



SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

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MEMO

REPORT DATE: September 3, 2020 --Updated 9/11/20 to Include Schilling comment

TO: Deer Harbor Plan Review Committee (DHPRC) Erika Shook, AICP, DCD

CC: Director

FROM: Sophia Cassam, Planner I

SUBJECT: 2036 Comprehensive Plan Update
Deer Harbor Hamlet Plan and Development Code

BRIEFING: DHPRC Meeting: September 9, 2020

ATTACHMENTS: A. Comments from Michael Durland – September 8, 2020
B. Comments from Bob and Meg Connor – September 8, 2020
C. Comments from Dennis Schilling - September 8, 2020

Purpose: Transmittal of public comments on the September 3, 2020 staff report for the September 9, 2020 Deer Harbor Plan Review Committee meeting. The Department of Community Development received the following comments for DHPRC's consideration.

Sophia Cassam

From: Michael Durland <michaeld@rockisland.com>
Sent: Tuesday, September 8, 2020 1:33 PM
To: Sophia Cassam
Subject: Deer Harbor Plan
Attachments: CCE08092020.pdf

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Sophia,

I have made some comments on the wording of the Plan and some corrections as I see it. Most of my focus is on the Use Tables as regards to the Boatyard property designated HI-A. In offering changes I have considered the impact of the changes to the community and to the other uses currently at the site. The opportunity for development of businesses and employment should not be curtailed by a "N" in the Tables. The key factor here is compatibility to other uses and the community. Any changes will go through a process to determine if they are comparable with existing uses and the surrounding area.

The restriction to only Industrial Uses severely limits opportunities for future growth and development for using this property for community business and employment options.

Thank you for your time on this.

Michael Durland

Comments:

2. Remove the Community Center Overlay District from the *Plan* Official Maps and the development code.

I am in favor of removing the Overlay but not redesignation of residential properties to commercial along DH Road.

This large a change from residential to commercial is not in keeping with the intent of the public during the planing process. A change of this magnitude, which would change the rural flavor of the Hamlet, without more public meetings and input should require more public meetings. As it is now all residential properties have the option of Home Occupation and Cottage Industry which is a commercial endeavor.

3. Make various changes to the Deer Harbor subarea land use tables in SJCC 18.30.310.

The DHPRC did not address the Industrial Use Tables. I would like to propose the following changes to HI-A. I have spoken to owners of HI-B and they also have proposed changes they would like to see considered.

According to goals on page 27 the Plan recognizes the uses of HI-A and allows expansion to similar and comparable uses. The key here is comparable. According to the Land Use Tables as they are now there are very few permitted uses that would be considered comparable by other residents of the Hamlet. The character of the Hamlet is changing to more gentrified use and other industrial uses besides what is there now as a boatyard may not be looked upon favorably. In 1987 I received permits for industrial uses, commercial uses, and residential uses. The property was designated Industrial as I had industrial uses. In the beginning of the Plan formation I was told that the property would be looked at under a pyramid scheme and lesser intensive uses would be allowed, more or less a multi-use designation in which all less intense uses would be allowed. In the race to classify and name all property and hold them to specific uses the tables were formed. The DHPRC states that — "Overall, the proposed changes are meant to encourage the development of small businesses, provide opportunities for affordable housing, and to protect and preserve both the sense of community and the Hamlet"

I am respecting the wishes of the DHPRC - to encourage the development of small businesses - in proposing the changes to the Land Use Tables for HI-A.

When I applied for and received permits for a Boatyard and Marina there were underlying uses of the property that did not change. The property was used as an outdoor storage facility and a construction yard when I purchased. The property had a caretakers cabin in the southeastern corner which is still there.

The Conditional Use and Shoreline Development Permits I received were for a **Boatyard and Marina**. The other two Marinas in the Hamlet are classified as Commercial. **The Boatyard property should be allowed the same commercial uses as the other two permitted Marinas in the Hamlet along with the current uses for HI-A.**

Under the Industrial Land Use Table I would like to see the following changes.

