

Attorney & Counselor at Law
Stephanie Johnson O'Day, PLLC

540 Guard Street, Suite 160
Post Office Box 2112
Friday Harbor, WA 98250-2112

Telephone: (360) 378-6278 Fax: (360) 378-5066

E-Mail: sjoday@rockisland.com

February 11, 2019

Ms. Erika Shook; Director
San Juan County Department of Community Development
P.O. Box 947
Friday Harbor, WA 98250

**SJC DEPARTMENT OF
FEB 25 2019
COMMUNITY DEVELOPMENT**

RE: 2019 Docket Proposed Official Comprehensive Plan Land Use Map Amendment
Cornelius Holdings, LLC Request for Inclusion into the TFH UGA
TPN 351444005, San Juan Island

Dear Ms. Shook:

Please find enclosed an application for a proposed amendment to the Official Comprehensive Plan Land Use Map for TPN 351444005, a 5.1 acre property located immediately east of Mullis Avenue, and south of and adjacent to the Town of Friday Harbor's corporate limits, San Juan Island (TPN 351444005). The property owner would like to expand the existing TFH UGA to include this property for future urban development. Included are the following items:

1. San Juan County Comprehensive Plan Update Application;
2. SEPA Checklist and Non-Project Action Supplemental Sheets;
3. Statutory Warranty Deed (AFN 2017-0804006);
4. Existing Comprehensive Plan Official Land Use Map;
5. List of names and addresses of owners of property located within 300-feet of the site boundaries;
6. 2016 Aerial Photos;
7. 2018 Survey prepared by San Juan Surveying;
8. Proposed Site Development Plan;
9. Letter from Stephanie Johnson O'Day, Attorney for Cornelius Holdings, LLC to TFH Administrator Duncan Wilson; and
10. A check in the sum of \$2,300.00.

The applicant is requesting, by and through this letter, that the county expand the TFH UGA boundary to include this five acre parcel on Mullis Street. The specific request does not include a change in Land Use Designation. The current designation is Rural General Use – 5. The proposed use is to relocate the Browne's Home Center Nursery

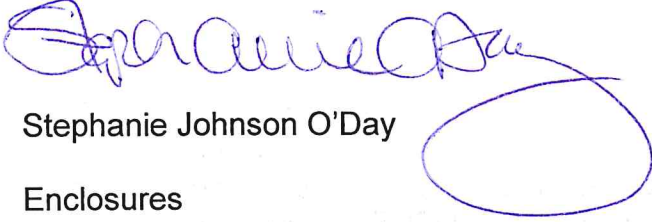
**PREDES-19-0001
HOLDINGS LLC, CORNELIUS**

from the east side of the abutting parcel (which IS in the TFH) to the west side of the five acre parcel. Inclusion in the UGA would allow future annexation into the Town limits, which will allow the project to pay for and hookup to Town utilities (water and sewer). I believe the Town of Friday Harbor is supportive of this request.

It may be wise for the County to propose inclusion of two additional properties within this request: the Fire Station property (owned by the Port of Friday Harbor) and the five acre parcel in between (TPN 351444001). This section of Mullis Street is all urban in nature – and is not suitable for rural use.

A similar application was submitted to the Department of Community Development in August, 2018. The current application is separate and distinct from the initial application. A discussion of affordable housing at this juncture on the property is irrelevant - and does NOT require a residential land use capacity analysis. Please include this application on the 2019 docket for amendments to the official Comprehensive Land Use Map. If you have any questions, need additional information or analysis for this application, please contact me by phone at (360) 378-6278 or by email at sjoday@rockisland.com at your earliest convenience.

Sincerely,



Stephanie Johnson O'Day

Enclosures

Cc. Cornelius Holdings, LLC
Graham Baba Architects; Susan Tilack
Town of Friday Harbor Administrator; Duncan Wilson
San Juan County Council
San Juan County Administrator, Mike Thomas



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

S.J.C. DEPARTMENT OF

AUG 16 2018

COMMUNITY DEVELOPMENT

San Juan County Comprehensive Plan Update 2018 Comprehensive Plan Map Amendment Request Form

REQUEST FORM COMPLETED BY:

Name	<u>Stephanie O'Day</u>	Name	_____
Address	<u>PO Box 2112</u>	Address	_____
City, State, Zip	<u>Friday Harbor, WA 98250</u>	City, State, Zip	_____
Phone Number	<u>3603786278</u>	Phone Number	_____
Email	<u>sjoday@rockisland.com</u>	E-mail	_____

SJC DEPARTMENT OF

FEB 25 2019

COMMUNITY DEVELOPMENT

PROPERTY OWNER INFORMATION:

Name of Owners	<u>Cornelius Holdings LLC</u>	Phone Number	_____
Address	<u>300 Lakeside DriveS., Suite 101</u>	E-mail	_____
City, State, Zip	<u>Seattle, WA 98144</u>		

PROPERTY INFORMATION:

List the Tax Parcel Numbers (TPN) & property information for each property included in the proposal. Attach a separate page if necessary.

