

MEETING MINUTES
SAN JUAN COUNTY (SJC), WASHINGTON
COUNTY COUNCIL
MONDAY, FEBRUARY 1, 2016

Legislative Hearing Room, 55 Second Street, Friday Harbor, WA

09:10 AM CALL TO ORDER & FLAG SALUTE

Council Chair Stephens called the meeting to order at 9:10 AM. Present: Council Members Jamie Stephens, Rick Hughes, Bob Jarman. County Manager Mike Thomas, Clerk to the Council Ingrid Gabriel and interested members of the public.

Citizens Access: The following citizens submitted comments: none

09:16 AM PUBLIC HEARING (Council deliberations continued from January 26):
Review Sections 49 through 79, pages 74 through 156 of the draft Shoreline Master Program Ordinance – Erika Shook, Director Community Development; Linda Kuller, Planning Manager; Colin Maycock, Senior Planner
Present: Full Council, County Manager Mike Thomas, Clerk to the Council Ingrid Gabriel

Chair Stephens opened the continued public hearing to deliberate on revisions to the draft Ordinance.

Ms. Kuller and Mr. Maycock presented Sections 49 – 79 of the draft Ordinance and answered Council's questions.

During deliberations, the Council took the following actions:

1. **MOVED by Mr. Hughes, seconded by Mr. Jarman to remove on page 85, Section 58-B.1 [of the draft Ordinance] the last sentence "Public parks are prohibited except on parcels of 10 acres or larger." ALL AYES; MOTION CARRIED.**
2. **MOVED by Mr. Hughes, seconded by Mr. Stephens to delete on page 85, Section 58-B.4 [of the draft Ordinance] "Ports, Marinas and Marine Transportation. Recreational use and development may not include permanent facilities for overnight camping." ALL AYES; MOTION CARRIED.**
3. **MOVED by Mr. Jarman, seconded by Mr. Stephens to accept the suggested wording from the Department of Ecology on page 94, New Section 61-J.2.c [of the draft Ordinance], and add the comment "and scheduled commercial or regularly scheduled float planes." ALL AYES; MOTION CARRIED.**
4. **MOVED by Mr. Hughes, seconded by Mr. Stephens to add on page 150, Section 78 [of the draft Ordinance], the definition of "tree" after "Transportation facilities" and before "Tree line"..."a woody plant 3 inches or more in diameter at breast height, DBH 4.5' above grade regardless of height." ALL AYES; MOTION CARRIED.**

5. **MOVED** by Mr. Jarman, seconded by Mr. Stephens to eliminate the comment on page 74, New Section 49- A.3 [of the draft Ordinance], and “The drainage or filling of water bodies or natural wetlands for commercial developments may be allowed with a conditional use permit.” **ALL AYES; MOTION CARRIED.**
6. **MOVED** by Mr. Stephens, seconded by Mr. Jarman to remove on page 75, New Section 49- B.2.b [of the draft Ordinance], and “On Shaw Island, new commercial uses are prohibited.” **ALL AYES; MOTION CARRIED.**
7. **MOVED** by Mr. Jarman, seconded by Mr. Stephens to accept Staff’s language for page 75, New Section 49-B.5 [of the draft Ordinance], under subsection “Ports, Marinas and Marine Transportation.” **VOTE: 2-0-0 (Hughes opposed); MOTION CARRIED.**
8. **MOVED** by Mr. Hughes, seconded by Mr. Jarman to add the words on page 78, New Section 52-A.13 [of the draft Ordinance], “...unless there is no feasible alternative” at the end of the sentence. **ALL AYES; MOTION CARRIED.**
9. **MOVED** by Mr. Stephens, seconded by Mr. Hughes to revise language page 79, New Section 52-A.7 [of the draft Ordinance]. Delete “transport is allowed” and add “the installation of underwater pipelines is prohibited.” Delete the word “cross-sound”. Add the words “oil and natural gas pipelines.” The new sentence reads, “The processing of oil and natural gas and their products is prohibited. The installation of underwater oil and natural gas pipelines is prohibited.” **ALL AYES; MOTION CARRIED.**
10. **MOVED** by Mr. Hughes, seconded by Mr. Stephens to add on page 79, New Section 52-A.8 [of draft Ordinance] the words “...and natural gas” after the words “...refining of oil.” **ALL AYES; MOTION CARRIED.**
11. **MOVED** by Mr. Jarman, seconded by Mr. Hughes to eliminate on page 83, New Section 56-E [of draft Ordinance]. **ALL AYES; MOTION CARRIED.**
12. **MOVED** by Mr. Stephens, seconded by Mr. Jarman to add back on page 88, New Section 60-A.2 [of draft Ordinance] current wording for 50% lot coverage as shown including the diagram. **VOTE: 2-1-0 (Hughes abstained); MOTION CARRIED.**
13. **MOVED** by Mr. Stephens, seconded by Mr. Jarman to add on page 89, New Section 60-C [of draft Ordinance] a new #2, “Residential development is also subject to other buffers in Chapter 18.35 San Juan County Code”; on current number 3, everything after “If a lot has no screening vegetation...” is deleted and “or the tree stocking level at the time of application is not consistent with the minimum stocking requirements of SJC County Code 18.35.130(b) and continuing the aesthetic setback is 100 feet from the top of the bank” is added. And the wording of number 5 is deleted and language added that “tree stocking levels are maintained consistent with 18.35.130(b).” And numbering is adjusted as needed. **ALL AYES; MOTION CARRIED.**

