeding.
2. The proposal is exempt from the requirements of the State Environmental Policy Act.
3. Proper notice was given in compliance with local and state requirements.
4. Properly conditioned, the application meets the criteria for a Conditional Use Permit and complies with County Code standards.
5. Any finding herein which may be deemed a conclusion is hereby adopted as such.

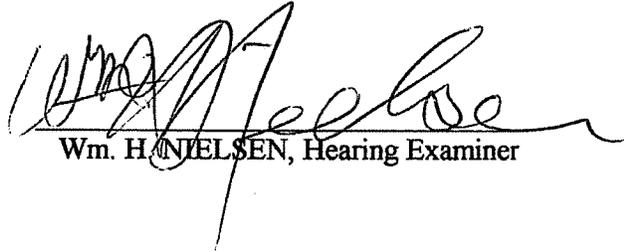
Conditions

1. A stormwater management plan shall be approved by Public Works for the gravel parking area prior to use of the two-acre parcel.
2. Signs shall be reviewed and approved by CDPD prior to installation in the park.
3. No use shall be made of the property which produces unreasonable vibration, noise, dust, smoke or electrical interference to the detriment of the adjoining properties.
4. Construction or substantial progress toward construction shall commence within 2 years of the date of approval, and shall be complete within 5 years.
5. Authorization for any use granted pursuant to this permit shall be null and void if the use is discontinued for 24 consecutive months.
6. Failure to comply with all conditions may be grounds for revocation of this permit.

Decision

The conditional use permit is approved subject to the conditions set forth above.

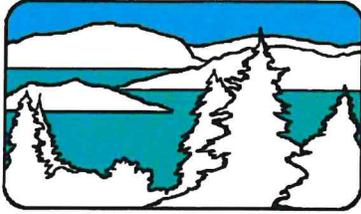
DONE this 2nd day of April, 2008.



Wm. H. NIELSEN, Hearing Examiner

Appeal

Any appeal of this decision shall be to Superior Court pursuant to the Land Use Petition Act, Chapter 36.70 RCW, within 21 days of the issuance of the decision. See Home Rule Charter, Section 3.70.



**San Juan County
Community Development and Planning
Department**

Staff Report to the Hearing Examiner

HEARING DATE: March 19, 2008
REPORT DATE: March 3, 2008
PROJECT PLANNER: Julie Thompson
FILE #: 08CU001
PROJECT DESCRIPTION: A conditional use permit application for the purpose of obtaining approval for an unnamed recreational use, a public dog park
STAFF RECOMMENDATION: Approval with conditions

PROJECT DATA	
Site Address and Location:	On Mullis Street between Browne's Home Center and District 3 Fire Station
Parcel Number(s):	351444001
Site Size:	2 acres of a 9.87 acre parcel
Owner(s):	R&TB, LLC PO Box 577 Friday Harbor, WA 98250
Agent:	Jim Stegall 595 Linder #10 Friday Harbor, WA 98250
Land Use Designation:	Rural general
Existing Land Use:	Residential and undeveloped
Surrounding Land Use:	North: Commercial South: Institutional—Fire Station East: Residential West: Transportation—Friday Harbor airport
Land Division Status:	Metes and bounds
Fire District:	San Juan Island
School District:	San Juan Island
Nearest Arterial and Distance:	Mullis Street at west boundary

DESCRIPTION OF THE SITE

The proposal is to use 2 acres of the 9.87 acre parcel located in the southwest portion, next to the Fire Station. This portion of the property is undeveloped and consists of gently rolling open pasture with scattered fir trees and native shrubbery. There are two rental houses on the remaining portion of the property, but they are outside the area proposed for the dog park.

DESCRIPTION OF THE SURROUNDING NEIGHBORHOOD

The surrounding neighborhood contains a variety of uses. To the north is Browne's Home Center, selling building supplies and numerous other items. The parcel to the south houses the District 3 fire station, which is also often used as a meeting facility. The property across Mullis Street is the Friday Harbor airport, and the property to the east is a residential subdivision.

DESCRIPTION OF THE APPLICATION

The proposal is for a fenced, off-leash public dog park open in daylight hours only, for locals to run their pets. The entire dog park will be fenced, and there will be a separate smaller fenced area for small dogs. An off-street, gravel parking area will also be included within the fenced area. There are no sewer or water hook-ups proposed, but waste receptacles are included, as will be several user-donated benches.

This whole idea of a dog park will eventually be relocated to the gravel pit once Island Rec develops their plans for that location. When that occurs, the subject site will be vacated.

STAFF ANALYSIS

18.40.330 Recreational developments.

Recreational developments are parks, playing fields, and facilities for camping, outdoor sports facilities, and similar developments.

A. All Recreational Developments. The following standards apply to all recreational developments:

1. Recreational areas shall be located so as to protect adjacent properties from adverse impacts. Where the proposed recreational use can reasonably be expected to have adverse impacts on adjacent properties, and where existing ground cover, such as trees or shrubs, will not provide an adequate buffer between the recreational area and adjoining properties, screening or fencing will be required.

There will be a fence enclosing the entire dog park to protect the animals from traffic, but the fence is not a screening fence. The immediately adjacent uses don't require screening. It is not expected to have an adverse impact on the adjacent properties.

2. Parks and campgrounds in which individual lots or spaces are to be leased, sold or otherwise transferred are prohibited.

This is not contemplated.

3. Parking areas associated with recreational areas shall be located inland away from the water and beaches and shall be designed to control surface runoff and prevent the pollution of nearby water bodies. Safe access from parking areas to recreation areas shall be provided by means of walkways or other suitable facilities.

The parking area will be 55' x 155' and as such will require some sort of stormwater management plan prior to its construction.

4. Motorized, off-road, and all-terrain vehicle (ATV) parks and recreational areas are not consistent with the confined space and rural, residential nature of the island and shall not be permitted.

This does not apply to the dog park.

5. Parks in the conservancy district shall not be designed, created, or operated in a manner which would reduce, limit, or degrade the purpose and intent of the conservancy district.

The land use district at this location is Rural general.

6. Playing fields must meet the following standards:

The use will not be for playing fields.

7. No use shall be made of equipment or material which produces unreasonable vibration, noise, dust, smoke, odor, electrical interference to the detriment of adjoining property.

This should be a condition of approval.

18.40.370 Signs—General regulations

- A. Off-premises, outdoor commercial signs shall not be permitted.
- B. Exterior neon signs, signs that are illuminated from within, and signs or portions of signs that move, flash, or are otherwise animated shall not be permitted in any area.
- C. The County shall reserve the right to remove or require the removal of existing nonconforming signs when their useful life has ended.
- D. The maximum size of any sign in activity center designations is limited to 15 square feet.
- E. Multiple signs on a Building. The maximum aggregate size for multiple signs is limited to one percent of the floor area of the building, except that each occupant is allowed a sign of at least two square feet. In no case may an individual occupant's sign be larger than 15 square feet.
- F. No sign mounted on a building shall extend above or beyond the eave, rake, or parapet of the wall on which it is mounted. Any sign projecting beyond six inches from a perpendicular wall shall be at least six feet, eight inches above grade.
- G. Signs painted on buildings shall be measured by the smallest polygon enclosing the letters and symbols of the sign.
- H. Awnings and canopies with letters, wording, or symbols, and/or those covered with translucent material and containing internal illumination shall be considered signs in their entirety. Awnings and canopies not containing internal illumination or letters, wording, or symbols shall not be considered signs.
- I. Wall graphics are allowable provided they do not constitute commercial advertising that would otherwise be prohibited.

When signs are proposed, the applicant needs to submit them for approval by Community Development and Planning.

18.40.390 Identification and advertising signs.

- A. Freestanding advertising and identification signs shall not be approved or installed where it is feasible and practical to mount or paint the proposed sign on a building. Signs shall be attached to buildings unless the business cannot be seen from a public road.

SJCC 18.80.030(A)(2)(a) requires publication of a notice of application.

A notice of application was published January 23, 2008.

SJCC 18.80.030(A)(2)(b)&(c) require notification of the application to all property owners within 300 feet of the subject property and posting of the notice of application on the subject property.

The applicant submitted an affidavit of posting stating that he posted the subject property on January 23, 2008 and a declaration of mailing stating he mailed the notice of application on January 22, 2008 verifying that the property has been posted and that neighboring properties within 300 feet have been notified of the application. We received no comments on this application.

SJCC 18.80.100(D). Conditional Use Permits – Criteria for Approval. A conditional use permit shall be granted by the County only if the following criteria are met:

1. The proposed use will not be contrary to the intent or purposes and regulations of this code or the Comprehensive Plan;
This proposal can be conditioned to be consistent with the SJCC and the Comprehensive Plan.
2. The proposal is appropriate in design, character and appearance with the goals and policies for the land use designation in which the proposed use is located;
It is consistent with the goals and policies of the Rural general land use designation as it is a small-scale, low-impact use.
3. The proposed use will not cause significant adverse impacts on the human or natural environments that cannot be mitigated by conditions of approval;
Following the rules for signage and erosion control will avoid adverse impacts. Limiting the hours of operation to daylight hours only will also limit impacts.
4. The cumulative impact of additional requests for like actions (the total of the conditional uses over time or space) will not produce significant adverse effects to the environment that cannot be mitigated by conditions of approval;
There are a limited number of Rural general parcels in this area, which limits where this type of activity could occur. This should limit the cumulative impacts, and the use itself will not cause any significant adverse impact to the environment.
5. The proposal will be served by adequate facilities including access, fire protection, water, stormwater control, and sewage disposal facilities;
With the exception of a stormwater management plan for the parking area, as currently developed, adequate facilities exist. A stormwater plan for the parking area will be required.
6. The location, size, and height of buildings, structures, walls and fences, and screening vegetation associated with the proposed use shall not unreasonably interfere with allowable development or use of neighboring properties;
No buildings are proposed, nor is vegetation removal.
7. The pedestrian and vehicular traffic associated with the conditional use will not be hazardous to existing and anticipated traffic in the neighborhood;
There is good site distance either direction from the location of the proposed driveway, so the traffic associated with this proposal will not be hazardous to existing and anticipated traffic.

8. The proposal complies with the performance standards set forth in Chapter 18.40 SJCC;
As conditioned, the proposal will be in compliance with the applicable performance standards in SJCC 18.40.
9. The proposal does not include any use or activity that would result in the siting of an incompatible use adjacent to an airport or airfield (RCW 36.70.547); and
Although the Friday Harbor Airport is across the street, the proposed use is not incompatible with the airport.
10. The proposal conforms to the development standards in Chapter 18.60 SJCC.
There will be no buildings, so there is nothing to apply the development standards to.

APPLICATION PROCESSING PROCEDURES

- Date Application Submitted: January 2, 2008
- Date Application Complete: January 2, 2008

SEPA

This application is exempt from SEPA.

NOTICING

- Published: January 23, 2008
- Mailed: January 22, 2008
- Site Posted: January 23, 2008

PUBLIC COMMENT

We received no comments on this proposal.

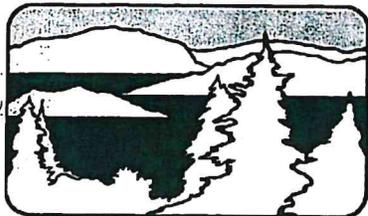
CONCLUSION

This application for a dog park meets the criteria for a conditional use permit as set forth in SJCC 18.80.100(D).

STAFF RECOMMENDATION

Approve the request for a dog park on tax parcel number 351444001. The following conditions should apply:

- 1) Signs will be reviewed and approved by the county prior to installation.
- 2) A stormwater management plan shall be approved for the gravel parking area.
- 3) Failure to comply with all conditional of approval may be grounds for revocation of this permit.
- 4) Construction or substantial progress toward construction shall commence within 2 years of the date of approval, and shall be complete within 5 years.
- 5) Authorization of any use granted pursuant to this plan shall be null and void if the use is discontinued for 24 consecutive months.



San Juan County Community Development & Planning

135 Rhone Street * P.O. Box 947 * Friday Harbor, Washington 98250
360/378-2354 * 360/378-2116 * Fax 360/378-3922
email: permits@co.san-juan.wa.us * web site: www.co.san-juan.wa.us

Land Use Permit Application - Cover Sheet

PROPERTY INFORMATION		SHORELINE DESIGNATION	
Tax Parcel Number:	<u>3</u> <u>5</u> <u>1</u> <u>4</u> <u>4</u> <u>4</u> <u>0</u> <u>0</u> <u>1</u>	Comp Plan Designation <u>Rural/General</u>	
Island: <u>San Juan</u>	Subdivision: _____	Lot Number: _____	
Property Size: <u>9.87 acres</u> (acres/square feet) Existing Use of Property: <u>pasture, parking, rental units</u>			
Direction to Property: <u>On Mullis Street between Browne's Home Center and District 3 Fire Station, across from Friday Harbor Airport</u>			

APPLICANT INFORMATION	
Name of Applicant: <u>R&TB, LLC; P.O. Box 577</u>	Telephone: <u>378 2168 (@Browne's Home Ctr)</u>
Email: _____	
Address: <u>128A Cedar Street</u>	
City: <u>Friday Harbor</u>	State: <u>WA</u> Zip Code: <u>98250</u>
Name of Agent (if applicable): <u>Jim Stegall</u>	
Telephone: <u>370 5548</u>	
Email: <u>Jimstegall@rockisland.com</u>	
Address: <u>595 Linder #10</u>	
City: <u>Friday Harbor</u>	State: <u>WA</u> Zip Code: <u>98250</u>

DESCRIPTION OF PROPOSED USE (Include separate sheets as necessary)	
<u>Please see other side for description</u>	SJC COMMUNITY
	JAN 02 2008
	DEVELOPMENT & PLANNING

PERMIT CERTIFICATION	
I have examined this application and attachments and know the same to be true and correct, and certify that this application is being made with the full knowledge and consent of all owners of the affected property.	
<u>[Signature]</u>	<u>1/3/08</u>
Signature of Property Owner or Authorized Agent	Date
<input type="checkbox"/> For CB&P Use Only <input type="checkbox"/> Provisional Permit <input checked="" type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Variance <input type="checkbox"/> Discretionary Date Received: _____ Complete Application: _____ Receipt Number: _____	

200802002 - 2 Pd 73500 RC

**SAN JUAN COUNTY
HEARING EXAMINER**

FINDINGS, CONCLUSIONS AND DECISION

Applicants:	R & TB, LLC PO Box 577 Friday Harbor, WA 98250	S.J.C. COMMUNITY
Agent:	Bob Querry PO Box 2673 Friday Harbor, WA 98250	SEP 11 2009 DEVELOPMENT & PLANNING
File No:	HE30-09 (09CU011)	
Request:	Conditional Use Permit (CUP)	
Location:	Mullis Street between Browne's Home Center and District 3 Fire Station San Juan Island	
Property No:	351444001	
Summary of Proposal:	This is a CUP application for short term storage and limited employee parking.	
Land Use Designation:	Rural General	
Public Hearing:	After reviewing the report of the Community Development and Planning Department (CDPD) a public hearing was held on August 19, 2009.	
Applicable Policies and Regulations:	SJCC 18.40.330 Outdoor Storage SJCC 18.60.120 Parking SJCC 18.80.100(B) CUP Criteria	
Decision:	The conditional use permit is approved.	

Findings of Fact

1. This is a proposal to use approximately 0.60 acres along the north property line of a 9.87 acre parcel adjacent to the Browne Home Center, an existing commercial use.
2. Browne's Home Center sells building supplies and other items. South of the parcel is a fire station and across Mullis Street is the Friday Harbor Airport. The property to the east is a residential subdivision.
3. Within the small portion of the acreage proposed for storage and parking is a space that would allow up to 20 employee vehicles and palletized retail nursery material.
4. Browne's Home Center lies within the jurisdiction of the Town of Friday Harbor. The parcel to be used for parking and outdoor storage is within San Juan County's jurisdiction.
5. The occasional use of outdoor storage for a period of less than 48 hours and for a parking area is approximately 260 feet from Mullis Road and is forested with more than enough trees to meet the requirements of Type A screenings. It also meets the parking Screen C landscaping requirements. One van accessible space is provided. The parcel is not within shoreline jurisdiction.
6. The proposal will be served by existing adequate facilities and is consistent with the goal and policies of the Rural land use designation because it is a small scale and low impact use. The proposal is not incompatible with the Friday Harbor Airport. There will be no buildings.
7. The proposal is exempt from State Environmental Policy Act (SEPA) requirements.
8. Notice of the public hearing was published July 1, 2009 and mailed and posted on July 2, 2009.
9. The staff report is incorporated herein as though fully set forth.
10. Any conclusion herein which may be deemed a finding is hereby adopted as such.

Conclusions of Law

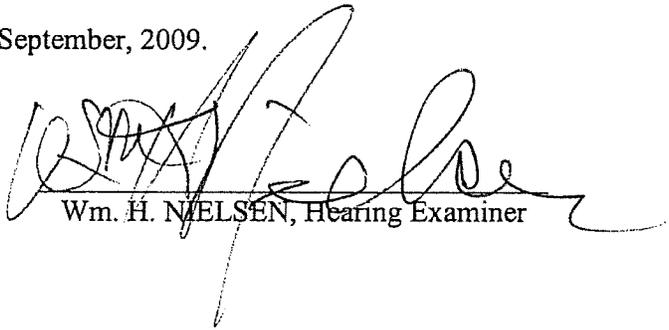
1. The Hearing Examiner has jurisdiction over the persons and subject matter of this proceeding.
2. The application is exempt from the requirements of SEPA.

3. Notice was properly made in accordance with state and local requirements.
4. The proposal complies with the criteria for a conditional use permit and all of the requirements of San Juan County Code.
5. Any finding herein which may be deemed a conclusion is hereby adopted as such.

Decision

The Conditional Use Permit is approved.

DATED this 11th day of September, 2009.


Wm. H. NIELSEN, Hearing Examiner

Appeal

Any appeal shall be to Superior Court pursuant to the Land Use Petition Act, Chapter 36.70 RCW, within 21 days of the issuance of the decision. See Home Rule Charter, Section 3.70.



**San Juan County
Community Development & Planning**

135 Rhone Street P.O. Box 947 Friday Harbor, WA 98250
(360) 378-2354 (360) 378-2116 Fax (360) 378-3922

HEARING DATE: August 19, 2009
REPORT DATE: August 5, 2009
PROJECT PLANNER: Julie Thompson
FILE #: 09CU011
PROJECT DESCRIPTION: A conditional use permit application for short-term storage and employee parking associated with a commercial business next door (Browne's Home Center)
STAFF RECOMMENDATION: Approval with conditions

PROJECT DATA	
Site Address and Location:	On Mullis Street between Browne's Home Center and District 3 Fire Station
Parcel Number(s):	351444001
Site Size:	0.60 acres of a 9.87 acre parcel
Owner(s):	R&TB, LLC PO Box 577 Friday Harbor, WA 98250
Agent:	Bob Querry PO Box 2573 Friday Harbor, WA 98250
Land Use Designation:	Rural general
Existing Land Use:	Residential and recreational
Surrounding Land Use:	North: Commercial South: Institutional—Fire Station East: Residential West: Transportation—Friday Harbor airport
Land Division Status:	Metes and bounds
Fire District:	San Juan Island
School District:	San Juan Island
Nearest Arterial and Distance:	Mullis Street at west boundary

DESCRIPTION OF THE SITE

The proposal is to use 0.60 acres of the 9.87 acre parcel located along the north property line, adjacent to the existing commercial use. This portion of the property has numerous trees and is generally flat. There are two rental houses on the remaining portion of the property, and a public dog park covers 2 acres.

DESCRIPTION OF THE SURROUNDING NEIGHBORHOOD

The surrounding neighborhood contains a variety of uses. To the north is Browne's Home Center, selling building supplies and numerous other items. The parcel to the south houses the District 3 fire station, which is also often used as a meeting facility. The property across Mullis Street is the Friday Harbor airport, and the property to the east is a residential subdivision.

DESCRIPTION OF THE APPLICATION

The proposal is for a graveled parking and storage area which will be associated with Browne's Home Center. It will accommodate employee parking of up to 20 vehicles, and the storage of palletized material associated with the retail nursery. It may also be used for the occasional storage of construction materials.

STAFF ANALYSIS

SJCC 18.20.150 defines outdoor storage as the storage of goods and materials out-of-doors for periods exceeding 48 hours.

18.40.320 Outdoor storage yards.

All outdoor storage yards for vehicles and equipment, in association with commercial or industrial use, shall be screened from public roadways and paths using either a Type A Screen or a Type C Screen used in conjunction with a fence built with natural materials standing a minimum of six feet high.

Type A Screening is a "full screen" that functions as a visual barrier. This landscaping is typically found between residential and nonresidential areas. It consists of a mix of primarily evergreen trees and shrubs spaced to form a continuous screen with seventy percent of the trees being evergreen.

The parking and storage area is approximately 260 feet from Mullis Road, and the area between Mullis Road and the subject parking area is forested with more than enough trees to meet the requirements for Type A Screening.

SJCC 18.60.120 Parking

Browne's Home Center is on the adjacent parcel to the north. That parcel lies within the jurisdiction of the Town of Friday Harbor. The subject parcel lies within the jurisdiction of San Juan County. The parking required for the commercial development was very likely reviewed by the Town during their process for approval of the land use or the building. The subject parking is in addition to whatever was required for the retail sales, and is proposed for employees only. There are certain development standards that apply, and those will be reviewed.

A. General Parking Standards. The following standards shall apply to all development under this code.

1. Off-street parking shall be established prior to occupancy of any new or expanded building or before a change occurs in the use of an existing building. Parking space requirements shall be determined from Table 6.4.

As explained above, this is not a new or expanded building. This is additional employee parking and material storage.

2. Off-street parking and access for physically handicapped persons shall be provided (as required by current law. Our code is outdated.)
One van-accessible space is provided on the site plan, as required by the current building code.
3. A parking layout plan shall be submitted to the administrator for approval consistent with requirements of Table 6.5, at the time of application...for any permit required by this code. The layout plan shall conform to the general parking standards contained in this subsection. The administrator may refer any parking plan to the County engineer for technical review.
Such a plan has been submitted.
4. Required off-street parking located within the jurisdiction of the Shoreline Master Program shall also be consistent with applicable provisions of Tables 6.4 and 6.5.
This parcel is not within the jurisdiction of the Shoreline Master Program.
5. Off-street parking areas containing five or more spaces shall be landscaped according to SJCC 18.60.160(D)(3).

