



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

MEMO

MEMO DATE: August 26, 2019

TO: San Juan County Council

CC: Mike Thomas, County Manager
Erika Shook, AICP, DCD Director
Linda Kuller, AICP, DCD Deputy Director

FROM: Adam Zack, Planner III 

SUBJECT: PREDES-19-0001, Site-Specific Re-Designation for Cornelius Holdings LLC.

FOR MEETING OF: September 9, 2019

REQUESTED ACTION: Set a public hearing on PREDES-19-0001 for Tuesday, October 15, 2019.

ATTACHMENTS:

- A. Preliminary Draft Ordinance Regarding the 2019 Annual Docket and a Site-Specific Re-Designation Request (PREDES-19-0001), Amending the San Juan County Comprehensive Plan Official Maps to Change the Land Use Designation of Tax Parcel Number 351444005000 from Rural General Use to Town of Friday harbor Unincorporated Urban Growth Area, Subject to Conditions.
- B. New Exhibits 20 through 22.

Purpose: To brief you on the Planning Commission recommendation and request that a public hearing be set on October 15, 2019, regarding PREDES-19-0001, a proposed site-specific re-designation.

Background: Every year, members of the public can request amendments to the County's Comprehensive Plan, Comprehensive Plan Official Map, and Development Code in a process called the Annual Docket. Requests for amendments to the Comprehensive Plan Official Map, site-specific re-designation, can be submitted during the Annual Docket. Applications can be submitted January 1 through March 1 every year. Site-specific re-designation requests require a fee.

In 2019, one site-specific re-designation request was submitted. The request was submitted by Stephanie O'Day on behalf of Cornelius Holdings LLC. The request is to re-designate a five-acre parcel (TPN 351444005000) from Rural General Use (RGU) to the Town of Friday Harbor Urban Growth Area (TF UUGA). The parcel is adjacent to the Town of Friday Harbor Incorporated Urban Growth Area (UGA). If the proposal were granted, the subject parcel would remain in the County's jurisdiction until it is annexed by the Town. The proposal does not include annexation into the Town of Friday Harbor.

The application materials and staff analysis of the consistency of the proposal with applicable regulations was provided in a July 3, 2019 staff report (<https://www.sanjuanco.com/DocumentCenter/View/18776>). Four additional exhibits related to the SEPA determination and advertisement for the Planning Commission public hearing were added to the record in a July 19, 2019 staff report addendum (<https://www.sanjuanco.com/DocumentCenter/View/18782>).

The Planning Commission held a public hearing and recommended approval of the proposal on August 16, 2019.

Public Comments

Three written comments were submitted prior to the Planning Commission public hearing on August 16, 2019. These are included in Exhibit 21 in Attachment B. Two of the three comments were the same list of questions the neighboring property owners had about the proposal (Attachment B, Exhibits 21.A and 21.C). These questions were answered by the applicant and their agent at the public hearing on August 16, 2019. The third written comment was regarding the mailed notice (Attachment B, Exhibit 21.B). One of the neighboring properties had recently sold and the applicant sent notice to the previous property owner. The applicant and concerned neighbor resolved this issue during the public hearing.

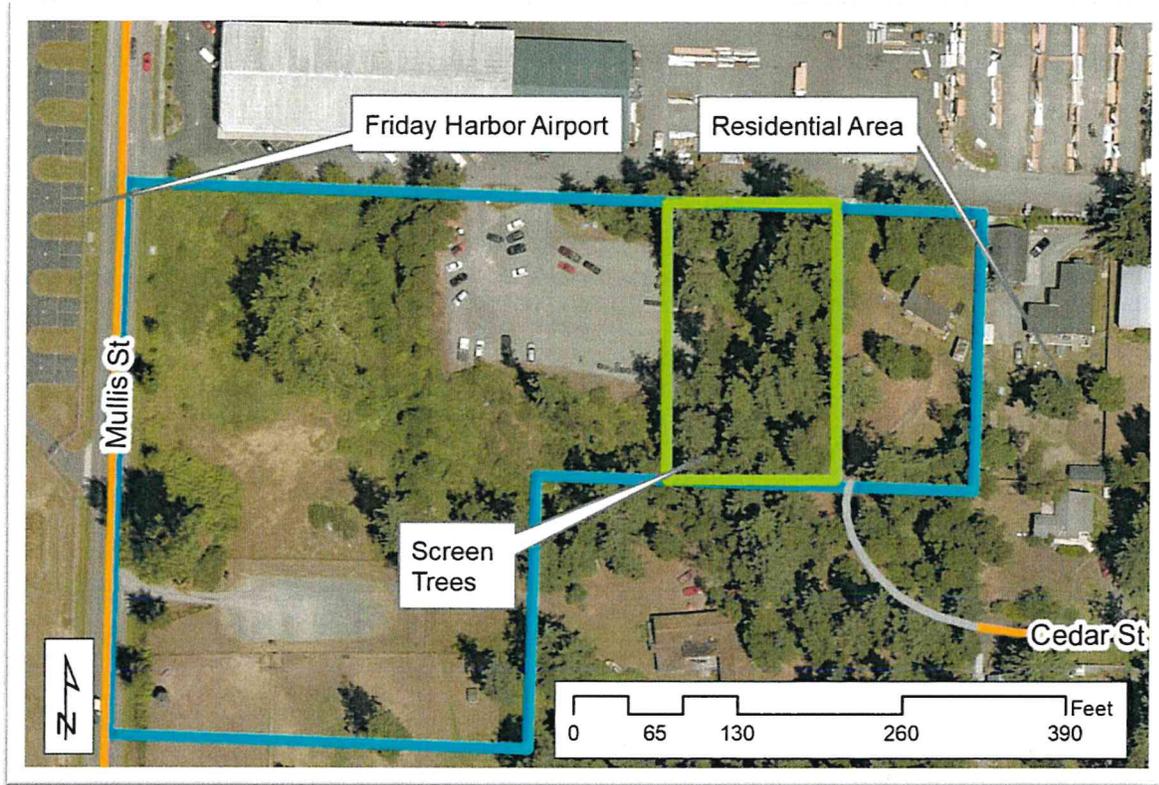
The neighboring property owners' questions are summarized into three primary topics. Please see Attachment B, Exhibits 21.A and 21.C for a complete list of neighboring property owner questions.