Construction Yard — The Boatyard property was in use as a construction yard during the time of the sawmill operation and later when I purchased the property. This is a vested use which is still in operation and should be noted as allowable.

Light Industrial and Light Manufacturing — This should be noted as Provisional Use rather than a Conditional Use in keeping with the DHPRC intention to encourage more development and provide more opportunities for employment.

Outdoor Storage Yard — The Boatyard property was in use as an outdoor storage yard during the time of the sawmill operation and later when I purchased the property. This is a vested use which is still in operation and should be noted as allowable.

Recycling Center — A Recycling Collection Point is allowed with a Conditional Use Permit and a Recycling Center should have same designation.

Wrecking and Salvage Yard (Boats) — Deer Harbor Boatworks has been in the business of wrecking and salvage of boats since permitted in 1987 (as have all boatyards for centuries) and this should be noted as allowable. I have had numerous contracts with San Juan County and DNR over the last decades and there is currently a contract between Deer Harbor Boatworks and San Juan County for demo and salvage of a seized derelict vessel.

42. Page 27 — Light industrial land use designations:

There are two light industrial land use designations in the Hamlet:

42.

42. The 1.422 acre Deer Harbor Boat Works site east of the Deer Harbor bridge on Channel Road. This site combines both industrial and commercial activities and is designated DHHI-A; and

The 6.6 acre Connor/Cookston light industrial use site south of Cormorant Road in the northwest corner of the Hamlet is designated DHHI-B.

The goal of DHHI-A and DHHI-B is to recognize and regulate the light industrial land uses occurring within the Hamlet and allow limited expansion to provide services for the community and for employment opportunities. Expansion shall be limited to similar and compatible activities that do not significantly affect water, sewerage, surface water drainage and traffic.

43.

44.

45.

Page 11 — 6 The water-related businesses presently located in Deer Harbor Hamlet include:

One fuel dock;

One mail/freight boat serving Waldron Island;

Three inter-island freight barge services which use the boat ramp located at the Cayou Quay Marina;

The Deer Harbor Boatworks which includes a single ramp and a boat repair facility with space for approximately thirty boats in dry storage and a work dock with space for two to three boats.

One mobile marine emergency service; — not currently in Hamlet

Two marinas which, combined, have over 200 slips serving both transient and local boat owners.

Overwater development of Deer Harbor includes:

Twenty-eight mooring buoys; and

Ten docks, three of which are commercial and one owned by the non-profit Deer Harbor Yacht Club.

The docks range in size from six feet by thirty feet to 600 feet by 250 feet for the total area covered by the largest marina.

Page 12, — Map 2. Deer Harbor Current Use Map.

This map does not seem to be accurate as HI-B is not designated as Industrial.

Page 13 — Map 3. Deer Harbor Hamlet Existing Land Use by San Juan County Assessor's Use Codes, 2020.

This map does not show HI-A as Industrial even though I have industrial uses.

Page 18 — Table 2. Water Systems in Deer Harbor Hamlet.

Deer Harbor Boatworks has a Class B system. I have 30,000 gallons for fire protection and 25,000 gallons for commercial and domestic use. The public water system was granted in 1986/1987 when I received my permits and confirmed in 2011 with an e-mail from Mark Tompkins to County Manager Pete Rose.

Trumbell and Gibbs has a storage capacity of 10,000 gallons.

Heinmiller/Stameisen/ Irwin serves three properties - H/S, Irwin, and Mark Browman. Irwin has a rental on his property along with his residence and H/S have a guest house and bunkhouse on their property. There is no storage capacity.