SJCC 18.60.160(D)(3). "Screen-C" landscaping:

- a. Is a "see-through screen" that functions as a partial visual separator to soften the appearance of parking areas and building elevations. This landscaping is typically found along street frontage or between multiple-family developments.
- b. Shall at a minimum consist of:
 - i. A mix of evergreen and deciduous trees generally interspersed throughout the landscape strip and spaced to create a continuous canopy;
 - ii. Seventy percent deciduous trees;
 - iii. Trees provided at the rate of one per 25 linear feet of landscape strip and spaced no more than 30 feet apart on center; and
 - iv. Shrubs provided at the rate of one per four linear feet of landscape strip and spaced no more than eight feet apart on center.

The existing vegetation provides more than the Screen-C landscaping calls for. This parking area does not abut a street or multiple-family developments.

6. Parking lots of five spaces or more shall be placed away from public streets and behind buildings unless a 10-foot-wide landscaped buffer is provided. Parking lots shall be 20 feet (inclusive of the 10-foot buffer) from road rights-of-way and shall not occupy more than 50 percent of the frontage of any public street.
This standard has been met as the parking area is 260 feet away from the nearest public street.
7. Off-street parking areas shall not be located more than 1,000 feet from the building they are required to serve, subject to the following:

- a. Where the off-street parking areas do not abut the buildings they serve, the allowable maximum distance shall be measured from the nearest building entrance along the walking path to the parking area.
- b. For all multifamily residences, at least 50 percent of parking area(s) shall be located within 100 feet from the building(s) they are required to serve.
- c. For all nonresidential uses permitted in residential zones, the parking spaces shall be located on the same lot they are required to serve and at least 50 percent of parking areas shall be located within 150 feet of the nearest building entrance they are required to serve.

Since this parking lot is not "required," the above standards do not apply. However, the lot is closer than 1,000 feet from the building it serves.

- 8. The minimum parking space and aisle dimensions for the most common parking angles are shown in Table 6.5. For parking angles other than those shown on the chart, the minimum parking space and aisle dimensions shall be approved by the County engineer.

The parking layout plan meets the dimensions found in Table 6.5.

- 9. Parking spaces abutting a landscaped area on the driver or passenger side of the vehicle shall provide an additional 18 inches above the minimum space width requirement to provide a place to step other than in the landscaped area. The parking space depth may be reduced when vehicles overhang a walkway under the following conditions:

The landscaping is all outside the fenced-in parking area.

- 10. Driveways providing ingress and egress between off-street parking areas and abutting streets shall be constructed in accordance with the construction standards for driveway access permits (see Figure 6.1).

The driveway exists.

- 11. If lighting is provided, it shall be designed to minimize direct illumination of abutting properties and adjacent streets.

No lighting is proposed for the parking area itself.

- 12. All parking areas shall provide adequate space for turning or maneuvering without using public rights-of-way for internal circulation.

This standard can be met.

B. Parking Space Requirements.

Since this parking area is not required, there is no set number of parking spaces that need to be provided.

C. General Off-Street Parking Construction Standards.

- 1. Grading work for parking areas shall meet the requirements of the Uniform Building Code. Drainage and erosion or sedimentation control facilities shall be provided in accordance with SJCC 18.60.060(2) and 18.60.070.
- 2. Wheel stops are required where a parked vehicle would encroach on adjacent property, pedestrian access or circulation areas, rights-of-way, or landscaped areas.

These standards will be met where necessary.

D. Activity Centers.

The parking/storage area is not located within an activity center.

SJCC 18.80.030(A)(2)(a) requires publication of a notice of application.

A notice of application was published July 1, 2009.

SJCC 18.80.030(A)(2)(b)&(c) require notification of the application to all property owners within 300 feet of the subject property and posting of the notice of application on the subject property.

The applicant submitted an affidavit of posting stating that he posted the subject property on July 2, 2009 and a declaration of mailing stating he mailed the notice of application on July 2, 2009 verifying that the property has been posted and that neighboring properties within 300 feet have been notified of the application. We received no comments on this application.

SJCC 18.80.100(D). Conditional Use Permits – Criteria for Approval. A conditional use permit shall be granted by the County only if the following criteria are met:

1. The proposed use will not be contrary to the intent or purposes and regulations of this code or the Comprehensive Plan;
This proposal can be conditioned to be consistent with the SJCC and the Comprehensive Plan.
2. The proposal is appropriate in design, character and appearance with the goals and policies for the land use designation in which the proposed use is located;
It is consistent with the goals and policies of the rural general land use designation as it is a small-scale, low-impact use. There are no permanent structures, no need for water or septic, no sources of noise, air, water, or visual pollution, and no negative impacts to existing residential uses.
3. The proposed use will not cause significant adverse impacts on the human or natural environments that cannot be mitigated by conditions of approval;
Following the rules for erosion control will avoid adverse impacts on the natural environment. Retaining the native vegetation that provides screening will avoid adverse impacts on the human environment.
4. The cumulative impact of additional requests for like actions (the total of the conditional uses over time or space) will not produce significant adverse effects to the environment that cannot be mitigated by conditions of approval;
There are a limited number of rural general parcels in this area, which limits where this type of activity could occur. This should limit the cumulative impacts, and the use itself will not cause any significant adverse impact to the environment.
5. The proposal will be served by adequate facilities including access, fire protection, water, stormwater control, and sewage disposal facilities;
This will be the case.

6. The location, size, and height of buildings, structures, walls and fences, and screening vegetation associated with the proposed use shall not unreasonably interfere with allowable development or use of neighboring properties;
No buildings are proposed, nor is vegetation removal.
7. The pedestrian and vehicular traffic associated with the conditional use will not be hazardous to existing and anticipated traffic in the neighborhood;
There is good site distance either direction from the location of the proposed driveway, so the traffic associated with this proposal will not be hazardous to existing and anticipated traffic.
8. The proposal complies with the performance standards set forth in Chapter 18.40 SJCC;
As conditioned, the proposal will be in compliance with the applicable performance standards in SJCC 18.40.
9. The proposal does not include any use or activity that would result in the siting of an incompatible use adjacent to an airport or airfield (RCW 36.70.547); and
Although the Friday Harbor Airport is across the street, the proposed use is not incompatible with the airport.
10. The proposal conforms to the development standards in Chapter 18.60 SJCC.
There will be no buildings, so there is nothing to apply the development standards to.

APPLICATION PROCESSING PROCEDURES

- Date Application Submitted: June 12, 2009
- Date Application Complete: June 12, 2009

SEPA

This application is exempt from SEPA.

NOTICING

- Published: July 1, 2009
- Mailed: July 2, 2009
- Site Posted: July 2, 2009

PUBLIC COMMENT

We received no comments on this proposal.

CONCLUSION

This application for a parking and storage area associated with an adjacent commercial business meets the criteria for a conditional use permit as set forth in SJCC 18.80.100(D).

STAFF RECOMMENDATION

Approve the request for a parking and storage area on tax parcel number 351444001. The following conditions should apply:

- 1) Failure to comply with all conditions of approval may be grounds for revocation of this permit.
- 2) Construction or substantial progress toward construction shall commence within 2 years of the date of approval, and shall be complete within 5 years.
- 3) Authorization of any use granted pursuant to this plan shall be null and void if the use is discontinued for 24 consecutive months.



San Juan County Community Development and Planning

135 Rhone Street • P.O. Box 947 • Friday Harbor, Washington 98250
360/378-2354 • 360/378-2116 • Fax 360/378-3922
www.sanjuanco.com

09C4011

Land Use Permit Application - Cover Sheet

PROPERTY INFORMATION		SHORELINE DESIGNATION N/A	
		COMP PLAN DESIGNATION RGU	
Tax Parcel Number: 3 5 1 4 4 4 0 0 1			
Island: San Juan Island		Subdivision:	Lot Number:
Property Size: 9.87 acres		Existing use of property: Residential	
Directions to Property: S on Mullis to 860 on left			

APPLICANT INFORMATION			
Name of Applicant: R & TB, LLC		Telephone: 378-2168	
		Email: rob@browneshomecenter.com	
Address: Box 577			
City: Friday Harbor		State: WA	Zip Code: 98250
Name of Agent (if applicable):			
Bob Query		Telephone: 360-378-7053 S.J.C. COMMUNITY	
		Email:	
Address: P O BOX 2573			
City: Friday Harbor		State: WA	Zip Code: 98250

DEVELOPMENT & PLANNING

DESCRIPTION OF PROPOSED USE (Include separate sheets as necessary)
Storage and employee parking associated with commercial business next door (Browne's Home Center, to the north).

PERMIT CERTIFICATION	
I have examined this application and attachments and know the same to be true and correct, and certify that this application is being made with the full knowledge and consent of all owners of the affected property.	
	<u>6-12-09</u>
Signature of Property Owner or Authorized Agent	Date

For CD&P Use Only			
<input type="checkbox"/> Provisional Permit	<input type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Variance	<input type="checkbox"/> Discretionary
Date Received:	Complete Application:	Receipt Number:	

Paid 1,660.00 RD R# 2009169002-5

8

THE PERMIT CENTER
A Private Land Use Consulting Service
P O Box 2573, Friday Harbor WA 98250
470 Spring St. Ste. 202
360-378-7053 ph/fax
bobq@thepermitcenter.com

June 12, 2009

TO: SJCCD&P Department
FROM: Bob Querry
RE: Conditional Use Permit Application for the Browne's Home Center parking and storage lot

Attached is a conditional use application for a 26,000 sq. ft. (130 x 200) graveled parking and storage area for R & TB, LLC, which owns tax parcel #351444001, on Mullis Road on San Juan Island. The 9.87 acre property has a Rural General Use (RGU) designation, and is currently the site of two residences and a two acre dog walking park. The parking/storage area will be associated with the existing commercial operation on the adjacent parcel to the North, Browne's Home Center. It will accommodate employee parking of up to 20 vehicles, and the storage of palletized material associated with the retail nursery. Occasionally, construction material will be stored there as well. There will be no structures on the site.

The common property line between the two parcels is coincident with a portion of the boundary between the Town of Friday Harbor (to the north) and the County. The eastern and southern portions of the parcel are wooded, with the two residences tucked into the trees, and much of the western portion is open, with the dog park in the west central portion, adjacent to the county road.

Conditional Use Criteria

1. The proposed use will not be contrary to the intent or purposes and regulations of the Unified Development Code or the Comprehensive Plan.

Retail uses are allowable in the RGU, subject to compliance with the following Conditional Use criteria as well as SJCC 18.40 and 18.60, which standards can be met in this case.

2. The proposal is appropriate in design, character and appearance with the goals and policies for the land-use designation in which the proposed use is located.

An analysis of the applicable Comp Plan language leads easily to the conclusion that a .59 acre parking/storage area is consistent with the RGU designation. The proposed

use is small-scale and low impact, as there are no permanent structures, no need for water or septic, no sources of noise, air, water, or visual pollution, other than parked vehicles (which are there only during hours of operation), and no negative impacts to existing residential uses.

3. The proposed use will not cause significant adverse impacts on the human or natural environments that cannot be mitigated by conditions of approval.

A parking area that has appropriate stormwater runoff controls will have no adverse environmental impacts.

4. The cumulative impact of additional requests for like actions (the total of the conditional uses over time or space) will not produce significant adverse effects to the environment that cannot be mitigated by conditions of approval.

Parking and material storage areas are necessarily associated with such a retail use, and there are few of those in the RGU areas of the county.

5. The proposal will be served by adequate facilities including access, fire protection, water, storm water control, and sewage disposal facilities.

This will be the case.

6. The location, size, and height of buildings, structures, walls and fences, and screening vegetation for the proposed use shall not unreasonably interfere with allowable development or use of neighboring properties.

There will be no building, structures, or walls. A fence exists, inside the Town limits, along the northern property line. Mature screening vegetation already exists on the 9.87 acre parcel.

7. The pedestrian and vehicular traffic associated with the conditional use will not be hazardous to existing and anticipated traffic in the neighborhood.

All traffic will be to and from inside the exterior boundaries of the adjacent parcel to the North, which is inside the Town limits.

8. Land uses, activities, and structures that are allowable as conditional uses must also comply with any required performance standards specified in 18.40 of the UDC.

The applicable performance standards of UDC 18.40 can be met. Water and septic are not required, this site is not accessed from either a public or private road, there is no use of equipment or material which will produce adverse impacts, there is no additional demand on services or utilities, water supplies, sewage systems, or roads. Parking impacts need not meet the levels found in Table 8.2.

9. The proposal does not include any use or activity that would result in the siting of an incompatible use adjacent to an airport or airfield.

Friday Harbor airport is across the county road, and parking is a compatible use.

10. The proposal conforms to the standards in 18.60 of the UDC.

This project meets the parking lot development and design standards, screening and stormwater standards, and lot coverage limits.

S.J.C. COMMUNITY

JUN 12 2009

DEVELOPMENT & PLANNING



EXHIBIT "A"

PARCEL A:

That portion of the Northeast quarter of the Southeast quarter of Section 14, Township 35 North, Range 3 West, W.M., in San Juan County, Washington, described as follows:

Commencing at the Northeast corner of the Northeast Quarter of the Southeast Quarter of Section 14, Township 35 North, Range 3 West, W.M.;

THENCE South 70 rods to the POINT OF BEGINNING;

THENCE West 80 rods;

THENCE South 10 rods;

THENCE East 80 rods, on the line between the said Northeast Quarter of said section, township and range, and the Southeast Quarter of said section, township and range, to the East line of said Northeast Quarter of the Southeast Quarter;

THENCE North 10 rods to the POINT OF BEGINNING;

EXCEPT the East 260 feet thereof;

ALSO EXCEPT the West 10 feet thereof conveyed to San Juan County under Auditor's File No. 88153433, records of San Juan County, Washington.

PARCEL B:

The Northwest quarter of the Southeast quarter of the Southeast quarter of Section 14, Township 35 North, Range 3 West, W.M., in San Juan County, Washington;

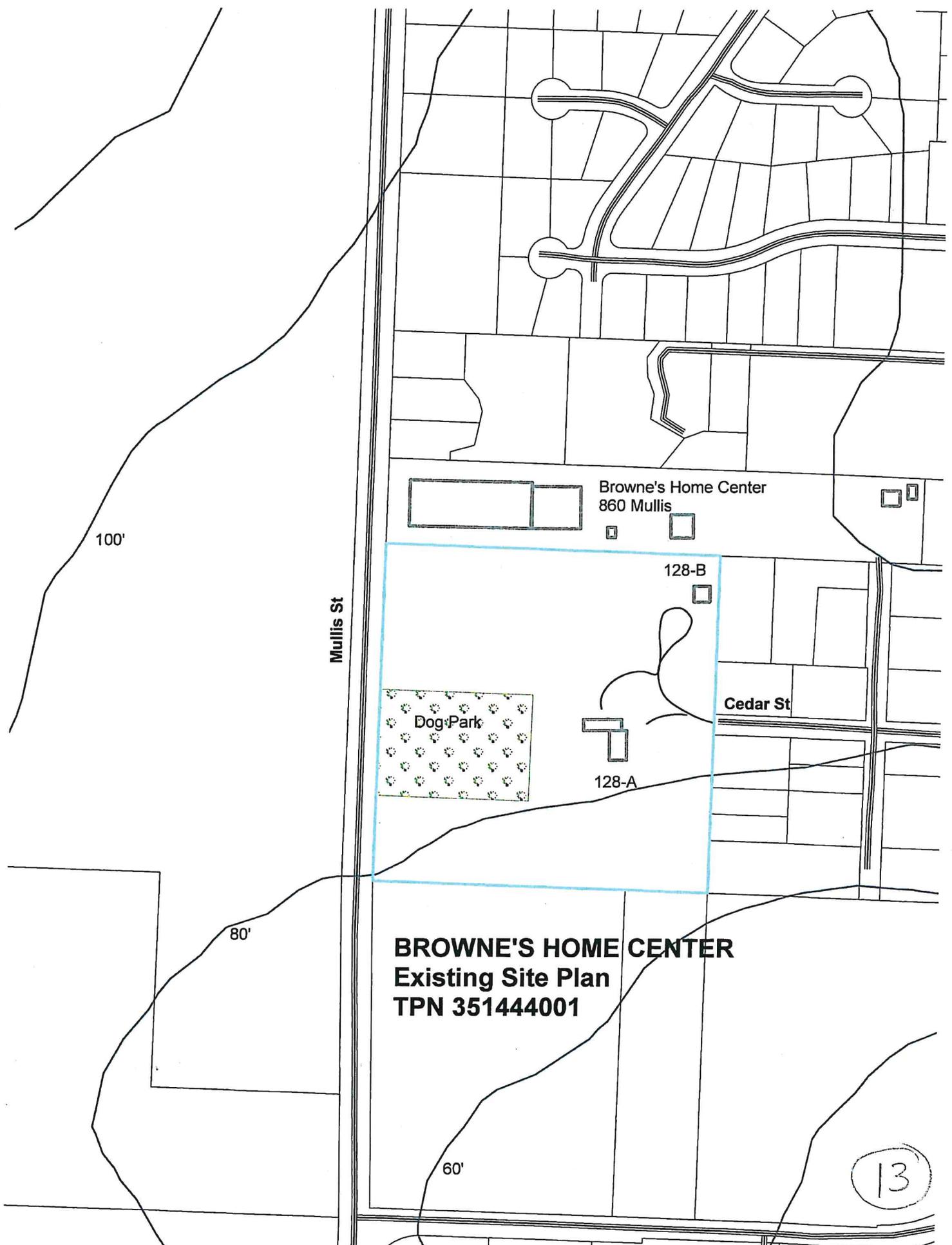
EXCEPT the West 10 feet conveyed to San Juan County by deed recorded September 22, 1988 under Auditor's File No. 88153432, records of San Juan County, Washington.

- END OF EXHIBIT "A" - S.J.C. COMMUNITY

JUN 12 2009

DEVELOPMENT & PLANNING

12



100'

Mullis St

Browne's Home Center
860 Mullis

128-B

Dog Park

Cedar St

128-A

80'

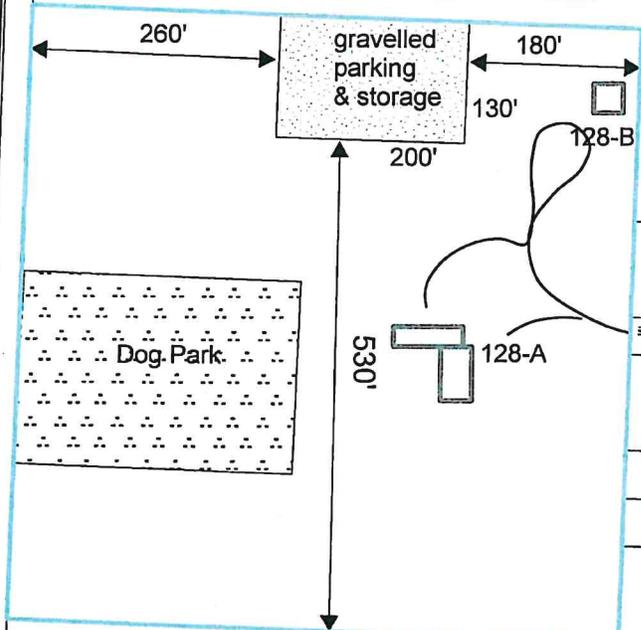
BROWNE'S HOME CENTER
Existing Site Plan
TPN 351444001

60'

13

Mullis St

Browne's Home Center
860 Mullis



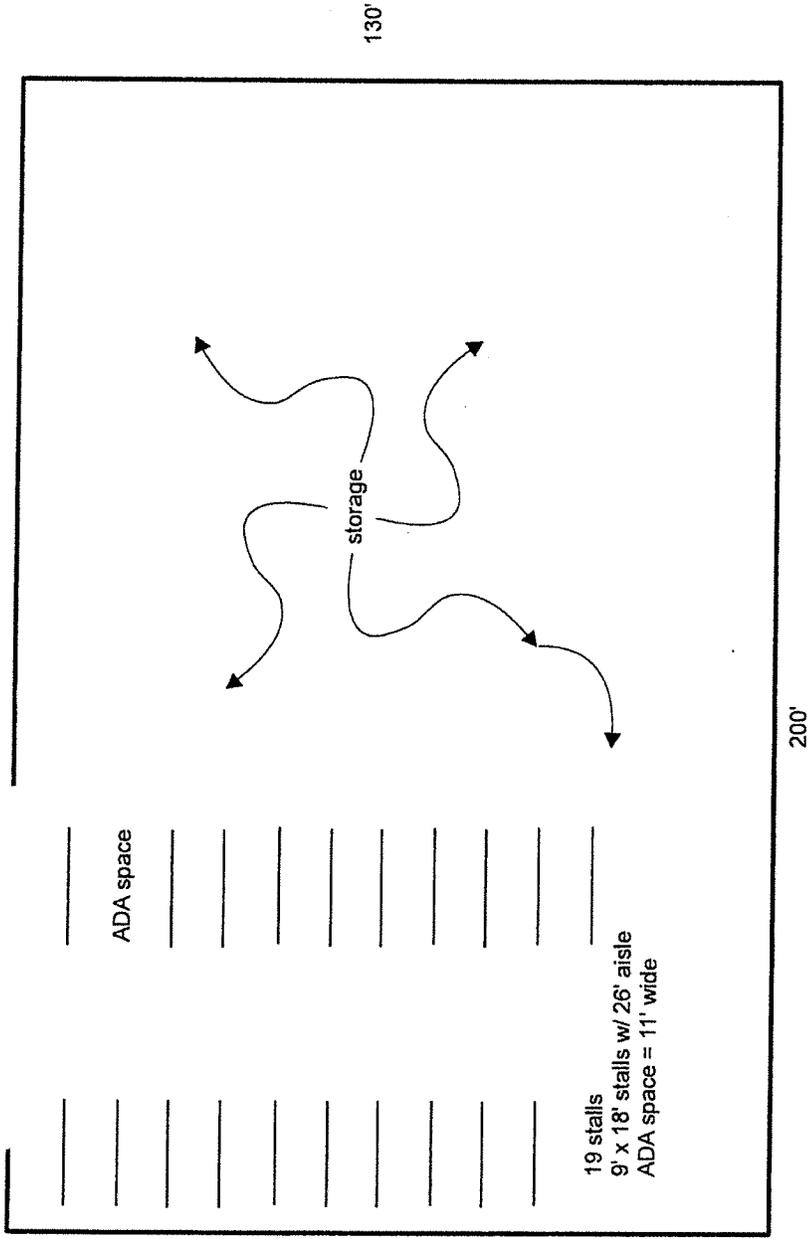
BROWNE'S HOME CENTER
Proposed parking/storage area
TPN 351444001

