



SAN JUAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT

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MEMO

DATE: May 11, 2020

TO: San Juan County Council,
Planning Commission,

CC: Mike Thomas, County Manager
Mike Bertrand, Land Use Administrator, Town of Friday Harbor
Adam Zack, Planner III

FROM: Linda Kuller, AICP, Planning Manager 

RE: 2036 Comprehensive Plan (*Plan*) Update
Preliminary Drafts: Miscellaneous Sections

BRIEFINGS: TBD: County Council and Planning Commission

ATTACHMENTS: A. Section C Definitions
B. Section D Administration
C. Appendix 2 Joint Planning Polices with Town and Countywide Planning Policies
D. Appendix 3 Friday Harbor Unincorporated UGA Management Agreement

Purpose: This memo explains potential amendments needed to the referenced sections and appendices for the 2036 Comprehensive Plan update. They are provided for your preliminary review and comment.

How to Comment: Please submit comments by June 1, 2020 to compplancomments@sanjuanco.com
subject line: RE: Applicable Section or Appendix. Provide your contact information for the record and identify the page number pertaining to the comment. If possible, provide specific alternative language. Comments may also be submitted to the SJC Department of Community Development at PO Box 947 935 Rhone Street, Friday Harbor, 98250, c/o Adam Zack, Planner III (360-370-7580).

Background: All sections and appendices of the Plan are being re-formatted in a similar and consistent fashion. The following bullets explain proposed updates to the attachments and any future amendmetns that are known to be needed during the *Plan* update.

Attachments

A. Section C Definitions: This Plan Section will be deleted to help simplify the number of sections. The information will be included in *Plan* Section A, Introduction.

B. Section D Administration: This will become *Plan* Section C. References to Board of County Commissioners, Planning Department and other entities are proposed to be updated

C. Appendix 2: Joint Planning Polices with Town and Countywide Planning Policies: No proposed changes are shown in this version of Appendix 2 which has been reformatted. Figure 1 Town of Friday Harbor Watershed Area and the Town Limits will be updated if needed. At a minimum, this figure will be replaced with a more presentable map.

D. Appendix 3: Friday Harbor Unincorporated UGA Management Agreement: This Appendix has been formatted consistent with the 2036 update. No changes are proposed. Feedback is requested about potential changes that are needed. Figure 1 Map of Friday Harbor Urban Growth Area will need to be updated based on a 2019 annexation and if any changes are proposed in the update. This and any other changes may necessitate recording of an updated management agreement consistent with the final 2036 *Plan*.

COMPREHENSIVE PLAN

SECTION C

DEFINITIONS

December 20, 1998

DEFINITIONS

Scope.

See Section 2.3 of the *Unified Development Code (UDC)* for the definitions of technical and procedural terms used throughout the *Comprehensive Plan* and UDC.

Interpretations.

1. For the purpose of this *Plan*, all words shall have their normal and customary meanings, unless specifically defined otherwise in Section 2.3 of the UDC. In general, words used in the present tense shall include the future; the singular shall include the plural; and the plural the singular.
2. All definitions which reference the *Revised Code of Washington (RCW)*, *Washington Administrative Code (WAC)*, and *Uniform Building Code (UBC)* are intended to mirror the definitions in these codes at the effective date of the *Comprehensive Plan* and UDC or as amended. If the definition in this Code conflicts with a definition under state law or regulation, the state definition shall control over this definition.
3. These definitions are not intended to establish regulations.

COMPREHENSIVE PLAN

SECTION D C

ADMINISTRATION

XXX-XX, 2020

Supersedes July 2006

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SECTION D C ADMINISTRATION

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1. PURPOSE

This section of the *Plan* provides goals, policies, and procedures for *Comprehensive Plan* administration, implementation and amendment, and ongoing public participation in the planning process.

2. PLAN ADMINISTRATION

2.1 GOALS AND POLICIES

Goal: To establish administrative procedures that will assure the continuing compatibility of the *Plan* with the physical, social, and economic realities of the eCounty; and to ensure effective, fair, and impartial administration and enforcement of this *Plan* and implementing ordinances at the least possible cost.

Policies (2.1.1-11):

1. Establish regulations and procedures that include incentives and that are simple and straightforward to understand and administer.
2. Ensure efficient and effective administration of this *Plan* at reasonable cost.
3. Establish and adhere to timelines for efficient processing of all development permits and administrative matters.
4. Provide for public notice and review of all significant proposed land use changes.
5. Evaluate the cumulative impacts of development. Monitor and develop information regarding long-range development trends in the County.
6. Establish specific administrative procedures for all permit applications and facilitate concurrent and comprehensive review of requirements for permits.
7. Provide for a coordinated permit system that informs and educates citizens and the development community on permit requirements.
8. Streamline building, health, land use and development permit procedures to simplify and coordinate the means of obtaining plat approvals, use permits, approval of design and engineering plans, and building permits.

9. Establish specific procedures and criteria for addressing nonconforming uses, variances, interpretations, and exceptions.
10. Explore methods to reduce government expenditure through the use of telecommunications technology.
11. Coordinate with the Town of Friday Harbor, the school districts and other entities to provide access for citizens and agencies to digital communications.

2.2 ADMINISTRATION RESPONSIBILITIES AND PROCEDURES

1. ~~Administrator.~~ The ~~Board of County Commissioners~~ County Council ~~shall be~~ is vested with the authority to administer this *Plan* and its implementing ordinances through an Administrator(s) they appointed ~~by the Board~~. The Administrator of this *Plan* shall be the Planning Department of Community Development Director.
2. The responsibilities of the Administrator, or designee, shall include:
 - a. Recommending the procedures and coordinating with county and state agencies and the public in the preparation of ordinances deemed essential for the implementation of this *Plan*.
 - b. Preparing and making available to the public informational material pertinent to this *Plan*.
 - c. Managing the Planning Department of Community Development in a manner which provides a high level of service to the public on a day to day basis.
 - d. Providing technical and administrative assistance to the Planning Commission and the ~~Board of County Commissioners~~ County Council toward effective development of *Plan* elements and means for their implementation.
 - e. Developing and proposing to the Planning Commission and the ~~Board of County Commissioners~~ County Council amendments to this *Plan* designed to achieve more effectively and equitably its purposes, goals and policies.
3. ~~Planning Commission.~~ With regard to the administration of this *Plan*, the County Planning Commission ~~shall be~~ is vested with the following responsibilities:
 - a. The Planning Commission shall recommend to the ~~Board of County Commissioners~~ County Council policies to guide the Administrator in the administration of this *Plan* and its implementing ordinances.
 - b. The Planning Commission shall monitor the pattern of land use and development undertaken based on this *Plan* in order to effectively develop, review, and consider amendments as may be necessary and act as a liaison with the public on planning issues.