1. **Is an affordable housing development being proposed or authorized by this proposal?** Approval of the request would not authorize any new development, housing or otherwise. Any proposed new development would be required to go through a permitting process. The applicant further clarified during the hearing that they do not intend to pursue residential development on the property.
2. **Would approval of the request increase traffic on Cedar Street and Apple Tree Lane?** One of the staff and Planning Commission recommended conditions of approval require that any commercial access to the subject property be provided from Mullis Street. This proposed condition would avoid increasing traffic in the neighborhood to the east of the subject parcel. The applicant indicated that this would be consistent with their preliminary development plans.
3. **Would approval of the request require the applicant to develop the nursery as shown in their application materials?** The applicant would not be required to build the nursery as shown on the concept plan submitted with the application. The Planning Commission and staff recommended conditions of approval would stipulate that the property must retain commercial capacity if the Town decides to annex the parcel. This condition of approval is intended to prevent the parcel from being zoned for residential if it is annexed. The preliminary concept plan included with the application would not be approved or required under the staff and Planning Commission recommendation.

Several members of the public provided testimony at the public hearing. A video recording of the public hearing is available on the County website <https://www.sanjuanco.com/971/Planning-Commission-Meeting-Video>. Much of the testimony reiterated the questions raised in the written comments.

One additional issue came up during the testimony. Several neighbors were concerned that development of the site may reduce the vegetation between the neighborhood to the east and the airport to the west. The Planning Commission recommended that the County Council consider an additional condition of approval to retain the trees, which currently separate the residential area from the western portion of the subject property address these concerns. The referenced trees are highlighted in green on Map 1 below.

Map 1. Screening Trees on TPN 351444005000.



Planning Commission Recommendation

The Planning Commission recommended approval of the proposal, subject to conditions, consistent with the staff recommendation in the July 3, 2019 staff report, with one additional condition of approval requiring the retention of trees separating the western portion of the subject property from the neighborhood to the east. These trees are highlighted in green on Map 1 above.

Preliminary Draft Ordinance

A preliminary draft ordinance is provided in Attachment A. The draft is currently under review by the Prosecuting Attorney’s (PA) office. Sections 1 and 2 of the draft ordinance are placeholders for Council’s findings regarding the proposal. Staff is currently coordinating with the PA’s office to determine the preferred course for imposing conditions. San Juan County Code (SJCC) 18.90.030 (F)(3) authorizes the County enter into a concomitant agreement as a means to impose development conditions to mitigate potential impacts of the proposal. The PA will advise County staff regarding a concomitant agreement prior to the public hearing.

New Exhibits

Table 1 below identifies the three new exhibits attached to this memo for the record (Attachment B).

Table 1. New Exhibits

Exhibit No.	Description of Item	Submitted By	Date	Number of Pages
20	Additional posting information	Applicant	Received: July 17, 2019	4
21.A	Scott Lommel Comment RE: Questions	Public	August 14, 2019	1
21.B	Scott Lommel Comment RE: Notice	Public	August 14, 2019	2
21.C	Lynne Barnes Comment RE: Questions	Public	August 15, 2019	1
22	WA State Department of Commerce 60-Day Notice of Intent to Adopt, Submittal ID 2019-S-536	Planner	August 15, 2019	12

Table 2 below shows the other key dates related to this proposal.

Table 2. Key Dates Related to PREDES-19-0001.

Date	Information	Notes
February 25, 2019	Application submitted	
March 22, 2019	Application deemed complete	
April 24, 2019	Application transmitted to County Council and Planning Commission	Initial transmittal included the application materials and general background information
May 14, 2019	Coordination meeting between Dept. of Community Development staff and Town of Friday Harbor Land Use Administrator, Mike Bertrand	
July 3, 2019	Initial staff report with analysis of the proposal's consistency with applicable policies.	Staff recommended approval, subject to conditions. Staff recommended conditions begin on page 15.
July 10, 2019	SEPA determination, notice of application and notice of public hearing published	Applicant sent notice to surrounding property owners and posted notice on site.
July 19, 2019	Initial Planning Commission briefing	
July 19, 2019	Addendum to July 3, 2019 staff report	Addendum included four new exhibits including SEPA information and public comments
July 23, 2019	Initial County Council briefing	
July 25, 2019	SEPA determination comment period end date	One comment received in support of the SEPA determination.
August 15, 2019	Sixty-day notice of intent to adopt amendments sent to WA State Dept. of Commerce	Attachment B, Exhibit 22.
August 16, 2019	Planning Commission public hearing	Planning Commission recommended approval of the proposal, subject to conditions.

