



SAN JUAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT

135 Rhone Street, PO Box 947, Friday Harbor, WA 98250
(360) 378-2354 | (360) 378-2116 | FAX (360) 378-3922
cdp@sanjuanco.com | www.sanjuanco.com

MEMO

REPORT DATE: September 25, 2019
TO: San Juan County Council
FROM: Linda Kuller, AICP, Planning Manager *LK*
SUBJECT: Draft resolution renewing San Juan County Resolution No. 15-2019:
Licensed marijuana production and processing moratorium and DCD work plan
HEARING: October 1, 2019
ATTACHMENTS: A. Updated draft resolution with Attachment A: DCD work plan
B. October 1, 2019 public hearing notices
C. Public Comments

Purpose

To hold a public hearing on a resolution to renew the County's moratorium on marijuana production and processing that was adopted in Resolution No. 15-2019.

Updated draft resolution

An updated draft resolution to renew the moratorium on marijuana production and processing uses is attached (Attachment A). This updated resolution includes changes recommended by County Council on September 10, 2019 and additional comments by legal staff. Legal staff recommended changes to the format, addition of a new findings section and clarifications in the last section beginning "Now therefore be it resolved." With the exception of the addition of new findings, the resolution is substantively the same as recommended by Council on September 10th.

Rescheduled Public Hearing

The County Council originally scheduled a public hearing on September 24, 2019. The newspaper failed to publish the hearing notice. On September 10, 2019, the County Council scheduled a hearing for October 1, 2019. Notice of the October 1st hearing was published on September 18, 2019 (Attachment B).

Public Comments

Attachment C contains public comments received by the date of this memo. The comments contain sentiments opposing marijuana production and processing uses on the islands as well as suggestions for regulatory strategies. These and future comments received will be posted at: <https://www.sanjuanco.com/1585/Marijuana>.

RESOLUTION NO. _____ - 2019

A RESOLUTION RENEWING A MORATORIUM ADOPTED IN RESOLUTION NO. 15-2019 ON LICENSED MARIJUANA PRODUCTION AND PROCESSING.

- A. San Juan County currently does not regulate the siting of licensed marijuana production and processing operations.
- B. Licensed marijuana production and processing operations can have significant impacts on the community.
- C. The San Juan County Council (County Council) adopted Resolution No. 15-2019 on April 2, 2019 and placed a six-month moratorium on such operations.
- D. Resolution No. 15-2019 expires on October 2, 2019, unless renewed as provided in RCW 36.70.795 and RCW 36.70A.390.
- E. The existing moratorium pertains to new or pending applications for a building or occupancy permit, variance, conditional use permit, or other development permit or approval with respect to licensed marijuana production and processing.
- F. Under the existing moratorium, permit applications for marijuana production and processing cannot be accepted as either consistent or complete by any county department.
- G. On Tuesday, May 21, 2019, within sixty-days after adoption of Resolution No. 15-2019, the County Council held a public hearing to receive public testimony on the resolution.
- H. The County Council received input from the community at that public hearing and at subsequent public meetings including those held on May 28, 2019 and August 27, 2019 and discussed regulatory issues.
- I. After considering public comments on August 27, 2019, the County Council discussed strategies for regulating licensed marijuana and provided direction to staff regarding the development of regulations for marijuana production, processing and retailing.
- J. Drafting the code amendments and carrying out the required Planning Commission and County Council legislative review processes are underway and a work plan has been prepared for this work.
- K. The County Council desires to exempt building permits for the alteration of marijuana production and processing operations that were legally established prior to the adoption of Resolution No. 15-2019 from the moratorium provided that there is no enlargement or intensification of the permitted processing or production.

- L. The County Council conducted a duly advertised public hearing, on Tuesday, October 1 2019, regarding the adoption of this resolution to renew the moratorium for six months and adopt a work plan for the code development project.

THE FOLLOWING FINDINGS OF FACT ARE ADOPTED BY THE COUNTY COUNCIL:

- A. The above recitals are hereby adopted as findings of fact.
- B. It is appropriate to evaluate the potential for environmental, land use and public safety impacts associated with marijuana production and processing before allowing further development of these uses because they are not addressed in the County's code with specific land use regulations and performance standards.
- C. It is necessary to explore local regulation of marijuana production and processing to ensure that the County adequately addresses potential land use compatibility issues and adverse impacts to rural character, natural resources and the public welfare.
- D. It is necessary to extend the moratorium on the siting of licensed marijuana production and processing to provide for additional public participation and the legislative process for the development of permanent regulations regarding these uses.

NOW, THEREFORE, BE IT RESOLVED by the County Council of San Juan County, state of Washington, as follows, based on the recitals and findings above:

1. The six-month moratorium on the siting of licensed marijuana production and processing established in Resolution No.15-2019 is renewed for an additional six-month period beginning October 2, 2019 and shall expire unless renewed as provided in RCW 36.70.795 and 36.70A.390.
2. While this moratorium is in effect, no new or pending application for a building permit, occupancy permit, variance, conditional use permits, or other development permit or approval with respect to licensed marijuana production and processing shall be accepted as either consistent or complete by any county department. However, building permits for the alteration of marijuana production and processing operations that were legally established prior to the adoption of Resolution No. 15-2019 are exempt from the moratorium provided that there is no enlargement or intensification of the permitted processing or production.
3. The work plan attached as Attachment A is hereby adopted.

ADOPTED this 1st day of October 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 3

RANDALL K. GAYLORD
APPROVED AS TO FORM ONLY

By: _____
Date

Bill Watson, Member
District 1

DRAFT 2019 – 2020 DEPARTMENT OF COMMUNITY DEVELOPMENT WORK PLAN SAN JUAN COUNTY CODE AMENDMENTS REGULATING MARIJUANA PRODUCTION, PROCESSING AND RETAILING	
DATE	ACTIONS
September 24, 2019	County Council holds public hearing on a resolution to extend Resolution No. 15-2019 for one year and adopt a code development work plan
October 2019 - January 2020	Research ways to implement Council's intended outcomes Touch base with Council on specific questions/strategies Draft ordinance to regulate marijuana production and processing
February 2020	Preliminary legal review Brief County Council and the public on the preliminary draft ordinance Incorporate preliminary feedback into the draft ordinance Develop presentation for Planning Commission
March 2020	Brief Planning Commission
April - June 2020	Incorporate the Planning Commission's recommendations into the draft ordinance Address any legal issues Issue a SEPA determination Submit a 60-day Notice of intent to adopt regulations to WA Dept. of Commerce Staff the Planning Commission public hearing and deliberations
July 2020	Brief Council on the Planning Commission's recommendation
August 2020	Council holds a public hearing
September 2020	Council Considers public input and deliberates on the draft ordinance DCD incorporates Council's comments into the draft ordinance Final legal review
October 2020	Council adopts a code amendment ordinance Publish a notice of adoption

LEGAL ADVERTISEMENT

To: The Journal of the San Juan Islands and Islands Sounder
On: September 11, 2019
From: Lynda Guernsey, DCD
Bill To: Department of Community Development
Publish: 1 Time(s) – Wednesday September 18, 2019

**NOTICE OF A SAN JUAN COUNTY COUNCIL REGULAR MEETING AND PUBLIC HEARING ON TUESDAY,
OCTOBER 1, 2019, AT THE COUNTY COUNCIL HEARING ROOM, LEGISLATIVE BUILDING,
55 SECOND STREET, FRIDAY HARBOR, SAN JUAN ISLAND BEGINNING AT 9:15 a.m. TO OBTAIN TESTIMONY
ON A RESOLUTION EXTENDING THE MORATORIUM ON SITING LICENSED MARIJUANA PRODUCTION AND
PROCESSING ADOPTED IN RESOLUTION NO. 15-2019**

The San Juan County Council will take public testimony on a proposed resolution to extend the existing six month moratorium on new or pending applications for a building or occupancy permit, variance, conditional use or other development permit or approval with respect to licensed marijuana production and processing. This moratorium adopted in Resolution No. 15-2019 expires October 2, 2019, unless renewed or otherwise extended as provided in RCW 36.70.795 and RCW 36.70A.390.