- c. The Planning Commission shall conduct public hearings and make recommendations to the Board County Council on amendments to this *Plan* or to its implementing ordinances and on matters deemed appropriate by the Board.
4. ~~Hearing Examiner and Board of Adjustment~~. In accordance with state law (RCW 36.70.), a Hearing Examiner and a Board of Adjustment are vested with the authority to act on certain matters in the implementation of this *Plan*, and such matters shall be specifically defined in implementation ordinances.
5. ~~Board of County Commissioners~~ The ~~Board of County Commissioners~~ County Council shall direct the Planning Department of Community Development in the administration of this *Plan* and shall amend this *Plan* according to the procedures established in this section
6. **Assessor.** In periodic review of this *Plan* the County should consider trends in contested property tax assessments and identify issues in them associated with the policies and implementing regulations of this *Plan*. Restrictions imposed on the use of real property through the implementation of this *Plan* are intended to be duly considered by the County Assessor and the Board of Equalization in establishing the fair market value of property.
7. **General.**
 - a. This *Plan* shall be liberally construed to give full effect to the purposes, goals, and policies for which this program was enacted.
 - b. Private property shall not be taken for public use without just compensation having been made. The property rights of land owners shall be protected from arbitrary and discriminatory actions.

3. PLAN IMPLEMENTATION AND AMENDMENTS

3.1 GOALS AND POLICIES

Goal: To implement the policies in this *Plan* and assure that the *Plan* is regularly reviewed, revised and amended and to provide an adequate factual basis for decisions and actions.

Policies (3.1.1-9):

1. Implement this *Plan* through appropriate ordinances and actions.
2. Amend existing ordinances and adopt new ordinances to carry out the policies of this *Plan*.
3. Require all land use designations, land use and development standards, and all actions of the County on land use permits, variances, land divisions, designation changes and all other planning actions to be consistent with the intent and policies of this *Plan*.
4. The environmental suitability and impacts of projects will be fully considered and mitigated in each case and will not be as planned actions under RCW 43.21C.031(2).

5. Establish *Plan* review and revision procedures that include provisions for participation by all citizens.
6. Periodically assess *Plan* goals, policies, and implementation ordinances as well as the information and assumptions on which this *Plan* is based.
7. Evaluate the impacts of development patterns in the review of this *Plan*. Review and revise as necessary the Land Use and Capital Facilities elements and Official Map to incorporate the findings of this evaluation, and to ensure that these elements and the land-use designations are coordinated and consistent and continue to reflect the policies of this *Plan*.
8. Administer state agency regulations at the local level where practical and when doing so will improve service to the people of the County.
9. Request that federal, state and local agencies, the Native tribes, and the Town inform the County of needs that should be addressed in the County's planning program.

3.2 PLAN AMENDMENT PROCEDURES

1. All proposed amendments to this *Plan* shall be handled according to the procedures established in RCW Chapter 36.70.
2. In accordance with RCW Chapter 36.70A.130, amendments to this *Plan* shall occur no more frequently than once every year.
3. An Official Map or text amendment may be initiated by the ~~Board of County Commissioners~~ County Council, the Planning Commission, the Planning Community Development Director, or the owner of property for which an Official Map change is requested.
4. Requests for amendment of the Official Map or *Plan* text shall be submitted to the Planning Department of Community Development between January 1 and March 1 ~~of any each~~ year for consideration during ~~the remainder of~~ that year. Requests submitted after March 1 shall be returned to the applicant for re-submittal the following year.
5. The Planning Department of Community Development shall evaluate all requests to amend this *Plan* and forward recommendations to the Planning Commission and Board of Commissioners for consideration.
6. All proposed *Plan* amendments are to be considered at advertised public hearings before the Planning Commission and ~~Board of County Commissioners~~ County Council, in accordance with state law and County requirements. Public notice of all proposed *Plan* amendments and hearing dates shall be published in the official county newspaper in a manner prescribed by the Administrator. Fees required for application and publication shall be ~~as set out by ordinance of~~ adopted in a resolution approved by the Board of County Commissioners County Council.
7. The Planning Department of Community Development shall notify the state Department of Commerce Community, Trade, and Economic Development (DCTED) of the ~~e~~County's intent to adopt *Plan* amendments at least sixty days prior to adoption. Within ten days of final adoption the ~~e~~County shall transmit a copy of the amended *Plan* or sections thereof to ~~DCTED~~ Commerce.

8. Procedures for amendments to the Official Maps are as follows:

- a. **Applications.** The request shall be in writing, in a form provided by the Administrator, and shall include the following information:
 - (1) Historic use of the property and adjoining land;
 - (2) Population density of the surrounding area;
 - (3) Existing soil and sewage disposal conditions;
 - (4) Water availability;
 - (5) Suitability for agricultural or forest use;
 - (6) Known archaeological or historical resources on the property;
 - (7) Availability of existing public services and utilities;
 - (8) Names of property owners within 300 feet.
- b. **Application Contents.** Through the use of legal descriptions and maps, the application shall identify clearly the area for which the change is requested. The reason or reasons for the request shall be clearly stated.
- c. **Notification.** The applicant shall notify all property owners within 300 feet of the property included in his or her request for redesignation and of the hearing date in a form prescribed by the Administrator. Receipts of certified mailing shall be submitted with the application. Notification shall be at least ten days prior to the first hearing.
- d. **Criteria.** Changes in land use designations shall be approved if such change is necessary to correct errors on the Official Maps, or when all of the following criteria are met:
 - (1) The change is consistent with the goals and policies of this *Plan*;
 - (2) The change will not result in an enclave of property owners enjoying greater privileges and opportunities than those enjoyed by other property owners in the vicinity where there is no substantive difference in the properties themselves which justifies different designations; and
 - (3) The change will serve the general welfare, and benefits of the change will outweigh any significant adverse impacts.