Ordinance No. ___ - 2019

REGARDING THE 2019 ANNUAL DOCKET AND A SITE-SPECIFIC RE-DESIGNATION REQUEST (PREDES-19-0001), AMENDING THE SAN JUAN COUNTY COMPREHENSIVE PLAN OFFICIAL MAPS TO CHANGE THE LAND USE DESIGNATION OF TAX PARCEL NUMBER 351444005000 FROM RURAL GENERAL USE (RGU) TO TOWN OF FRIDAY HARBOR UNINCORPORATED URBAN GROWTH AREA (TF UUGA), SUBJECT TO CONDITIONS

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. San Juan County adopted the San Juan County Comprehensive Plan (Comprehensive Plan) and Official Maps to comply with the Growth Management Act (GMA), Chapter 36.70A RCW.
- E. SJCC 18.90.020 Legislative procedures establishes the procedures for the annual docket required by RCW 36.70.A.470(2).
- F. SJCC 18.90.030 Amendments to Comprehensive Plan Official Maps establishes the procedures for amendment of the Comprehensive Plan Official Maps.
- G. San Juan County Code (SJCC) 18.90.030 contains procedures for the amendment of Comprehensive Plan land use designations as site-specific re-designations. Such requests are placed on the County’s annual docket of Comprehensive Plan amendments (Docket).
- H. 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.
- I. Stephanie O’Day, acting on behalf of Cornelius Holdings LLC., applied for a site-specific re-designation of TPN 351444005000 (subject property) on February 25, 2019, and paid the required fee. The application was part of the 2019 Docket.
- J. The application was deemed complete on March 22, 2019.

- 1 **K.** In a July 3, 2019 report, staff determined that the proposal is consistent with applicable
2 state and local requirements. Staff recommended approval of the proposal, subject to
3 conditions.
- 4 **L.** SJCC 18.90.020 (B) Legislative procedures states:
5 *“Planning Department. The department shall evaluate all requests to*
6 *modify this code and forward recommendations to the planning*
7 *commission and County council for consideration”.*
- 8 **M.** An environmental checklist was prepared by the applicant for the proposed re-designation
9 to the Official Comprehensive Plan Land Use Map. The Department of Community
10 Development published a notice of Determination of Non-significance (DNS) on July 10,
11 2019, pursuant to WAC 197-11-350.
- 12 **N.** The SEPA DNS was sent to the WA State Department of Ecology and posted to the SEPA
13 register on July 10, 2019. It was assigned material identification number 201903894. The
14 comment period on the SEPA determination was July 10 through 25, 2019.
- 15 **O.** A notice of application, SEPA determination, and Planning Commission public hearing
16 was published in the Journal of the San Juan Islands and the Island Sounder on July 10,
17 2019.
- 18 **P.** One comment letter dated July 12, 2019, from Dr. Megan Dethier, Associate Director for
19 Academics and the Environment at the University of Washington Friday Harbor Labs
20 expressed agreement with the SEPA DNS.
- 21 **Q.** The Planning Commission was briefed on the proposal on July 19, 2019.
- 22 **R.** The County Council was briefed on the proposal on July 23, 2019.
- 23 **S.** SJCC 18.90.020 (C) Legislative procedures states:
24 *“Planning Commission. The planning commission shall hold a public*
25 *hearing and make recommendations to the County council on all legislative*
26 *decisions specified in this section”.*
- 27 **T.** The Planning Commission held a duly advertised public hearing on August 16, 2019.
- 28 **U.** Following the public hearing, the Planning Commission issued the following findings and
29 recommendations:
30 **1.** They recommended approval of the proposal, subject to conditions;
31 **2.** In addition to the staff recommended conditions of approval, the Planning
32 Commission recommended X;

1 V. In compliance with RCW 36.70A.106, a notice of the County’s intent to adopt a
2 Comprehensive Plan amendment was transmitted to the Washington State Department of
3 Commerce on August 15, 2019.

4 W. Staff briefed the County Council on the Planning Commission recommendation and
5 presented with the initial draft of this ordinance on September 9, 2019.

6 X. SJCC 18.90.020 (D) Legislative procedures states:

7 *“County Council. All amendments to the development code, Comprehensive*
8 *Plan, and official maps require a public hearing before the County*
9 *council”.*

10 Y. The County Council public hearing was advertised in the Journal of the San Juan Islands
11 and the Island Sounder on **September 25, 2019**.

12 Z. The County Council held a duly advertised public hearing regarding the proposal on
13 **October 15, 2019**.

14 AA. The County Council deliberated on the proposal on **October 21, 2019**;

15
16 **NOW, THEREFORE, BE IT ORDAINED** by the County Council of San Juan County,
17 State of Washington, as follows:

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19 **SECTION 1. Findings**

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21 A. Placeholder for Council findings.

22 **SECTION 2. Amendments to the Comprehensive Plan Official Map:**

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24 Placeholder for amendment of the Comprehensive Plan Official Map, if re-designation is
25 approved.

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27 **SECTION 3. Effective date:**

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29 This ordinance shall take effect on the 10th working day after adoption.
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ADOPTED this ____ day of _____ 2019.