Under the existing moratorium, permit applications for marijuana production and processing shall not be accepted as either consistent or complete by any County department. After reviewing public testimony, County Council will consider adopting a new resolution to extend the moratorium and propose a work plan to adopt regulations needed to address the siting of marijuana production and processing.

Copies of the Resolution are available at the SJC Department of Community Development (135 Rhone Street, Friday Harbor, WA. 98250) office during business hours or the County Council's office or at: <https://www.sanjuanco.com/1585/Marijuana>.

HOW TO COMMENT: The official comment period is **September 18, 2019 through October 1, 2019 at the public hearing** unless the County Council extends it. Written comments submitted prior to 12:00 p.m. on Monday, September 30, 2019, will be copied for the County Council unless they wish to review comments on-line. Please comment:

- **Via Mail:** Before the public hearing, mail written comments to Linda Kuller, Department of Community Development (DCD) PO Box 947 Friday Harbor, WA 98250, or deliver them to the DCD office at 135 Rhone Street, Friday Harbor, WA between 8:00 am – 4:30 pm.
- **Via Email:** Email comments to dcd@sanjuanco.com. Title of subject line: Marijuana Moratorium. For the record, include your full address.
- **Via Oral Testimony:** You may provide comments on the proposals at the public hearing.

Copies: Please provide **five (5) copies** of written comments if you submit them to County Council after 12:00 p.m. on Monday, September 30, 2019, or if you distribute written comments at the public hearing.

MarketPlace!

click! www.soundclassifieds.com email! classified@soundpublishing.com call toll free! 1.888.399.3999 or 1.800.388.2527

Real Estate for Rent

San Juan County

Dear Harbor furnished home for rent. On Channel Rd with a beautiful view of the estuary. Easy walk to Dear Harbor and Cayo Quay marinas. Daylight basement and 2 car garage. Tons of storage. You can see pictures on Zillow by entering the address. 320 Channel Road. \$2,500/month. Available October 1. Possibility of year-round rental. Pets upon approval and with additional deposit. [360-286-4689](tel:360-286-4689)

Apartments for Rent

San Juan County

LAVENDER HOLLOW APTS
Now Accepting Applications for Waiting List.
Starting at \$745.
38 Orion Lane
[360-376-6479](tel:360-376-6479)
TDD: 711

ESTATE

Orcas Longhouse is accepting applications for our 1 BR waiting list. Must be 62 or older or disabled.
Rent starts at \$530.
[360-376-2023](tel:360-376-2023)
TDD 711

Commercial Rentals

Office/Commercial

RENTAL PROPERTY
37 Henry Rd.
Eastsound.
Rental of the upstairs of the Crossroads Community Building.
Great for an office or artists studio with plenty of light/windows with street entrance.
About 420 Sq Ft.
Access to downstairs with bathroom, kitchen sink & microwave.
\$500/mo + utilities.
Call [916-985-0472](tel:916-985-0472).

Announcements

ATTENTION: OXYGEN USERS. Gain freedom with a Portable Oxygen Concentrator! No more heavy tanks and refills! Guaranteed lowest prices. Call the Oxygen Concentrator store: [844-495-7230](tel:844-495-7230).

Announcements

PROMOTE YOUR REGIONAL EVENT statewide with a \$225 classified listing or \$1,575 for a display ad. Call this newspaper or [360-344-2938](tel:360-344-2938) for details.

STILL PAYING TOO MUCH for your MEDICATION? Save up to 90% on RX refills. Order today and receive free shipping on 1st order - prescription required. Call [1-866-685-6901](tel:1-866-685-6901).

Found

CAMERA CASE
Found on San Juan Island. Contact SJCSCO officer Andy Urbach andyurbach@sjcscos.com or [360-370-7699](tel:360-370-7699) to describe and claim. Reference # 19-00X681

FOUND on LOPEZ Island - BB GUN
Contact SJCSCO officer Andy Urbach at andyurbach@sjcscos.com or [360-370-7699](tel:360-370-7699) to describe and claim. Reference # 19-00X359

Reach thousands of readers by advertising your services in the Service Directory of the Classifieds. Get 4 weeks of advertising in your local community newspapers and on the web for one low price. Call: [1-800-388-2527](tel:1-800-388-2527)
Go online: www.SoundClassifieds.com
or Email: classified@soundpublishing.com

Employment

Administrative

SERVICE TECHNICIAN
Orcas Sewage Design is seeking a full time technician.
Duties include field inspections, septic system maintenance/repair, design fabrication, design assist.
Work all over county. Will train WA drivers.
License req. Competitive wages. Please contact rick@orcasdesign.com [360-376-2762](tel:360-376-2762)

Employment

Customer Service

the EXCHANGE
OBS/The Exchange is accepting applications for full and part-time cashiers. Requires reliability, people skills, integrity, computer and cash register skills with availability on weekends. Interest in recycling, zero-waste, and The Exchange at plus-etc. Starting pay is \$16.50/hr, great benefits for full-time. Stop in for an application at the Orcas Transfer Station, 3398 Orcas Road, Eastsound 98245.

Employment

General

Del and Checkers
Wanted: Cashier/Retainer or Mary at the Orcas Village Store. Health Insurance, PTO, and IRA plan available. Shift work. Part time or Full time. Guaranteed year-round employment. [360-376-6860](tel:360-376-6860)

Employment

General

RO SARIO
Resort & Spa
NOW HIRING:
Bartender
Server
Maintenance
Message Therapist
Housekeeper
Dish Washer
Cooks
Email resume to info@rosariosort.com or stop by front desk

Employment

Restaurant

SUSHI PREP with experience or trainee. Prep or learn to prep and roll sushi and work on the grill. Call: [949-28914144](tel:949-28914144) or email: gary@hobmail.com

Employment

Skilled Trades/Construction

the EXCHANGE
WANTED: Equipment Operators OBS/The Exchange is accepting applications for full and part-time cashiers. Requires reliability, people skills, integrity, computer and cash register skills with availability on weekends. Interest in recycling, zero-waste, and The Exchange at plus-etc. Starting pay is \$16.50/hr, great benefits for full-time. Stop in for an application at the Orcas Transfer Station, 3398 Orcas Road, Eastsound 98245.

Employment

Transportation/Drivers

EARTHWORKS COMPANY is hiring **LABORERS** Strong motivation and work ethic a must. Pay DOE. Phone: [360-376-6390](tel:360-376-6390) Email: lara@earthworkscompany.com

Health Care Employment

General

PeaceHealth
Certified MA or LPN Opportunity in Friday Harbor! Qualified candidates must have:
• Washington Medical Assistant certificate or Washington LPN license
• This position offers:
- Educational assistance and career advancement
• Competitive wages
• Excellent benefits package
Want to learn more or apply? Visit: jobs.peacehealth.org and search Req ID: 176150.

Domestic Services

Adult/Elder Care

A PLACE FOR MOM has helped over a million families find senior living. Our trusted, local advisors help find solutions to your unique needs at no cost to you. Call [855-415-4148](tel:855-415-4148).

