



# 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:** October 3, 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:** October 15, 2019

**ATTACHMENTS:** 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.

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**Purpose:** Consider adopting the attached ordinance approving 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, including 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. The County Council was briefed on the Planning Commission recommendation on September 10, 2019. After the County Council was briefed, they provided staff with additional guidance on a preliminary draft ordinance. Attached to this memo is a draft ordinance that reflects the Council's guidance. It was reviewed and approved as to form by the Prosecuting Attorney's Office.

**Public Comments:** The public may provide comment on the proposal by written comment or providing testimony at the public hearing. The hearing will begin at or after 9:15 am, October 15, 2019, in the County Council Chambers, 55 Second Street, Friday Harbor. Interested parties are encouraged to attend and provide comment. To allow for distribution to the County Council, written comments submitted prior to the hearing should be received by 12:00 p.m. October 14, 2019. Comments may be sent:

**Via Mail:** Prior to the hearing date, mail written comments to Adam Zack, Department of Community Development PO Box 947 Friday Harbor, WA 98250 or deliver them to the DCD office at 135 Rhone Street Friday Harbor during business hours.

**Via Email:** Email comments to [adamz@sanjuanco.com](mailto:adamz@sanjuanco.com). Please title the Email subject line: PREDES-19-0001 Comments from (your last name or agency name). For the record, include your full address in all correspondence.

**Via Oral Testimony:** The public is invited to comment on the proposed site-specific re-designation at the public hearing.

**Copies:** Please provide five (5) copies of written comments if you submit them to DCD after 12:00 p.m. on October 14, 2019, or if you distribute written comments at the hearing.

For questions, please contact Adam Zack at (360) 370-7580 or [adamz@sanjuanco.com](mailto:adamz@sanjuanco.com).

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, and
- 31 **2.** In addition to the staff recommended conditions of approval, the Planning  
32 Commission recommended one additional condition of approval requiring the  
33 retention of trees separating the western portion of the subject property from the  
34 neighborhood to the east.

- 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 October 2, 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. The County Council makes the following findings:**  
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- 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. Specifically that:
- 34 1. The changes would benefit the public health, safety, or welfare;
- 35 2. The change is warranted because there is a need for the Town of Friday Harbor  
36 Unincorporated Urban Growth Area land use designation in this area;

- 1           **3.** The change is consistent with the San Juan County Comprehensive Plan;
- 2           **4.** The proposed amendment will not create an enclave of property owners enjoying greater  
3           privileges and opportunities than those enjoyed by other property owners in the vicinity;  
4           and
- 5           **5.** The benefits of the change will outweigh any significant adverse impacts of the change.
- 6   **E.**     The San Juan County Comprehensive Plan Official Maps, as amended by this action, were  
7           prepared as required by RCW 36.70A.040(1) and meet the requirements of and are  
8           consistent with the GMA, Chapter 36.70A RCW.

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10           **Section 2. The re-designation of TPN 351444005000 is approved subject to the**  
11 **following conditions:**

- 12
- 13           **1.** Within two (2) calendar years of approval, the applicant must submit documentation  
14           for approval by the administrator demonstrating that they have begun the process of  
15           annexation into the Town of Friday Harbor Urban Growth Area. If the administrator  
16           determines that the applicant has made reasonable progress pursuing annexation into  
17           the Town of Friday Harbor this period may be extended up to an additional three (3)  
18           calendar years but not to exceed a total of five (5) calendar years from the date of  
19           approval. Failure to meet this condition will result in re-designation to rural General  
20           Use.
- 21           **2.** Upon annexation into the Town, the parcel must maintain commercial development  
22           capacity at a minimum of the allowed uses in the County’s Rural General Use land use  
23           designation.

24

25           **SECTION 3. Amendments to the Comprehensive Plan Official Map:**

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

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32           **SECTION 3. Effective date:**

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

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36           ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

1 ATTEST: Clerk of the Council

**COUNTY COUNCIL**  
**SAN JUAN COUNTY, WASHINGTON**

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5 Ingrid Gabriel, Clerk                      Date

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7 Jamie Stephens, Chair  
8 District 3

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11 REVIEWED BY COUNTY MANAGER

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16 Michael J. Thomas                      Date

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17 Rick Hughes, Vice-Chair  
18 District 2

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18 RANDALL K. GAYLORD

19 APPROVED AS TO FORM ONLY

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21

22 By: \_\_\_\_\_

\_\_\_\_\_

23 Bill Watson, Member  
24 District 1

23

Date

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25 **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