S.J.C. COMMUNITY

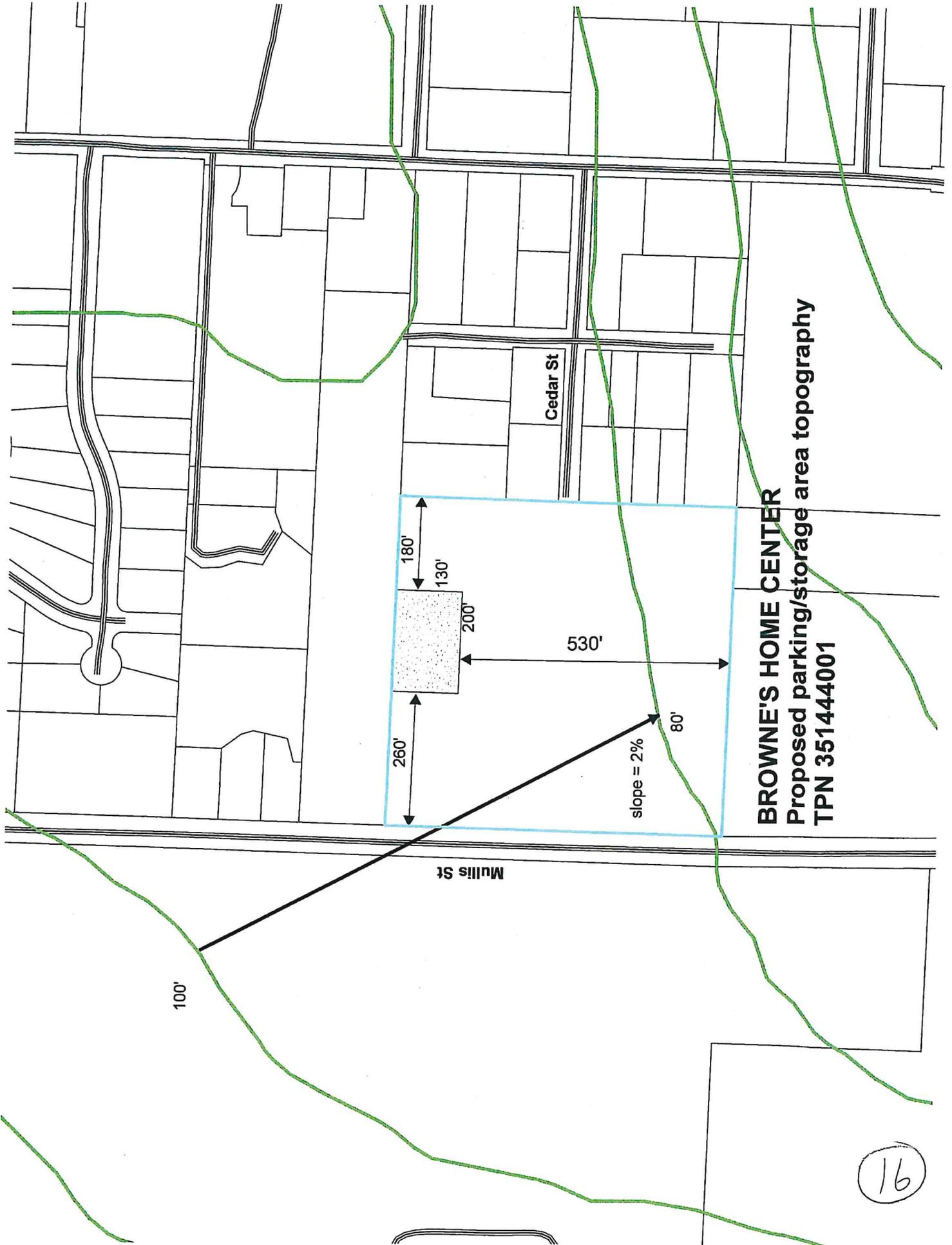
JUN 12 2009

DEVELOPMENT & PLANNING

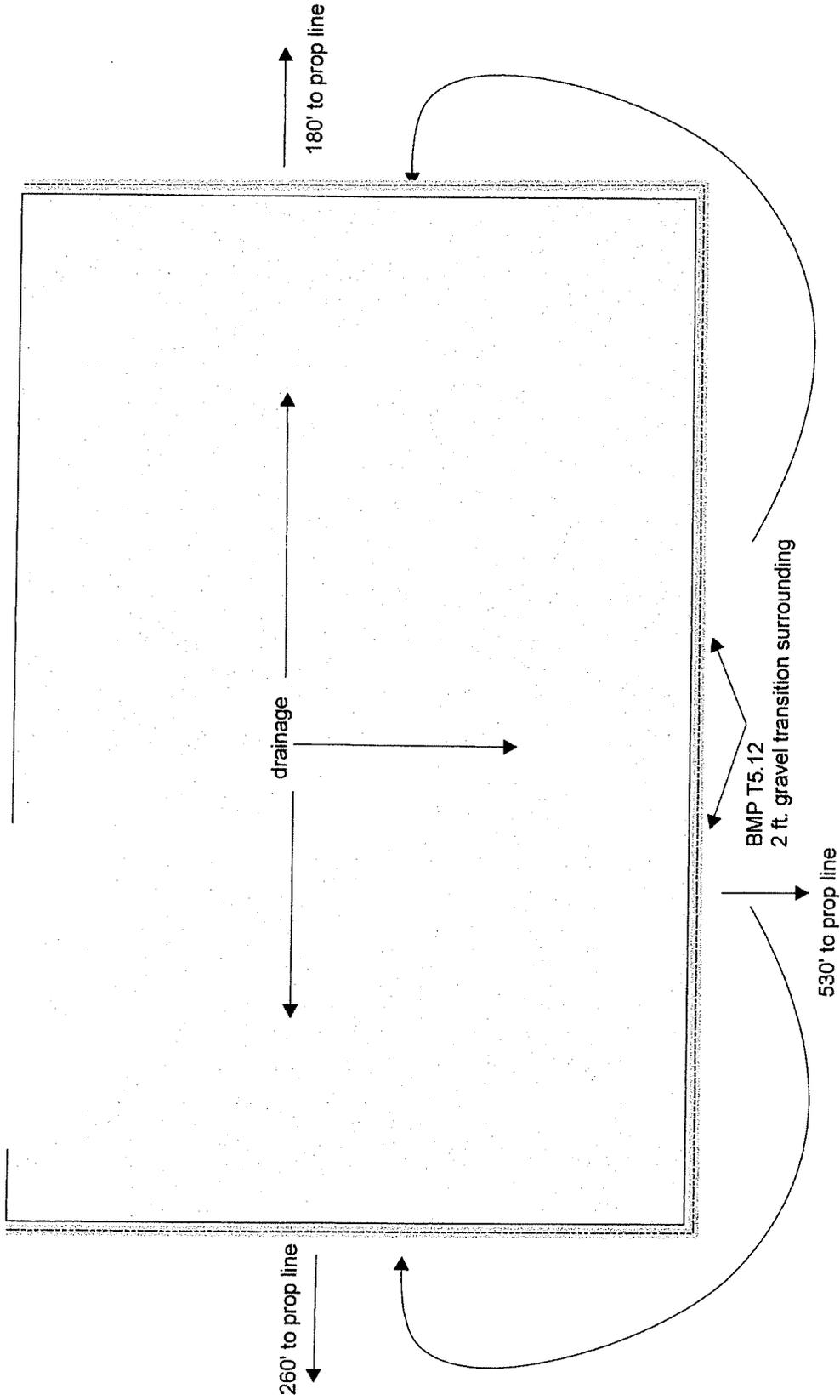
14



Total sq. ft. 15,000
 Parking sq. ft. 6,000



BROWNE'S HOME CENTER
Proposed parking/storage area topography
TPN 351444001



**Browne's Home Center Parking/Storage are
Stormwater runoff**

AFTER-THE-FACT DOCUMENTATION - NO DESIGN ON FILE FOR THIS SYSTEM. FOR DOCUMENTATION PURPOSE ONLY. INSTALLATION & CAPACITY NOT VERIFIED.



P.O. Box 607 ♦ 145 R. Hwy. Friday Harbor, WA 98250
Phone: (360) 378-4474 Fax: (360) 378-7036

PERMIT # 2012961

ON-SITE SEWAGE SYSTEM INSPECTION FORM

Instructions: Please complete & submit the inspection form with the appropriate fee to SJCH&CS, P.O. Box 607, Friday Harbor, WA 98250 (for current fee amount contact SJCH&CS at (360) 378-4474 or go to http://www.sanjuanco.com/health/ehswaste.aspx).

PROPERTY & SYSTEM INFORMATION:

Parcel Identification Number (PIN): 3 5 1 4 4 4 0 0 1 0 0 0
Island: SAN JUAN Physical Address: 128-B CEDAR ST (HOUSE TO NORTH SIDE)
Septic System Design Number (If known): NOT IN DATABASE Permit UnID (If Known): NOT IN DATABASE

OWNER INFORMATION:

Name of Property Owner: R & TB LLC
Mailing Address: P.O. Box 577
City: FRIDAY HARBOR State: WA Zip Code: 98250 Telephone:

INSPECTION INFORMATION:

Type of System (One): [X] Gravity [] Pressure Distribution [] Mound [] Sand Filter [] Other:
Inspector: [] Homeowner [X] Wastewater Inspector: LEIKER
Date of Inspection: 1/11/2016 [] For Sale Inspection
If for sale inspection, Maintenance Components Installed: [] Yes [] No [] N/A



1) Septic Tank - Trash Tank if Aerobic Treatment (complete a separate report if system has second tank - page 1 only)

Type of tank: [X] Concrete [] Fiberglass [] Poly [] Steel
Size of tank: 1000 gallons # of compartments: 1
Depth of scum layer in first compartment: 2 Depth of scum layer in second compartment:
Depth of sludge in first compartment: 1 Depth of sludge in second compartment:
Access riser(s) present: [X] Yes [] No
Condition of inlet baffle: [X] OK [] Damaged [] N/A
Condition of center baffle: [X] OK [] Damaged [X] N/A
Condition of outlet baffle (gravity systems or PD systems w/separate pump tank): [X] OK [] Damaged [] N/A
Outlet baffle screened or equipped with an effluent filter: [X] Yes [] No [] N/A
If yes, was screen/filter cleaned (required), if no, explain in comment section: [X] Yes [] No [] N/A
Indication of surface water or root intrusion: [] Yes [X] No
Water levels at outlet invert (gravity systems or PD systems w/separate pump tank): [X] OK [] Above [] Below [] N/A
Is effluent draining back from drainfield: [] Yes [X] No [] N/A
Septic tank pumped: [] Yes [X] No

2) Pump/Siphon Vault (Complete for all systems that utilizes a pump or siphon)

Does system have a separate pump/siphon tank: [] Yes [] No Riser present: [] Yes [] No
Depth of scum in pump/siphon tank: 1st compartment/2nd / / Depth of sludge in tank: 1st/2nd / /
Pump/siphon chamber screened or equipped with an effluent filter: [] Yes [] No
If yes, was the screen/filter cleaned (required), if no, explain in comment section: [] Yes [] No
Splice Box inspected & Electrical connections in good conditions: [] Yes [] No [] N/A
On/Off floats in working condition: [] Yes [] No [] N/A
High/low level floats & audible/visual alarms (circle all applicable) in working condition: [] Yes [] No [] N/A
Pump/siphon in good working condition: [] Yes [] No

3) Drainfield (complete for all systems: gravity, pressure distribution, mound and sand filter):

- Depth of ponding observed (systems equipped with observation ports): lat 1: PONDED lat 2: _____ lat 3: _____
- Observation Ports Present: Yes No
- Evidence of surfacing sewage: Yes No
- Primary area properly maintained (i.e.: no roads, buildings or livestock pens etc...) Yes No
- Reserve area properly maintained (i.e.: no roads, buildings or livestock pens etc...) Yes No N/A
- Flow diversion device ((i.e.: distribution box ("D" box), cam valve, tee etc)) accessible: Yes No N/A
- If yes, is device operational (Note: "D" box should be located and inspected): Yes No

4) Pressure Distribution (complete for all systems equipped with a pump or siphon):

- Drainfield mound equipped with clean-outs Yes No
- If yes, were laterals flushed (required), if no, explain in comment section Yes No
- Pressure head measured (recommended) Yes No
- If yes, indicate head of each lateral in comment section.
- Indications that orifices were plugged Yes No
- If yes, were orifices cleaned Yes No

5) Sand Filter (complete only if applicable):

- Distribution method from sand filter to drainfield/mound: Pumped Gravity
- If pumped, is the pump vault accessible: Yes No
- Monitoring ports present (pump vault can be utilized to monitor effluent levels) Yes No
- If yes, is the effluent above the lower gravel/sand interface (collection pipes) Yes No
- Clean-out valves present: Yes No
- If yes, were laterals flushed (required), if no, explain in comment section Yes No

6) Mound (complete only if applicable):

- Monitoring ports present: Yes No
- Evidence of sewage seeping around the toe of the mound: Yes No

7) Proprietary/Aerobic Unit (complete only if applicable)

- Proprietary Device: (name of unit)
- Aeration operational Yes No N/A
- Filtering Devices Working Yes No N/A

8) Disinfection Units (complete only if applicable)

- Type of disinfection unit: Chlorinator Ultraviolet Other: _____
- Disinfection unit operational Yes No

9) System Status (complete for all system types)

- System Failing Yes No
- If yes, failure corrected Yes No
- Deficiencies Identified Yes No
- If yes, deficiencies corrected Yes No

Additional Comments / Observations: THE SEPTIC TANK DOES NOT NEED TO BE PUMPED. USED SONAR CAMERA TO LOCATE DRAIN FIELD. DRAIN FIELD IS SINGLE LATERAL STRAIGHT OUT FROM TANK APPROX. 100' IN LENGTH. DRAIN FIELD WAS COMPLETELY PONDED IN PIPE. DRAINFIELD IS OVERGROWN WITH THICK VEGETATION & SHOULD BE KEPT CLEAR.

Ted Leiken / Ted Leiken
Printed name/signature (Homeowner or Licensed Wastewater Inspector)

1/11/2016
Date

\$ _____
Fee submitted



San Juan County GIS, San Juan County Assessor's Office



This map is derived from San Juan County's Geographic Information System (GIS). It is intended for reference only and is not guaranteed to survey accuracy. The information represented on this map is subject to change without notice.

1 in = 50 feet



351444001 My Map
128-B CEDAR
 Date: 1/14/2016 Time: 2:31:00 PM

PSLD00-16-0002 R & TB LLC

Exhibit 10.D

Recording Data (For Recorder's Use Only)

Return to:

San Juan Surveying

SIMPLE LAND DIVISION

Grantor(s) name R & TB LLC
 and address: PO BOX 577
 (please print) FRIDAY HARBOR, WA 98250-0577

Grantor(s) signature: *[Signature]*

Grantor(s) statement: I/we certify that all of the information submitted herewith is true and correct. I/we understand that parcels described by the attached exhibits are restricted against redivision for a period of five (5) years unless approved by a subdivision (18.70.040).

Island SAN JUAN

Parcel Number	Abbreviated Legal Description	AFN of Latest Deed	Existing Area
351444001000	NW-SE-SE EX W 10' Sec 14, T 35N, R 3W	2000-0228022	10.33 ACRES

- 1) The owner has owned the parcel to be divided for a period of at least five years. Yes No
- 2) Have there been any land divisions or boundary line changes of the original tract within the last five (5) years? Yes No
- 3) Is any of the property in a current use tax program as: "Current Use Open Space," "Open Space Farm & Ag," "Open Space Farm & Ag Conservation Land," "Open Space Timber," or "Designated Forest Land"? Yes No

COMPREHENSIVE PLAN DESIGNATION RG

SHORELINE DESIGNATION N/A

LAND DIVISION ADMINISTRATOR'S CERTIFICATE: This application is in compliance with maximum densities allowed by the Comprehensive Plan in effect at the time of application. The Statement of Disclosure has been reviewed for completeness. On the basis of this review the request for a Simple Land Division is hereby approved.

TREASURER'S CERTIFICATE: All taxes and assessments of the current year, _____, including advance taxes per RCW 58.08.040, for current year tax not yet levied or certified and any delinquent taxes or assessments which have become a lien upon the lands herein described have been fully paid and discharged according to the records of my office. If any penalty fees are due under the provisions of the Open Space or DFL Law (84.33 and 84.34RCW) this does not guarantee that they have been paid.

Julie Thompson 4-13-16
 Administrator Date

 San Juan County Treasurer Date

NOTE: This division takes effect on the date it is recorded with the San Juan County Auditor. Recording must take place within six months of the approval date, together with a map (8 1/2 x 11) containing an original approval stamp signed by the CD&P Director or designee. The recording of an approved land division application does not constitute a conveyance of ownership. If ownership is to be conveyed, effect an appropriate legal instrument for conveyance.

STATEMENT OF DISCLOSURE
San Juan County, Washington
For

351444001000

Tax Parcel Number, Unplatted Land

San Juan County Code, Chapter 18.70.040, C5 requires this Statement of Disclosure to be completed and submitted at the time of application for a land division. If the application is approved, the Statement of Disclosure is recorded, together with other pertinent documents, in the San Juan County Auditor's File.

Notice to Purchaser

C.L.C. RECORDED AT 07

02 1

COMMUNITY DEVELOPMENT

Water:

The availability of water should not be assumed for any location in San Juan County.

Sewage Disposal:

When there is no reasonable access to a public sewer system, it is necessary to install a private sewage system, approved by the San Juan County Health and Community Services Department, in order to build any structure for human habitation. No building permit will be issued unless a valid sewage disposal permit has been obtained. The general sewage disposal information contained under Item F, Page 3, does not provide a guarantee that a sewage disposal permit can be obtained. If you have questions concerning an on-site sewage treatment and disposal system, consult the San Juan County Health and Community Services Department.

Land Use Regulations:

All lands in unincorporated areas of San Juan County are subject to land use policies and regulations of the Unified Development Code, Comprehensive Plan, and the Shoreline Master Program. Information regarding land use rules applicable to any specific lot or parcel is available at the Community Development and Planning Department.

Land Divisions:

Any division of land in San Juan County is subject to State Law (RCW 58.17) and the San Juan County Code, Chapter 18.70. Information regarding whether and how a lot or parcel may be further divided is available at the Community Development and Planning.

Seller's Representations:

Seller's Name R&TB LLC

Address PO BOX 577

City FRIDAY HARBOR State WA Zip 98250

A. Legal Description (Check and complete either 1 or 2 below.)

1. Property is located in _____ Subdivision, in
Section _____ Township _____ Range _____, San Juan County Book of
 Short Plats OR Long Plats, Volume _____ Pages _____, Auditor's File Number, _____,
records of San Juan County, WA.

2. Property is not part of a recorded plat. A legal description is attached.

B. Survey (Check and complete either 1 or 2 below.)

1. This property has not been surveyed.

2. This property was surveyed by: ROBERT J. WILSON

License Number 46118 Date 11/18/15

CLERK OF SUPERIOR COURT
SAN JUAN COUNTY
11/18/15
CLERK OF SUPERIOR COURT

Survey has not been recorded.

Survey is recorded in Vol. _____, Page _____, Book of Surveys, records of San Juan County, WA.

C. Access (Check and complete all that apply.)

1. No legal access from a County road is provided.

2. Legal access from a County road is provided as set forth by the
attached or referenced _____ document.

3. A road serving this parcel () has been OR () will be OR () will not be
constructed by the seller.

4. Road construction/maintenance is provided for by the attached or
referenced document.

D. Hazards, Nuisances (Check and complete either 1 or 2 below.)

1. I am aware of no hazards or nuisances on or near this property.

2. The following features or conditions on or near this property may be regarded
as hazards or nuisances.

E. **Water** (Check and complete either 1, 2 or 3 below)

- 1. Seller's agent _____, a licensed well driller, has drilled and tested an individual well on this parcel. Said well meets the quantity and quality requirements as specified in San Juan County Code 8.06.
- 2. This parcel has a *connection to an existing community water system*. The purveyor has submitted a letter indicating the water system is willing and able to supply water to this parcel.
- 3. Proof of potable water was not demonstrated at time of division. Prior to obtaining a building permit for this lot, an adequate water supply must be demonstrated to satisfy the water adequacy requirements of San Juan County Health and Community Services.

F. **Sewage Disposal** (Check and complete either 1 or 2 below.)

- 1. Seller's agent _____, a certified sewage disposal designer, has conducted a test hole evaluation on this parcel. From the test, the seller's agent concluded that an on-site sewage treatment and disposal system may be installed on this parcel. Prior to obtaining a building permit an On-site Sewage Design application must be submitted and approved.
- 2. This parcel has an on-site sewage treatment and disposal system already installed. The system has been inspected by a licensed wastewater inspector and is in compliance with applicable codes and regulations.

G. **Power and Telephone** (Check and complete all that apply.)

- 1. Electric power is located approximately 0 feet from the property line. Contact utility company to confirm availability and costs.
- 2. Telephone service is available approximately 0 feet from the property line.
- 3. Electricity is not available.
 Telephone service is not available.

H. **Site Considerations** (Check one of the following.)

Seller has no plans OR plans, for future development of adjacent lands. Other site considerations are:

I. **Encumbrances** (Check and complete all that apply.)

Title insurance is OR is not, provided for this property. If a title insurance report is not attached to this statement the seller declares that:

- 1. This property is not encumbered.
- 2. This property is encumbered as follows:

J. **Private Restrictions, Covenants** (Check and complete all that apply.)

- 1. None.