3.3 PERIODIC REVIEW PROCEDURES

1. The *Plan* shall be formally reviewed in its entirety every ~~five years~~, on the periodic review schedule determined by the legislature. The ~~five year~~ periodic review shall include a detailed analysis and update of information on population, environmental and economic changes, and effects on all the elements of this *Plan*.
2. Public comment on *Plan* elements shall be compiled and reviewed annually by the ~~Planning Department of Community Development~~ shall and Planning Commission.
3. In accordance with RCW 36.70A.130 the Urban Growth Area established in the Land Use Element of this *Plan* shall be reviewed in coordination with the Town of Friday Harbor at least every ten years.
4. The ~~Planning Community Development~~ Director and the Planning Commission shall recommend to the ~~Board of County Commissioners~~ County Council the format for the five year *Plan* review. The ~~Board~~ County Council's determination of the review format shall include consideration of public participation, types of changes needed, specific geographical areas to be reviewed, and other procedural guidelines relating to types of information and data necessary to develop findings, recommendations and decisions.
5. The ~~Planning Department of Community Development~~ shall conduct the formal review in accordance with the format established by the ~~County Council~~ Board. Following such review the ~~Planning Community Development~~ Director and Planning Commission may recommend to the ~~Board of County Commissioners~~ County Council amendments designed to achieve more effectively and equitably the vision, goals and policies of this *Plan*.

3.4 IMPLEMENTATION AND ENFORCEMENT PROCEDURES

1. The goals and policies of this *Plan* shall be primarily implemented through the provisions of a Unified Development Code adopted by official county ordinance.
2. The goals and policies of this *Plan* shall be enforced through specific enforcement procedures contained in the Unified Development Code and any amendments ~~thereto~~.

3.5 AMENDMENT EXCEPTIONS

The following types of ~~Comprehensive~~ *Plan* amendments can be considered *more frequently* than once per year, provided that appropriate steps have been taken to ensure public participation.

1. Changes necessary to resolve an appeal of a ~~Comprehensive~~ the *Plan* or development regulation filed with a growth management hearings board or ~~with the court~~.
2. The initial adoption of a subarea plan or activity center plan that does not modify the ~~Comprehensive~~ *Plan* policies and designations applicable to the subarea or activity center.
3. The amendment of the ~~eCapital fFacilities eElement of a comprehensive the pPlan~~ that occurs concurrently with the adoption of or amendment of the County budget.

4. Whenever an emergency exists. The ~~Board of County Commissioners~~ County Council will review a potential emergency situation to determine if the situation does, in fact, necessitate an emergency ~~Comprehensive Plan~~ amendment. Findings must demonstrate a need of community wide significance, and not a personal emergency on the part of a particular applicant or property owner. Emergency amendments must be necessary to immediately avoid an imminent danger to public health and safety or to prevent serious environmental degradation.

4. PUBLIC PARTICIPATION

4.1 GOALS AND POLICIES

Goal: To provide opportunity for ongoing, representative, public participation in all County planning programs.

Policies (4.1.1-5):

1. The County will actively seek public involvement on planning issues and on all proposed amendments to this *Plan*.
2. Notice shall be given by mail to every property owner for the ~~five-year~~ periodic review of this *Plan* as well as whenever the ~~Board of County Commissioners~~ County Council deems it appropriate for significant changes to the *Plan*.
3. Ensure availability of planning documents and reports to the public, as appropriate, through County offices and public libraries.
4. Facilitate public meetings in such a way so as to ensure effective public participation.
5. Provide opportunities for citizen participation in the County's response to proposals of state and federal bodies and other jurisdictions when such proposals may affect the intent and purposes of this *Plan*.

4.2 PUBLIC PARTICIPATION PROCEDURES (~~POLICIES 4.2.1-4~~)

1. ~~The Planning Commission shall develop and implement an annual action plan for citizen involvement. The action plan shall seek to maximize citizen input on planning issues affecting specific geographical areas of the county as well as the county as a whole.~~
2. The Planning Commission in coordination with the Planning Department of Community Development shall sponsor or conduct public education programs and provide publications and printed materials on planning issues.
- ~~2.3.~~ The Planning Department of Community Development shall insure that all planning documents and reports are available for review in eCounty offices as well as at public libraries.

3.4. The ~~Board of County Commissioners~~ County Council, Planning Commission and Planning Department of Community Development shall actively seek input from the various civic groups, community or neighborhood organizations on planning issues and proposed amendments to this *Plan*.

COMPREHENSIVE PLAN

APPENDIX 2

**JOINT PLANNING POLICIES WITH THE TOWN OF FRIDAY HARBOR,
AND OTHER COUNTY-WIDE PLANNING POLICIES**

DRAFT

XXXX XX, 2020

Supersedes December 2, 2008

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SAN JUAN COUNTY AND TOWN OF FRIDAY HARBOR COUNTY-WIDE PLANNING POLICIES, INCLUDING JOINT PLANNING POLICIES

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OTHER POLICIES

2.9 POLICIES FOR DESIGNATION OF UNINCORPORATED URBAN GROWTH AREAS	15
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2.1 POLICIES FOR DESIGNATION OF THE FRIDAY HARBOR URBAN GROWTH AREA

Goal: The Town and County shall cooperatively and jointly determine the Friday Harbor Urban Growth Area (FHUGA).