Cemetery Plots

Renton
2 Lots for Sale in the Azalea Gardens section at Greenwood Memorial Park & Funeral Home, located in Spring/Renton Spaces 182 in lot #680. Asking \$10,000 for both. OBO. Full sale price would be \$19,000. Call [509-478-0724](tel:(509) 478-0724) or [360-990-2916](tel:(360) 990-2916) Leave a message

Flea Market

FREE: Doug Fir wood chips and needle mix. A truck load! FREE. You haul. [360-376-2015](tel:360-376-2015)

Wanted/Trade

Corner goup w/2 single beds and table w/rodo \$150 swap for 3 inside Mahogany doors 1935 model. Email for calling. [360-871-3149](tel:360-871-3149)

Cats

Maine Coon American Bobtail Mix Kittens
Ready now! Ragdoll Siamese same coloring - 1 Gorgeous Male left. ALL have booties, extra toes, front and back. Tufts on both ears & toes, blue eyes. Will be huge. Parents current CFA Champion lines. Shots, wormed, guaranteed. Loving, docile, dog-like - \$600 - Talking Deposits. More litters coming in early September, call to get on list. Will fill. No checks. [425-350-0734](tel:425-350-0734)

Cats

RARE CHINGILLA KITTENS! Shown is ROMEO, a real lover, who purrs and nuzzles! A neutered male in silver (white) with black tipping, his eyes should turn a beautiful green. This breed is known for black eyeliner surrounding LARGE EYES, enhancing their color. Exam certificate, shots, wormed. Socialized with carines. Great pedigree! \$1,500. (253) 883-3633 No Texts Please!

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Dogs

AKC AMERICAN AKITA PUPPIES READY FOR DELIVERY! Same breed as seen in the movie, "Hachi, a Dog's Tale", starring Richard Gere. Born July 8th, they are examined by a Vet and a Chiropractor. Vet. Have health certificates, shots & are dewormed. \$1,650/pup. Sire is grandson of American Grand Champion. (253) 827-0333

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Dogs

AKC Chocolate yellow/black Labrador Retriever PUPPIES
Our Puppies are early this year! Parents and grandparents on site. 1st shots, dewormings and parasite preventative treatment. Completed puppy culture acclimation. Companion Pets Only Please. Acres Labradors on Facebook or call [425-422-2428](tel:425-422-2428) for appointments.

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Dogs

AKC Registered Golden Retriever Puppies
Champion Bloodlines! 2 males, 3 females: Loving, intelligent, loyal, playful, and great service dog candidates. Available to go home 9/18/2019 @ 8 weeks. First shot with records and vet checked. \$500 deposit, \$1600 total. Mom on-site (Issaquah). Dad in Snohomish. Call/text [206.601.4268](tel:206.601.4268)

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Garage/Moving Sales

General

MOVING SALE: Saturday/Sunday 21st/22nd 8am-4pm. 155 Haven Rd/Hadrona Pond/Eastound. Everything Goes! Something for everyone, interesting and useful items, household, furniture, tools, jewelry, art-work, collectables and plenty more! Free stuff and OBO prices!

Automobiles

BMW

2002 BMW 625i Sport Wagon
189k. New tires. Regular service maintained. Belts and brakes 30k ago. Motor and drive train good. Green/gray color. Straight. Hydraulic not working in the back. Bumper cracked. Needs a radiator but can be driven short distances without over heating. This has been a trouble free dependable ride. Asking \$1200 OBO. Call [123 333 3333](tel:123 333 3333)

Automobiles

Dodge

SALE
Retired King County VanPool Vans 2010 & 2011 Dodge Caravans Large Inventory. Low Miles. \$2000 of the posted prices on our website. Pricing \$5500-\$725

All have been on scheduled maintenance program

ALL records available metrovaasales.com Call/text: [206-604-6788](tel:206-604-6788) Vans located in Redmond, WA

Veiholes Wanted

DONATE YOUR CAR TO CHARITY. Receive maximum value of write off for your vehicle. Running or not! All conditions accepted. Free pickup. Call for details. [655-655-4229](tel:655-655-4229)

SAN JUAN COUNTY PUBLIC NOTICES

San Juan County, as an Equal Opportunity Employer, does not discriminate on the basis of race, sex, color, religion, national origin, age, disability, or veteran status in the provision of services, in programs or activities or employment opportunities and benefits.

Direct Inquiries to Administrative Services at (360) 378-3870. TTD relay at 1-800-833-6388.



HEARING ROOM, LEGISLATIVE BUILDING, 55 SECOND STREET, FRIDAY HARBOR, SAN JUAN ISLAND BEGINS AT 9:15 a.m. TO OBTAIN TESTIMONY ON A RESOLUTION EXTENDING THE MORATORIUM ON SITING LICENSED MARIJUANA PRODUCTION AND PROCESSING ADOPTED IN RESOLUTION NO. 15-2019

The San Juan County Council will take public testimony on a proposed resolution to extend the existing six month moratorium on new or pending applications for a building or occupancy permit, variance, conditional use or other development permit or

approval with respect to licensed marijuana production and processing. This moratorium adopted in Resolution No. 15-2019 expires October 2, 2019, unless renewed or otherwise extended as provided in RCW 36.70.795 and RCW 36.70A.390. Under the existing moratorium, permit applications for marijuana production and processing shall not be accepted as either consistent or complete by any County department. After reviewing public testimony, County Council will consider adopting a new resolution to extend the moratorium and propose a work plan

to adopt regulations needed to address the siting of marijuana production and processing. Copies of the Resolution are available at the SJC Department of Community Development (135 Rhone Street, Friday Harbor, WA, 98250) office during business hours or the County Council's office or at: <https://www.sanjuan.co.com/1585/Marijuana>. HOW TO COMMENT: The official comment period is September 18, 2019 through October 1, 2019 at the public hearing unless the County Council extends it. Written comments submitted prior to 12:00 p.m. on Monday, September 30,

2019, will be copied for the County Council unless they wish to review comments on-line. Please comment. Via Mail: Before the public hearing, mail written comments to Linda Kuller, Department of Community Development (DCD) PO Box 947 Friday Harbor, WA 98250, or deliver them to the DCD office at 135 Rhone Street, Friday Harbor, WA between 8:00 am - 4:30 pm. Via Email: Email comments to dcd@sanjuan.co. Title of subject line: Marijuana Moratorium. For the record, include your full address. Via Oral Testimony: You may provide comments on the proposals at the public hearing.

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SAN JUAN COUNTY PUBLIC NOTICES

San Juan County, as an Equal Opportunity Employer, does not discriminate on the basis of race, sex, color, religion, national origin, age, disability, or veteran status in the provision of services, in programs or activities or employment opportunities and benefits.

Direct Inquiries to Administrative Services at (360) 378-3670. TTD relay at 1-800-833-6388.

Copies: Please provide five (5) copies of written comments if you submit them to County Council after 12:00 p.m. on Monday, September 30, 2019, or if you distribute written comments at the public hearing. Published: Islands' Sounder September 18, 2019 Legal #: ISJ873612

The 9:15 a.m. Public Hearing will take place at the San Juan Island Grange 152 First St. N., Friday Harbor, WA 98250. Copies of the draft Plan are available upon request from the Land Bank office beginning on Tuesday, September 10, 2019 (378-4402), 328 Caines Street, Friday Harbor, WA 98250 or online at the Land Bank website <http://sjclandbank.org/financial-information>. Anyone desiring to comment in writing on the draft Plan should submit a statement to the Land Bank office in person, by U.S. postal mail at 350 Court St. #6, Friday Harbor, WA 98250 or by email at sjclandbank@sjclandbank.org no later than 12:00 noon, September 19, 2019. Judy Cumming San Juan County Land Bank 350 Court Street #6 Friday Harbor, WA 98250 Published: Islands' Sounder September 4, 11 and 18, 2019 Legal #: ISJ870919