2. A copy of all restrictions () is attached, OR is available from:

3. A copy of all covenants () is attached, OR is available from:

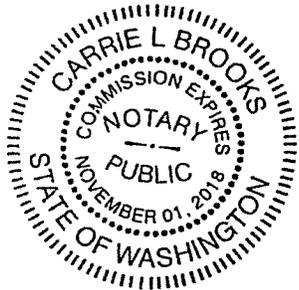
I, TERRY BROWNE, being duly sworn depose and say that the foregoing statements, answers and information are in all respects true and correct to the best of my knowledge and belief.

Signature: [Handwritten Signature] Date: 2/3/16

STATE OF WASHINGTON)
) ss.
COUNTY OF SAN JUAN)

I, Carrie L. Brooks, certify that I know or have satisfactory evidence that Terry C. Browne is the person who appeared before me, and said person acknowledged that (he/she) signed the instrument and, on oath stated that he/she was the current owner of the property and acknowledged the execution of this document to be (his/hers) free and voluntary act for the uses and purposes mentioned in the instrument.

Subscribed and sworn to me this 2nd day of February, 20 16.



Notary Public in and for the State of Washington:

Carrie L. Brooks

Residing at: Friday Harbor

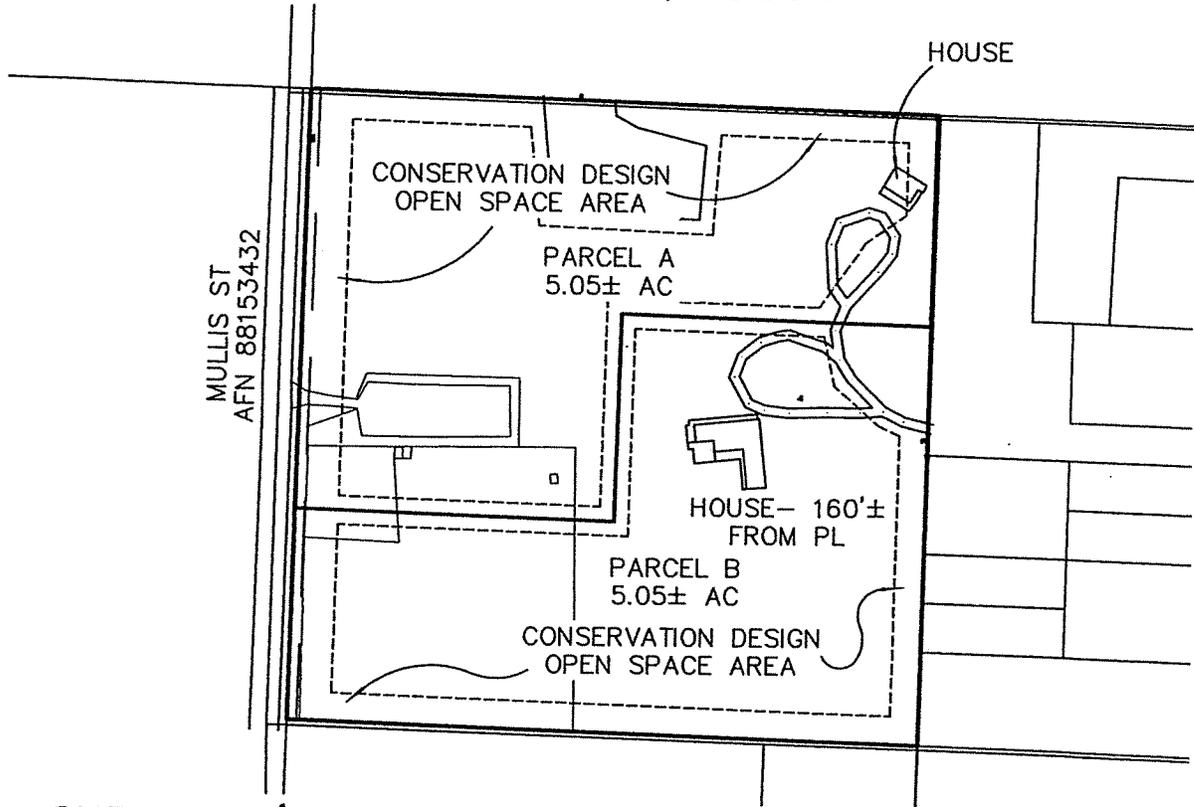
My appt. expires: 11/01/2018

Printed Name: Carrie L. Brooks

STATE OF WASHINGTON
NOTARY PUBLIC
CARRIE L. BROOKS

SIMPLE LAND DIVISION EXHIBIT

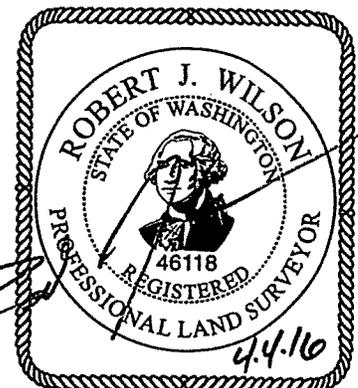
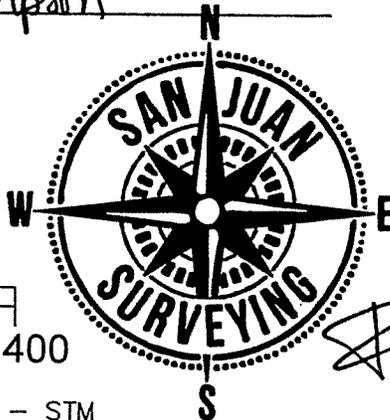
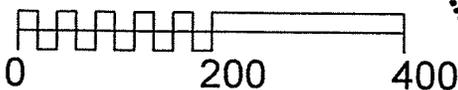
A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER,
SECTION 14, TOWNSHIP 35 NORTH, RANGE 3 WEST, W.M.,
SAN JUAN COUNTY, WASHINGTON.



SURVEYOR'S NOTES

- SAN JUAN COUNTY
S.M.A.P.D. COMMUNITY DEVELOPMENT AND PLANNING
- THIS EXHIBIT ACCOMPANY A SIMPLE LAND DIVISION. THE USE IS CONSISTENT WITH THE COUNTY LAND USE AND ZONING CODES, SUBJECT TO THE TERMS AND CONDITIONS OF: *PS 100016-0002*
 - THE AREAS SHOWN ON THIS EXHIBIT ARE PER SAN JUAN COUNTY GIS. *Date: 4-13-16*

S.J.C. DEPARTMENT OF
APR 05 2016
COMMUNITY DEVELOPMENT



EXISTING LAND DESCRIPTION OF
PARCEL
BEFORE SIMPLE LAND DIVISION

STATUTORY WARRANTY DEED

THE GRANTORS, DAVID ADELMAN and PHYLLIS JOHNSON ADELMAN (a/k/a Phyllis A. Adelman), as Trustees of the David and Phyllis Adelman Trust; and JEROME B. ADELMAN and DOLORES A. ADELMAN, husband and wife;

for and in consideration of TEN DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATION, AND AS PART OF AN I.R.C. SECTION 1031 TAX-DEFERRED EXCHANGE, in hand paid, conveys and warrants to R&TB LLC, a Washington Limited Liability Company, the following described real estate, situated in the County of San Juan, State of Washington:

The Northwest quarter of the Southeast quarter of the Southeast quarter of Section 14, Township 35 North, Range 3 West, W.M., in San Juan County, Washington;

EXCEPT the West 10 feet conveyed to San Juan County by deed recorded September 22, 1988 under Auditor's File No. 88153432, records of San Juan County, Washington.

SUBJECT TO easements described on the attached Exhibit "A", which by this reference is incorporated herein as though fully set forth.

Tax Account Number 351444001

DATED February 16, 192000

Jerome B. Adelman
JEROME B. ADELMAN

Dolores A. Adelman
DOLORES A. ADELMAN

DAVID ADELMAN, Trustee

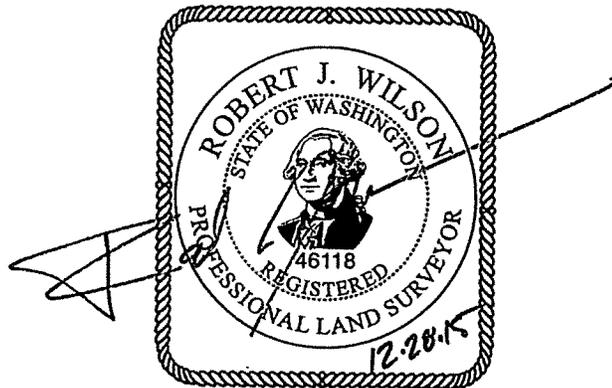
PHYLLIS JOHNSON ADELMAN, Trustee

**LAND DESCRIPTION
PARCEL A – AFTER**

The North 220.00 feet of the Northwest Quarter of the Southeast Quarter of the Southeast Quarter of Section 14, Township 35 North, range 3 West, W.M., in San Juan County, Washington; AND,

ALSO the North 437.00 feet of the West 334.00 feet of said Northwest Quarter of the Southeast Quarter of the Southeast Quarter; AND,

EXCEPT the West 10 feet conveyed to San Juan County by deed recorded September 22, 1988 under Auditor's File No. 88153432, records of said County.



STATE OF WASHINGTON
COUNTY OF SAN JUAN
RECORDED
12-28-15

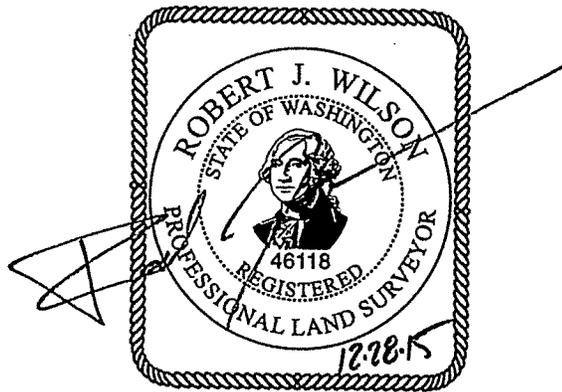
**LAND DESCRIPTION
PARCEL B – AFTER**

The Northwest Quarter of the Southeast Quarter of the Southeast Quarter of Section 14,
Township 35 North, range 3 West, W.M., in San Juan County, Washington; AND,

EXCEPT the North 220.00 feet thereof; AND,

EXCEPT the North 437.00 feet of the West 334.00 feet of said Northwest Quarter of the
Southeast Quarter of the Southeast Quarter; AND,

EXCEPT the West 10 feet conveyed to San Juan County by deed recorded September 22, 1988
under Auditor's File No. 88153432, records of said County.



Town of Friday Harbor
P O Box 219 / 60 Second Street
Friday Harbor, WA 98250
360-378-2810 / 360-378-5339 Fax



June 21, 2019

Adam,

Concerning the parcel of land that is being considered for UGA expansion, I have analyzed the Town's needs for Light Industrial (IN) properties. Currently our inventory in that zone has been developed to about 80%. The Town does have a need for more vacant parcels in that zone and this UGA addition would be helpful in reducing that number. The Mullis Street corridor is the logical place for additional Light Industrial zoned parcels.

Since this parcel has the same owners as Browne Lumber next door, our assumption would be that if this was to be annexed in the future, it would be assigned a Light Industrial zone. If you have any other concerns, let me know.

Sincerely,
Mike Bertrand
Land Use Administrator
Town of Friday Harbor

Adam Zack

From: Mike Bertrand <mikeb@fridayharbor.org>
Sent: Friday, June 21, 2019 9:46 AM
To: Adam Zack
Cc: Linda Ann Kuller; Erika Shook
Subject: RE: Town and County Coordination meeting re: request to add a parcel to UGA TPN 351444005000 File No. PREDES-19-0001
Attachments: Browne Lumber UGA expansion 2019.doc

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Adam,
See attached letterMike Bertrand

From: Adam Zack <adamz@sanjuanco.com>
Sent: Monday, June 10, 2019 3:42 PM
To: Mike Bertrand <mikeb@fridayharbor.org>
Cc: Linda Ann Kuller <lindak@sanjuanco.com>; Erika Shook <erikas@sanjuanco.com>
Subject: RE: Town and County Coordination meeting re: request to add a parcel to UGA TPN 351444005000 File No. PREDES-19-0001

Hi Mike,

Thank you for getting back to me with the information about the Town's Capital Facilities LOS.

I am still looking for information from the Town's land capacity analysis that would address the policies inserted below. In particular, a statement from the Town regarding the projected needs for Light Industrial land in the Town (Policy 2 below). I am looking for a statement from the Town demonstrating the level of *need* for this parcel to be added to the UGA. This information will also prove helpful if/when the parcel is annexed. Please respond on Town letterhead for entry into the record.

Joint Planning Policies, Policies for designation of a Friday Harbor UGA

Policy 5 The Town and County should jointly identify additional commercial and other non-residential uses required to serve rural areas outside the FHUGA, but required to be located within the FHUGA, and determine the amount of land necessary to support those uses.

Policies for Designation of Unincorporated UGAs

Policy 2

The criteria for determining a UGA and its boundary should include the following:

- a. Existing areas characterized by urban development or facilities or able to support urban levels of development; and
- b. Projected needs for residential, commercial and institutional activities and uses for the UGA, parks and open space and other non-residential uses, and the amount of land necessary to support those uses; and
- c. Protection of critical areas and resource lands, and the identification of and accounting for other lands with limited development capability; and
- d. Other natural or topographic features which may serve to define the boundaries of the UGA.

Thanks,
Adam Zack
Planner III
Department of Community Development
San Juan County, WA
360-370-7580
adamz@sanjuanco.com

NOTICE: All emails, and attachments, sent to and from San Juan County are public records and may be subject to disclosure pursuant to the Public Records Act, Chapter 42.56 RCW.

From: Mike Bertrand <mikeb@fridayharbor.org>
Sent: Friday, June 7, 2019 10:52 AM
To: Adam Zack <adamz@sanjuanco.com>
Cc: Linda Ann Kuller <lindak@sanjuanco.com>; Erika Shook <erikas@sanjuanco.com>
Subject: RE: Town and County Coordination meeting re: request to add a parcel to UGA TPN 351444005000 File No. PREDES-19-0001

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Adam,
Attached is a letter concerning utility capacity and level of service for the parcel in question. Also, this parcel, if annexed, would be zoned Light Industrial. Adding one lot will not have an adverse impact on the Town's overall zoning capacity needs. If you need anything else let me know.
Sincerely,
Mike Bertrand
Land Use Administrator
Town of Friday Harbor

From: Adam Zack <adamz@sanjuanco.com>
Sent: Friday, June 7, 2019 9:00 AM
To: Mike Bertrand <mikeb@fridayharbor.org>
Cc: Linda Ann Kuller <lindak@sanjuanco.com>; Erika Shook <erikas@sanjuanco.com>
Subject: RE: Town and County Coordination meeting re: request to add a parcel to UGA TPN 351444005000 File No. PREDES-19-0001

Hi Mike,

I wanted to follow up after our meeting a few weeks ago regarding the proposal to add TPN 351444005000 to the UGA. Have you had a chance to put together a letter and information related to the following:

- Which policies in the Town's Comprehensive Plan will apply to amending the UGA boundary?
- What are the Town's policies on annexation?
- More information about the Town's Land Capacity Analysis (including where to find the results):
 - What is the projected need for commercial development in the Town?
 - Where can I find the Town's adopted levels of service for capital facilities?

I will be putting together a staff report in the next couple of weeks and this information will be important to include with my analysis.

Please let me know if you need any other information.

Thanks,

Adam Zack

Planner III

Department of Community Development

San Juan County, WA

360-370-7580

adamz@sanjuanco.com

NOTICE: All emails, and attachments, sent to and from San Juan County are public records and may be subject to disclosure pursuant to the Public Records Act, Chapter 42.56 RCW.

From: Adam Zack

Sent: Thursday, April 25, 2019 3:24 PM

To: 'Mike Bertrand' <mikeb@fridayharbor.org>

Cc: Linda Ann Kuller <lindak@sanjuanco.com>; Erika Shook <erikas@sanjuanco.com>

Subject: RE: Town and County Coordination meeting re: request to add a parcel to UGA TPN 351444005000 File No. PREDES-19-0001

Hi Mike,

Thank you for getting back to me. I scheduled a meeting at 10:00 am on May 14 in the Dept. of Community Development Conference Room and sent you an outlook invite. A memo with the proposal and some background information was mailed to you today. A PDF of that memo is attached to this email.

The purpose of our meeting on May 14 will be to outline the best way to coordinate with the Town during this process and to gather more information about pertinent goals and policies from the Town's Comprehensive Plan.

I am beginning to analyze the proposal's consistency with the County's Comprehensive Plan and GMA requirements. A primary requirement in the RCW, WAC, and SJC Comprehensive Plan is that the County and Town coordinate on determining the UGA boundary. The proposal will also need to be evaluated for consistency with the Town's Comprehensive Plan prior to the County Council rendering a decision on whether or not to expand the unincorporated UGA.

In particular, I am interested in finding out more about the following:

- Which policies in the Town's Comprehensive Plan will apply to amending the UGA boundary?
- What are the Town's policies on annexation?
- More information about the Town's Land Capacity Analysis (including where to find the results):
 - o What is the projected need for commercial development in the Town?
 - o Where can I find the Town's adopted levels of service for capital facilities?
- What process will the Town prefer for further coordination with the County regarding this proposal?

Please let me know if you need any other information. I will be out of the office from April 29 to May 9, please contact Linda Kuller (lindak@sanjuanco.com) if you need something during that time.

Thanks,

Adam Zack

Planner III

Department of Community Development

San Juan County, WA

360-370-7580

adamz@sanjuanco.com

NOTICE: All emails, and attachments, sent to and from San Juan County are public records and may be subject to disclosure pursuant to the Public Records Act, Chapter 42.56 RCW.

From: Mike Bertrand

Sent: Tuesday, April 23, 2019 10:55 AM

To: Adam Zack

Cc: Linda Ann Kuller ; Erika Shook

Subject: RE: Town and County Coordination meeting re: request to add a parcel to UGA TPN 351444005000 File No. PREDES-19-0001

HiAny morning that week works for me....Mike Bertrand, Land Use Administrator, Town of Friday Harbor

From: Adam Zack <adamz@sanjuanco.com>

Sent: Monday, April 22, 2019 1:21 PM

To: Mike Bertrand <mikeb@fridayharbor.org>

Cc: Linda Ann Kuller <lindak@sanjuanco.com>; Erika Shook <erikas@sanjuanco.com>

Subject: Town and County Coordination meeting re: request to add a parcel to UGA TPN 351444005000 File No. PREDES-19-0001

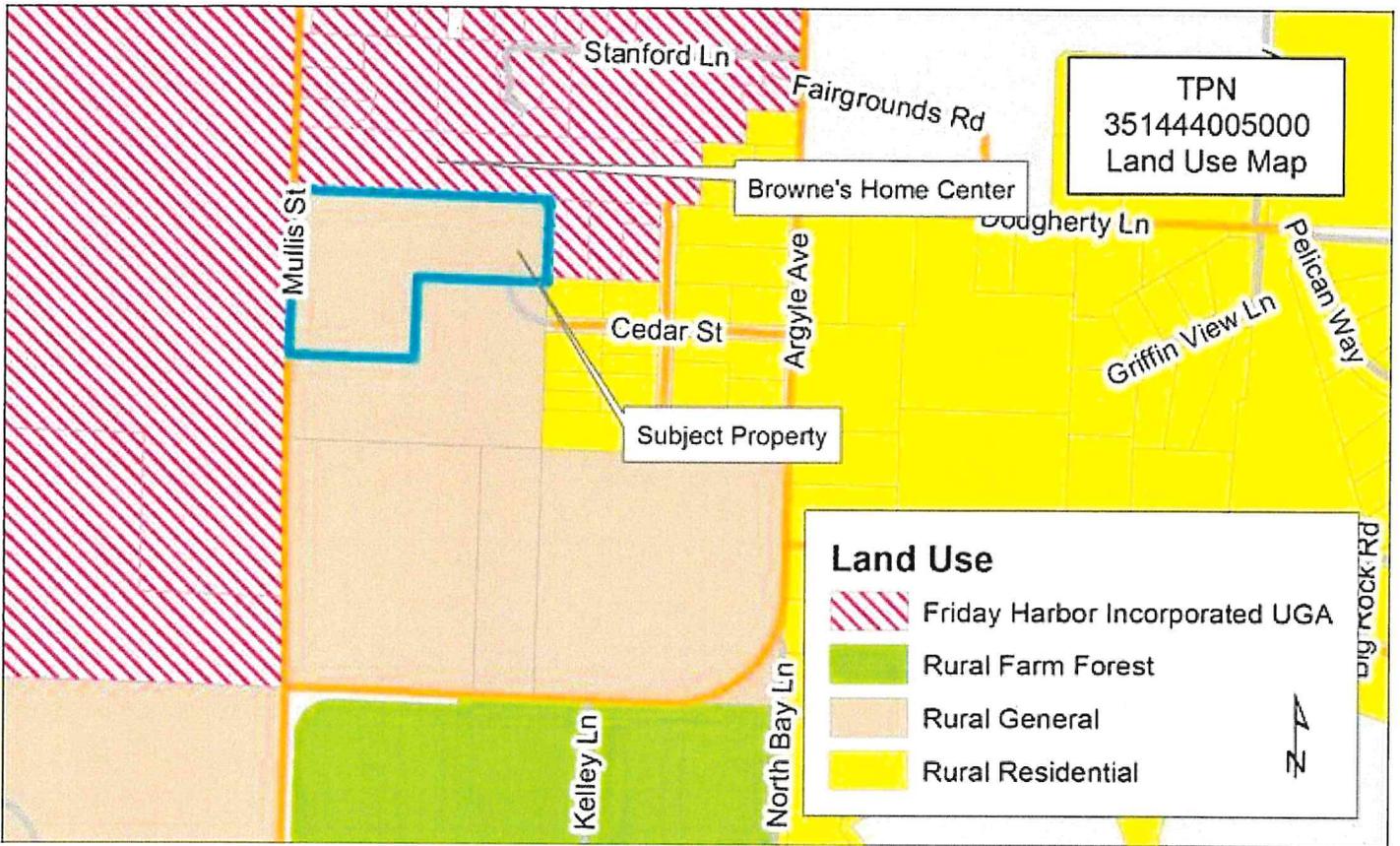
Dear Mike Bertrand,

I'm Adam Zack, a planner with San Juan County Department of Community Development. The County has received a request to add a parcel to the Town's UGA as part of the County's 2019 Annual Docket. The request is to re-designate TPN 351444005000 from Rural General Use to the unincorporated UGA to allow this parcel to be annexed into the Town. The submitted application is available on the County website here:

https://www.sanjuanco.com/DocumentCenter/View/18283/PREDES-19-0001_Application

As I'm sure you know, the County needs to coordinate with the town on this request. Is there a time during the week of May 13th through the 17th that you would be able to meet with me to discuss this application?