Policies

1. The criteria for determining the FHUGA should include the following:
 - a. Existing areas characterized by urban development or able to support urban levels of development; and
 - b. The proximity to the Town of Friday Harbor corporate limits of areas characterized by urban development or ability to support urban levels of development; and
 - c. The presence of designated critical areas and resource lands, and other lands with limited development capability as defined in a land use inventory conducted in accordance with the "Policies for Joint County and Town Planning," *below*; and
 - d. Other natural or topographic features which may serve to define the boundaries of the FHUGA.
2. The Town and County should agree on the 20-year population forecast for San Juan Island to be used for the purpose of growth management planning. The 20-year population forecast should, at a minimum, consider both the State Office of Financial Management projections and seasonal fluctuations in population which are characteristic of the Town and County.
3. The Town and County should jointly determine the portion of the 20-year population forecast which should be allocated to the FHUGA.
4. Based on the evaluation called for in Policies 1 through 3, the Town and County should jointly determine the amount of land necessary to support the population allocation and its capacity for residential and non-residential uses.
5. The Town and County should jointly identify additional commercial and other non-residential uses required to serve rural areas outside the FHUGA, but required to be located within the FHUGA, and determine the amount of land necessary to support those uses.
6. Based on the results of Policies 1 through 5, the Town and County should jointly determine the preliminary boundary of the FHUGA.
7. The Town and County should jointly define the levels of service necessary to support urban levels of development within the FHUGA.
8. The final boundary of the FHUGA should be determined by the Town, County and other service purveyors' abilities to provide urban levels of facilities and services for a 20-year planning period.

2.2 POLICIES FOR JOINT COUNTY AND TOWN PLANNING AND PROMOTION OF CONTIGUOUS AND ORDERLY DEVELOPMENT

The following policies are intended to provide guidance in development of comprehensive, consistent and coordinated plans for the FHUGA. They are intended to ensure that the Comprehensive Plans of the Town and County promote contiguous and orderly development.

2.2.A GENERAL POLICIES

1. As a component of the Growth Management Act (GMA) implementation, the Town and County should prepare a Friday Harbor Urban Growth Area Management Agreement. The Town and County agree to jointly formulate and adopt goals, policies and standards which will be the basis for all planning decisions within the FHUGA.
2. The development review process defined by the FHUGA Management Agreement should be uniform and predictable in techniques, terminology, and standards. Subject to the terms of the agreement, final actions within the unincorporated areas of the FHUGA will be made by the County, and final actions within the incorporated area will be taken by the Town.
3. The FHUGA Management Agreement should define the following for the unincorporated portions of the FHUGA:
 - a. A process and standards for review of development proposals; and
 - b. The extent of use of Developer Extension Agreements (DEA) for the construction of required capital facilities. The DEA should specify the facilities to be constructed, applicable conditions and standards; identify fees for processing and review of facility construction plans and specifications; identify required bonds and assurances; and establish required inspections.
4. County permitting procedures should include notification to the Town Plan Administrator of all development proposed to locate within 1,000 feet of the Friday Harbor municipal boundary. County procedures should also specify a minimum setback for new uses other than residential, forestry or agricultural uses proposed to locate within areas designated as Rural General Use or Rural Farm Forest by the County *Comprehensive Plan* when such development is proposed to occur on property that abuts area zoned for single-family residential by the Town of Friday Harbor Comprehensive Plan.
5. San Juan County should encourage the conservation of agricultural open space presently existing at those locations at or near the points where Beaverton Valley, Roche Harbor and San Juan Valley Roads cross the Town's municipal boundaries in order to mark and maintain these distinct "edges" between the Town and the rural area of the County.

2.2.B ANNEXATION

1. The comprehensive plans of the Town and County should contain a section devoted to policies for annexation.
2. Annexation agreements between the Town and property owners within the FHUGA seeking annexation should define the annexation request, phasing, extension of urban services, proposed development, and specific conditions under which the annexation will be considered by the Town.
3. Urban services and capital facilities should be extended to lands within the FHUGA only when those lands are annexed to the Town.

2.2.C LAND USE

1. The County should coordinate a land use inventory for the FHUGA with the Town. The inventory should include agreed upon definitions of land categories, for example "vacant land," "developed land" and "constrained land," and identify such lands. In addition, the inventory should, at a minimum, identify the following:
 - a. Lands currently served by Town of Friday Harbor water and sewer services;
 - b. Lands within the Town of Friday Harbor's existing water and sewer service areas;
 - c. Lands within service areas of public water systems as defined in RCW 70.116;
 - d. Lands designated as resource lands or critical areas.
2. The County should consult with the Town in the process of designating other areas of San Juan Island as activity centers and give substantial weight to the Town's concerns regarding impacts to the Town including but not limited to tax base, water, sewer, transportation and other service requirements.

2.2.D LOCAL CAPITAL FACILITIES

General Policies

1. The Town and County should jointly develop the portion of the capital facilities element of their respective comprehensive plans which pertains to the FHUGA. The capital facilities element should inventory existing local capital facilities. Capital facilities include, but are not limited to, water, sewer, parks, public buildings, fire protection, public safety, and storm drainage facilities. The inventory should include the type of facility, the age of the facility, level of development, location, capacity, and financial information.

2. The Capital Facilities Element should be designed to serve development envisioned or authorized by the land use classifications of the FHUGA.
3. The Capital Facilities Element should require facilities or facilities improvements to accommodate the impacts of new development to be in place at the time of development, or a financial commitment to be in place to complete the improvements within six years.
4. The Capital Facilities Element should establish capacity and level of service standards for existing and proposed capital facilities in the FHUGA.
5. The Capital Facilities Element should establish criteria for the siting of new capital facilities and utilities which:
 - a. Provide for the protection of critical areas and resource lands;
 - b. Are consistent with adopted land use regulations; and
 - c. Ensure compatibility between capital facilities and residential uses.
6. The Capital Facilities Element should identify the means and methods of financing for expansion or new construction of capital facilities and utilities.

Water Quality and Supply

1. The Capital Facilities Element should include uniform and consistent policies for the protection and enhancement of water supplies.
2. The Capital Facilities Element should require that all new development be contingent upon proof that a water supply is available and adequate for proposed uses.
3. The Capital Facilities Element should provide for the protection of water quality and address public education, stormwater management, and watershed management.
4. The Capital Facilities Element should promote water conservation as a means to ensure protection and availability of water supplies, and include conservation measures which apply to both water supply development and water use.

2.2.E UTILITIES

1. The Utilities Element should be developed in cooperation with local power and telecommunications utilities and franchises.
2. The Utilities Element should be designed to serve development envisioned or authorized by the land use elements of the comprehensive plans of both the Town and County.