LAND BANK NOTICE OF LAND BANK COMMISSION PUBLIC HEARING on its PROPOSED 2020 - 2021 EXPENDITURE AND ACQUISITION PLAN

The San Juan County Land Bank Commission will hold a Public Hearing on Friday, September 20, 2019 at 9:15 a.m. to consider its Proposed 2020-2021 Expenditure and Acquisition Plan. Public testimony will be heard. The 9:15 am Public Hearing will take place at the San Juan Island Grange 152 First St. N., Friday Harbor, WA 98250. Copies of the draft Plan and Budget are available upon request from the Land Bank office beginning on Tuesday, September 10, 2019 (378-4402), 328 Caines Street, Friday Harbor or online at the Land Bank website <http://sjclandbank.org/financial-information>. Anyone desiring to comment in writing on the draft Plan should submit a statement to the Land Bank office in person, by U.S. postal mail at 350 Court St. #6, Friday Harbor, WA 98250 or by email at sjclandbank@sjclandbank.org no later than 12:00 noon, September 19, 2019. Judy Cumming San Juan County Land Bank 350 Court Street #6 Friday Harbor, WA 98250 Published: Islands' Sounder September 4, 11 and 18, 2019 Legal #: ISJ870919

bank.org/financial-information. Anyone desiring to comment in writing on the draft Plan should submit a statement to the Land Bank office in person, by U.S. postal mail at 350 Court St. #6, Friday Harbor, WA 98250 or by email at sjclandbank@sjclandbank.org no later than 12:00 noon, September 19, 2019. Judy Cumming San Juan County Land Bank 350 Court Street #6 Friday Harbor, WA 98250 Published: Islands' Sounder September 4, 11 and 18, 2019 Legal #: ISJ870855

September 20, 2019 at the San Juan Island Grange, 152 First St. N., Friday Harbor, WA 98250. The meeting begins at 8:30 a.m. Public comment time is scheduled for 8:30 a.m. The public is welcome at every monthly Land Bank Commission meeting. To see the final agenda for this meeting, go to: <http://sjclandbank.org/minutes/> Judy Cumming San Juan County Land Bank 350 Court Street #6 Friday Harbor, WA 98250 Published: Islands' Sounder September 18, 2019 Legal #: ISJ873549



NOTICE OF REGULAR SCHEDULED MEETING: The San Juan County Land Bank Commission will hold its regular monthly meeting on Friday,

Reach your goals, Advertise today!

Over 85 percent of our community newspaper readers check the classified ads, and 73 percent of customers report an excellent response to a classified ad.

1.800.353.2327 - Classifieds - roundpublishing@sjclandbank.org



LAND BANK NOTICE OF LAND BANK COMMISSION PUBLIC HEARING on its PROPOSED AMENDED 2019 EXPENDITURE AND ACQUISITION PLAN

The San Juan County Land Bank Commission will hold a Public Hearing on Friday September 20, 2019 at 9:15 a.m. to consider its Amended 2019 Expenditure and Acquisition Plan. Public testimony will be heard.

NOTICE OF APPLICATIONS AND PUBLIC HEARINGS

(County Council = CC; Planning Commission = PC; Hearing Examiner = HEX; County Council Hearing Room = CCHR)

LANDUSE-19-0114	Vacation Rental Permit	160932001000	321 Pt Lawrence Rd, Orcas Island	Alexander Taylor, 371 Balsam Ave., Sunnyvale, CA 94085	07/29/19	08/02/19		Exempt	10/09/19		
<p>LAND USE DECISIONS: Hearing Examiner Decisions http://sjclandbank.com/land-use-decisions/; Planning Commission Decisions http://sjclandbank.com/planning-commission-decisions/; County Council Decisions http://sjclandbank.com/county-council-decisions/</p> <p>BUILDING PERMITS ISSUED: Permits issued by the Department of Community Development are searchable at http://www.sjclandbank.com/building-permits/. Select "Action Services," then "Permits and Inspections," then "Permits Inquiry" and enter search parameters to search a date range, use two periods between the date entries. i.e., "Issue Date," write 11/11/2014, 11/21/2014 and after "Permit Status," select "Issued." This will return a table of permits issued for the date range in question. There is no need to enter a permit type, unless you want to narrow your search. There are also links available on our website. (San Juan County is providing this information as a public service in recognition that there will be occasional down times due to system updates)</p> <p>APPLICATION COMMENTS: Any file may be scanned by appointment during regular business hours at the Community Development, located at 135 Fizzle Street, Friday Harbor. Comment on Notices of Application can be submitted in writing to Community Development at P.O. Box 947, Friday Harbor, WA 98250, no later than the end date for project comments specified above. Requests for copies of project decisions or staff reports or requests to provide testimony in a public hearing for a project, may be made by contacting Community Development: (360) 378-2354 / (360) 378-2116 / Fax (360) 378-3622 / cd@sanjuan.org</p> <p>NOTICE OF PUBLIC HEARINGS: Hearing Examiner meetings on San Juan Island start at 10:00 a.m. In the County Council Hearing Room, 55 Second Street, Friday Harbor. Any person desiring to comment prior to the hearing should submit a written statement to Community Development, P.O. Box 947, Friday Harbor, WA, 98250. Written comments may also be submitted at the hearing. A copy of the staff report for a hearing may be obtained from Community Development seven days prior to the hearing.</p> <p>NOTICE OF PERMITS: Information regarding all land use and building permits is available on the County's website. A link is available on the Community Development homepage at: sanjuan.com/land</p>											

LEGAL NO. 2417729 SJ Published: The Journal of the San Juan Islands, The Islands' Sounder, SEPTEMBER 18, 2019

LEGALS

EASTSOUND SEWER AND WATER DISTRICT REQUEST FOR STATEMENTS OF QUALIFICATIONS AND REQUEST FOR PROPOSALS FOR ENGINEERING SERVICES

Eastsound Sewer and Water District is currently soliciting Statements of Qualifications (SOQ) and Request for Proposals (RFP) in accordance with RCW 39.80.030 from engineering firms who wish to be considered for providing design and consulting services on a sewer utility treatment plant expansion project. Engineering disciplines anticipated to be used are, civil, environmental, construction management, survey, GIS/GPS, right of way acquisition, structural inspection of pipes and utilities. Upcoming projects for 2019 - 2020 include design drawings of a sewer treatment plant expansion project providing for the installation of an additional treatment plant cell, flow splitting headworks, chlorine contact chamber and plumbing. Firms wishing to respond shall, by no later than October 08, 2019, send one copy of a SOQ and RFP to: Eastsound Sewer and Water District, P.O. Box 640, Eastsound, WA 98245 or email to susank@eswd.org. SOQ's and RFP's should include the firm's specialties and types of work desired, previous experience, resumes of key personnel and references. Submittals should be no more than ten pages. All SOQ's and RFP's will be maintained in the

District's file for not more than one year. Board of Commissioners Eastsound Sewer & Water District. Dated: September 12, 2019. Published: Islands' Sounder September 18 & 25, 2019. Legal #: ISJ873558

EASTSOUND SEWER AND WATER DISTRICT REQUEST FOR STATEMENTS OF QUALIFICATIONS AND REQUEST FOR PROPOSALS FOR ENGINEERING SERVICES

Eastsound Sewer and Water District is currently soliciting Statements of Qualifications (SOQ) and Request for Proposals (RFP) in accordance with RCW 39.80.030 from engineering firms who wish to be considered for providing an engineering report and determination of needs for the repairs and/or replacement of the existing wastewater treatment tanks in the activated sludge package plants. Engineering disciplines anticipated to be used are, civil, environmental, construction management, survey, GIS/GPS, right of way acquisition, structural inspection of pipes and utilities. Upcoming projects for 2019 - 2020 include the need for an engineering report that identifies what will be needed to repair and/or replace the existing wastewater treatment cells and estimated costs to perform the work.