Let me know if you need any other information.



Adam Zack
 Planner III
 Department of Community Development
 San Juan County, WA
 360-370-7580
adamz@sanjuanco.com

NOTICE: All emails, and attachments, sent to and from San Juan County are public records and may be subject to disclosure pursuant to the Public Records Act, Chapter 42.56 RCW.

Exhibit 12

Property

Account

Property ID:	25655	Legal Description:	PR NW-SE-SE Sec 14, T 35N, R 3W
Tax Parcel #:	351444005000	Agent Code:	
Type:	Real	Land Use Code	11
Tax Area:	0493 - SAN JUAN	DFL	N
Open Space:	N	Remodel Property:	N
Historic Property:	N	Section:	14
Multi-Family Redevelopment:	N	Legal Acres:	5.1037
Township:	35		
Range:	3		

Location

Address:		Mapsco:	
Neighborhood:	Friday Harbor- Area 01-Comm	Map ID:	SAN JUAN ISLAND
Neighborhood CD:	11016		

Owner

Name:	CORNELIUS HOLDINGS LLC	Owner ID:	58628
Mailing Address:	C/O TAL HOLDINGS LLC 201 NE PARK PLAZA DR STE 240 VANCOUVER, WA 98684-5874	% Ownership:	100.0000000000%

Exemptions:

Pay Tax Due

Select the appropriate checkbox next to the year to be paid. Multiple years may be selected.

Year - Statement ID	Tax	Assessment	Penalty	Interest	Total Due
2019 - 19786 (Balance)	\$1341.73	\$35.74	\$0.00	\$0.00	\$1377.47

Total Amount to Pay: \$

*Convenience Fee not included

Taxes and Assessment Details

Property Tax Information as of 07/03/2019

Amount Due if Paid on: 

NOTE: If you plan to submit payment on a future date, make sure you enter the date and click RECALCULATE to obtain the correct total amount due.

Click on "Statement Details" to expand or collapse a tax statement.

Year	Statement ID	First Half Base Amt.	Second Half Base Amt.	Penalty	Interest	Base Paid	Amount Due
▶ Statement Details							
2019	19786	\$1377.53	\$1377.47	\$0.00	\$0.00	\$1377.53	\$1377.47
▶ Statement Details							
2018	19877	\$1501.61	\$1501.50	\$0.00	\$0.00	\$3003.11	\$0.00
▶ Statement Details							
2017	19984	\$1401.91	\$1401.83	\$0.00	\$0.00	\$2803.74	\$0.00

Values

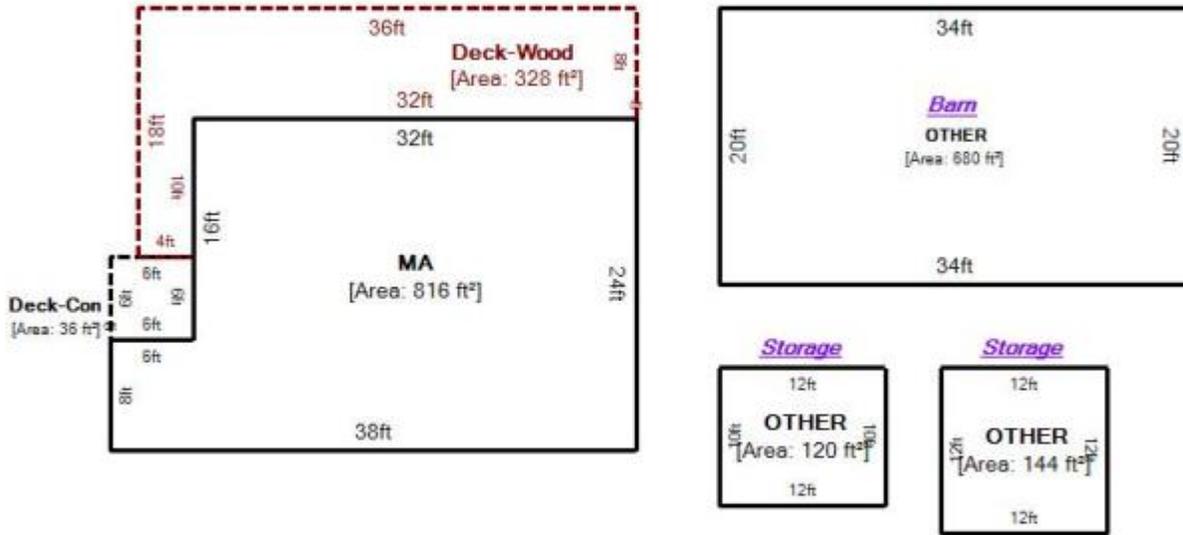
Taxing Jurisdiction

Improvement / Building

Improvement #1:	1 Story	State Code:	1100	816.0 sqft	Value:	\$82,220
Bathroom:	1	Bedroom:	1			
Dining:	1	Exterior wall:	SI/ST			
Fireplace:	FS-A	Fixtures:	6			
Flooring:	VINYL/PERGO	Flooring:	CARPET			
Foundation:	PERIM	Heating/cooling:	ELBB			
Interior finish:	FINISH	Kitchen:	1			
Living:	1	Plumbing:	UTIL			
Plumbing:	ROUGHIN	Plumbing:	TUBSHWR			
Plumbing:	TOILET	Plumbing:	LAVATORY			
Plumbing:	WTRHEAT	Plumbing:	KSINK			
Roof covering:	CO/BU	Septic:	YES			
Sub floor:	FRAME	Utility:	1			

Type	Description	Class CD	Sub Class CD	Year Built	Area
MA	MAIN FLOOR	4+		1978	816.0
Deck-Wood	WOOD DECK	4+		1978	328.0
Deck-Con	SLAB	4+		1978	36.0

Sketch



Property Image



Land

Roll Value History

Deed and Sales History

Payout Agreement

COMPREHENSIVE PLAN

APPENDIX 2

**Joint Planning Policies with the Town of Friday Harbor,
and other County-wide Planning Policies**

December 2, 2008

SAN JUAN COUNTY AND TOWN OF FRIDAY HARBOR

County-wide Planning Policies, including Joint Planning Policies

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3. Policies for Siting and Design of Essential Public Capital Facilities of County or State-Wide Significance	4
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5. Policies for Affordable Housing	7
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Policies for Designation of a Friday Harbor Urban Growth Area

The Town and County shall cooperatively and jointly determine the Friday Harbor Urban Growth Area (FHUGA).

- Policy 1** The criteria for determining the FHUGA should include the following:
- a. Existing areas characterized by urban development or able to support urban levels of development; and
 - b. The proximity to the Town of Friday Harbor corporate limits of areas characterized by urban development or ability to support urban levels of development; and
 - c. The presence of designated critical areas and resource lands, and other lands with limited development capability as defined in a land use inventory conducted in accordance with the "Policies for Joint County and Town Planning," *below*; and
 - d. Other natural or topographic features which may serve to define the boundaries of the FHUGA.
- Policy 2** The Town and County should agree on the 20-year population forecast for San Juan Island to be used for the purpose of growth management planning. The 20-year population forecast should, at a minimum, consider both the State Office of Financial Management projections and seasonal fluctuations in population which are characteristic of the Town and County.
- Policy 3** The Town and County should jointly determine the portion of the 20-year population forecast which should be allocated to the FHUGA.
- Policy 4** Based on the evaluation called for in Policies 1 through 3, the Town and County should jointly determine the amount of land necessary to support the population allocation and its capacity for residential and non-residential uses.
- Policy 5** The Town and County should jointly identify additional commercial and other non-residential uses required to serve rural areas outside the FHUGA, but required to be located within the FHUGA, and determine the amount of land necessary to support those uses.
- Policy 6** Based on the results of Policies 1 through 5, the Town and County should jointly determine the preliminary boundary of the FHUGA.
- Policy 7** The Town and County should jointly define the levels of service necessary to support urban levels of development within the FHUGA.
- Policy 8** The final boundary of the FHUGA should be determined by the Town, County and other service purveyors' abilities to provide urban levels of facilities and services for a 20-year planning period.

**Policies for Joint County and Town Planning
and
Policies for Promotion of Contiguous and Orderly Development**

The following policies are intended to provide guidance in development of comprehensive, consistent and coordinated plans for the FHUGA. They are intended to ensure that the Comprehensive Plans of the Town and County promote contiguous and orderly development.

A. GENERAL POLICIES

- Policy 1** As a component of the Growth Management Act (GMA) implementation, the Town and County should prepare a Friday Harbor Urban Growth Area Management Agreement. The Town and County agree to jointly formulate and adopt goals, policies and standards which will be the basis for all planning decisions within the FHUGA.
- Policy 2** The development review process defined by the FHUGA Management Agreement should be uniform and predictable in techniques, terminology, and standards. Subject to the terms of the agreement, final actions within the unincorporated areas of the FHUGA will be made by the County, and final actions within the incorporated area will be taken by the Town.
- Policy 3** The FHUGA Management Agreement should define the following for the unincorporated portions of the FHUGA:
- a. A process and standards for review of development proposals; and
 - b. The extent of use of Developer Extension Agreements (DEA) for the construction of required capital facilities. The DEA should specify the facilities to be constructed, applicable conditions and standards; identify fees for processing and review of facility construction plans and specifications; identify required bonds and assurances; and establish required inspections.
- Policy 4** County permitting procedures should include notification to the Town Plan Administrator of all development proposed to locate within 1,000 feet of the Friday Harbor municipal boundary. County procedures should also specify a minimum setback for new uses other than residential, forestry or agricultural uses proposed to locate within areas designated as Rural General Use or Rural Farm Forest by the County *Comprehensive Plan* when such development is proposed to occur on property that abuts area zoned for single-family residential by the Town of Friday Harbor Comprehensive Plan.
- Policy 5** San Juan County should encourage the conservation of agricultural open space presently existing at those locations at or near the points where Beaverton Valley, Roche Harbor and San Juan Valley Roads cross the Town’s municipal boundaries in order to mark and maintain these distinct “edges” between the Town and the rural area of the County.

B. ANNEXATION

- Policy 1** The comprehensive plans of the Town and County should contain a section devoted to policies for annexation.
- Policy 2** Annexation agreements between the Town and Property owners within the FHUGA seeking annexation should define the annexation request, phasing, extension of urban services, proposed development, and specific conditions under which the annexation will be considered by the Town.

Policy 3 Urban services and capital facilities should be extended to lands within the FHUGA only when those lands are annexed to the Town.

C. LAND USE

Policy 1 The County should coordinate a land use inventory for the FHUGA with the Town. The inventory should include agreed upon definitions of land categories, for example "vacant land," "developed land" and "constrained land," and identify such lands. In addition, the inventory should, at a minimum, identify the following:

- a. Lands currently served by Town of Friday Harbor water and sewer services;
- b. Lands within the Town of Friday Harbor's existing water and sewer service areas;
- c. Lands within service areas of public water systems as defined in RCW 70.116;
- d. Lands designated as resource lands or critical areas.

Policy 2 The County should consult with the Town in the process of designating other areas of San Juan Island as activity centers and give substantial weight to the Town's concerns regarding impacts to the Town including but not limited to tax base, water, sewer, transportation and other service requirements.

D. LOCAL CAPITAL FACILITIES

General Policies

Policy 1 The Town and County should jointly develop the portion of the capital facilities element of their respective Comprehensive Plans which pertains to the FHUGA. The capital facilities element should inventory existing local capital facilities. Capital facilities include, but are not limited to, water, sewer, parks, public buildings, fire protection, public safety, and storm drainage facilities. The inventory should include the type of facility, the age of the facility, level of development, location, capacity, and financial information.

Policy 2 The capital facilities element should be designed to serve development envisioned or authorized by the land use classifications of the FHUGA.

Policy 3 The capital facilities element should require facilities or facilities improvements to accommodate the impacts of new development to be in place at the time of development, or a financial commitment to be in place to complete the improvements within six years.

Policy 4 The capital facilities element should establish capacity and level of service standards for existing and proposed capital facilities in the FHUGA.

Policy 5 The capital facilities element should establish criteria for the siting of new capital facilities and utilities which:

- a. Provide for the protection of critical areas and resource lands;
- b. Are consistent with adopted land use regulations; and
- c. Ensure compatibility between capital facilities and residential uses.

Policy 6 The capital facilities element should identify the means and methods of financing for expansion or new construction of capital facilities and utilities.

Water Quality and Supply

- Policy 1** The capital facilities element should include uniform and consistent policies for the protection and enhancement of water supplies.
- Policy 2** The capital facilities element should require that all new development be contingent upon proof that a water supply is available and adequate for proposed uses.
- Policy 3** The capital facilities element should provide for the protection of water quality and address public education, stormwater management, and watershed management.
- Policy 4** The capital facilities element should promote water conservation as a means to ensure protection and availability of water supplies, and include conservation measures which apply to both water supply development and water use.

E. UTILITIES

- Policy 1** The utilities element should be developed in cooperation with local power and telecommunications utilities and franchises.
- Policy 2** The utilities element should be designed to serve development envisioned or authorized by the land use elements of the Comprehensive Plans of both the Town and County.
- Policy 3** The utilities element should establish criteria for the siting of new utilities which:
- a. Provide for the protection of critical areas and resource lands;
 - b. Are consistent with adopted land use regulations;
 - c. Ensure compatibility between utilities and residential uses.
 - d. Consider the use of "utility corridors" as a means to reduce impacts of utility construction, and facilitate repair and maintenance.

<p style="text-align: center;">Policies for Siting and Design of Essential Public Capital Facilities of County or State Wide Significance.</p>

Recognizing the diverse essential public facility needs of San Juan County's many islands, following are the policies of the Town and County for addressing the siting and development of essential public capital facilities of county or state-wide significance, including those facilities located within the Shoreline jurisdiction.

- Policy 1** Essential Public Facilities (EPFs) are facilities that provide a necessary public service as their primary mission, and that are difficult to site. EPFs include those facilities listed in RCW 36.70A.200; any facility that appears on the list maintained by the State Office of Financial Management under RCW 36.70A.200(4); secure community transition facilities as defined in RCW 71.09.020; state education facilities; state or regional transportation facilities as defined in RCW 47.06.140; general aviation airports; state and local correctional facilities; solid waste handling facilities; in-patient facilities including group homes, substance-abuse and mental health facilities; and facilities determined to be an Essential Public Facility under SJCC 18.30.050 E.

Essential public capital facilities of county or state-wide significance also include, but are not limited to: passenger and vehicle ferry terminals (public); public elementary and secondary schools;

solid waste collection, transfer and disposal facilities; county roads and county docks; county equipment storage and maintenance yards; county septage handling and treatment facilities; primary electrical transmission and distribution system; fire stations and emergency service facilities; public libraries; post offices; parks; county administrative offices; and general aviation airports.

Essential public facilities on San Juan Island include: town streets; town equipment storage and maintenance yards; municipal sewer system; municipal water system and associated watershed; and town hall administrative offices.

Location and Design Policies

- Policy 2** In coordination with the Town of Friday Harbor, ensure that sufficient lands are available to accommodate essential public facilities (EPFs).
- Policy 3** On San Juan Island, new public schools and government administrative offices should be located within the Town, its UGA, or other area where adequate water supply and sewage disposal exist without new extensions of urban services.
- Policy 4** Other facilities, should not be located outside the urban growth area unless its operation warrants a rural location.

Location Policies for San Juan Island

- Policy 5** The Town of Friday Harbor and San Juan County should avoid duplication of facilities and facilities sites when they could reasonably and practically be shared among the two jurisdictions for common or multiple purposes, particularly those that, by their nature, warrant a rural location.
- Policy 6** The Town and the County should maintain a standing task force of elected and appointed representatives, including representatives of the Port of Friday Harbor as appropriate, to develop specific siting criteria for a given facility, and to analyze and rank potential sites; such analysis must include evaluation of consistency with the applicable comprehensive plan.
- Policy 7** The Town and the County should ensure that public involvement in siting decisions is fostered to the greatest extent possible by holding public meetings and otherwise distributing information at the earliest possible point in the decision process, in addition to public notices and hearings that may be required by law.

<h2>Policies for Other Capital Facilities of County or State Wide Significance</h2>
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- Policy 1** The capital facilities elements should require facilities or facilities improvements to accommodate the impacts of new development to be in place at the time of development, or require a financial commitment to be in place to complete the improvements within six years.
- Policy 2** The capital facilities elements should be designed to achieve consistency with county or state plans and policies for the siting of public capital facilities.
- Policy 3** Capital facilities element policies should be designed to serve development envisioned or authorized by the comprehensive plans of both jurisdictions.

- Policy 4** The capital facilities elements should be designed to achieve consistency between both jurisdictions' plans for capital facilities.
- Policy 5** The capital facilities elements should establish and maintain standards for the level of service for both existing and future public capital facilities.
- Policy 6** The capital facilities elements should establish criteria for the siting of new public capital facilities which:
- a. Provide for the protection of critical and resource lands; and
 - b. Provide for urban services; and
 - c. Are consistent with adopted land use regulations and shoreline master program; and
 - d. Ensure compatibility between capital facilities and residential uses.
- Policy 7** The capital facilities elements should identify the timing and methods of financing for expansion or new construction of public capital facilities.

Policies for Transportation Facilities and Strategies

Following are the policies of the Town and County for development of the transportation elements of their comprehensive plans.

- Policy 1** The transportation elements should be based on an inventory of existing transportation facilities including, but not limited to, airports, marine ports, roads, ferry terminals, marinas, parking facilities, and bicycle, equestrian and pedestrian trails.
- Policy 2** The transportation elements should require transportation facilities or facilities improvements to accommodate the impacts of the development to be in place at the time of development, or require a financial commitment to be in place to complete the improvements within six years.
- Policy 3** The transportation elements should be designed to achieve consistency between both jurisdictions' plans for transportation facilities.
- Policy 4** The transportation elements should establish standards for the level of service for existing and proposed transportation facilities.
- Policy 5** The transportation elements should contain specific requirements to bring existing facilities into compliance with level of service standards adopted under Policy 4.
- Policy 6** The transportation elements should identify needs for expansion of transportation systems and facilities. Transportation facilities should be designed to serve development envisioned or authorized by the comprehensive plans of both jurisdictions.
- Policy 7** The transportation elements should establish criteria for the siting of new transportation facilities which:
- a. Provide for the protection of critical areas and resource lands;
 - b. Provide for urban services and capital facilities;
 - c. Are consistent with adopted land use regulations; and
 - d. Ensure compatibility between transportation facilities and residential uses.

- Policy 8** The transportation elements should contain strategies designed to encourage conservation.
- Policy 9** The transportation elements should identify the timing and methods of financing for expansion or new construction of transportation facilities and, at a minimum, include:
- a. An analysis of funding capabilities and revenue sources;
 - b. A multi-year financing plan; and
 - c. A contingency plan for funding shortfalls.
- Policy 10** The transportation elements should promote the active involvement of, and coordination with, the Port of Friday Harbor and the State Department of Transportation in developing comprehensive plan policies which affect the Town, County, airport, marina and ferry terminal.

Policies for Affordable Housing

Following are the policies of the Town and County for development of the housing elements of their Comprehensive Plans.

- Policy 1** The housing elements should include goals and policies that provide for a wide range of housing development types and densities to meet the housing needs of a diverse population and provide affordable housing choices.
- Policy 2** The housing elements should include an inventory of existing housing conditions, an assessment of the current and projected need for affordable housing by household type, household income group and housing type.
- Policy 3** The Town and County should consider the following factors when making decisions regarding land supply for affordable housing:
- a. Overall density goals, goals for resource land conservation and protection of environmentally sensitive areas, and goals for open space and other public uses.
 - b. Existing neighborhood character, environmental constraints, and applicable designation, zoning and development regulations.
 - c. Varying interests of property owners in terms of timing of development, land use, and financial capability.
 - d. Effects on land costs and housing affordability resulting from land supply allocated by the comprehensive plans of both jurisdictions.
- Policy 4** The housing elements should include policies for preservation and improvement of the existing housing stock.

Policies for Economic Development and Employment

- Policy 1** The Economy and Employment elements of the Town and County Comprehensive Plans should contain goals and policies to ensure future economic vitality, broaden employment opportunities and meet the needs of projected growth while maintaining environmental integrity.
- Policy 2** The Economy and Employment elements should be aimed at diversifying the economy and employment opportunities in appropriate areas of the County. Economic development policies should implement and be consistent with the County and Town Comprehensive Land Use Plans and Capital Facilities elements.

Policy 3 The Economy and Employment element should, at a minimum, include an inventory and assessment of the local economy, an analysis of economic and employment opportunities and options, an economic and employment strategy, and an action plan for implementing the strategy.

Town of Friday Harbor Watershed Management

Policy 1 Because the 4,880-acre watershed (*see Figure 1, below*) containing the Town of Friday Harbor's water supply occurs largely within the jurisdiction of the County, the County Comprehensive Plan and development regulations should provide for notice to be given to the Town Plan Administrator of all development permit applications submitted to the County which affect land within this watershed. For those applications for which the County Code specifies a public and agency comment period, the Town Plan Administrator should be given opportunity to comment.

Policy 2 The Town and the County should support public educational efforts regarding best management practices for the protection of water quality.

Analysis of the Fiscal Impacts

The following policies are intended to provide guidance to the Town and County in assessment of the fiscal impacts of implementing their comprehensive plans for San Juan Island:

Policy 1 The Town and County Comprehensive Plans should include an analysis of the fiscal impacts associated with implementing plans, policies and regulations. The analysis should include an inventory of tax bases including:

- a. Sources of tax revenue including property, sales, franchise, hotel/motel, and other taxes;
- b. Regulations and constraints governing the use of each revenue source;
- c. Methods for collecting the revenue from each source; and
- d. Sensitivity of each revenue source to fluctuations.

Policy 2 The analysis of fiscal impacts should include an evaluation of the public and private revenues required to fund the costs of public facilities and services resulting from the proposed land use, business activity and level of service standards.