ATTEST: Clerk of the Council

COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON

Ingrid Gabriel, Clerk Date

Jamie Stephens, Chair
District 3

REVIEWED BY COUNTY MANAGER

Michael J. Thomas Date

Rick Hughes, Vice-Chair
District 2

RANDALL K. GAYLORD

APPROVED AS TO FORM ONLY

By: _____
Date

Bill Watson, Member
District 1

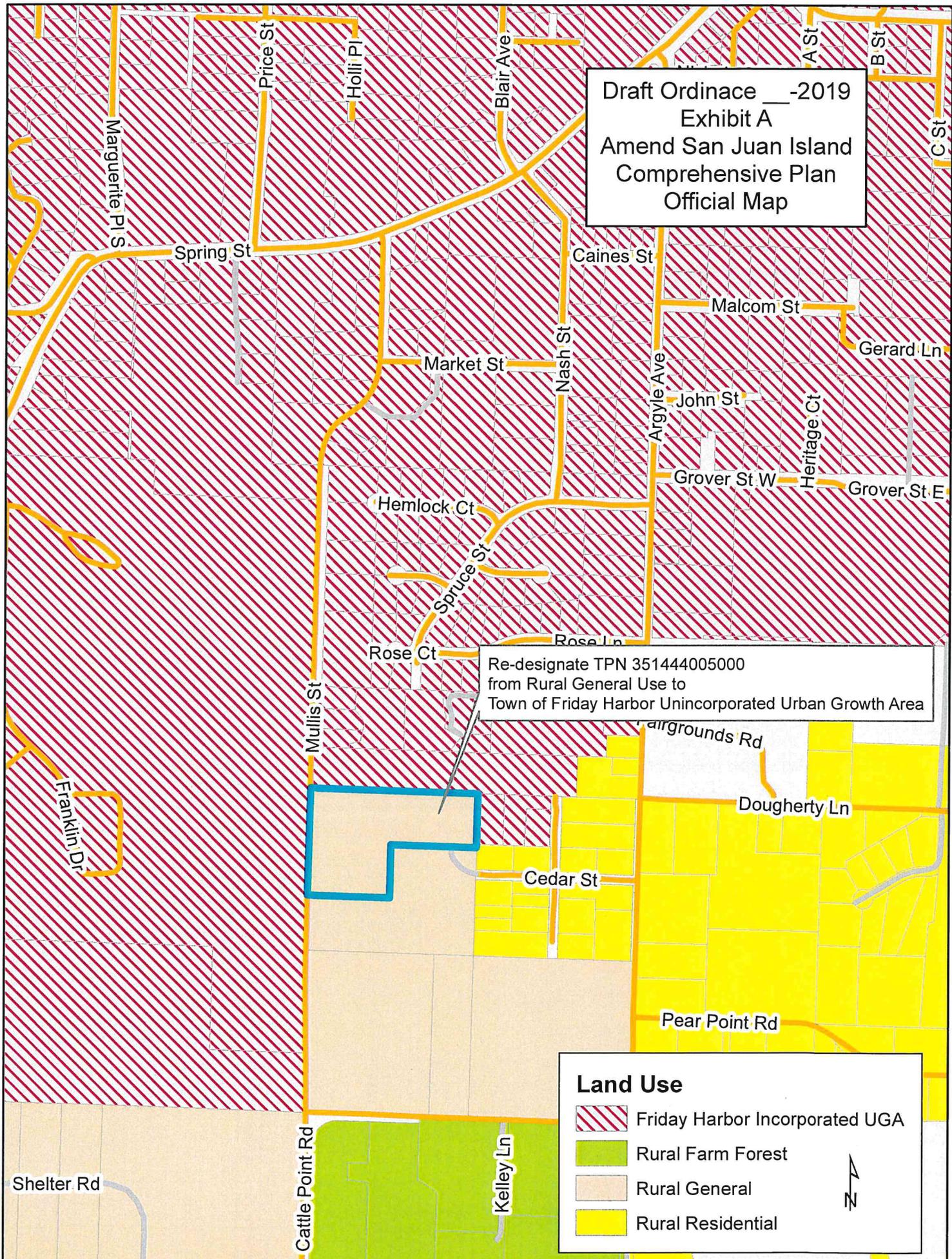
Exhibit A: San Juan County Comprehensive Plan Official Map sheet for San Juan Island

Draft Ordinance __-2019
 Exhibit A
 Amend San Juan Island
 Comprehensive Plan
 Official Map

Re-designate TPN 351444005000
 from Rural General Use to
 Town of Friday Harbor Unincorporated Urban Growth Area

Land Use

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

ATTACHMENT B

New Exhibits

Exhibit No.	Description of Item	Submitted By	Date	Number of Pages
20	Additional posting information	Applicant	Received: July 17, 2019	4
21.A	Scott Lommel Comment RE: Questions	Public	August 14, 2019	1
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**SAN JUAN COUNTY
COMMUNITY DEVELOPMENT & PLANNING**

Location: 135 Rhone Street •
Mailing address: P.O. Box 947 • Friday Harbor, Washington 98250
360/378-2354 • 360/378-2116 • Fax 360/378-3922
permits@sanjuanco.com

S.J.C. DEPARTMENT OF

JUL 17 2019

COMMUNITY DEVELOPMENT

*Second sign posting
7/16/19
KZ*

Instructions for Mailing the Legal Notice and Posting the Sign

Mailing the Notice

Enclosed is a copy of the legal notice for your project.

Highlight your application on the **Combined Notice of Application and Public Hearing** and mail the highlighted table to all owners of property located within 300 feet of the exterior boundaries of the property on which the proposed project will be located. Use the names and addresses shown on the tax assessment rolls on the date the project permit application was submitted. Please do the mailing within 5 days of the date you receive this notice.

Please **sign and return this form** to Community Development and Planning along with a list of those individuals to whom the "Combined Notice of Application & Public Hearing" was mailed. All notices which are returned to the applicant must be submitted to the administrator for inclusion in the file. Your permit may be delayed if notification is incomplete.

Permit number: PEDES-19-0001 Applicant: Cornelius Holdings LLC Agent: S. Janie Day

I followed the mailing instructions of SJCC 18.80.030(A)(2)(b) for the "Combined Notice of Application and Public Hearing"

Signature: [Handwritten Signature] Date Mailed: 7/9/19

Posting the Sign

In addition to mailing the Notice of Application and Hearing Table to neighboring property owners, a **signboard purchased from Community Development and Planning** must be filled out with the information contained in the notice and posted as follows.