Firms wishing to respond shall, by no later than October 08, 2019, send one copy of a SOQ and RFP to: Eastsound Sewer and Water District, P.O. Box 640, Eastsound, WA 98245 or email to susank@eswd.org. SOQ's and RFP's should include the firm's specialties and types of work desired, previous experience, resumes of key personnel and references. Submittals should be no more than ten pages. All SOQ's and RFP's will be maintained in the District's file for not more than one year. Board of Commissioners Eastsound Sewer & Water District. Dated: September 12, 2019. Published: Islands' Sounder September 18 & 25, 2019. Legal #: ISJ873555

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR SKAGIT COUNTY
In re the Estate of: DANIEL C. MOOS, Deceased.
NO. 19-4-00271-19
PROBATE NOTICE TO CREDITORS
PLEASE TAKE NOTICE
The individual named below has been appointed as Personal Representative of this estate. Any person having a claim against the Decedent must, before the time the claim would be barred by any otherwise applicable statute of limitations, present the claim in the manner provided in RCW 11.40.070 by serving on or mailing the claim to the Administrator or the Administrator's attorney at the address stated below, and filing the original of the claim with the Court identified herein. The claim must be presented within the later of: (1) thirty days after service or mailing this Notice as provided in RCW 11.40.020(3); or (2) four months after the date of first publication of this notice. If the claim is not presented within this time frame, the claim is forever barred, except as otherwise provided in RCW 11.40.051 and 11.40.060. This bar is effective for claims against both the Decedent's probate and non-probate assets. Date of First Publication: September 18, 2019. Shawna M. Franklin, Personal Representative Attorney for Personal Representative Dewey W. Weddle, WSB# 29157 Address for Mailing or Service of Claims: LAW OFFICE OF DEWEY W. WEDDLE, PLLC 909 Seventh Street Anacortes, WA 98221 Telephone: 360-293-3600 Published: Islands' Sounder September 18, 25 and October 2, 2019 Legal: ISJ873829

provided in RCW 11.40.070 by serving on or mailing the claim to the Administrator or the Administrator's attorney at the address stated below, and filing the original of the claim with the Court identified herein. The claim must be presented within the later of: (1) thirty days after service or mailing this Notice as provided in RCW 11.40.020(3); or (2) four months after the date of first publication of this notice. If the claim is not presented within this time frame, the claim is forever barred, except as otherwise provided in RCW 11.40.051 and 11.40.060. This bar is effective for claims against both the Decedent's probate and non-probate assets. Date of First Publication: September 18, 2019. Shawna M. Franklin, Personal Representative Attorney for Personal Representative Dewey W. Weddle, WSB# 29157 Address for Mailing or Service of Claims: LAW OFFICE OF DEWEY W. WEDDLE, PLLC 909 Seventh Street Anacortes, WA 98221 Telephone: 360-293-3600 Published: Islands' Sounder September 18, 25 and October 2, 2019 Legal: ISJ873829

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF WHATCOM Case No.: 19-4-00486-37

PROBATE NOTICE TO CREDITORS (RCW 11.40.030)
The Honorable Law Goodrich IN THE ESTATE OF BETH JURGENSEN Deceased.
YOU ARE NOTIFIED that on September 4, 2019, Anne Jurgesen was appointed as Personal Representative of the estate of Beth Jurgesen. Any person who has a claim against the decedent must, before the time the claim would be barred by any otherwise applicable statute of limitations, present the claim in the manner provided in RCW 11.40.070 by serving on or mailing to the personal representative or the personal representative's attorney at the address stated below a copy of the claim and filing the original of the claim with the Court. The claim must be presented within the later of (1) thirty days after the personal representative served or mailed the notice to the creditor as provided under RCW 11.40.020(1)(c); or (2) four months after the date of first publication of the notice. If the claim is not presented within this time frame, the claim is forever barred, except as otherwise provided in RCW 11.40.051 and 11.40.060. This bar is effective as to claims against both the decedent's probate and nonprobate assets. Date of first publication: September 18, 2019.
Dominique Y. Zervas, WSB# #34098 Attorney for Beth Jurgesen Personal Representative Mailing address: Zervas Law, PS 1909 Broadway Street Bellingham, WA 98225 LEGAL NO. S783617 Published: The Islands' Sounder September 18, 25, October 4, 2019

Linda Ann Kuller

From: County Council <listserv@civicplus.com>
Sent: Saturday, September 21, 2019 9:06 AM
To: Linda Ann Kuller
Subject: New Event SJC Council Special Meeting - Public Hearing re Resolution Extending Moratorium on Siting Licensed Marijuana Production and Processing for cp-stcity2.civicplus.com

[View this in your browser](#)

This complimentary message is being sent to opt-in subscribers who might be interested in its content. If you do not wish to continue receiving these messages, please accept our apologies, and unsubscribe by following the instructions at the bottom of this message.

October 01, 2019 09:00 AM

SJC Council Special Meeting - Public Hearing re Resolution Extending Moratorium on Siting Licensed Marijuana Production and Processing

... [Read on](#)

Date October 1, 2019
Time 9:00 AM - 11:00 AM
Location Council Hearing Room
 55 Second St.
 Friday Harbor, WA 98250

This complimentary message is being sent to opt-in subscribers who might be interested in its content. If you do not wish to continue receiving these messages, please accept our apologies, and unsubscribe by visiting our website at: <http://cp-stcity2.civicplus.com/list.aspx>

Please note, we will not sell or give your e-mail address to any organization without your explicit permission.

You are receiving this message because you are subscribed to County Council on www.sanjuanco.com. To unsubscribe, click the following link:

[Unsubscribe](#)

Linda Ann Kuller

From: Lynda Guernsey
Sent: Monday, September 16, 2019 12:06 PM
To: Linda Ann Kuller
Subject: FW: Deckelbaum Marijuana Moratorium

Hi Linda,

Please see the email below that came into the DCD inbox.

Regards,
Lynda

Lynda Guernsey, Administrative Specialist II – Direct Line (360) 370-7579
SAN JUAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
(360) 378-2354 | 135 Rhone Street | PO Box 947 | Friday Harbor, WA 98250

From: Carol Deckelbaum <carol@caroldeckelbaum.com>
Sent: Saturday, September 14, 2019 2:37 PM
To: Community Development <cdp@sanjuanco.com>
Subject: Marijuana Moratorium

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.

To The San Juan County Council:

I am unable to attend the public meeting on September 24 due to a previously scheduled medical procedure. I submit my comments via email for your consideration. Listed below are regulations for marijuana production and processing that I think are necessary:

- (1) Prohibit aggregation of marijuana production licenses (i.e. more than one license per parcel). I believe this is critically important. If, for example, we have rules in place that set a minimum acreage for Tier 1 Production to 10 acres - what's to stop someone from shoehorning two or more Tier 1 operations on that 10 acre parcel?
- (2) Prohibit Tier 3 Production and Processing in all San Juan County. The size of these operation will put too big a strain on our resources.
- (3) Identify minimum acreage requirements for marijuana production and processing for different land use areas, such as a minimum of 10 acres in Agricultural and Rural Farm Forest lands for Tier 1 and Tier 2.
- (4) Require that all production/processing be done indoors so that odor issues may be mitigated with fans and filters (Skagit County has done this.) Institute a Clean Air Provision for marijuana production (Spokane County has done this.)

(5) Require setbacks from neighboring property lines and existing neighboring homes to minimize impacts - we suggest 1000 feet.

(6) Require conditional use permits for any application to produce and/or process marijuana.

In addition, according to an article from Komo News 4 dated 8-28-2019 (<https://komonews.com/news/local/5-years-in-washington-considers-overhaul-of-pot-regulation-08-28-2019-053148673>) there are proposed new regulations from the WSLCB which would expand the size of Tier 1 operations (from 2,000 square feet to 5,000 and possibly 8,000 square feet of canopy). **This suggests that the language of San Juan County regulations should refer not only to the Tier level (1,2 or 3) but also to the allowable square feet of canopy.**

Thank you again for your continued work on this critical issue,

Carol Deckelbaum
carol@caroldeckelbaum.com

Linda Ann Kuller

From: Lynda Guernsey
Sent: Monday, September 16, 2019 12:02 PM
To: Linda Ann Kuller
Subject: FW: Marijuana Moratorium

Hi Linda,

Please see the email below that came into the DCD inbox.

Regards,
Lynda

Lynda Guernsey, Administrative Specialist II – Direct Line (360) 370-7579 SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT
(360) 378-2354 | 135 Rhone Street | PO Box 947 | Friday Harbor, WA 98250

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

From: Roy Robinson <rwr1231@icloud.com>
Sent: Saturday, September 14, 2019 10:52 AM
To: Community Development <cdp@sanjuanco.com>
Subject: Marijuana Moratorium

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.