Policy 3 The Town and County should each evaluate potential effects of GMA implementation regulations on their respective tax bases and tax revenues with particular attention to the effects on operating and capital budgets; assessed valuation; future debt capacity and assumption of debt.

Policy 4 The Town and County should jointly evaluate the potential for distribution of tax and non-tax revenues resulting from the Town's role as a center of commerce and primary point of entry for San Juan Island.

Policy 5 The Town and County should jointly enter into a service agreement in accordance with RCW 36.115 to compensate for imbalances in transportation or capital facilities levels of service as defined in the respective comprehensive plans. The basis for this service agreement should be the analysis and evaluation results obtained from Policies 2 and 4 of this section.

Policies for Designation of Unincorporated Urban Growth Areas

- Policy 1** For San Juan Island, in addition to the joint policies for the Friday Harbor UGA (*above*), the County shall consult and cooperate with the Town of Friday Harbor regarding any potential new UGAs on San Juan Island that are not associated with the Town. The County shall solely determine the boundary for and regulations pertaining to other Urban Growth Areas. One Urban Growth Area should be located on each of the ferry-served islands of Orcas and Lopez.
- Policy 2** The criteria for determining a UGA and its boundary should include the following:
- a. Existing areas characterized by urban development or facilities or able to support urban levels of development; and
 - b. Projected needs for residential, commercial and institutional activities and uses for the UGA, parks and open space and other non-residential uses, and the amount of land necessary to support those uses; and
 - c. Protection of critical areas and resource lands, and the identification of and accounting for other lands with limited development capability; and
 - d. Other natural or topographic features which may serve to define the boundaries of the UGA.
- Policy 3** The County should determine the portion of the 20-year population forecast which should be allocated to the UGA. The 20-year population forecast should, at a minimum, provide for the growth in population that is projected for the county by the State Office of Financial Management and consider seasonal fluctuations in population that are characteristic of the County.
- Policy 4** Based on the evaluation called for in Policies 2 through 4, the County should determine the amount of land necessary to support the population allocation and its capacity for residential and non-residential uses.
- Policy 5** The County should identify additional commercial and other non-residential uses required to serve rural areas outside the UGA, but required to be located within the UGA, and determine the amount of land in the UGA necessary to support those uses.
- Policy 6** The County should determine a reasonable land market supply factor for each UGA, and determine the additional amount of land in the UGA necessary to provide for this.
- Policy 7** Based on the results of Policies 2 through 6, the County should determine the interim boundary of each UGA.
- Policy 8** The County should define the levels of service necessary to support urban levels of development within each UGA.
- Policy 9** The final boundary of each UGA should be adjusted as necessary based on the results of capital facilities planning.

Town of Friday Harbor, Watershed Area (Trout Lake)

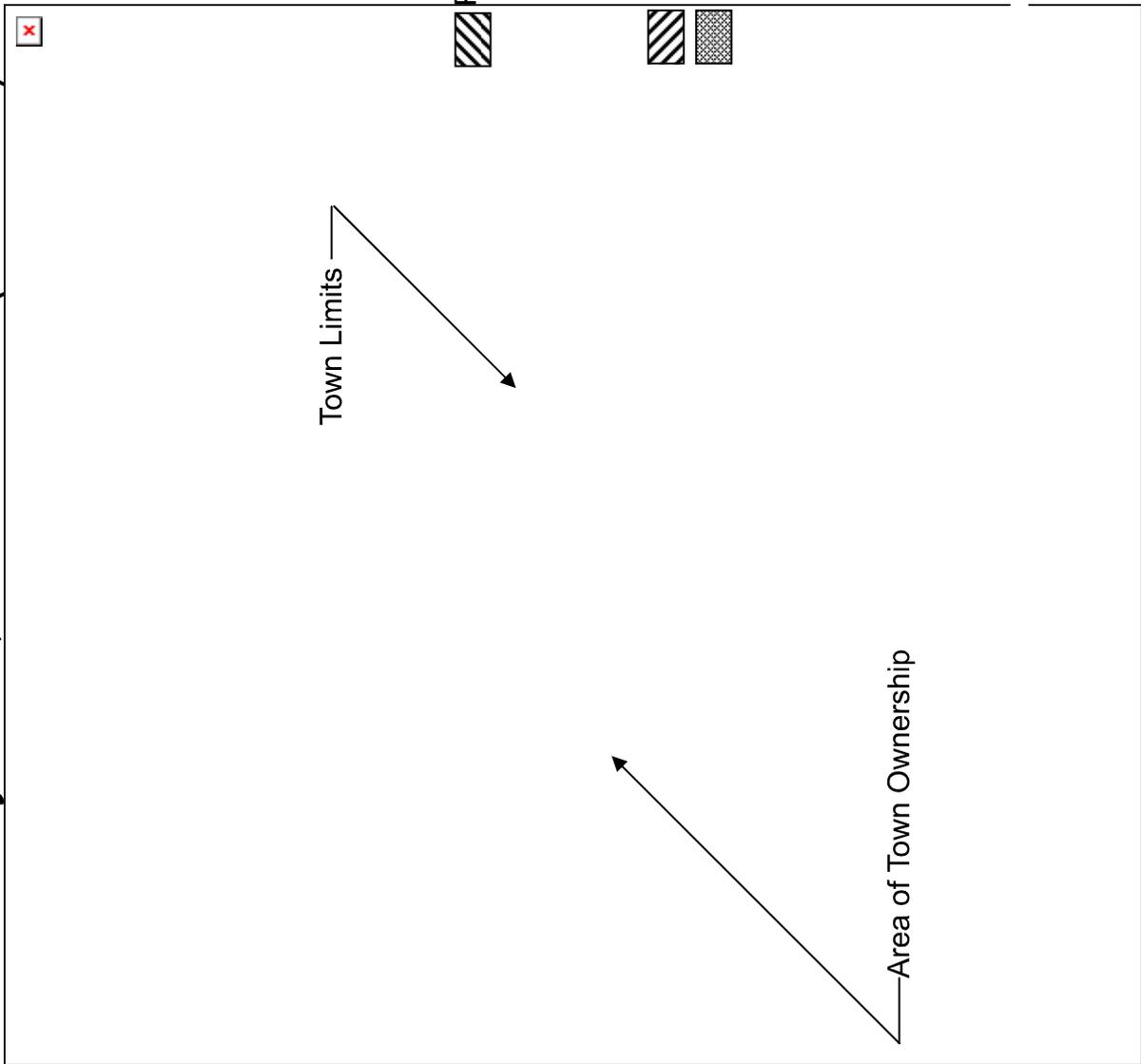


Figure 1

COMPREHENSIVE PLAN

APPENDIX 3

**FRIDAY HARBOR UNINCORPORATED URBAN GROWTH AREA
MANAGEMENT AGREEMENT**

December 30, 1996

Updated July 8, 2008

FRIDAY HARBOR UNINCORPORATED URBAN GROWTH AREA MANAGEMENT AGREEMENT

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SAN JUAN COUNTY, WASHINGTON

F. MILENE HENLEY, AUDITOR

DMT

Document Title(s):	
Unincorporated Urban Growth Area Management Agreement	
By and Between:	Town of Friday Harbor and San Juan County
Tax Parcel Number(s):	
Legal Description:	Geographic area designated on Figure 1 to this agreement
Reference Auditor File Number:	Town of Friday Harbor Resolution No. 1656

*to rec 7/9/08
Returned 8/6/08*

**Unincorporated Urban Growth Area
Management Agreement Between
The Town of Friday Harbor and San Juan County, Washington**

Section 1. Preface.

This document is adopted pursuant to RCW 36.70A.110 to set forth an agreement between San Juan County (the "County") and the Town of Friday Harbor (the "Town") for the management of the unincorporated Urban Growth Area (UGA) located adjacent to the Town of Friday Harbor (the "unincorporated UGA" or "Friday Harbor UGA"). Both jurisdictions recognize the need for cooperation in land use planning and public service delivery in the unincorporated UGA. The policies and strategies in this Agreement are to guide the actions of each jurisdiction. This Agreement does not, however, substitute for comprehensive planning by the Town or the County.

Section 2. Purpose.

This Agreement is to accomplish the following purposes:

1. To promote communication and participation in planning for the unincorporated UGA;
2. To establish guidelines for orderly growth and development within the unincorporated UGA;
3. To concentrate urban development within the Town of Friday Harbor and not within the unincorporated UGA;
4. To coordinate land use regulation and development services to minimize the public and private costs of development within the unincorporated UGA;
5. To prepare for the orderly provision of public facilities and services to accommodate and serve as a guide for urban development of those lands within the unincorporated UGA;
6. To contain urban development within a planned urban area where basic services such as sewer and water facilities, storm drainage, police, and fire protection can be efficiently and economically provided; and
7. To make economical use of local tax dollars in locating facilities and providing services for the benefit of all citizens within the unincorporated UGA; since urban services are interrelated, coordination is best achieved by a single government unit, the Town of Friday Harbor.

Section 3. Designation of Unincorporated UGA on Official Maps.

The geographic area designated on Figure 1 to this Agreement is the unincorporated UGA that is the subject of this Agreement and is coterminous with the area designated on the Town and County official comprehensive plan maps, respectively. The Town will provide the County with a copy of its official map.

Section 4. General Provisions.

1. The County and the Town will coordinate land use planning and the application of development regulations within the unincorporated UGA as provided for in this Agreement. Nothing shall prevent the County and the Town from establishing other cooperative agreements addressing particular projects, geographic areas, or concerns, which are not subject to this management Agreement.
2. Notwithstanding the provisions of this Agreement, the ultimate authority for land use and development decisions is retained by the County and the Town within their respective jurisdictions. Neither jurisdiction may assign or defer its decision-making authority to the other.

Section 5. Joint Planning.

The County and the Town affirm their commitment to the Joint Planning Policy adopted by San Juan County and the Town of Friday Harbor in Appendix 2 of the San Juan County Comprehensive Plan as it now exists or may be jointly amended hereafter.

Section 6. Development Review Procedures.

1. Applications—General. This section applies to all land use and development permit applications, including all building permits, use permits, and land division applications.
2. Applications—Submittal to Town. Land use and development applications for projects located within the existing municipal boundaries of the Town of Friday Harbor shall be submitted to and acted upon by the Town of Friday Harbor according to its adopted regulations and procedures and the applicable provisions of this Agreement (*see* Section 7, below).
3. Applications—Submittal to County. Land use and development applications for projects located within the unincorporated UGA shall be submitted to and acted upon by San Juan County according to its adopted regulations and procedures and the applicable provisions of this Agreement (*see* Section 7, below).
4. Notice Requirements.
 - a. The jurisdiction receiving a use or development application involving property located within 1,000 feet of the municipal boundary or within 1,000 feet of the UGA boundary shall give notice to the other as specified below.
 - b. If no notice is required and/or no comment period is provided for a given application type by the applicable, adopted Town or County procedures, then the jurisdiction accepting the application shall provide notice to the other within three working days of finding an application to be complete. It shall then allow up to five working days for comments before action may be taken on the application.

- c. If the applicable Town or County procedures specify notice requirements and the duration of a comment period, then the jurisdiction accepting the application shall give notice to the other and provide opportunity to comment as provided in the applicable procedures for the type of application involved.
- d. The County shall notify the Town in writing of any comprehensive plan amendment, development code amendment, and of any other proposals for legislative action which affects land located within 1,000 feet of the municipal boundary or within the unincorporated UGA. Such notice shall be sufficient to allow the Town staff the opportunity to review and comment on such proposals before final action is taken. Likewise, the Town shall notify the County in writing of any comprehensive plan amendment, zoning code amendment, and any other proposals for legislative action which affects land within 1,000 feet of the municipal boundary or within the unincorporated UGA.
- e. Nothing shall prevent the Town Administrator and County Administrator from agreeing to exempt certain types of developments from interjurisdictional notice requirements. Any such agreement shall be in writing and signed by both Administrators.

Section 7. Intention Regarding Additional Use and Development Regulations.

The applicable use and development regulations shall be those adopted by the applicable jurisdiction, with the following additional provisions intended for the unincorporated UGA upon the designation of such land by the County Council.

1. Land Uses – Limitations Generally.

- a. San Juan County will retain responsibility for land use decisions and actions affecting the unincorporated UGA until such time as annexation to the Town occurs.
- b. San Juan County will review and, as necessary, amend its comprehensive plan and development regulations to establish a moratorium and/or create an overlay zone such that development within the unincorporated UGA is consistent with the intent and purposes of this Agreement to protect such lands in such a way that allows for the development for urban uses only at such time as the land is annexed to the Town. Specifically, the County Council will conduct hearings on ordinances which will, if adopted, prohibit all uses and developments, except the following uses and developments which shall be allowed outright:
 - i. Single-family residence and structures appurtenant to a single-family residence;
 - ii. Two-family residential uses (duplex);
 - iii. Home occupation;
 - iv. Public streets;
 - v. Public trails and paths;
 - vi. Agricultural uses and activities;

- vii. Forest practices, no processing;
 - viii. Lumber mills, portable;
 - ix. Nurseries;
 - x. Retail sales of agricultural products.
2. Urban Services. The Town and the County will review and, as necessary, amend the comprehensive plan and development regulations so that each jurisdiction will refrain from the development, creation or extension of water or sewer service to those areas lying within the unincorporated UGA until such areas are first annexed to the Town.

Property within the unincorporated UGA proposed for new development which requires urban services (Town water and sewer facilities) shall be annexed before a land use or building permit is issued.

Proposed developments which do not require urban services shall be subject to conditions establishing an enforceable developer extension agreement to pay for Town services upon the annexation of the subject property. County code requirements for on-site water supply, fire flow, sewage disposal and stormwater control facilities shall apply to allowable uses and developments that do not require urban services.

The County will not authorize the creation of a special purpose district for the provision of utilities, recreation or other public facilities unless such district includes all of the area within the unincorporated UGA and the creation has been approved by both parties.

3. Buffers. The County will review and, as necessary, amend its comprehensive plan and development regulations to require that new development within the unincorporated UGA on property abutting the UGA-County boundary shall provide drought-resistant vegetated buffers sufficient to mitigate significant adverse impacts to land and land uses outside of the unincorporated UGA boundary.
4. Critical Areas/Environmentally Sensitive Areas. The San Juan County Code requirements for critical areas shall apply to critical areas within the unincorporated UGA
5. Subdivisions and Short Subdivisions. The county will review and, as necessary, amend its comprehensive plan and development regulations by use of a moratorium or overlay zone to prohibit all subdivisions, including subdivision by long subdivision, short subdivision, simple land division, binding site plan or condominium, that result in the creation of any parcel or unit of land smaller than five acres. Boundary line modifications shall be allowed so long as no new parcel is created. In allowing for rural land division, the County will ensure that the developments design does not preclude future infill development at urban densities.

Section 8. Annexation.

1. Only those areas within the unincorporated UGA may be considered for annexation to the Town.

2. Urban services and capital facilities may be extended to properties within the unincorporated UGA only when those properties are annexed to the Town.
3. Property owners seeking annexation to the Town will be required to include in annexation petitions a full description of proposed development and any phasing plans, and the specific urban services needed together with the analysis and reports required by the Town.

Section 9. Administration.

The responsibility for administration of this Agreement shall rest jointly with the San Juan County Council and the Friday Harbor Town Council, through their respective administrators. Within 30 days of the effective date of this Agreement the County and Town administrators will exchange the names and addresses to be used in official correspondence regarding this Agreement. Each jurisdiction is responsible for keeping this contact information current and for directing correspondence consistent with this information.

Section 10. Periodic Review, Amendment, and Termination.

The term of this Agreement shall be five years from the effective date and shall automatically be renewed for subsequent five-year terms unless one of the following actions is taken:

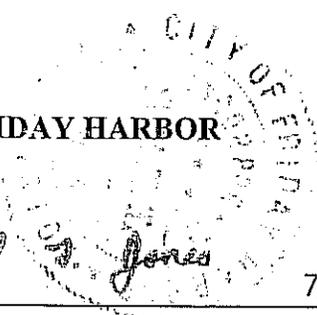
1. The County and the Town may agree at any time to revise or terminate this Agreement. Any such agreement shall be in writing.
2. Either party may notify the other of a desire to revise or terminate this Agreement. Such notice shall be in writing and be given no fewer than ninety days prior to the automatic renewal date. Should such notice be given, the County and the Town will begin immediately and, in good faith, to revise and renew this Agreement.
3. This agreement does not apply to portions of the unincorporated UGA after such property has been duly annexed by the Town.
4. Should the County designate additional unincorporated UGAs in accordance with the procedure set forth in RCW 36.70A.110(2), this Agreement shall be reviewed by the parties and amended as necessary to address mutual concerns relating to the additional unincorporated UGA.

Section 11. Effective Date and Filing Procedures.

The effective date of this Agreement shall be the date it is filed with the County Auditor and with the Town Clerk.

//

TOWN OF FRIDAY HARBOR



By: David F. Jones 7/3/08
DAVID F. JONES, Mayor Date

**APPROVED AS TO FORM ONLY
DONALD E. EATON**

By: Donald E. Eaton 7/7/08
DONALD E. EATON Date

ADOPTED this 8th day of July 2008.

COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON

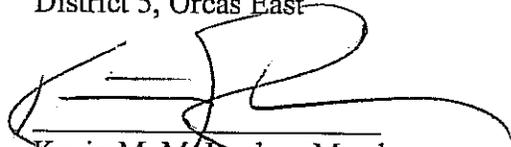
ATTEST: Clerk of the Council


Howard Rosenfeld, Chair
District 3, Friday Harbor

By: Ann Larson
Ann Larson - Clerk
Date: 7/8/2008

Gene Knapp
Gene Knapp, Vice-Chair
District 5, Orcas East

REVIEWED BY COUNTY
ADMINISTRATOR


Kevin M. M. Ranker, Member
District 1, San Juan South

Pete Rose
Pete Rose Date: 7/8/08

APPROVED AS TO FORM ONLY
RANDALL K. GAYLORD

Richard Peterson
Rich Peterson, Member
District 2, San Juan North

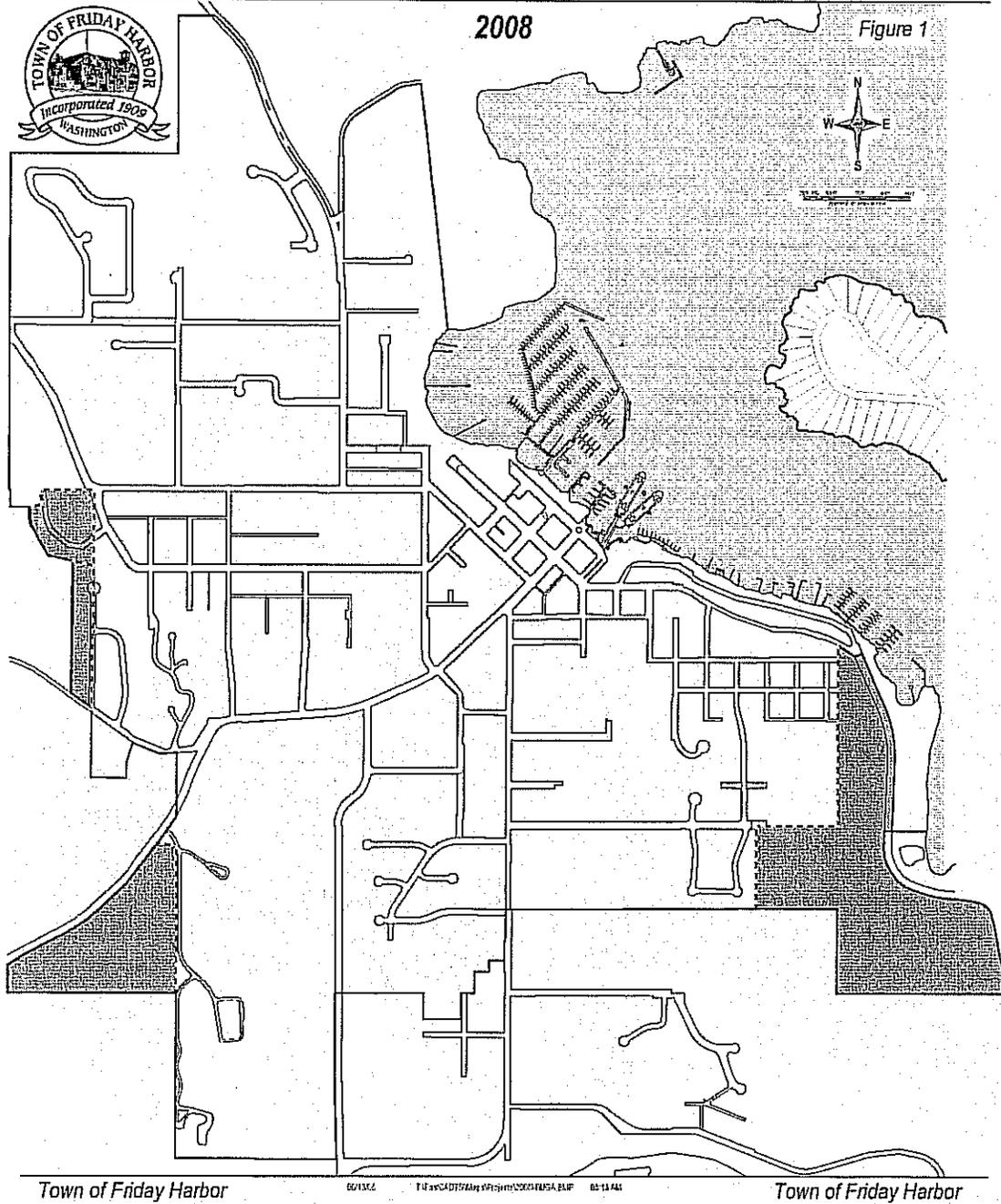
By: Randall K. Gaylord
Date 7/8/2008

Alan Lichter
Alan Lichter, Member
District 4, Orcas West/Waldron

Bob Myhr
Bob Myhr, Member
District 6, Lopez/Shaw

Exhibit A

Friday Harbor with Unincorporated UGA areas Shaded



RESOLUTION NO. 1656

A RESOLUTION authorizing the Mayor to sign the Unincorporated Urban Growth Area Management Agreement between the Town of Friday Harbor and San Juan County, Washington.

