



SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

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MEMO

DATE: August 6, 2019
TO: San Juan County Council
CC: Mike Thomas, County Manager
FROM: Adam Zack, Planner III 
SUBJECT: 2019 Docket
CONTINUED HEARING: August 19, 2019
ATTACHMENTS: 2019 Docket Resolution

REQUESTED ACTION: Approve the attached resolution setting a 2019 docket of proposed amendments to the San Juan County Comprehensive Plan and Title 18 San Juan County Code. The attached draft resolution was reviewed by Deputy Prosecuting Attorney, Amy Vira. After that review, one line was added referring to the August 19, 2019 meeting. A version the draft resolution approved as to form will be provided at the meeting August 19, 2019.

BACKGROUND: 2019 Docket applications for Comprehensive Plan or development regulation amendments were accepted by the San Juan County Department of Community Development (DCD) between January 1 and March 1, 2019. Six 2019 Docket requests were received. Staff evaluated the 2019 Docket requests and forwarded recommendations on them to the County Council and Planning Commission in a staff report dated April 1, 2019. On April 15 and 19, 2019, staff briefed County Council and Planning Commission on the 2019 Docket applications.

The Planning Commission public hearing was duly advertised in the Journal of the San Juan Islands and the Islands Sounder on May 1, 2019. On May 17, 2019, Planning Commission held a public hearing on the 2019 Docket applications. Following the public hearing, the Planning Commission deliberated on public testimony and staff recommendations. The Planning Commission recommended that 2019 Docket requests be resolved according to the staff recommendation. Additionally, the Planning Commission recommended that Council direct staff to address the housing and land use issues raised by several of the requests during the Comprehensive Plan update.

On June 18, 2019, staff briefed the County Council on the Planning Commission's recommended actions and the Council set a public hearing for July 23, 2019. The County Council public hearing was duly advertised in the Journal of the San Juan Islands and the Islands Sounder on July 3, 2019. Following the July 23, 2019 public hearing, the County Council deliberated on the 2019 Docket applications, Planning Commission recommendations and staff recommendations. They directed staff to return with the attached draft resolution approving the Planning Commission recommendation on August 19, 2019.

RESOLUTION NO. ____ - 2019

**A RESOLUTION SETTING A 2019 DOCKET OF PROPOSED AMENDMENTS TO
THE SAN JUAN COUNTY COMPREHENSIVE PLAN (COMPREHENSIVE PLAN)
AND TITLE 18 SAN JUAN COUNTY CODE (SJCC).**

BACKGROUND

- A. The Growth Management Act (GMA) was passed by the State Legislature in April 1990;
- B. The Board of County Commissioners voted to plan under the GMA in November 1990;
- C. RCW 36.70A.470(2) states:
“Each county and city planning under RCW 36.70A.040 shall include in its development regulations a procedure for any interested person, including applicants, citizens, hearing examiners, and staff of other agencies, to suggest plan or development regulation amendments. The suggested amendments shall be docketed and considered on at least an annual basis, consistent with the provisions of RCW 36.70A.130”;
- D. SJCC 18.90.020 Legislative procedures establishes the procedures for the annual docket required by RCW 36.70.A.470(2);
- E. 2019 Docket applications for Comprehensive Plan or development regulation amendments were accepted by the San Juan County Department of Community Development (DCD) between January 1 and March 1, 2019;
- F. Six 2019 Docket requests were received, as shown in Attachment A;
- G. Staff evaluated the 2019 Docket requests and forwarded recommendations on them to the County Council and Planning Commission in a staff report dated April 1, 2019;
- H. On April 15, 2019, staff briefed County Council on the 2019 Docket applications;
- I. On April 19, 2019, staff briefed Planning Commission on the 2019 Docket applications;
- J. On April 24, 2019, DCD mailed letters to each applicant notifying them about the Planning Commission public hearing and inviting them to provide testimony;
- K. The May 17, 2019, Planning Commission public hearing was duly advertised in the *Journal of the San Juan Islands* and the *Islands Sounder* on May 1, 2019;
- L. On May 17, 2019, Planning Commission held a public hearing on the 2019 Docket applications;