I think it is a BAD idea to allow this to happen

Roy Robinson

Linda Ann Kuller

From: Lynda Guernsey
Sent: Monday, September 16, 2019 12:08 PM
To: Linda Ann Kuller
Subject: FW: Aufderhar Marijuana Moratorium--Council Mtg 9-24

Hi Linda,

Please see the email that came into the DCD inbox.

Regards,
Lynda

Lynda Guernsey, Administrative Specialist II – Direct Line (360) 370-7579 SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT
(360) 378-2354 | 135 Rhone Street | PO Box 947 | Friday Harbor, WA 98250

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

From: Glenn Aufderhar <glenn@aufderhar.com>
Sent: Sunday, September 15, 2019 12:27 PM
To: Community Development <cdp@sanjuanco.com>
Cc: Say No Lopez <info@saynolopez.com>
Subject: Marijuana Moratorium--Council Mtg 9-24

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.

How would one get a new idea on the council agenda? Here is what I'd appreciate being considered:

Because of the more limited size and resources available on Lopez I would strongly support future licenses or permits for marijuana growth on Lopez be limited to tier one operations with the other safeguards also in place

Thank you

Glenn Aufderhar
63 Leaf Lane
Lopez Island, 98261

360-468-2855

Linda Ann Kuller

From: Lynda Guernsey
Sent: Monday, September 16, 2019 12:04 PM
To: Linda Ann Kuller
Subject: FW: Atkinson Marijuana Moratorium

Hi Linda,

Please see the email below that came into the DCD inbox.

Regards,
Lynda

Lynda Guernsey, Administrative Specialist II – Direct Line (360) 370-7579
SAN JUAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
(360) 378-2354 | 135 Rhone Street | PO Box 947 | Friday Harbor, WA 98250

From: steve atkinson <atkinsonsga@gmail.com>
Sent: Saturday, September 14, 2019 11:24 AM
To: Community Development <cdp@sanjuanco.com>
Subject: Marijuana Moratorium

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.

As a resident of Lopez Island I want to lend my voice to prohibit the growing of marijuana in our county. As a physician I have seen the abuse of this drug in our young people.

You already know the use of fresh water on our island and in the county in general is at a premium.

I urge you to stand against the growing of this product in our county.

Thank you,
Steve Atkinson MD
558 Shoreland Drive
Lopez

Linda Ann Kuller

From: Lynda Guernsey
Sent: Tuesday, September 17, 2019 12:52 PM
To: Linda Ann Kuller
Subject: FW: Marijuana Moratorium

Hi Linda,

Please see the email below that came into the DCD inbox.

Regards,
Lynda

Lynda Guernsey, Administrative Specialist II – Direct Line (360) 370-7579
SAN JUAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
(360) 378-2354 | 135 Rhone Street | PO Box 947 | Friday Harbor, WA 98250

From: Cindi Lund <cindilund@sbcglobal.net>
Sent: Tuesday, September 17, 2019 12:32 PM
To: Community Development <cdp@sanjuanco.com>
Subject: Marijuana Moratorium

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.

As a resident of Lopez Island where someone is trying to establish a large marijuana farm, I encourage you to please approve the six month moratorium in RCW 36.70.795 and 36.70A.390. Land use regulations need to be studied more. The planned farm on Lopez sounds incompatible with the rural character of Lopez and the natural resources that would be required. And I feel sorry for the neighboring residents that might be subjected to that farm, with all its fencing, signage, odors, water use, etc.

Please give more time and study to the San Juan County developing regulations.

Thank you.

Cindi Lund
338 Shoreland Drive
Lopez Island, WA

Linda Ann Kuller

From: Lynda Guernsey
Sent: Wednesday, September 18, 2019 9:19 AM
To: Linda Ann Kuller
Subject: FW: Marijuana Moratorium

Hi Linda,

*Note: I am saving these on the N drive, Long Range, Marijuana, Public Comment also. Lynda
Please see the email below that came into the DCD inbox.

Regards,
Lynda

Lynda Guernsey, Administrative Specialist II – Direct Line (360) 370-7579
SAN JUAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
(360) 378-2354 | 135 Rhone Street | PO Box 947 | Friday Harbor, WA 98250

From: Jack <parvinjack@yahoo.com>
Sent: Wednesday, September 18, 2019 8:56 AM
To: Community Development <cdp@sanjuanco.com>
Subject: Marijuana Moratorium

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.

I am a long time and permanent resident of Lopez Island and am writing to add some comments regarding a planned commercial marijuana farm reference: **license #428265, Saturn Group LLC / Ceres** at 1395 Lopez Sound Rd. Lopez Island, WA 98261.

This is a small, interconnected, peaceful island with a large sense of community and quite a few small farms. Everyone is concerned about the peace and harmony in our place of residence and the preservation of our natural resources are paramount. The proposal to allow a large marijuana farm will upend all we hold important.

At the present time the county is being hit with a plethora of problems; tourism has taken off, even on Lopez, which has put a burden not just on the ferry system but even our way of life and the local natural environment, the Navy has, increasingly, made people's lives very unpleasant especially on Lopez, climate change is and will affect us and this past summer could be a preview of what is to come. Too often people equate economy and standard of living as synonymous when they are often polar opposites. We are a county that implemented such rules as Leave No Trace and banning GMO's. Having a large marijuana farm is not in keeping with the heightened sense of our community in this place we call home. Business should be in place to augment the community not create problems for it and the industrialization of the product will do just that. Last Feb. an article appeared in the "Atlantic Monthly" [Ending Weed Prohibition Hasn't Stopped Drug Crimes](#)



Ending Weed Prohibition Hasn't Stopped Drug Crimes

Rene Chun

Marijuana legalization was supposed to decrease crime—but the reality is more complicated.

that drew attention to the connection between marijuana and crime. On Sunday, 9/15/2019, an article appeared in the Seattle Times (syndicated from the NY Times) "*Wisconsin raid opens a window into the world of illicit vaping products.*" This illegal product is said to have led to over 400 illnesses and 6 deaths. It was stated a part of the problem was "...*online sales and lax regulation.*" Do we want to open the door on that? And if so for what purpose? Do we have the ability to create rules that determine how we live? Is money and possible material gain for a few paramount to the health and security of the community? Also stated was: "*Across the country, public health officials are awakening to a massive underground market for illicit vaping products, both for nicotine and for marijuana.*" Allowing marijuana has had and will continue to have dangerous unintended consequences. One new one is the inclusion of THC oils in vaping. Are we going to try and be proactive or reactive on this issue?

Considering the history of this part of the state of Washington it seems we do place community's well-being as a top priority. Dealing with this product we must err on the side of caution as nothing less than the health and well-being of the community is at stake.

Jack Pedigo BLM/San Juan Islands National Monument Volunteer Coordinator

23 Cross Rd.

Lopez Island, WA 98261

360-468-3368

parvinjack@yahoo.com

Linda Ann Kuller

From: Lynda Guernsey
Sent: Thursday, September 19, 2019 10:38 AM
To: Linda Ann Kuller
Subject: FW: Extension of Moritorium

Hi Linda,

Please see the email below that came into the DCD inbox.

Regards,
Lynda

Lynda Guernsey, Administrative Specialist II – Direct Line (360) 370-7579
SAN JUAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
(360) 378-2354 | 135 Rhone Street | PO Box 947 | Friday Harbor, WA 98250

From: Crystal Rovente <crystal07211@hotmail.com>
Sent: Thursday, September 19, 2019 8:29 AM
To: Community Development <cdp@sanjuanco.com>
Subject: Extension of Moritorium

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.

To The San Juan County Council:

I am unable to attend the public meeting on September 24. I submit my comments via email for your consideration. Listed below are regulations for marijuana production and processing that I think are necessary:

(1) Prohibit aggregation of marijuana production licenses (i.e. more than one license per parcel). I believe this is critically important. If, for example, we have rules in place that set a minimum acreage for Tier 1 Production to 10 acres - what's to stop someone from shoehorning two or more Tier 1 operations on that 10 acre parcel?