WHEREAS, RCW 36.70A.110 requires the Town and San Juan County ("the County") to cooperate in designating the boundaries for an unincorporated urban growth area of sufficient area to accommodate the urban growth that is projected to occur in the Town and in the County for the next Twenty (20) years; and

WHEREAS, the Joint Policy Planning document approved by the County and the Town several years ago, set forth as Appendix B to the Town's Comprehensive Plan, requires the Town to enter into an agreement with the County for the purpose of establishing a cooperative approach to managing development within the unincorporated urban growth area; and

WHEREAS, the Town and the County have reached agreement on the location of the boundaries for the new unincorporated urban growth area and on the provisions to be set forth in a new Unincorporated Urban Growth Area Management Agreement; and

WHEREAS, the County will formally approve said agreement on July 8, 2008:

NOW THEREFORE, BE IT RESOLVED by the Council of the Town of Friday Harbor that the Mayor of the Town is authorized and directed to sign the Unincorporated Urban Growth Area Management Agreement, a copy of which is attached hereto.

ADOPTED this 3rd day of July 2008.

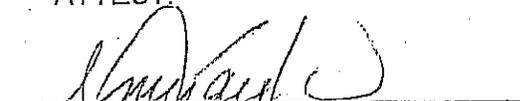
TOWN OF FRIDAY HARBOR



David F. Jones, Mayor

SEAL of the
Town of Friday Harbor

ATTEST:


Amy E. Taylor, Town Clerk

Detailed Staff Analysis

Staff analysis of compliance with applicable state laws, the SJC Comprehensive Plan, and development regulations is provided in **bold** below.

Revised Code of Washington (RCW)

RCW 36.70A.020 (1) Planning goals states:

Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

The planning goals in RCW 36.70A.020 are provided to guide the development of comprehensive plans and development regulations. In a letter dated May 31, 2019, Wayne Haeefe, Town Public Works Director, indicated that the Town has adequate water and sewer facilities to serve the subject parcel (Exhibit 9). The subject parcel is adjacent to the incorporated limits of the Town of Friday Harbor, suggesting that urban level services can be provided to the subject property in an efficient manner. The proposal can be conditioned to be consistent with this goal.

RCW 36.70A.030 (21) definitions states:

"Urban growth" refers to growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources, rural uses, rural development, and natural resource lands designated pursuant to RCW 36.70A.170. A pattern of more intensive rural development, as provided in RCW 36.70A.070 (5)(d), is not urban growth. When allowed to spread over wide areas, urban growth typically requires urban governmental services. "Characterized by urban growth" refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.

The subject parcel is adjacent to Browne’s Home Center and the incorporated Friday Harbor UGA. The parcel with Browne’s Home Center (TPN 351492017000) is already developed with urban growth as defined in RCW 36.70A.030 (21). The subject parcel, being adjacent to TPN 351492017000, is located “in relationship to an area with urban growth on it as to be appropriate for urban growth.” The subject parcel meets the definition of ‘characterized by urban growth’ provided in RCW 36.70A.030 (21).

RCW 36.70A.110 (1) states:

Each county that is required or chooses to plan under RCW 36.70A.040 shall designate an urban growth area or areas within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature. Each city that is located in such a county shall be included within an urban growth area. An urban growth area may include more than a single city. An urban growth area may include territory that is located outside of a city only if such territory already is characterized by urban growth whether or not the urban growth area includes a city, or is adjacent to territory already characterized by urban growth, or is a designated new fully contained community as defined by RCW 36.70A.350.

The subject parcel meets the definition of “characterized by urban growth” as explained above. Designating the subject parcel as part of an urban growth area would be consistent with RCW 36.70A.110 (1).

RCW 36.70A.110 (2) states:

Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

The proposed re-designation from RGU to FH UUGA will temporarily limit the allowed uses on the property until it is eventually annexed. The property is already developed with a single-family residence and is assigned a density of five acres per dwelling unit; only one dwelling unit is allowed on this five-acre property under current regulations. This means that the property does not provide additional residential capacity for the County. Even if the existing home were demolished and replaced, there would not be a net-change in residential capacity if the re-designation were granted.

If granted, the proposal would reduce the commercial capacity of the property until the Town decides to annex it because the allowed uses in the FH UUGA Land use designation are limited. This outcome is offset by two staff-recommended conditions of approval requiring the property-owner to pursue annexation within a given period and to retain the commercial capacity on this property if it is annexed.

In a letter dated June 21, 2019, Town Land Use Administrator, Mike Bertrand, indicated that the Town has limited lands available in the IN zone (Exhibit 11). In that letter, Mr. Bertrand also indicated that the Town has a need for more undeveloped land in that zoning and that this would be the likely zoning applied to the property should the Town annex the property.

If granted, the proposal will allow the Town to consider annexing the subject property. This will enable the Town to determine if this undeveloped parcel is needed for the Town to provide area sufficient to accommodate the broad range of needs and uses to accompany the projected growth.

Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.

The Town of Friday Harbor has determined that adding the subject parcel to the Town's UGA fits within their reasonable land market supply factor and will permit a range of urban uses (Exhibit 11). In a letter dated June 21, 2019, Town Land Use Administrator, Mike Bertrand, indicated that the Town needs more undeveloped land in the Light Industrial (IN) zoning (Exhibit 11). Re-designating the subject property to FH UUGA will enable the Town to consider annexing the property to address their stated need for additional undeveloped land in the IN zone.

Within one year of July 1, 1990, each county that as of June 1, 1991, was required or chose to plan under RCW 36.70A.040, shall begin consulting with each city located within its boundaries and each city shall propose the location of an urban growth area. Within sixty days of the date the county legislative authority of a county adopts its resolution of intention or of certification by the office of financial management, all other counties that are required or choose to plan under RCW 36.70A.040 shall begin this consultation with each city located within its boundaries. The county shall attempt to reach agreement with each city on the location of an urban growth area within which the city is located. If such an agreement is not reached with each city located within the urban growth area, the county shall justify in writing why it so designated the area an urban growth area. A city may object formally with the department over the designation of the urban growth area within which it is located. Where appropriate, the department shall attempt to resolve the conflicts, including the use of mediation services.

This requirement does not apply to the proposal.

RCW 36.70A.110 (4) states:

In general, cities are the units of local government most appropriate to provide urban governmental services. In general, it is not appropriate that urban governmental services be extended to or expanded in rural areas except in those limited circumstances shown to be necessary to protect basic public health and safety and the environment and when such services are financially supportable at rural densities and do not permit urban development.

Re-designating the subject parcel to FH UUGA to be eventually annexed into the Town will allow the parcel to be served by urban governmental services and prevent such services from being expanded in a rural area.

RCW 36.70A.110 (7) states:

An urban growth area designated in accordance with this section may include within its boundaries urban service areas or potential annexation areas designated for specific cities or towns within the county.

Changing the land use designation from RGU to FH UUGA would in effect, designate the area for potential annexation into the Town of Friday Harbor. It is the applicant's stated goal to pursue annexation if the proposal is granted. Further, staff recommends that approval of the request, if granted, be conditioned to require the applicants to pursue annexation within a defined term. As conditioned, the proposal can be consistent with the requirement in RCW 36.70A.110 (7).

RCW 36.70A.115 (1) states:

Counties and cities that are required or choose to plan under RCW 36.70A.040 shall ensure that, taken collectively, adoption of and amendments to their comprehensive plans and/or development regulations provide sufficient capacity of land suitable for development within their jurisdictions to accommodate their allocated housing and employment growth, including the accommodation of, as appropriate, the medical, governmental, educational, institutional, commercial, and industrial facilities related to such growth, as adopted in the applicable countywide planning policies and consistent with the twenty-year population forecast from the office of financial management.

There are 306 parcels designated RGU in San Juan County (Exhibit 3). These parcels combine for approximately 1,771 acres. The subject parcel is five (5) acres or about 0.2% of the total land designated RGU. A net change of 0.2 percent of the overall supply of RGU designated lands does not represent a substantial change in expected RGU capacity, which is typically understood as commercial capacity.

If granted, the proposal would reduce the commercial capacity of the property because the allowed uses in the FH UUGA land use designation are limited. This outcome is offset by two staff-recommended conditions of approval requiring the property-owner to pursue annexation within a given period and to retain the commercial capacity on this property if it is annexed.

This proposal is currently the only specific amendment to the SJC Comprehensive Plan the County is considering. The supply of RGU designated lands was deemed sufficient at the time it was adopted and this action will not significantly affect the overall supply of RGU in the County because it represents a 0.2 percent net change in the lands designated RGU.

Washington Administrative Code (WAC)WAC 365-196-200 (21) states:

"Urban growth" refers to growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources rural uses, rural development, and natural resource lands designated pursuant to RCW 36.70A.170. A pattern of more intensive rural development, as provided in RCW 36.70A.170 (1)(d), is not urban growth. When allowed to spread over wide areas, urban growth typically requires urban governmental services. "Characterized by urban growth" refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.

The subject parcel is adjacent Browne's Home Center and the incorporated FH UGA. The parcel with Browne's Home Center (TPN 351492017000) has urban growth as defined in RCW 36.70A.030 (21), located on it. The subject parcel, being adjacent to TPN 351492017000, is located "in relationship to an area with urban growth on it as to be appropriate for urban growth." The subject parcel meets the definition of 'characterized by urban growth' provided in RCW 36.70A.030 (21).

WAC 365-196-310 (2)(c) states:

An urban growth area may include territory that is located outside a city if such territory already is characterized by urban growth or is adjacent to territory already characterized by urban growth.

The subject parcel is outside a city and meets the definition of “characterized by urban growth” as provided in RCW 36.70A.030 (21). It is also adjacent to territory characterized by urban growth. The proposal is consistent with this standard.

WAC 365-196-310 (2)(e) states:

The urban growth area may not exceed the areas necessary to accommodate the growth management planning projections, plus a reasonable land market supply factor, or market factor. In determining this market factor, counties and cities may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth. Each urban growth area shall permit urban densities and shall include greenbelt and open space areas.

In a letter dated June 21, 2019, Town Land Use Administrator, Mike Bertrand indicated that the Town has a need for additional undeveloped land in the IN zone (Exhibit 11). County staff reviewed Mr. Bertrand’s assessment in the analysis on page 23 of this document. After review, County staff concurs with the assessment that approximately eighty percent of the lands zoned IN are fully developed.

WAC 365-196-310 (2)(f) states:

Counties and cities should facilitate urban growth as follows:

- (i) Urban growth should be located first in areas already characterized by urban growth that have existing public facilities and service capacities adequate to serve urban development.
- (ii) Second, urban growth should be located in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources.
- (iii) Third, urban growth should be located in the remaining portions of the urban growth area.

The proposal would allow San Juan County to facilitate urban growth consistent with item ii above. The parcel is already characterized by urban growth as defined in both WAC 365-196-200 (21) and RCW 36.70A.030 (21). In a letter dated May 31, 2019, the Town of Friday Harbor indicated that existing water and sewer facilities have the capacity to serve the subject property (Exhibit 9). Re-designation of the subject parcel to FH UUGA will allow the property eventually to be served by existing public facilities.

WAC 365-196-310 (3)(a) states:

The designation process shall include consultation by the county with each city located within its boundaries. The adoption, review and amendment of the urban growth area

should reflect a cooperative effort among jurisdictions to accomplish the requirements of the act on a regional basis, consistent with the county-wide planning policies and, where applicable, multicounty planning policies.

In a letter dated May 6, 2019, Town Administrator, Duncan Wilson, expressed the Town's support of the proposal (Exhibit 9). On May 14, 2019, County staff met with Town Land Use Administrator, Mike Bertrand, to facilitate cooperative planning between County and Town (Exhibit 8). Evaluation of this proposal has been a cooperative process between Town and County consistent with the Countywide planning policies in SJC Comprehensive Plan Appendices 2 and 3.

WAC 365-196-310 (3)(f) states:

Counties and cities should develop and evaluate urban growth area proposals with the purpose of accommodating projected urban growth through infill and redevelopment within existing municipal boundaries or urban areas. In some cases, expansion will be the logical response to projected urban growth.

On May 14, County staff met with Town Land Use Administrator, Mike Bertrand, to discuss and evaluate this proposal (Exhibit 8). After that meeting and reviewing Mr. Bertrand's letter stating the need for expansion (Exhibit 11), County staff determined that in this case, expansion as proposed by the applicant is the logical response to the projected urban growth.

WAC 365-196-310 (4)(b) states:

General considerations for determining the need for urban growth areas expansions to accommodate projected population and employment growth.

(i) Estimation of the number of new persons and jobs to be accommodated based on the difference between the twenty-year forecast and current population and employment.

(ii) Estimation of the capacity of current cities and urban growth areas to accommodate additional population and employment over the twenty-year planning period. This should be based on a land capacity analysis, which may include the following:

(A) Identification of the amount of developable residential, commercial and industrial land, based on inventories of currently undeveloped or partially developed urban lands.

(B) Identification of the appropriate amount of greenbelt and open space to be preserved or created in connection with the overall growth pattern and consistent with any adopted levels of service. See WAC 365-196-335 for additional information.

(C) Identification of the amount of developable urban land needed for the public facilities, public services, and utilities necessary to support the likely level of development. See WAC 365-196-320 for additional information.

(D) Based on allowed land use development densities and intensities, a projection of the additional urban population and employment growth that may occur on the available residential, commercial and industrial land base. The projection

should consider the portion of population and employment growth which may occur through redevelopment of previously developed urban areas during the twenty-year planning period.

(E) The land capacity analysis must be based on the assumption that growth will occur at urban densities inside the urban growth area. In formulating land capacity analyses, counties and cities should consider data on past development, as well as factors which may cause trends to change in the future. For counties and cities subject to RCW 36.70A.215, information from associated buildable lands reports should be considered. If past development patterns have not resulted in urban densities, or have not resulted in a pattern of desired development, counties and cities should use assumptions aligned with desired future development patterns. Counties and cities should then implement strategies to better align future development patterns with those desired.

(F) The land capacity analysis may also include a reasonable land market supply factor, also referred to as the "market factor." The purpose of the market factor is to account for the estimated percentage of developable acres contained within an urban growth area that, due to fluctuating market forces, is likely to remain undeveloped over the course of the twenty-year planning period. The market factor recognizes that not all developable land will be put to its maximum use because of owner preference, cost, stability, quality, and location. If establishing a market factor, counties and cities should establish an explicit market factor for the purposes of establishing the amount of needed land capacity. Counties and cities may consider local circumstances in determining an appropriate market factor. Counties and cities may also use a number derived from general information if local study data is not available.

(iii) An estimation of the additional growth capacity of rural and other lands outside of existing urban growth areas compared with future growth forecasted, and current urban and rural capacities.

(iv) If future growth forecasts exceed current capacities, counties and cities should first consider the potential of increasing capacity of existing urban areas through allowances for higher densities, or for additional provisions to encourage redevelopment. If counties and cities find that increasing the capacity of existing urban areas is not feasible or appropriate based on the evidence they examine, counties and cities may consider expansion of the urban growth area to meet the future growth forecast.

The County is currently conducting a Land Capacity Analysis as part of the SJC Comprehensive Plan Update. The County's Land Capacity Analysis is not yet complete. The Town did not provide a detailed Land Capacity Analysis although Town Land Use Administrator, Mike Bertrand, indicated that the Town has a need for additional land in the IN zone (Exhibit 11).

County staff performed additional analysis related to Mr. Bertrand's assessment and agreed with his determination that the Town's IN zone is approximately 80 percent developed. Staff analysis begins on page 6 of the July 3, 2019, staff report. The Town indicated that the subject parcel is an ideal location for increasing the undeveloped land zoned IN (Exhibit 11). It is assumed that additional analysis of the

need for additional land in the incorporated Town limits will be conducted during the Town's annexation proceedings.

Furthermore, in examining the difference in allowed uses between the IN zone and RGU land use designation, staff determined that the net change of commercial capacity may be slightly increased. Analysis of the difference between Town and County code in allowed uses is included on page 10 of the July 3, 2019, staff report. The most significant difference between what is allowed now and what may be allowed if the proposal is approved is not in land use but that the subject parcel will be allowed to connect to Town water and sewer services.

WAC 365-196-310 (4)(c) states:

Determining the appropriate locations of new or expanded urban growth area boundaries. This process should consider the following:

(i) Selection of appropriate densities. For all jurisdictions planning under the act, the urban growth area should represent the physical area where that jurisdiction's urban development vision can be realized over the next twenty years. The urban growth area should be based on densities which accommodate urban growth, served by adequate public facilities, discourage sprawl, and promote goals of the act. RCW 36.70A.110 requires that densities specified for land inside the urban growth area must be urban densities. See WAC 365-196-300 for recommendations on determining appropriate urban densities.

(ii) The county should attempt to define urban growth areas to accommodate the growth plans of the cities. Urban growth areas should be defined so as to facilitate the transformation of services and governance during the planning period. However, physical location or existing patterns of service make some unincorporated areas which are characterized by urban growth inappropriate for inclusion in any city's potential growth area.

The subject parcel is characterized by urban growth as defined in RCW 36.70.030 (21) and WAC 365-196-300 (21). The physical location and existing patterns of service do not make this area inappropriate for inclusion in the growth area. In letter dated May 31, 2019, Town Director of Public Works, Wayne Haefele, indicated that the parcel is within an area that the Town can serve with existing facilities and that those facilities have capacity to serve the subject property (Exhibit 9). In a letter dated June 21, 2019, Town Land Use Administrator Mike Bertrand indicated that the proposal is consistent with the Town's growth plan and that the Town intends to annex the property after it is re-designated (Exhibit 11).

(iii) Identifying the location of any new lands added to the urban growth area. Lands should be included in the urban growth area in the following priority order:

- (A) Existing incorporated areas;
- (B) Land that is already characterized by urban growth and has adequate public facilities and services;
- (C) Land already characterized by urban growth, but requiring additional public facilities and urban services; and
- (D) Lands adjacent to the above, but not meeting those criteria.

The subject parcel is already characterized by urban growth as defined in WAC 365-196-200 (21) that can be served by existing public facilities and services. As previously noted, Town Director of Public Works, Wayne Haefele, indicated that the parcel is within an area that the Town can serve with existing facilities and that those facilities have capacity to serve the subject property (Exhibit 9). The subject parcel meets criterion B from WAC 365.196-310 (4)(c)(iii).

(iv) Designating industrial lands. Counties and cities should consult with local economic development organizations when identifying industrial lands to identify sites that are particularly well suited for industry, considering factors such as:

- (A) Rail access;
- (B) Highway access;
- (C) Large parcel size;
- (D) Location along major electrical transmission lines;
- (E) Location along pipelines;
- (F) Location near or adjacent to ports and commercial navigation routes;
- (G) Availability of needed infrastructure; or
- (H) Absence of surrounding incompatible uses.

If approved, the re-designation from RGU to FH UUGA will not designate new industrial lands. The property may be zoned for industrial development once it is annexed into the Town (Exhibit 11). Consideration of this possible industrial zoning will take place if and when the Town pursues annexation.

(v) Consideration of resource lands issues. Urban growth areas should not be expanded into designated agricultural, forest or resource lands unless no other option is available. Prior to expansion of the urban growth area, counties and cities must first review the natural resource lands designation and conclude the lands no longer meet the designation criteria for resource lands of long-term commercial significance. Designated agricultural or forest resource lands may not be located inside the urban growth area unless a city or county has enacted a program authorizing transfer or purchase of development rights.

The subject parcel is not designated agricultural, forest or resource lands on the Comprehensive Plan Official Map.

(vi) Consideration of critical areas issues. Although critical areas exist within urban areas, counties and cities should avoid expanding the urban growth areas into areas with known critical areas extending over a large area. See RCW 36.70A.110(8) for legislative direction on expansion of urban growth areas into the one hundred-year flood plain of river segments that are located west of the crest of the Cascade mountains and have a mean annual flow of one thousand or more cubic feet per second.

A Critical Areas Assessment dated March 2018, was submitted with a pre-application meeting packet (File PREAPP-18-0011). This report determined that there is a category IV wetland on the subject property. This report established that the category IV wetland is 0.64 acres or approximately 12.8 percent of the five-acre parcel. Though there is a wetland on the property, it does not extend over a large area. The subject parcel is not located in a hundred-year flood plain. The entire County is a critical aquifer recharge area (CAR). County regulations require all non-residential uses to provide

groundwater protection and that some specific uses must have periodic inspections to ensure conformance with the groundwater protection requirements (SJCC 18.35.080). The proposal is consistent with this requirement.

(vii) If there is physically no land available into which a city might expand, it may need to revise its proposed urban densities or population levels in order to accommodate growth on its existing land base.

WAC 365-196-310 (4)(e) states:

County actions in adopting urban growth areas.

(i) A change to the urban growth area is an amendment to the comprehensive plan and requires, at a minimum, an amendment to the land use element. Counties and cities should also review and update the transportation, capital facilities, utilities, and housing elements to maintain consistency and show how any new areas added to the urban growth area will be provided with adequate public facilities. A modification of any portion of the urban growth area affects the overall urban growth area size and has county-wide implications. Because of the significant amount of resources needed to conduct a review of the urban growth area, and because some policy objectives require time to achieve, frequent, piecemeal expansion of the urban growth area should be avoided. Site-specific proposals to expand the urban growth area should be deferred until the next comprehensive review of the urban growth area.

The Friday Harbor UGA was adopted by Ordinance 2-1998 on June 15, 1998. It has not been amended since. Several other property owners have expressed interest in expanding the FH UGA as a part of the County's ongoing Comprehensive Plan update. These requests have been deferred to the comprehensive review of the UGA boundaries that will take place during the SJC Comprehensive Plan update.

(ii) Counties and cities that are required to participate in the buildable lands program must first have adopted and implemented reasonable measures as required by RCW 36.70A.215 before considering expansion of an urban growth area.

RCW 36.70A.215 (5) lists the criteria for which counties and cities within those counties are required to participate in the buildable lands program. San Juan County does not meet the criteria because its population was less than one hundred fifty thousand in 1996 as determined by Office of Financial Management population estimates. Reasonable measures provisions do not apply.

(iii) Consistent with county-wide planning policies, counties and cities consulting on the designation of urban growth areas should consider the following implementation steps:

(A) Establishment of agreements regarding land use regulations and the provision of services in that portion of the urban growth area outside of an existing city into which it is eventually expected to expand.

(B) Negotiation of agreements for appropriate allocation of financial burdens resulting from the transition of land from county to city jurisdiction.