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2 M. On May 17, 2019, following the public hearing the Planning Commission deliberated on
3 public testimony and staff recommendations;
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5 N. The Planning Commission recommended that 2019 Docket requests 19-0001 and 19-
6 0003 be considered for the Department of Community Development work program following the
7 Comprehensive Plan update;
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9 O. The Planning Commission recommended that 2019 Docket requests 19-0004, 19-0005,
10 and 19-0006 be considered during the Comprehensive Plan update;
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12 P. The Planning Commission recommended that no further action was necessary for 2019
13 Docket request 19-0002 because most issues will be addressed in the Comprehensive Plan
14 update;
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16 Q. The Planning Commission further recommended that staff address the housing and land
17 use issues raised by requests 19-0001, 19-0002, 19-0004, 19-0005, and 19-0006 during the
18 Comprehensive Plan update;
19

20 R. On June 18, 2019, staff briefed the County Council on the Planning Commission's
21 recommended actions;
22

23 S. The County Council set a public hearing for July 23, 2019;
24

25 T. On June 26, 2019, DCD mailed letters to applicants notifying them of the County Council
26 public hearing and inviting them to provide testimony;
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28 U. The July 23, 2019, County Council public hearing was duly advertised in the *Journal of*
29 *the San Juan Islands* and the *Islands Sounder* on July 3, 2019;
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31 V. On July 23, 2019, following the public hearing, the County Council deliberated on the
32 2019 Docket applications, Planning Commission recommendations and staff recommendations;
33 and
34

35 W. On August 19, 2019, the County Council continued the public hearing and deliberated on
36 the 2019 Docket applications, Planning Commission recommendations and staff
37 recommendations.
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39 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of San Juan County, state
40 of Washington, as follows:
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42 1. The 2019 Docket requests shown in Attachment A be addressed as follows:
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- 44 a. 19-0001: Add an analysis and amendment of SJCC 18.40.240 to a future DCD
45 work program following completion of the Comprehensive Plan update;

1 RANDALL K. GAYLORD
2 APPROVED AS TO FORM ONLY

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4
5 By: _____
6 Date

Bill Watson, Member
District 1, San Juan

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8 **ATTACHMENTS**
9 A. 2019 Docket

DRAFT

Attachment A
San Juan County 2019 Docket

Docket Number	Title	Proponent	Summary of Request	Type of Amendment	Priority	SJCC Sections Modified	Comp. Plan Sections
19-0001	ADU Ownership	OPAL CLT, (Agent: Lisa Byers)	Amend SJCC 18.40.240(F) to allow flexibility in ownership of land and/or ADU. The proposal is to allow the separate sale of a primary residence and ADU provided the ownership of the underlying land for both the primary residence and the ADU remains the same.	Dev. Reg.	E	18.40.240	No Policy Change is Required
19-0002	Build Out Analysis	Joe Symons et al.	Add an executive summary and build out analysis to the Comprehensive Plan. This would include analysis similar to the <i>Land Capacity Analysis</i> and include additional historical context to the Comprehensive Plan introduction.	Comp. Plan	F	No Change	Section A. Introduction
19-0003	Habitat Buffer	Fred Klein	Allow the director to reduce wetland habitat buffers within UGA similar to the currently allowed water quality buffer reduction in UGA. The proposed amendments would allow the director to reduce the wetland habitat buffer by the same reduction as the water quality buffer.	Dev. Reg.	E	18.35.100	No Policy Change is Required
19-0004	Airport Hazard Definition	Stephanie O'Day (agent for Myrna and Richard Fant)	Allow residential uses accessory to nonresidential uses in the Orcas Airport Overlay Zone 5 (see map below).	Dev. Reg. and Comp. Plan	C	18.40.030	Land Use Element 2.5.D Policy 3
19-0005	Island Center Res. Uses	Lopez Island School District (LISD) c/o Del Guenther	Allow residential development in Island Center LAMIRD (IC). SJCC 18.30.030 allows one residence accessory to an allowed commercial or industrial use. LISD would like to be able to construct employee housing on an undeveloped parcel in Island Center.	Dev. Reg. and Comp. Plan	C	Chapter 18.30, several sections	Land Use Element, 2.3.B Policy 1 (c)
19-0006	Airport Hazard Definition	Stephanie O'Day (agent for Don and Marion Gerard)	Allow residential infill development in Airport Hazard Zone 5 (see map below).	Dev. Reg. and Comp. Plan	C	18.40.030 (B) and 18.40.032 (F)	Land Use Element 2.5.D Policy 3

Priority Key
Category A – Required by law for GMA Compliance or otherwise
Category B – Items needed to achieve important public policy objectives of a countywide nature
Category C – Items that can be considered as part of a larger Comprehensive Plan Update or subarea planning process
Category D – Items needed to provide clarity and certainty by removing inconsistencies and/or ambiguities
Category E – Lower priority items to be considered on a future year work program
Category F – Obsolete, previously resolved or not recommended for further consideration