3. The Utilities Element should establish criteria for the siting of new utilities which:
 - a. Provide for the protection of critical areas and resource lands;
 - b. Are consistent with adopted land use regulations;
 - c. Ensure compatibility between utilities and residential uses.
 - d. Consider the use of "utility corridors" as a means to reduce impacts of utility construction, and facilitate repair and maintenance.

2.3 POLICIES FOR SITING AND DESIGN OF ESSENTIAL PUBLIC CAPITAL FACILITIES OF COUNTY OR STATE WIDE SIGNIFICANCE.

Recognizing the diverse essential public facility needs of San Juan County's many islands, following are the policies of the Town and County for addressing the siting and development of essential public capital facilities of county or state-wide significance, including those facilities located within the Shoreline jurisdiction.

1. Essential Public Facilities (EPFs) are facilities that provide a necessary public service as their primary mission, and that are difficult to site. EPFs include those facilities listed in RCW 36.70A.200; any facility that appears on the list maintained by the State Office of Financial Management under RCW 36.70A.200(4); secure community transition facilities as defined in RCW 71.09.020; state education facilities; state or regional transportation facilities as defined in RCW 47.06.140; general aviation airports; state and local correctional facilities; solid waste handling facilities; in-patient facilities including group homes, substance-abuse and mental health facilities; and facilities determined to be an Essential Public Facility under SJCC 18.30.050 (E).

Essential public capital facilities of county or state-wide significance also include, but are not limited to: passenger and vehicle ferry terminals (public); public elementary and secondary schools; solid waste collection, transfer and disposal facilities; county roads and county docks; county equipment storage and maintenance yards; county septage handling and treatment facilities; primary electrical transmission and distribution system; fire stations and emergency service facilities; public libraries; post offices; parks; county administrative offices; and general aviation airports.

Essential public facilities on San Juan Island include: town streets; town equipment storage and maintenance yards; municipal sewer system; municipal water system and associated watershed; and town hall administrative offices.

2.3.1 Location and Design Policies

2. In coordination with the Town of Friday Harbor, ensure that sufficient lands are available to accommodate essential public facilities (EPFs).
3. On San Juan Island, new public schools and government administrative offices should be located within the Town, its UGA, or other area where adequate water supply and sewage disposal exist without new extensions of urban services.
4. Other facilities, should not be located outside the urban growth area unless its operation warrants a rural location.

Location Policies for San Juan Island

5. The Town of Friday Harbor and San Juan County should avoid duplication of facilities and facilities sites when they could reasonably and practically be shared among the two jurisdictions for common or multiple purposes, particularly those that, by their nature, warrant a rural location.
6. The Town and the County should maintain a standing task force of elected and appointed representatives, including representatives of the Port of Friday Harbor as appropriate, to develop specific siting criteria for a given facility, and to analyze and rank potential sites; such analysis must include evaluation of consistency with the applicable comprehensive plan.
7. The Town and the County should ensure that public involvement in siting decisions is fostered to the greatest extent possible by holding public meetings and otherwise distributing information at the earliest possible point in the decision process, in addition to public notices and hearings that may be required by law.

2.3.2 Policies for Other Capital Facilities of County or State Wide Significance

1. The capital facilities elements should require facilities or facilities improvements to accommodate the impacts of new development to be in place at the time of development, or require a financial commitment to be in place to complete the improvements within six years.
2. The capital facilities elements should be designed to achieve consistency with county or state plans and policies for the siting of public capital facilities.
3. Capital facilities element policies should be designed to serve development envisioned or authorized by the comprehensive plans of both jurisdictions.

4. The capital facilities elements should be designed to achieve consistency between both jurisdictions' plans for capital facilities.
5. The capital facilities elements should establish and maintain standards for the level of service for both existing and future public capital facilities.
6. The capital facilities elements should establish criteria for the siting of new public capital facilities which:
 - a. provide for the protection of critical and resource lands; and
 - b. Provide for urban services; and
 - c. Are consistent with adopted land use regulations and shoreline master program; and
 - d. Ensure compatibility between capital facilities and residential uses.
7. The capital facilities elements should identify the timing and methods of financing for expansion or new construction of public capital facilities.

2.4 POLICIES FOR TRANSPORTATION FACILITIES AND STRATEGIES

Following are the policies of the Town and County for development of the transportation elements of their comprehensive plans.

1. The transportation elements should be based on an inventory of existing transportation facilities including, but not limited to, airports, marine ports, roads, ferry terminals, marinas, parking facilities, and bicycle, equestrian and pedestrian trails.
2. The transportation elements should require transportation facilities or facilities improvements to accommodate the impacts of the development to be in place at the time of development, or require a financial commitment to be in place to complete the improvements within six years.
3. The transportation elements should be designed to achieve consistency between both jurisdictions' plans for transportation facilities.
4. The transportation elements should establish standards for the level of service for existing and proposed transportation facilities.
5. The transportation elements should contain specific requirements to bring existing facilities into compliance with level of service standards adopted under Policy 4.

6. The transportation elements should identify needs for expansion of transportation systems and facilities. Transportation facilities should be designed to serve development envisioned or authorized by the comprehensive plans of both jurisdictions.
7. The transportation elements should establish criteria for the siting of new transportation facilities which:
 - a. Provide for the protection of critical areas and resource lands;
 - b. Provide for urban services and capital facilities;
 - c. Are consistent with adopted land use regulations; and
 - d. Ensure compatibility between transportation facilities and residential uses.
8. The transportation elements should contain strategies designed to encourage conservation.
9. The transportation elements should identify the timing and methods of financing for expansion or new construction of transportation facilities and, at a minimum, include:
 - a. An analysis of funding capabilities and revenue sources;
 - b. A multi-year financing plan; and
 - c. A contingency plan for funding shortfalls.
10. The transportation elements should promote the active involvement of, and coordination with, the Port of Friday Harbor and the State Department of Transportation in developing comprehensive plan policies which affect the Town, County, airport, marina and ferry terminal.

2.5 POLICIES FOR AFFORDABLE HOUSING

Following are the policies of the Town and County for development of the housing elements of their comprehensive plans.