(2) Prohibit Tier 3 Production and Processing in all San Juan County. The size of these operation will put too big a strain on our resources.

(3) Identify minimum acreage requirements for marijuana production and processing for different land use areas, such as a minimum of 10 acres in Agricultural and Rural Farm Forest lands for Tier 1 and Tier 2.

(4) Require that all production/processing be done indoors so that odor issues may be mitigated with fans and filters (Skagit County has done this.) Institute a Clean Air Provision for marijuana production (Spokane County has done this.)

(5) Require setbacks from neighboring property lines and existing neighboring homes to minimize impacts - we suggest 1000 feet.

(6) Require conditional use permits for any application to produce and/or process marijuana.

In addition, according to an article from Komo News 4 dated 8-28-2019 (<https://komonews.com/news/local/5-years-in-washington-considers-overhaul-of-pot-regulation-08-28-2019-053148673>) there are proposed new regulations from the WSLCB which would expand the size of Tier 1 operations (from 2,000 square feet to 5,000 and possibly 8,000 square feet of canopy). **This suggests that the language of San Juan County regulations should refer not only to the Tier level (1,2 or 3) but also to the allowable square feet of canopy.**

Thank you again for your continued work on this critical issue,

Sincerely,

Crystal Rovente

Sent from my iPhone

Linda Ann Kuller

From: Lynda Guernsey
Sent: Monday, September 23, 2019 9:30 AM
To: Linda Ann Kuller
Subject: FW: marijuana moratorium

Hi Linda,

Please see the email below that came into the DCD inbox.

Regards,
Lynda

Lynda Guernsey, Administrative Specialist II – Direct Line (360) 370-7579
SAN JUAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
(360) 378-2354 | 135 Rhone Street | PO Box 947 | Friday Harbor, WA 98250

From: Brooks <crbbrooks@gmail.com>
Sent: Saturday, September 21, 2019 9:11 PM
To: Community Development <cdp@sanjuanco.com>
Subject: marijuana moratorium

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.

To the San Juan County Council:

I submit my comments via email for your consideration as I am unable to attend the meeting in person. Listed below are regulations for marijuana production and processing that I think are necessary:

(1) Prohibit aggregation of marijuana production licenses (i.e. more than one license per parcel). I believe this is critically important. If, for example, we have rules in place that set a minimum acreage for Tier 1 Production to 10 acres - what's to stop someone from shoehorning two or more Tier 1 operations on that 10 acre parcel?

(2) Prohibit Tier 3 Production and Processing in all San Juan County. The size of these operation will put too big a strain on our resources, particularly water.

(3) Identify minimum acreage requirements for marijuana production and processing for different land use areas, such as a minimum of 10 acres in Agricultural and Rural Farm Forest lands for Tier 1 and Tier 2.

(4) Require that all production/processing be done indoors so that odor issues may be mitigated with fans and filters (Skagit County has done this.) Institute a Clean Air Provision for marijuana production (Spokane County has done this.)

(5) Require setbacks from neighboring property lines and existing neighboring homes to minimize impacts - we suggest 1000 feet.

(6) Require conditional use permits for any application to produce and/or process marijuana.

(7) Require Environmental Impact studies to assess the impact of the operations on the wetlands and the water table in the area in question.

In addition, according to an article from Komo News 4 dated 8-28-2019 (<https://komonews.com/news/local/5-years-in-washington-considers-overhaul-of-pot-regulation-08-28-2019-053148673>) there are proposed new regulations from the WSLCB which would expand the size of Tier 1 operations (from 2,000 square feet to 5,000 and possibly 8,000 square feet of canopy). **This suggests that the language of San Juan County regulations should refer not only to the Tier level (1,2 or 3) but also to the allowable square feet of canopy.**

Thank you again for your continued work on this critical issue,
Brooks
18 Robin Lane
Lopez Island. WA 98261

Linda Ann Kuller

From: Lynda Guernsey
Sent: Monday, September 23, 2019 9:21 AM
To: Linda Ann Kuller
Subject: FW: Marijuana Moratorium

Hi Linda,

Please see the email below that came into the DCD inbox.

Regards,
Lynda

Lynda Guernsey, Administrative Specialist II – Direct Line (360) 370-7579 SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT
(360) 378-2354 | 135 Rhone Street | PO Box 947 | Friday Harbor, WA 98250

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

From: Pat Rogers <rogerspjb@gmail.com>
Sent: Friday, September 20, 2019 10:43 AM
To: Community Development <cdp@sanjuanco.com>
Subject: Marijuana Moratorium

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.

Dear Councilmen;
My name is Pat Rogers
1349 Lopez Sound Road
Lopez Island Wa.

I am asking that you extend the Moratorium now in place on the property on Lopez Sound Road that expires Oct 2, 2019 until you have established regulations regarding the production and processing of Marijuana. Thank you, Pat Rogers
Sent from my iPad

Linda Ann Kuller

From: Lynda Guernsey
Sent: Monday, September 23, 2019 9:26 AM
To: Linda Ann Kuller
Subject: FW: Marijuana Moratorium

Hi Linda,

Please see the email below that came into the DCD inbox.

Regards,
Lynda

Lynda Guernsey, Administrative Specialist II – Direct Line (360) 370-7579
SAN JUAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
(360) 378-2354 | 135 Rhone Street | PO Box 947 | Friday Harbor, WA 98250

From: Karen Hattman <karenquacks@gmail.com>
Sent: Saturday, September 21, 2019 1:59 PM
To: Community Development <cdp@sanjuanco.com>
Subject: Marijuana Moratorium

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.

To the San Juan County Council:

I submit my comments via email for your consideration as I am unable to attend the meeting in person. Listed below are regulations for marijuana production and processing that I think are necessary:

(1) Prohibit aggregation of marijuana production licenses (i.e. more than one license per parcel). I believe this is critically important. If, for example, we have rules in place that set a minimum acreage for Tier 1 Production to 10 acres - what's to stop someone from shoehorning two or more Tier 1 operations on that 10 acre parcel?

(2) Prohibit Tier 3 Production and Processing in all San Juan County. The size of these operation will put too big a strain on our resources, particularly water.

(3) Identify minimum acreage requirements for marijuana production and processing for different land use areas, such as a minimum of 10 acres in Agricultural and Rural Farm Forest lands for Tier 1 and Tier 2.

(4) Require that all production/processing be done indoors so that odor issues may be mitigated with fans and filters (Skagit County has done this.) Institute a Clean Air Provision for marijuana production (Spokane County has done this.)

(5) Require setbacks from neighboring property lines and existing neighboring homes to minimize impacts - we suggest 1000 feet.

(6) Require conditional use permits for any application to produce and/or process marijuana.

(7) Require Environmental Impact studies to assess the impact of the operations on the wetlands and the water table in the area in question.

In addition, according to an article from Komo News 4 dated 8-28-2019 (<https://komonews.com/news/local/5-years-in-washington-considers-overhaul-of-pot-regulation-08-28-2019-053148673>) there are proposed new regulations from the WSLCB which would expand the size of Tier 1 operations (from 2,000 square feet to 5,000 and possibly 8,000 square feet of canopy). **This suggests that the language of San Juan County regulations should refer not only to the Tier level (1,2 or 3) but also to the allowable square feet of canopy.**

Thank you again for your continued work on this critical issue,

Sincerely,

Karen Hattman

18 Robin Lane
Lopez Island, WA 98261
karenquacks@gmail.com

Linda Ann Kuller

From: Lynda Guernsey
Sent: Monday, September 23, 2019 9:35 AM
To: Linda Ann Kuller
Subject: FW: Marijuana Moratorium

Hi Linda,

Please see the email below that came into the DCD inbox.

Regards,
Lynda

Lynda Guernsey, Administrative Specialist II – Direct Line (360) 370-7579 SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT
(360) 378-2354 | 135 Rhone Street | PO Box 947 | Friday Harbor, WA 98250

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

From: Jean Behnke <jbehnke@rockisland.com>
Sent: Sunday, September 22, 2019 12:36 PM
To: Community Development <cdp@sanjuanco.com>
Subject: Marijuana Moratorium

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.