ATTACHMENT B

- 1 4 Though a project permit is not required, these facilities are subject to the requirements for
 2 joint use wireless facilities found in Chapter 18.40 SJCC.
 3 5 Must meet the performance standards in SJCC 18.30.800.
 4 6 Must meet the performance standards in SJCC 18.30.790.
 5 7 Multiple live work units may be located in one live-work building that contains both
 6 commercial uses and a dwelling unit.
 7

Industrial Land Uses

LAND USES	HR	HC	HI-A	HI-B
Bulk Fuel Storage	N	N	C	C
Concrete and Concrete Batch Plants	N	N	N	N
Construction Yard	N	N	C	C
Feedlots	N	N	N	N
Garbage and Solid Waste Transfer Stations	N	N	N	N
Heavy Equipment Rental Services (Incidental to Nonrental Primary Use of Equipment)	N	N	N	C
Heavy Industrial	N	N	N	N
Light Industrial ⁵	N	N	CP	C
Light Manufacturing ⁵	N	N	CP	C
Lumber Mills, Stationary	N	N	N	N
Outdoor Storage Yards	N	N	PEY	P/C
Recycling Center	N	N	NC	N
Recycling Collection Point	N	N	C	N
Resource Processing Accessory to Extraction Operations	N	N	N	N
Mining and Mineral Extraction Activities	N	N	N	N
Reclamation of Mineral Extraction Sites	N	N	N	N
Wholesale Distribution Outlets ⁵	N	N	C	C
Wrecking and Salvage Yards (Boat)	N	N	CY	N
Storage and Treatment of Sewerage, Sludge, and Septage – Lagoon Systems	N	N	N	N
Unnamed Industrial Uses	N	N	C	C

- 8 5 Subject to low impact provisions of Table 8.2 of Chapter 18.80 SJCC.

Sophia Cassam

From: Bob and Meg Connor <connor@centurytel.net>
Sent: Tuesday, September 8, 2020 2:48 PM
To: Comp Plan Update; Michael Durland; Sophia Cassam
Subject: Deer Harbor Plan.

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SJC Department of Community Development attn. Sophia Cassam

We are writing to express our great and profound concern about some of the proposed, suggested, even thought about new changes to the Comprehensive Plan, proposed by the Deer Harbor Hamlet Plan Review Committee, especially those pertaining to vacation rentals.

If the Deer Harbor Hamlet Plan and Review Committee is indeed proposing to vastly alter the vacation rental industry, making sweeping changes even after the new stricter County regulations were recently put into effect, we voice our opposition to these new proposals. With everyone still in the midst of a global pandemic and its far-reaching unknown effects, now is not at all the appropriate time to threaten further loss of income, property values, and marketability by proposing a ludicrous and grossly unfair idea which would cancel a legal vacation rental permit upon sale of the property to a new buyer. This proposal would unfairly negatively impact a property owner's financial investment, in effect, stealing value from a resident's property. Having a legal and current vacation rental permit, as with any business permitted property, can be of great monetary value in the market price of that property.

Eliminating this legitimate monetary value from innocent and lawful residents with legal permits and rights to conduct their low impact business, and to pass that privilege and legal right on to their buyers, would be 100% unjust.

This current moment with its pandemic, economic uncertainty, frightening health concerns, when everyone's future is unclear and worrisome, is not the time to waste your time even considering such a huge economically devastatingly impactful idea. The residents of San Juan County are suffering in a totally disrupted economy, filled with immense unrest. You simply can't add stress to your community that is already at their limit with no end in sight.

Sincerely,
Meg and Bob Connor, full-time Orcas Island residents since 1975
360-376-2480
PO Box 148

Deer Harbor, WA 98243
connor@centuytel.net

Sophia Cassam

From: Dennis Schilling <ds1187@icloud.com>
Sent: Tuesday, September 8, 2020 3:59 PM
To: Comp Plan Update
Subject: Deer Harbor hamlet plan changes to commercial/industrial zone

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As the owner of four parcels of commercial/industrial zoned land in the Deer Harbor hamlet I would like to maintain the utility of that zoning. I would prefer that instead of almost everything being conditional use that more items were specifically granted. I'd also like the opportunity to do vacation rental/residential in the industrial/commercial zoning. We are always trying to find employee housing.
Thanks Dennis Schilling, deer Harbor Marina.
Sent from my i