(C) Provision for an ongoing collaborative process to assist in implementing county-wide planning policies, resolving regional issues, and adjusting growth boundaries.

Countywide planning policies and a UGA management agreement are established in Appendices 2 and 3 of the SJC Comprehensive Plan (Exhibits 13 and 14). Analysis of the consistency of the proposal with these appendices begins on page 14 of this report.

San Juan County Comprehensive Plan

Comprehensive Plan Policy 2.2.A.13 states:

13. Future review and revision of the Land Use Element, its land-use designations, and the Official Maps should be based in part on the sufficiency of capital facilities as provided in the Capital Facilities Element and six-year plan, review of development patterns, projected needs, the availability and adequacy of water resources, the ability to control and mitigate the impacts of development, and the retention and protection of resource lands, special districts, critical areas, and water quality.

In a letter dated May 31, 2019, the Town Director of Public Works determined that the Town has the capacity to serve the property if it is annexed into the Town (Exhibit 9). As conditioned, approval of the proposal is not likely to increase demand for County capital facilities. The subject parcel will be annexed into the Town and it will be their responsibility to serve it. The Town Land Use Administrator, Mike Bertrand, indicated that the development patterns and projected needs indicated that the UGA should expand (Exhibit 11).

Staff further analyzed the development patterns in the IN zone on page 6 of the staff report and agreed with Mr. Bertrand's assessment that the IN zone was approximately 80 percent developed. The proposed re-designation is not likely to affect the availability and adequacy of water resources because Town has indicated adequate capacity to serve the property with Town water service (Exhibit 9).

The approval of the proposal can be conditioned to mitigate the impacts of development. For example, a staff recommended condition of approval would require future development to maintain visual screening between the existing dog park and future commercial development. The proposal does not affect resource lands or special districts. It is unlikely that the proposed amendment will influence water quality. The existing wetland will still remain subject to the protections of the Friday Harbor Municipal Code (FHMC) and as such the impacts to the wetland will be mitigated and controlled.

Comprehensive Plan Policy 2.3.A.1 states:

1. Establish different urban growth areas, each of which has a mix of land uses with housing, businesses, and services appropriate to its character, size, and location, as described in a. and b., below. Types of Growth Areas

a. Towns are incorporated Urban Growth Areas with a full range of urban facilities and services, including high-density residential, general commercial, and general industrial uses, schools, and neighborhood and community parks. Towns offer a variety of housing types and are pedestrian oriented with compact development patterns. They have

municipal sewage treatment facilities, municipal water systems and provide other urban governmental services. Towns are incorporated.

b. Unincorporated Urban Growth Areas (UGAs) are: 1) adjacent to incorporated towns, are or can be served by municipal water systems and municipal sewage treatment facilities, and contain or are appropriate for a mixture of uses including general commercial and general industrial and high density residential. All or a portion of these areas may be annexed into a town within the twenty year planning time frame; or 2) are non-municipal urban growth areas i.e, they provide community sewage treatment facilities and community water systems services at non-rural or urban levels of service, and provide some other services similar to towns but have no incorporated core. UGAs provide a variety of housing types and residential densities, some of which are at urban-level densities, with the remainder conditioned to not preclude future upzoning. The UGAs are pedestrian-oriented with a compact village core.

The applicants propose re-designation of the subject property to the Town of Friday Harbor Unincorporated UGA (FH UUGA). The proposal must be consistent with Policy 2.3.A.1 (b)(1). The subject parcel is adjacent to the incorporated Town of Friday Harbor. In a letter dated May 31, 2019, the Town indicated that the subject property can be served by municipal water and sewage facilities and that these facilities have capacity for service (Exhibit 9).

The applicant indicated that they intend to develop the site with commercial uses once the parcel is annexed into the town. The subject parcel may be annexed into the Town within a twenty-year period, as the Town deems appropriate. Staff recommends a condition of approval that the applicants must begin the annexation process within two (2) years of the approval of their request. This condition will help ensure the parcel is expediently annexed; consistent Policy 2.3.A.1.

Comprehensive Plan Policy 2.3.A.2 states:

2. Growth Areas should be designated on the Comprehensive Plan Official Maps where existing or proposed uses and services will meet the above definitions. Growth Areas designated on the Comprehensive Plan Official Maps are identified in Table 1, below.

Table 1. Summary of Urban Growth Areas.

Location	Designation
Friday Harbor	Town
Friday Harbor Urban Growth Area	Urban Growth Area
Eastsound	Urban Growth Area
Lopez Village	Urban Growth Area

The proposal will result in the parcel being re-designated from RGU to FH UUGA. As noted above, approval of the proposal can be conditioned to be consistent with the definition of unincorporated UGAs in Policy 2.3.A.1 (b)(1).

Comprehensive Plan Policy 2.3.A.4 states:

4. Consider the local knowledge, experience, and preferences of community residents, in addition to the directives of the GMA and this Plan, when establishing the type, size, character, and boundaries of a growth area, deciding appropriate uses and their location,

determining community infrastructure requirements, and establishing standards and design guidelines to protect and retain important features which the community values.

In a letter dated May 31, 2019, Town Public Works Director, Wayne Haeefe, indicated that the Town has adequate sewer and water capacity to serve the parcel (Exhibit 9). The parcel is located on Mullis Street, a County Road (Exhibit 3). Staff recommends a condition of approval requiring any future right-of-way access for commercial development to be from Mullis Street to avoid increasing the demand on other nearby transportation infrastructure. The public will have the opportunity to provide local knowledge and preference during public hearings before the Planning Commission and County Council.

Comprehensive Plan Policy 2.3.A.11 states:

11. The Town of Friday Harbor and the County should prepare and maintain an Urban Growth Area Management Agreement in accordance with the San Juan County and Town of Friday Harbor Joint Planning Policy adopted in 1992, as amended.

See Exhibits 13 and 14 for the adopted policies and FH UUGA management agreement.

Comprehensive Plan Policy 2.3.A.12 states:

12. Urban Growth Areas (UGAs) should be designed to accommodate fifty percent (50%) of the population growth projected for the island where the UGA is located during the twenty year planning period. Development of urban areas should be encouraged consistent with smart growth principles. The Town, County, and utility providers should jointly explore infrastructure planning, construction and financing options for necessary capital improvements. Potential financing options include developer agreements, utility local improvement districts, grants, service area agreements, and impact fees.

The proposal would not affect the County's ability to accommodate 50 percent of the population growth projected for San Juan Island.

Approval of the proposal would not significantly change the housing capacity available to house the projected population in rural San Juan County. The property is currently assigned a maximum density of five acres per dwelling unit on the Comprehensive Plan Official Map. There is already a single-family residence on the parcel. Under the current designation, an additional dwelling unit would not be allowed on this property unless it is an accessory dwelling unit (ADU). If the re-designation is approved and the property is re-designated FH UUGA, a second dwelling unit would be allowed only as a two-family residential use (duplex). This use would be allowed outright per Appendix 3 of the Comprehensive Plan.

If approved, the proposed re-designation would temporarily reduce the commercial capacity of the subject parcel until the parcel is annexed by the Town. The allowed uses within the FH UUGA land use designation are limited until the parcel is annexed (Appendix 3 of the Comprehensive Plan). This reduction can be offset by the proposed condition of approval requiring the applicants to apply for annexation within two (2) calendar years of approval. Failure to apply for annexation in the specified period would be grounds for revocation of the site-specific re-designation. This will help to ensure that any reduction of commercial capacity is limited to a defined period.

In an email dated June 7, 2019, Town Land Use Administrator Mike Bertrand indicated that the parcel would be zoned Light Industrial (IN) if it is eventually annexed into the Town of Friday Harbor (Exhibit 11). In the analysis beginning on page 10 of the July 3, 2019, staff report, staff compared the allowed uses in the RGU land use designation and the IN Zone. In that analysis, staff found that the allowed uses in both IN and RGU are largely the same, albeit with difference in permitting processes. The net-change in capacity for commercial development on the subject parcel will not significantly change with approval of the proposal and subsequent annexation into the Town. For this reason, staff recommends two conditions of approval. The first requires the applicant to apply for annexation within two (2) years of approval. The second requires that the commercial uses allowed will be maintained at a minimum of the allowed uses in RGU if the parcel is annexed.

Comprehensive Plan Appendix 2, Policies for Designation of Unincorporated Urban Growth Areas Policy 2 states:

The criteria for determining a UGA and its boundary should include the following:

- a. Existing areas characterized by urban development or facilities or able to support urban levels of development; and
- b. Projected needs for residential, commercial and institutional activities and uses for the UGA, parks and open space and other non-residential uses, and the amount of land necessary to support those uses; and
- c. Protection of critical areas and resource lands, and the identification of and accounting for other lands with limited development capability; and
- d. Other natural or topographic features which may serve to define the boundaries of the UGA.

The subject parcel meets the definition of ‘characterized by urban growth’ provided in RCW 36.70A.030 (21). In a letter dated May 31, 2019, the Town indicated that there is adequate capacity to serve the subject parcel with Town sewer and water services (Exhibit 9). The proposal is consistent with criterion A.

Comprehensive Plan Appendix 2, Policies for Designation of Unincorporated Urban Growth Areas Policy 3 states:

The County should determine the portion of the 20-year population forecast which should be allocated to the UGA. The 20-year population forecast should, at a minimum, provide for the growth in population that is projected for the county by the State Office of Financial Management and consider seasonal fluctuations in population that are characteristic of the County.

The SJC Comprehensive Plan requires that 50 percent of the twenty-year population forecast for San Juan Island should be directed to the Town of Friday Harbor UGA in Comprehensive Plan Policy 2.3.A.12. The County adopted a population forecast in 2017 by Resolution 27-2017.

Comprehensive Plan Appendix 2, Policies for Designation of Unincorporated Urban Growth Areas Policy 4 states:

Based on the evaluation called for in Policies 2 through 4, the County should determine the amount of land necessary to support the population allocation and its capacity for residential and nonresidential uses.

The subject parcel meets designation criteria A from Policy 2. The SJC Comprehensive Plan requires that 50 percent of the twenty-year population forecast for San Juan Island should be directed to the Town of Friday Harbor UGA in Comprehensive Plan Policy 2.3.A.12. The County Council has the discretion to determine the amount of land necessary to support the population allocation.

Unified Development Code

SEPA

Staff reviewed the SEPA checklist submitted by the applicant (Exhibit 5). A Determination of Non-Significance will likely be issued on July 14, 2019, prior to the Planning Commission's public hearing and deliberations on this matter.

SJCC 18.90.020 Legislative Procedures states:

A. Procedures. All proposed amendments to this code and proposed amendments to the official maps and/or Comprehensive Plan shall be handled according to the procedures established in Chapters 36.70 and 36.70A RCW, RCW 36.32.120, the County Charter, and the County code. This process will ensure formal public notice and public hearings, evaluation, and recommendations from the planning department's professional, technical perspective and from the planning commission's knowledgeable lay perspective. Final action is reserved for the County council.

B. Planning Department. The department shall evaluate all requests to modify this code and forward recommendations to the planning commission and County council for consideration.

DCD staff evaluated the request and forwarded a recommendation to the Planning Commission in this staff report. The Planning Commission will be briefed at their regularly scheduled meeting on July 19, 2019. The County Council will be briefed on the staff and Planning Commission recommendations following the Planning Commission's recommendation.

C. Planning Commission. The planning commission shall hold a public hearing and make recommendations to the County council on all legislative decisions specified in this section.

The Planning Commission will hold a public hearing on this proposal on August 16, 2019. The Planning Commission will deliberate on their recommendation following the public hearing and make a recommendation to the County Council.

D. County Council. All amendments to the development code, Comprehensive Plan, and official maps require a public hearing before the County council.

The County Council will hold a public hearing on this proposal once the Planning Commission has issued a recommendation.

E. Public Notice. Notice of all public hearings will be given in conformance with applicable law. The department shall maintain a printed list of proposed development code and Comprehensive Plan amendments, and shall include a copy of the list on its web site. A single e-mail list shall be maintained by the department. All those requesting the service shall receive all department notices digitally.

DCD posted a list of requested amendments to the Comprehensive Plan and Unified Development Code (UDC) in a staff report dated April 1, 2019. This site-specific re-designation request was posted in a separate staff report dated April 25, 2019. A single e-mail list was created and maintained by DCD as Attachment D of the staff report dated April 1, 2019. The additional public notices will be published as needed during each step of the process.

F. Implementation. The County council decision shall become effective no sooner than 10 working days after passage of an ordinance except in the case of an emergency.

This requirement should be condition of approval and determined by the ordinance.

G. Comprehensive Plan Amendments. Amendments to the Comprehensive Plan text and official maps may not be considered more frequently than once per year except as provided in RCW 36.70A.130(2) and the Comprehensive Plan.

This is the only site-specific Comprehensive Plan Official Map amendment being considered in this annual docket. The proposal is consistent with this requirement.

H. Unified Development Code (UDC) Amendment. Amendments to the UDC may be adopted at any time.

This application does not request amendment of the UDC. This standard does not apply.

SJCC 18.90.030 Amendments to Comprehensive Plan Official Maps states:

A. Purpose of Amendments to Comprehensive Plan Official Maps. Amendments to the Comprehensive Plan Official Maps are the mechanism by which the Comprehensive Plan land use district designation or density applicable to property can be changed to reflect such things as changed circumstances, new land use needs, new land use policies, or inconsistencies between designations, area characteristics and the goals and policies as well as purpose and intent of the Comprehensive Plan.

The proposal has been made to reflect a changed circumstance. The applicants recently purchased the subject property and now they want to develop it further. The applicant determined that this would require access to urban level sewer and water service (Exhibit 1). Urban level services cannot be extended outside the UGA.

B. Who May Initiate. The County council, planning commission, department, or any other interested party may propose an amendment to this code or the Comprehensive Plan and the official maps at any time subject to the requirements of this section.

The applicant is an interested party because they are the owner of the subject property.

C. Time Limitations. Requests for amendment of the official maps (redesignation or density change) shall only be submitted to the planning department between January 1st and March 1st of any year for consideration during the remainder of that year. Requests submitted after March 1st shall be returned to the applicant for resubmittal the following year. This limitation does not apply to requests by the County council.

The application was submitted on February 25, 2019, within the required timeframe of submittal (Exhibit 1). The application can be considered during the remainder of 2019.

D. Application Procedure.

1. The request shall be in writing, in a form approved by the planning director, and shall include the following information:

a. Historic use of the property and adjoining lands;

An account of the recent historic use of the property and adjoining lands is found on page 9 of the SEPA environmental checklist (Exhibit 5). The parcel has been developed. Existing land uses include a single-family residence, a dog park, and a parking and outdoor storage area. This satisfies the requirement.

b. Allowable population density of the surrounding area as measured by the maximum allowable residential density;

The allowable population density as measured by the maximum allowable residential density under the SJC Comprehensive Plan was shown on a land use map submitted with the application (Exhibit 1). The maximum density allowed on the parcel is one dwelling unit per five acres. This satisfies the requirement.

c. Existing soil and sewage disposal conditions;

Existing soil and sewage disposal conditions is included on page 3 of the submitted SEPA checklist (Exhibit 5). This satisfies the requirement.

d. Description of existing water supply;

A description of the existing water supply is included on page 5 of the submitted SEPA checklist (Exhibit 5). This satisfies the requirement.

e. Suitability for agricultural or timber use;

A discussion of the site's suitability for agricultural use is included on page 9 of the submitted SEPA checklist (Exhibit 5). This satisfies the requirement.

f. Known archaeological or historical resources on the property;

Known archaeological or historical resources on the property are addressed on page 13 of the submitted SEPA checklist (Exhibit 5). This satisfies the requirement.

g. Natural resources involved;

Information about the natural resources related to the proposal is included on page 8 of the submitted SEPA checklist (Exhibit 5). This satisfies the requirement.

h. Availability of existing public services and utilities; and

Existing public services and utilities are addressed on page 14 of the submitted SEPA checklist (Exhibit 5). This satisfies the requirement.

i. Names of abutting property owners.

A list of the names of adjacent property owners is included (Exhibit 1). This satisfies the requirement.

2. Through the use of legal descriptions and maps, the application shall identify clearly the areas for which the change is requested. The reason or reasons for the request shall be clearly stated. The application shall describe how the proposed change meets all of the criteria for approval listed in subsection (F) of this section.

The applicant submitted several maps and a legal description of the property with the application (Exhibit 1). This satisfies the requirement.

3. If a proposal would remove a resource land designation from property, the applicant must provide information demonstrating that the property is not appropriately designated as agricultural land or forest land under RCW 36.70A.170.

The proposal does not remove a resource land designation from the property. Further information regarding designated agricultural or forestland is not required.

E. Notice of Hearing. The following notice provisions are required in addition to publication of notice of public hearing.

A notice of public hearing will be published as required.

1. For Comprehensive Plan Official Map amendments involving any number of parcels the applicant shall mail a notice of hearing at least 30 days prior to the planning commission hearing to all directly affected property owners and to all property owners within 300 feet of the proposal's outer boundary line.

The applicant will mail notice of public hearing to the neighboring property owners.

2. For Comprehensive Plan Official Map amendments involving five parcels or fewer, the applicant shall mail a notice of hearing to all property owners within 300 feet of the boundaries of all subject properties at least 30 days prior to the planning commission hearing, using the names and addresses shown on the tax assessment rolls. The notice of hearing shall be deemed to have been provided on the date the notices are deposited in the mail. The applicant shall provide the director with a declaration of mailing and a list of those individuals to whom the notice was mailed. All notices returned to the applicant must be submitted to the director for inclusion in the file.

The proposal involves Comprehensive Plan Official Map amendments for fewer than five parcels. The applicant must comply with these provisions.

3. For Comprehensive Plan Official Map amendments involving five parcels or fewer, the applicant shall post a notice of hearing on each of the subject properties in accord with the provisions of SJCC 18.80.030(A)(2)(c) prior to the planning commission hearing.

The proposal involves Comprehensive Plan Official Map amendments for fewer than five parcels. The applicant must comply with these provisions.

F. Criteria for Approval. These actions are reviewed for conformance with the applicable provisions of the Comprehensive Plan, the UDC, and as follows:

1. Comprehensive Plan Official Map Amendments. The County may approve an application or proposal for a Comprehensive Plan Official Map amendment if all of the following criteria are met:

a. The changes would benefit the public health, safety, or welfare.

Approval of the proposal would allow for relocation and expansion of Browne’s nursery on a parcel already partially used by the business. Browne’s is a commercial use that provides goods and services for the rural areas but is most appropriate to be located in the UGA. Approval will serve the public interest by allowing the store to expand its operation in an area characterized by urban growth. The subject parcel is characterized by urban growth based on its location in relationship to other parcels with existing urban growth.

Approval of the proposal would enable an increase in the availability of goods and services for rural areas while focusing the associated growth in an area already characterized by urban growth. This serves the public welfare by enabling this growth on an appropriate parcel and helping to prevent urban growth from expanding into other rural areas.

b. The change is warranted because of one or more of the following: changed circumstances; a demonstrable need for additional land in the proposed land use designation; to correct demonstrable errors on the official map; or because information not previously considered indicates that different land use designations are equally or more consistent with the purposes, criteria and goals outlined in the Comprehensive Plan.

There is a need for the land use designation in the area. Cornelius Holdings, LLC, the new owner of the subject parcel and Browne’s intends to relocate and expand the business by moving Browne’s nursery to the subject parcel that is currently used by the business for parking and equipment storage. The Town indicated that they are at about 80 percent capacity of the IN zoning, and the proposal would eventually allow annexation. Annexation would allow expansion of this zoning onto the subject property.

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

Staff analysis in this report outlines how the proposal is consistent with the Comprehensive Plan. This analysis includes consideration of the SJC Comprehensive Plan land use designation policies and Appendices 2 and 3 (Exhibits 13, 14, and 15).

d. The change, if granted, will not result in an enclave of property owners enjoying greater privileges and opportunities than those enjoyed by other property owners in the vicinity where there is no substantive difference in the properties themselves or public purpose which justifies different designations.

An enclave will not be created by this proposal. The subject property is surrounded on three sides by Town urban growth. Although several property owners to the south of the subject property that are also designated RGU expressed general interest in the same re-designation, only one site-specific docket request was submitted and analyzed.

The proposal has a specific purpose, expansion of Browne's on the subject parcel. The adjacency to the incorporated FH UGA and current use of the subject parcel by Browne's indicates that approval of the proposal will not give the property owners greater privileges beyond what is currently enjoyed by property owners in the vicinity. Further, the adjacency of the parcel to the FH UGA and its being characterized by urban growth is a difference substantive enough to justify the new designation.

e. The benefits of the change will outweigh any significant adverse impacts of the change.

Browne's is a commercial use that provides goods and services for the rural areas but is most appropriate to be located in the UGA. The benefits of the change is that a parcel characterized by urban growth would be eventually served by urban services; increasing the commercial development potential of the parcel. The proposed change will allow Browne's to relocate and expand the existing business. This will serve the public interest by allowing expansion of the store in an area characterized by urban growth.

The adverse impacts of the change are minimal. The current RGU land use designation is one of the more permissive rural land use designations, allowing a breadth of commercial uses typically prohibited in other rural designations. Development on the parcel in the short-term will be limited by the allowed uses in the FH UUGA designation (Exhibit 14).

The limit on uses in FH UUGA will apply until the Town annexes the property. On a longer timeline, it is likely that once the parcel is annexed the allowed uses would not be significantly different from what is allowed under the RGU designation. One of the biggest net-changes is that it would allow the subject parcel to be served by urban level services.

2. Map Change. Following approval of a Comprehensive Plan Official Map amendment, the County shall amend the official maps to reflect the change. The County shall also indicate on the official maps the number of the ordinance adopting the change.

A map change will occur if the County approves the proposal. The adopting ordinance will amend the SJC Comprehensive Plan Official Maps and indicate the adopting ordinance number on the amended maps.

3. Concomitant Agreement. The County is specifically authorized to enter into a concomitant agreement as a condition of any Comprehensive Plan Official Map amendment. Through that agreement, the County may impose development conditions designed to mitigate potential impacts of the use or development that may occur as a result of such an amendment.

Staff does not recommend a concomitant agreement for the proposed re-designation.

G. Appeals. Appeals of County council decisions under this section must be filed with the Growth Management Hearings Board as provided by state law.