Lopez Island is not an acceptable place for marijuana production. Lopez Island is too small, has no real property buffers, has limited water resources, had no industrial park. This industry does not fit with our community vision, lacks support, produces waste, adds pressure to an overwhelmed ferry system, creates an undesirable smell, creates community tensions, does little for local economy, introduces an undesirable element to the community, uses limited police resources.

Please do not cave to the pressures from these exploitative businesses wanting to bring an ill-fitting industry to Lopez because they want to live in our beautiful environment while making millions of dollars on an industry that does not belong here. These businesses are simply seeking counties in Washington that are unregulated and unprepared to protect our home.

Thank you, Jean Behnke
30 year Lopez resident

Sent from my iPhone

Linda

09/24/2019

Good Morning All,

Please find attached proposed regulations from the Work Group formed in 2015.

Thank you,

Catherine Scott

PO BOX 584

Friday Harbor, WA 98250

S.J.C. DEPARTMENT OF

SEP 24 2019

COMMUNITY DEVELOPMENT

----- Forwarded Message -----

From: sandc@centurytel.net

To: Elizabeth Anderson <elizabetha@sanjuanco.com>, RandallG@sanjuanco.com,
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Sent: Thu, 30 Jul 2015 12:30:00 -0400 (EDT)

Subject: SAN JUAN COUNTY MARIJUANA REGULATIONS DRAFT

Good Morning All,

I have received and reviewed the most recent document regarding SJC recreational marijuana. This document fails to reference the relevant 12/10/14 HEX ruling which involved an OUTDOOR (as categorized by the Washington State Liquor and Cannabis Board) Marijuana Production Facility. In the presentation to the Council on 1/26/15, the County Planning Department states that it will address this HEX Decision. The Hearing Examiner is hired by and works for San Juan County and his ruling is relevant and must be considered in these draft regulations. This case cost all parties involved, including the County, tens of thousands of dollars and has greatly affected the island peace of the parties involved. Failure to reference is negligent. I have referenced this ruling in our working group and no where is it mentioned. I have asked that the minutes from June 3 include my statements regarding the HEX ruling be documented and this has not happened. Please see the attached document which I presented to the WG. Prior to Presentation to the San Juan County Council, please update your draft to include this relevant HEX ruling.

Thank you,

Catherine Scott

Catherine Scott COMMENTS FOR JUNE 3, 2015:

➤ Important Issues RE: Regulations for Rec. Marijuana

1. ODOR
2. NOISE
3. PROXIMITY TO RESIDENTIAL PROPERTIES
4. ACCESS

1. ODOR: CONCLUSIONS OF LAW from 12/10/14 SJC HEX Decision SEPA APPEAL where, for the first time in the history of the county (as reported in the Journal) a building permit was revoked and DNS remanded and per Amy Vera, Deputy Prosecuting Attorney, acknowledged that the "Operational Status of this proposed Marijuana Production facility is not permitted." February, 2015.) Please see below (LINES 7 -15 p.63)

"Marijuana odor is unique to marijuana operations and does not smell the same as manure or other odors typically associated with farming operations. Persons who purchased property subject to "right to farm" provisions could not have reasonably anticipated that odors associated with agricultural operations would include marijuana odor, since until recently marijuana production was illegal. The applicant acknowledged that there are different ways to reduce marijuana odor. Mrs. Nolan testified that numerous jurisdictions are addressing marijuana processing impacts in their land use codes and the LCB guidelines and ordinance provisions submitted by the appellants suggest that odor is one of the impacts targeted in these regulations. It is likely that the regulations and proposals being generated throughout the state are coalescing into a reasonable set of procedures and mitigation measures that would qualify as "best management practices". The SEPA responsible official should have had a clear understanding of what measures could have reasonably been taken to mitigate odor impacts before concluding that the odors generated by the proposal would not be significant."

Additionally, (LINE 20-21 p.66)

"As to odor impacts, the SEPA responsible official should investigate the odor impacts associated with marijuana production facilities and the measures that can be taken to control those impacts."

***Please note the Hearing examiner is hired by the County and speaks for the County. ***

Please note that this SEPA Appeal involved a PROPOSED TIER 3 OUTDOOR proposed marijuana production facility. Therefore please update "f. in the LAND USE STANDARDS" to read: Best Management Practices in Odor Technology shall be included in any heating, ventilation, and air systems of indoor AND OUTDOOR production and processing facilities to minimize odor impacts. Recognized odor control measures for marijuana operations include, but are not limited to:

- Completely enclosing the operation and recirculating ventilation air within the enclosure;
- Use vertical exhaust vents or stacks for all exhaust air discharge points; and/or
- Use carbon adsorption media or other controls at all exhaust air discharge points. Note that ventilation systems and air pollution controls should be properly designed and sized for the airflow to be handled. Proper maintenance is critical for keeping the equipment operational. All Marijuana production and processing facilities shall be ventilated so that the odor from the marijuana cannot be detected by a person with a normal sense of smell from any adjoining use or property.

PLEASE NOTE: BEST MANAGEMENT PRACTICES FROM 1/2015 SPOKANE REGIONAL CLEAN AIR AGENCY and DENVER, CO and DENVER POLLUTION PREVENTION PARTNERS:

Marijuana producers and processors are required to comply with state and local air regulations prohibiting nuisance odors and requiring control of emissions consistent with best management practices for the industry. Failure to comply may result in enforcement action.

Recognized odor control measures for marijuana operations include, but are not limited to:

- Completely enclosing the operation and recirculating ventilation air within the enclosure;
- Use vertical exhaust vents or stacks for all exhaust air discharge points; and/or
- Use carbon adsorption media or other controls at all exhaust air discharge points. Note that ventilation systems and air pollution controls should be properly designed and sized for the airflow to be handled.

Proper maintenance is critical for keeping the equipment operational.

Recognized Odor Measures

There are several measures/practices for controlling odors related to producing and processing marijuana. Ventilation and odor controls that are adequate for the size of the operation must be used.

Ventilation Systems

It is important to properly design the ventilation system, taking into consideration the square footage and number of marijuana plants. A properly-sized, installed and maintained ventilation system can help inhibit odors from escaping.

Activated Carbon Filtration

Carbon filtration has been effective for controlling odors from production operations. The system involves forcing the air circulating within the HVAC system through an activated carbon filter that will filter outdoors. This method is highly effective and can be used in combination with other technologies such as an electrostatic precipitator.

2. NOISE – LAND USE STANDARD includes fans and equipment and SECURITY ALARMS

e. Noise from production and processing facility fans and equipment shall be minimized by the use of the best available technology and best management practices. Noise from production and processing facility fans and all processing equipment and production equipment and security equipment shall be minimized by the use of the best available technology and shall not be heard from adjacent properties from 7 pm to 7 am.

3. PROXIMITY TO RESIDENTIAL PROPERTIES – LAND USE STANDARD

Noise generated by fans and harvesting/ processing equipment, alarms, odor, lighting, security, pesticide use and traffic are all concerns. The closer a facility is to a residential property, the larger the environmental impacts and the effect on the quality and peace of island life.

d. Distance from residential properties should be 1000 feet.

4. ACCESS – VERY IMPORTANT Application Additional Requirements: Applicant to Prove proper Access:

Access road and/or easements shall be clearly identified. Proof of private roads and/or easements shall be clearly identified including demonstration of compliance with private road and/or easement limitations.

➤ Important Concerns Heard from Work Group:

- Environmental impacts are directly proportional to size of operations
- ACCESS, ODOR, NOISE are the biggest environmental impacts
- More regulation will make it difficult to start a business

➤ Draft Regulations should include the updated LAND USE STANDARDS and Application Additional Requirements SHOWN IN RED ABOVE

C. Scott 6/3/15