The signboard:

- shall be posted at the midpoint of the site road frontage, 5 feet inside the street property line, and between 5 and 8 feet above grade as measured from the top of the notice. If a private road serves the property, the notice shall also be located at the nearest intersection of the private road with a public road.
- must be completely visible to pedestrians and vehicles.
- must be filled out with waterproof ink.
- must be in place at least 30 days prior to the date of hearing, maintained in good condition during the notice period
- must be removed within 15 days after the end of the notice period.

Also submit a photograph showing the location(s) of the posting. Please do the posting within five days of the date you receive this notice. **Sign and return this form.** If you have questions, please contact Community Development and Planning.

Permit number: PEDES 19-0001 Applicant: Cornelius Holdings LLC Agent: S. Janie Day

I followed the posting instructions of SJCC 18.80.030(A)(2)(c) and agree to maintain the posting for at least 30 days prior to the hearing date and remove it within 15 days after the end of the notice period.

Signature of person posting the site: [Handwritten Signature] Date Posted: 7/9/19

Stephanie Johnson O'Day

JUL 17 2019

From: Adam Zack <adamz@sanjuanco.com>
Sent: Monday, July 15, 2019 8:54 AM
To: 'Stephanie Johnson O'Day'
Subject: RE: Cornelius Holdings LLC

COMMUNITY DEVELOPMENT

second sign posting 2/16/19

Hi Stephanie,

The access point on Cedar is not to the Dog Park. The access point provides the driveway to the existing home (Red circle). See screenshot below.



One of the requirements is that notice is posted in accordance with SJCC 18.80.030 (A)(2)(c):

If the property is served by a private road, an additional notice board shall be located at the nearest intersection of the private road with a public road. Where a notice board cannot be placed as indicated or would not provide effective notice, the administrator shall determine a suitable location for posting.

If that access point will not work, please post additional notice at the Browne's parking entrance on the north side of the property (blue circle).

Adam Zack

From: Scott Lommel <scottlommel@gmail.com>
Sent: Wednesday, August 14, 2019 6:04 PM
To: Adam Zack
Subject: Questions for the planning commission for upcoming meeting RE: Browne's nursery relocation

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.

Questions for the San Juan County Planning Commission:

A lot of the questions in the SEPA were deferred as not applicable or to be determined later as no formalized plans are developed. With all that information on environmental impact missing, will the SEPA process be repeated with that information included and assessed before the town annexes the parcel and/or building begins?

Can the Owner request housing development as an option at a later date with this designation change and subsequent annexation?

With the planned designation of the town to make the parcel light industrial, is it possible and what would be required later to subdivide the land, if the owner wanted to move forward with the original application containing multi-family housing as a plan?

It states in the staff report that access to the nursery will only be off of Mullis. Just to be clear in case we misunderstood something, does this proposal involve using Cedar St or Apple Tree Ln as access roads now or in the future?

Can you explain the contradiction between the SEPA check list number 9 Housing sub section A answer "NA this is not a housing project" and Stephanie O'Day's email to Duncan Wilson on December 20 2018 stating that the owners would like to use the parcel for affordable housing and need water and sewer for the project? (It appears the application was resubmitted but asking to be clear) See below:

In a memo:

O'Day offices state "retaining the right to use the back of one or both properties for affordable housing purposes" (dated dec 20th, 2018)

O'Day offices state " the current application is separate and distinct from the initial application. A discussion of affordable housing at this juncture on the property is irrelevant...." (feb 11th, 2019)

Does that mean such an approval or request is not it the works in the future once the annexation takes place? In other words can that request be made later if the current proposal is approved in its updated form with that request of housing omitted?

Reading the report it says something along the lines of the owner needs to develop the land in accordance to the proposal, after the reclassification from County to UGA takes place. Is this correct? Also is this also true in regards to the planned building of the nursery if/when the town annexes and approved the plan?

Can the owner switch gears 100% after annexation and apply to have all the newly designated land slated for apartment complexes, scrapping all plans that were laid out in the beginning that allowed the transition from county to UGA to town?

Adam Zack

From: Scott Lommel <scottlommel@gmail.com>
Sent: Wednesday, August 14, 2019 6:09 PM
To: Adam Zack
Subject: Public comment regarding the Browne's nursery relocation proposal

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.

Hello Adam.

My name is Scott Lommel. I noticed we are not on the list of persons within 300 ft of the project site. I am writing to correct/update that information. We purchased the property and took ownership at the beginning of 2019.

Scott and MacKenzie Lommel at 14 Apple Tree are not included in the packet of info.

Nearest properties listed at 70 feet in application. We are much closer than than to the project site, for the record. We are immediately adjacent in property and primary residence is with approx 35-40 feet from property line.

I can be reached at this email or at 310-651-0346 if you need to contact me about this request to update the info on the application from the Owner/O'Day offices.

Regards,

Scott Lommel

S.J.C. DEPARTMENT OF

AUG 15 2019

COMMUNITY DEVELOPMENT

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Can the owner switch gears 100% after annexation and apply to have all the newly designated land slated for apartment complexes, scrapping all plans that were laid out in the beginning that allowed the transition from county to UGA to town?



THANK YOU

We have received your amendment submission. Please allow 1-3 business days for review. Please keep the Submittal ID as your receipt and for any future questions. We will also send an email receipt to all contacts listed in the submittal.