- 14. MOVED by Mr. Hughes, seconded by Mr. Stephens to remove on page 89, New Section 60-3 [of draft Ordinance], “and exempt....” ALL AYES; MOTION CARRIED.**
- 15. MOVED by Mr. Hughes, seconded by Mr. Jarman to add on page 92, New Section 61- D starting at line 20 [of draft Ordinance], after “airstrips”, “...on non-ferry served islands.” ALL AYES; MOTION CARRIED.**
- 16. MOVED by Mr. Jarman, seconded by Mr. Stephens to change on page 103, Table X [of draft Ordinance], Commercial Development Water- dependent uses under Conservancy designation from an *SD to a Conditional Use Permit (CUP) and to also change under Rural designation from an SD to a CUP to be consistent with SJC written code. ALL AYES; MOTION CARRIED.**

*SD = Subject to shoreline substantial development permit unless exempt
CUP = Conditional Use Permit
- 17. MOVED by Mr. Hughes, seconded by Mr. Jarman that on page 103, Table X [of draft Ordinance], under Conservancy designation, Water-dependent uses, Water-related uses and Water-enjoyment uses all be changed to SD/CUP. ALL AYES, MOTION CARRIED.**
- 18. MOVED by Mr. Hughes, seconded by Mr. Stephens that on page 103, Table X [of draft Ordinance] under Rural designation, Water-dependent uses, Water-related uses, Water-enjoyment uses, Vacation rentals, Nonwater-oriented uses, Mixed-use commercial and Mixed-use residential all be changed from SD to CUP. ALL AYES, MOTION CARRIED.**
- 19. MOVED by Mr. Hughes, seconded by Mr. Stephens that on page 103, Table X [of draft Ordinance] under Conservancy designation, Mixed-use commercial be changed to SD/CUP. ALL AYES, MOTION CARRIED.**
- 20. MOVED by Mr. Hughes, seconded by Mr. Jarman that on page 104, Table X [of draft Ordinance] under Rural designation, Forest Practices- Commercial Forestry be changed from CUP to SD. ALL AYES; MOTION CARRIED.**
- 21. MOVED by Mr. Hughes, seconded by Mr. Jarman that on page 104, Table X [of draft Ordinance] under Rural designation, Rural Farm Forest – Log Transfer Sites/log storage be changed from CUP to SD. ALL AYES; MOTION CARRIED.**
- 22. MOVED by Mr. Stephens, seconded by Mr. Hughes that on page 105, Table X [of draft Ordinance] under Aquatic designation, Park (no overnight facilities) be changed from N/A to SD. ALL AYES; MOTION CARRIED.**

Staff will follow-up on questions regarding a motion made by Mr. Hughes and seconded by Mr. Jarman: Moved to categorize on page 105, Table X [of draft Ordinance] under Aquatic

designation Recreational Development-Park (overnight facilities) as SD throughout. No vote taken.

23. MOVED by Mr. Stephens, seconded by Mr. Hughes to accept and insert on page 146, Section 77 [of draft Ordinance] the alternative definition for “Substantial Development.” ALL AYES; MOTION CARRIED.

24. MOVED by Mr. Stephens, seconded by Mr. Hughes to eliminate section 79 [of draft Ordinance] as redundant. ALL AYES; MOTION CARRIED.

04:05 PM ADJOURN

Mr. Stephens adjourned the meeting.

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

These Minutes were approved and signed on March 8, 2016. The original document is retained in the Council’s permanent proceedings file. Attest: Ingrid Gabriel, Council Clerk.