1. The housing elements should include goals and policies that provide for a wide range of housing development types and densities to meet the housing needs of a diverse population and provide affordable housing choices.
2. The housing elements should include an inventory of existing housing conditions, an assessment of the current and projected need for affordable housing by household type, household income group and housing type.

3. The Town and County should consider the following factors when making decisions regarding land supply for affordable housing:
 - a. Overall density goals, goals for resource land conservation and protection of environmentally sensitive areas, and goals for open space and other public uses.
 - b. Existing neighborhood character, environmental constraints, and applicable designation, zoning and development regulations.
 - c. Varying interests of property owners in terms of timing of development, land use, and financial capability.
 - d. Effects on land costs and housing affordability resulting from land supply allocated by the comprehensive plans of both jurisdictions.
4. The housing elements should include policies for preservation and improvement of the existing housing stock.

2.6 POLICIES FOR ECONOMIC DEVELOPMENT AND EMPLOYMENT

1. The economic development elements of the Town and County comprehensive plans should contain goals and policies to ensure future economic vitality, broaden employment opportunities and meet the needs of projected growth while maintaining environmental integrity.
2. The economic development elements should be aimed at diversifying the economy and employment opportunities in appropriate areas of the County. Economic development policies should implement and be consistent with the County and Town Comprehensive Land Use Plans and Capital Facilities elements.
3. The economic development elements should, at a minimum, include an inventory and assessment of the local economy, an analysis of economic and employment opportunities and options, an economic and employment strategy, and an action plan for implementing the strategy.

2.7 TOWN OF FRIDAY HARBOR WATERSHED MANAGEMENT

1. Because the 4,880-acre watershed (*see* Figure 1, *below*) containing the Town of Friday Harbor's water supply occurs largely within the jurisdiction of the County, the County *Plan* and development regulations should provide for notice to be given to the Town Plan Administrator of all development permit applications submitted to the County which affect land within this watershed. For those applications for which the County Code specifies a public and agency comment period, the Town Plan Administrator should be given opportunity to comment.

2. The Town and the County should support public educational efforts regarding best management practices for the protection of water quality.

2.8 ANALYSIS OF THE FISCAL IMPACTS

The following policies are intended to provide guidance to the Town and County in assessment of the fiscal impacts of implementing their comprehensive plans for San Juan Island:

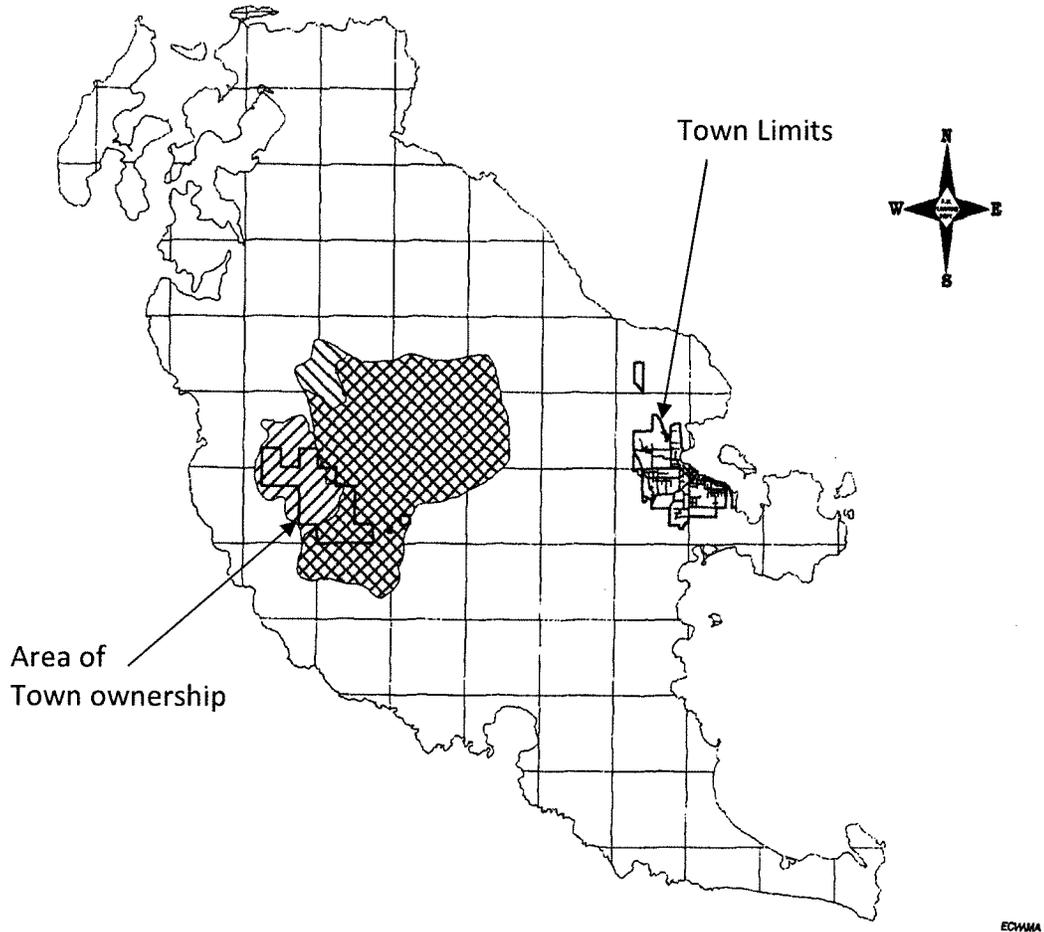
1. The Town and County comprehensive plans should include an analysis of the fiscal impacts associated with implementing plans, policies and regulations. The analysis should include an inventory of tax bases including:
 - a. Sources of tax revenue including property, sales, franchise, hotel/motel, and other taxes;
 - b. Regulations and constraints governing the use of each revenue source;
 - c. Methods for collecting the revenue from each source; and
 - d. Sensitivity of each revenue source to fluctuations.
2. The analysis of fiscal impacts should include an evaluation of the public and private revenues required to fund the costs of public facilities and services resulting from the proposed land use, business activity and level of service standards.
3. The Town and County should each evaluate potential effects of GMA implementation regulations on their respective tax bases and tax revenues with particular attention to the effects on operating and capital budgets; assessed valuation; future debt capacity and assumption of debt.
4. The Town and County should jointly evaluate the potential for distribution of tax and non-tax revenues resulting from the Town's role as a center of commerce and primary point of entry for San Juan Island.
5. The Town and County should jointly enter into a service agreement in accordance with RCW 36.115 to compensate for imbalances in transportation or capital facilities levels of service as defined in the respective comprehensive plans. The basis for this service agreement should be the analysis and evaluation results obtained from Policies 2 and 4 of this section.