Submittal ID: 2019-S-536

Submittal Date Time: 08/15/2019

Submittal Information

Jurisdiction	San Juan County
Submittal Type	60-day Notice of Intent to Adopt Amendment
Amendment Type	Comprehensive Plan Amendment

Amendment Information

Brief Description

Proposed re-designation of a five-acre parcel from Rural General Use to Town of Friday Harbor Unincorporated Urban Growth Area. The parcel will remain in the County's jurisdiction until annexed. Re-designation will allow the Town of Friday Harbor to pursue annexing the parcel. The proposal will amend the San Juan County Comprehensive Plan Official Map.

Yes, this is a part of the 8-year periodic update schedule, required under RCW 36.70A.130.

Planning Commissions Date 08/16/2019

Board of County Commissioners Date 10/15/2019

Anticipated/Proposed Date of Adoption 10/21/2019

Attachments

Attachment Type	File Name	Upload Date
Correspondence	60 Day Notice San Juan County PREDES-19-0001 (1 of 3).msg	08/20/2019 09:43 AM
Correspondence	RE 60 Day Notice San Juan County PREDES-19-0001 (2 of 3) .msg	08/20/2019 09:43 AM
Correspondence	60 Day Notice San Juan County PREDES-19-0001 (3 of 3).msg	08/20/2019 09:44 AM
Correspondence	RE 60 Day Notice San Juan County PREDES-19-0001 (4 of 3).msg	08/20/2019 09:44 AM
Supporting Documentation or Analysis	2019-08-15_PREDES-19-0001_Commerce_Notice.pdf	08/20/2019 09:44 AM
Comprehensive Plan Amendment - Draft	2019-07-03_DCD_PREDES-19-0001_Zack_pages_1-17.pdf	08/20/2019 09:44 AM
Comprehensive Plan Amendment - Draft	2019-07-03_DCD_PREDES-19-0001_Zack_pages_18-85.pdf	08/20/2019 09:44 AM
Comprehensive Plan Amendment - Draft	2019-07-03_DCD_PREDES-19-0001_Zack_pages_86-128.pdf	08/20/2019 09:44 AM

Comprehensive Plan Amendment - Draft	2019-07-03_DCD_PREDES-19-0001_Zack_pages_129-175.pdf	08/20/2019 09:45 AM
Comprehensive Plan Amendment - Draft	2019-07-03_DCD_PREDES-19-0001_Zack_pages_176-200.pdf	08/20/2019 09:45 AM
Comprehensive Plan Amendment - Draft	2019-07-03_DCD_PREDES-19-0001_Zack_pages_201-227.pdf	08/20/2019 09:45 AM

Contact Information

Prefix Mr.
First Name Adam
Last Name Zack
Title Planner III
Work (360) 370-7580
Cell
Email adamz@sanjuanco.com

Yes, I would like to be contacted for Technical Assistance.

Certification

Entered by Linda Weyl on 8/20/2019 9:46:23 AM

Intake Received Date 08/15/2019
Full Name Adam Zack
Email Adamz@sanjuanco.com



Department of Commerce

Notice of Intent to Adopt Amendment 60 Days Prior to Adoption

Indicate one (or both, if applicable):

- Comprehensive Plan Amendment
Development Regulation Amendment**

Pursuant to RCW 36.70A.106, the following jurisdiction provides notice of intent to adopt a proposed comprehensive plan amendment and/or development regulation amendment under the Growth Management Act.

Jurisdiction:	San Juan County
Mailing Address:	PO Box 947, Friday Harbor WA 98250
Date:	August 15, 2019

Contact Name:	Adam Zack
Title/Position:	Planner III
Phone Number:	360-370-7580
E-mail Address:	Adamz@sanjuanco.com

Brief Description of the Proposed/Draft Amendment: <i>If this draft amendment is provided to supplement an existing 60-day notice already submitted, then please provide the date the original notice was submitted and the Commerce Material ID number located in your Commerce acknowledgement letter.</i>	Proposed re-designation of a five-acre parcel from Rural General Use to Town of Friday Harbor Unincorporated Urban Growth Area. The parcel will remain in the County's jurisdiction until annexed. Re-designation will allow the Town of Friday Harbor to pursue annexing the parcel. The proposal will amend the San Juan County Comprehensive Plan Official Map.
Is this action part of the scheduled review and update? <i>GMA requires review every 8 years under <u>RCW 36.70A.130(4)-(6)</u>.</i>	Yes: ___ No: <u>X</u>
Public Hearing Date:	Planning Commission: August 16, 2019 County Council (tentatively): October 15, 2019
Proposed Adoption Date:	October 21, 2019

REQUIRED: Attach or include a copy of the proposed amendment text or document(s). **We do not accept a website hyperlink requiring us to retrieve external documents. Jurisdictions must submit the actual document(s) to Commerce.** If you experience difficulty, please contact reviewteam@commerce.wa.gov