2.9 POLICIES FOR DESIGNATION OF UNINCORPORATED URBAN GROWTH AREAS

1. For San Juan Island, in addition to the joint policies for the Friday Harbor UGA (*above*), the County shall consult and cooperate with the Town of Friday Harbor regarding any potential new UGAs on San Juan Island that are not associated with the Town. The County shall solely determine the boundary for and regulations pertaining to other Urban Growth Areas. One Urban Growth Area should be located on each of the ferry-served islands of Orcas and Lopez.
2. The criteria for determining a UGA and its boundary should include the following:
 - a. Existing areas characterized by urban development or facilities or able to support urban levels of development; and
 - b. Projected needs for residential, commercial and institutional activities and uses for the UGA, parks and open space and other non-residential uses, and the amount of land necessary to support those uses; and
 - c. Protection of critical areas and resource lands, and the identification of and accounting for other lands with limited development capability; and
 - d. Other natural or topographic features which may serve to define the boundaries of the UGA.
3. The County should determine the portion of the 20-year population forecast which should be allocated to the UGA. The 20-year population forecast should, at a minimum, provide for the growth in population that is projected for the county by the State Office of Financial Management and consider seasonal fluctuations in population that are characteristic of the County.
4. Based on the evaluation called for in Policies 2 through 4, the County should determine the amount of land necessary to support the population allocation and its capacity for residential and non-residential uses.
5. The County should identify additional commercial and other non-residential uses required to serve rural areas outside the UGA, but required to be located within the UGA, and determine the amount of land in the UGA necessary to support those uses.
6. The County should determine a reasonable land market supply factor for each UGA, and determine the additional amount of land in the UGA necessary to provide for this.
7. Based on the results of Policies 2 through 6, the County should determine the interim boundary of each UGA.

8. The County should define the levels of service necessary to support urban levels of development within each UGA.
9. The final boundary of each UGA should be adjusted as necessary based on the results of capital facilities planning.

Figure 1. Town of Friday Harbor Watershed Area (Trout Lake).



ECHMA

Key



Primary Watershed Area (Trout Lake)

**Water Supply Augmentation Areas
(surface water collected and pumped into
Trout Lake)**



Augmentation Area 1



Augmentation Area 2

COMPREHENSIVE PLAN

APPENDIX 3

**FRIDAY HARBOR UNINCORPORATED URBAN GROWTH AREA
MANAGEMENT AGREEMENT**

~~December 30, 1996~~

XXXX, 2020

SUPERSEDES UPDATED JULY 8, 2008

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FRIDAY HARBOR UNINCORPORATED URBAN GROWTH AREA MANAGEMENT AGREEMENT

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*Refer to 1996 Adoption when considering the following parcels:

351458019000	351458018000
351458020000	351458019000
351458021000	351458020000
351458023000	351458021000
351458024000	351458022000
351458025000	351458023000
351458034000	351458024000
351458016000	351458025000
351458017000	351458034000

Figure 1 Placeholder
Map of Friday Harbor Urban Growth Area

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

Section 1. Preface.

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

Section 2. Purpose.

This Agreement is to accomplish the following purposes:

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

Section 3. Designation of Unincorporated UGA on Official Maps.

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

Section 4. General Provisions.

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

Section 5. Joint Planning.

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

Section 6. Development Review Procedures.

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

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

Section 7. Intention Regarding Additional Use and Development Regulations.

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

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

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

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

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

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

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

Section 8. Annexation.

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

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

Section 9. Administration.

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

Section 10. Periodic Review, Amendment, and Termination.

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

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

Section 11. Effective Date and Filing Procedures.

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

//

TOWN OF FRIDAY HARBOR

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

**APPROVED AS TO FORM ONLY
DONALD E. EATON**

By: Donald E. Eaton 7/7/08
DONALD E. EATON Date

ADOPTED this 8th day of July 2008.

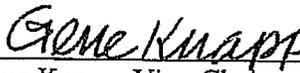
COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON

ATTEST: Clerk of the Council

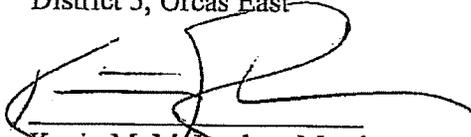

Howard Rosenfeld, Chair
District 3, Friday Harbor

By: 
Ann Larson - Clerk

Date: 7/8/2008


Gene Knapp, Vice-Chair
District 5, Orcas East

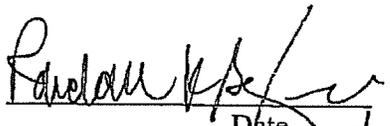
REVIEWED BY COUNTY
ADMINISTRATOR

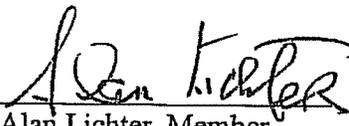

Kevin M. M. Kasker, Member
District 1, San Juan South

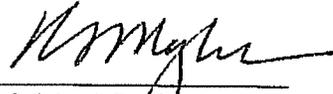

Pete Rose Date: 7/8/08


Rich Peterson, Member
District 2, San Juan North

APPROVED AS TO FORM ONLY
RANDALL K. GAYLORD

By: 
Date 7/8/2008

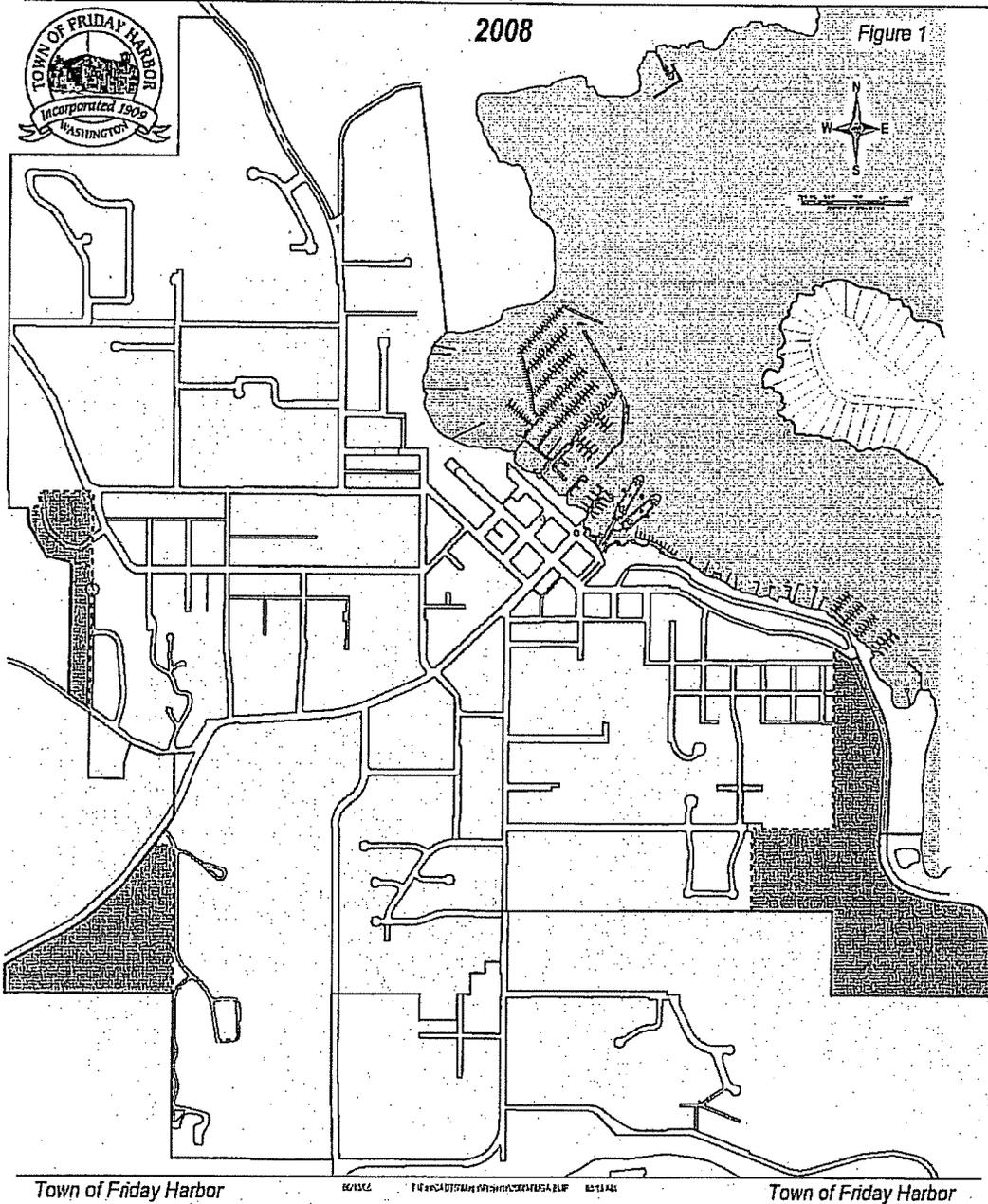

Alan Lichter, Member
District 4, Orcas West/Waldron


Bob Myhr, Member
District 6, Lopez/Shaw

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Exhibit A

Friday Harbor with Unincorporated UGA areas Shaded



RESOLUTION NO. 1656

A RESOLUTION authorizing the Mayor to sign the Unincorporated Urban Growth Area Management Agreement between the Town of Friday Harbor and San Juan County, Washington.

WHEREAS, RCW 36.70A.110 requires the Town and San Juan County ("the County") to cooperate in designating the boundaries for an unincorporated urban growth area of sufficient area to accommodate the urban growth that is projected to occur in the Town and in the County for the next Twenty (20) years; and

WHEREAS, the Joint Policy Planning document approved by the County and the Town several years ago, set forth as Appendix B to the Town's Comprehensive Plan, requires the Town to enter into an agreement with the County for the purpose of establishing a cooperative approach to managing development within the unincorporated urban growth area; and

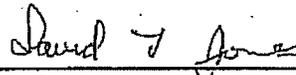
WHEREAS, the Town and the County have reached agreement on the location of the boundaries for the new unincorporated urban growth area and on the provisions to be set forth in a new Unincorporated Urban Growth Area Management Agreement; and

WHEREAS, the County will formally approve said agreement on July 8, 2008:

NOW THEREFORE, BE IT RESOLVED by the Council of the Town of Friday Harbor that the Mayor of the Town is authorized and directed to sign the Unincorporated Urban Growth Area Management Agreement, a copy of which is attached hereto.

ADOPTED this 3rd day of July 2008.

TOWN OF FRIDAY HARBOR



David F. Jones, Mayor

SEAL of the
Town of Friday Harbor
ATTEST:


Amy E. Taylor, Town Clerk

When recorded, return to:

SAN JUAN COUNTY COUNCIL
350 COURT STREET, NO. 1
FRIDAY HARBOR, WA 98250

Auditor File #: 2008 0717027

ILAGR

Recorded at the request of:

SAN JUAN COUNTY COUNCIL

on 07/17/2008 at 14:23

Total of 10 page(s) Fee: \$.00

SAN JUAN COUNTY, WASHINGTON
F. MILENE HENLEY, AUDITOR

DMT

Document Title(s):	
Unincorporated Urban Growth Area Management Agreement	
By and Between:	Town of Friday Harbor and San Juan County
Tax Parcel Number(s):	
Legal Description:	Geographic area designated on Figure 1 to this agreement
Reference Auditor File Number:	Town of Friday Harbor Resolution No. 1656

*to rec 7/9/08
Returned 8/6/08*