- 1 **K.** In a July 3, 2019 report, staff determined that the proposal is consistent with applicable
2 state and local requirements. Staff recommended approval of the proposal, subject to
3 conditions.
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10 Development published a notice of Determination of Non-significance (DNS) on July 10,
11 2019, pursuant to WAC 197-11-350.
- 12 **N.** The SEPA DNS was sent to the WA State Department of Ecology and posted to the SEPA
13 register on July 10, 2019. It was assigned material identification number 201903894. The
14 comment period on the SEPA determination was July 10 through 25, 2019.
- 15 **O.** A notice of application, SEPA determination, and Planning Commission public hearing
16 was published in the Journal of the San Juan Islands and the Island Sounder on July 10,
17 2019.
- 18 **P.** One comment letter dated July 12, 2019, from Dr. Megan Dethier, Associate Director for
19 Academics and the Environment at the University of Washington Friday Harbor Labs
20 expressed agreement with the SEPA DNS.
- 21 **Q.** The Planning Commission was briefed on the proposal on July 19, 2019.
- 22 **R.** The County Council was briefed on the proposal on July 23, 2019.
- 23 **S.** SJCC 18.90.020 (C) Legislative procedures states:
24 *“Planning Commission. The planning commission shall hold a public*
25 *hearing and make recommendations to the County council on all legislative*
26 *decisions specified in this section”.*
- 27 **T.** The Planning Commission held a duly advertised public hearing on August 16, 2019.
- 28 **U.** Following the public hearing, the Planning Commission issued the following findings and
29 recommendations:
30 **1.** They recommended [*approval*] of the proposal, subject to conditions;
31 **2.** In addition to the staff recommended conditions of approval, the Planning
32 Commission recommended X;

- 1 V. In compliance with RCW 36.70A.106, a notice of the County’s intent to adopt a
2 Comprehensive Plan amendment was transmitted to the Washington State Department of
3 Commerce on August X, 2019.
- 4 W. Staff briefed the County Council on the Planning Commission recommendation and
5 presented with the initial draft of this ordinance on September 9, 2019.
- 6 X. SJCC 18.90.020 (D) Legislative procedures states:
- 7 *“County Council. All amendments to the development code, Comprehensive*
8 *Plan, and official maps require a public hearing before the County*
9 *council”.*
- 10 Y. The County Council public hearing was advertised in the Journal of the San Juan Islands
11 and the Island Sounder on September 25, 2019.
- 12 Z. The County Council held a duly advertised public hearing regarding the proposal on
13 October 15, 2019.
- 14 AA. The County Council deliberated on the proposal on October 21, 2019;

15
16 **NOW, THEREFORE, BE IT ORDAINED** by the County Council of San Juan County,
17 State of Washington, as follows:

18
19 **SECTION 1. Findings**

- 20
21 A. Site-specific map amendments can be considered annually under SJCC 18.90.030 in a
22 Comprehensive Plan amendment docket.
- 23 B. SJCC 18.90.030 establishes criteria and procedures for site-specific map changes, re-
24 designations and text amendments. The amendments to the Official Land Use Maps of the
25 San Juan County Comprehensive Plan shown in Exhibit A were evaluated and reviewed as
26 part of the 2019 Docket process. The proposal meets the procedural review requirements
27 of the SJCC.
- 28 C. The public was provided notice and opportunity to review and comment on the proposed
29 re-designations and the environmental impact of their adoption. This meets the
30 requirements of SJCC 18.90.030 and RCW 36.70A.140.
- 31 D. The County Council finds that the proposed re-designation from Rural General Use to
32 Friday Harbor Unincorporated Urban Growth Area of tax parcel number 351444005000 is
33 consistent with the criteria of SJCC 18.90.030.
- 34 E. The San Juan County Comprehensive Plan Official Maps, as amended by this action, were
35 prepared as required by RCW 36.70A.040(1) and meet the requirements of and are
36 consistent with the GMA, Chapter 36.70A RCW.
- 37 F. The following conditions apply to the re-designation of TPN 351444005000:

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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 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.

SECTION 2. Amendments to the Comprehensive Plan Official Map:

The San Juan County Comprehensive Plan, Official Map and **Ord. 11-2016 § X** is amended as shown on attached Exhibit A. The land use designation for the subject property is hereby changed from Rural General Use to Town of Friday Harbor Unincorporated Urban Growth Area, subject to the conditions in Section 2 of this ordinance;

SECTION 3. Effective date:

This ordinance shall take effect on the 10th working day after adoption.

ADOPTED this ____ day of _____ 2019.

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ATTEST: Clerk of the Council

COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON

Ingrid Gabriel, Clerk Date

Jamie Stephens, Chair
District 3

REVIEWED BY COUNTY MANAGER

Michael J. Thomas Date

Rick Hughes, Vice-Chair
District 2

RANDALL K. GAYLORD

APPROVED AS TO FORM ONLY

By: _____
Date

Bill Watson, Member
District 1

Exhibit A: San Juan County Comprehensive Plan Official Map sheet for San Juan Island

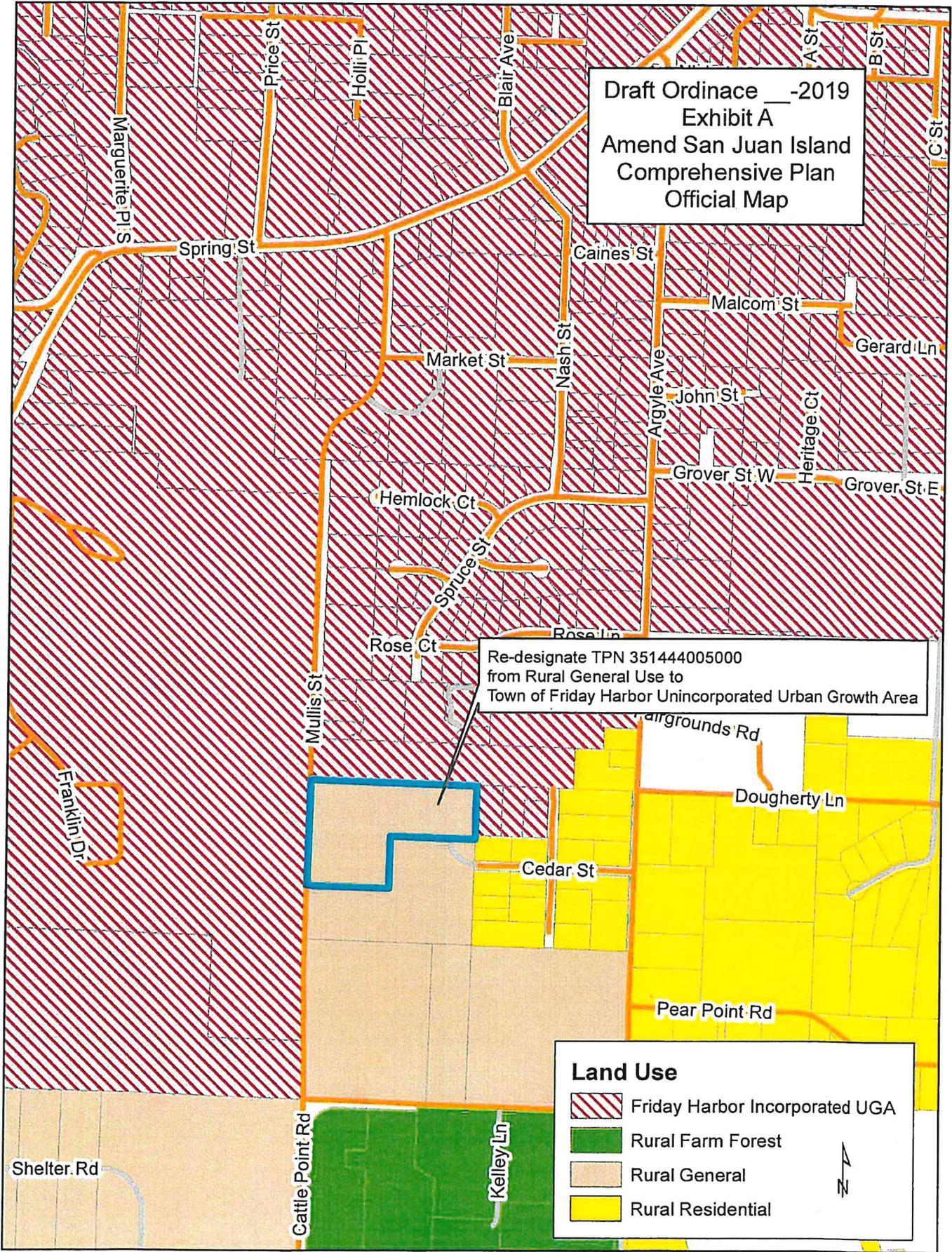
Draft Ordinance __-2019
 Exhibit A
 Amend San Juan Island
 Comprehensive Plan
 Official Map

Re-designate TPN 351444005000
 from Rural General Use to
 Town of Friday Harbor Unincorporated Urban Growth Area

Land Use

	Friday Harbor Incorporated UGA
	Rural Farm Forest
	Rural General
	Rural Residential

N



Adam Zack

From: Adam Zack
Sent: Thursday, August 15, 2019 3:30 PM
To: 'reviewteam@commerce.wa.gov'
Subject: 60 Day Notice San Juan County PREDES-19-0001 (1 of 3)
Attachments: 2019-08-15_PREDES-19-0001_Commerce_Notice.pdf; 2019-07-03_DCD_PREDES-19-0001_Zack_pages_1-17.pdf; 2019-07-03_DCD_PREDES-19-0001_Zack_pages_18-85.pdf

Commerce Review Team:

Email 1 of 3

Attached is San Juan County's Request for Review and Notice of Intent to adopt amendments to the County's Comprehensive Plan and a copy of the proposed ordinance:

Regarding the 2019 Annual Docket and a site-specific re-designation request (PREDES-19-0001), amending the San Juan County Comprehensive Plan Official Maps to change the land use designation of tax parcel number 351444005000 from rural general use (RGU) to Town of Friday Harbor Unincorporated Urban Growth Area (TF UUGA), subject to conditions

The staff report was too large to include as one attachment. It is provided in several smaller pdfs, attached to a separate email (filename: 2019-07-03_DCD_PREDES-19-0001_Zack_pages_X-X).

Please let me know if you have any additional questions. I may be reached at Azack@sanjuanco.com or 360-370-7580

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.

Adam Zack

From: Adam Zack
Sent: Thursday, August 15, 2019 3:30 PM
To: 'reviewteam@commerce.wa.gov'
Subject: 60 Day Notice San Juan County PREDES-19-0001 (2 of 3)
Attachments: 2019-07-03_DCD_PREDES-19-0001_Zack_pages_86-128.pdf; 2019-07-03_DCD_PREDES-19-0001_Zack_pages_129-175.pdf

Dear Commerce Review Team:

Email 2 of 3

Attached is San Juan County's Request for Review and Notice of Intent to adopt amendments to the County's Comprehensive Plan and a copy of the proposed ordinance:

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Thanks,
Adam Zack
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360-370-7580
adamz@sanjuanco.com

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Adam Zack

From: Adam Zack
Sent: Thursday, August 15, 2019 3:30 PM
To: 'reviewteam@commerce.wa.gov'
Subject: 60 Day Notice San Juan County PREDES-19-0001 (3 of 3)
Attachments: 2019-07-03_DCD_PREDES-19-0001_Zack_pages_176-200.pdf; 2019-07-03_DCD_PREDES-19-0001_Zack_pages_201-227.pdf

Dear Commerce Review Team:

Email 3 of 3

Attached is San Juan County's Request for Review and Notice of Intent to adopt amendments to the County's Comprehensive Plan and a copy of the proposed ordinance:

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Thanks,
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Planner III
Department of Community Development
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