Tax Parcel Number:	<u>351444005</u>	Land Use/Shoreline Designation:	<u>RGU/NA</u>	Parcel size:	<u>5 acres</u>
Tax Parcel Number:	_____	Land Use/Shoreline Designation:	_____/____	Parcel size:	_____
Tax Parcel Number:	_____	Land Use/Shoreline Designation:	_____/____	Parcel size:	_____
Tax Parcel Number:	_____	Land Use/Shoreline Designation:	_____/____	Parcel size:	_____

PERMIT CERTIFICATION (Must be signed by all property owners of record or a notarized agent signature provided.)

I have examined this application and attachments and know the same to be true and correct, and certify that this application is being made with the full knowledge and consent of all owners of the affected property. (Signed by property owner or agent. For agent signature, notarized authorization must be attached.)

<u>William S. Cornelius</u> Signature	<u>William S. CORNELIUS</u> Printed Name	<u>Aug 13, 2018</u> Date
_____ Signature	_____ Printed Name	_____ Date
_____ Signature	_____ Printed Name	_____ Date

For CD&P Use Only

Complete Application:

☐ YES ☐ NO

PREDES-19-0001

HOLDINGS LLC, CORNELIUS

DESCRIPTION OF PROPOSAL:

The proposal includes a request to expand the TFH UGA to include the project site for future annexation into the TFH.

CHECK ALL THAT APPLY:

- ☐ Redesignation of Land-Use designation,
☐ Redesignation of Shoreline designation
☐ Redesignation of maximum allowable residential density
 X Other Inclusion in TFH UGA

PROPERTY INFORMATION:

List the Tax Parcel Numbers (TPN) & property information for each property included in the proposal. Attach a separate page if necessary.

Tax Parcel Number: _____	Land Use/Shoreline Designation: _____/_____	Proposed Density: _____
Tax Parcel Number: _____	Land Use/Shoreline Designation: _____/_____	Proposed Density: _____
Tax Parcel Number: _____	Land Use/Shoreline Designation: _____/_____	Proposed Density: _____
Tax Parcel Number: _____	Land Use/Shoreline Designation: _____/_____	Proposed Density: _____

General location of property: **The property is located immediately south of the Town of Friday Harbor corporate limits and east of and adjacent to Mullis Avenue.**

Island: **San Juan**

Total acres of proposal: **5**

List all existing use(s) on property:

Residential and ancillary off-street parking for Browne's Home Center

List any special tax categories that apply to the property, such as Open Space or Designated Forest Land

None

Describe existing and proposed method of sewage disposal

Existing – on-site septic Proposed – Town of Friday Harbor Sewer

Describe existing and proposed water supply

Existing – on-site-well Proposed-Town of Friday Harbor Water

Did you attend a pre-application meeting?	☐ Yes ☒ No	Has this proposal been previously submitted?	☐ Yes ☒ No	If yes – which year?	
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DRAFT

1. Why is the amendment being proposed?

This parcel is proposed to be absorbed into the TFH UGA. It is a sister parcel to TPN 351492017 which is INSIDE the Town of Friday Harbor boundary and is the long time home of Browne's Home Center.

The applicant recently purchased both the Browne's Home Center site and the adjacent five acres to the south, which is the subject parcel in this application.

Agents for the applicant are preparing a proposal to relocate the Browne's Home Center Nursery from the Town parcel to the County parcel (the subject parcel) so that the plant nursery is fronting Mullis Avenue.

2. How would the map amendment benefit the public health, safety, or welfare?

It would allow the owner to annex into the Town of Friday Harbor and develop urban uses on the parcel.

3. Describe how the amendment is warranted due to one or more of the following: changed circumstances; a demonstrable need for additional land in the proposed land use designation; to correct demonstrable errors on the official map; or because information not previously considered indicates that different land use designations are equally or more consistent with the purposes, criteria and goals outlined in the Comprehensive Plan.

To the best of our knowledge, San Juan County has little property in the Friday Harbor UGA. There is only one small parcel (1.2 acre) adjacent to the Town at this writing.

The subject five acre parcel is an ideal location for expansion of the UGA with the allowances of more intense land uses that are urban in nature that can be served by urban utilities including Town water and sewer.

4. Describe how the proposed amendment is consistent with the criteria for the proposed land use designations as specified in the Comprehensive Plan.

The subject parcel is currently zoned RGU. This request is not to change the land use designation but rather expand the TFH UGA for future urban development on the property.

The County may want to consider inclusion of other nearby RGU properties into the UGA as well.

5. Describe how the amendment, if granted, 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 or public purpose which justifies different designations.

There is a substantive difference between most island properties and the subject parcel considering the property is surrounded on three sides by development consisting of Browne's Home Center to the north, Mullis Avenue and the Friday Harbor Airport to the west, and urban density residential development further to the north and to the east.

6. Describe how the benefits of the change will outweigh any significant adverse impacts of the change.

There will be no significant adverse impacts created by this change. The benefits are providing additional land area suitable for urban development to serve the expanding needs of San Juan Island citizens.

7. How is this proposal consistent with the Growth Management Act (GMA) – RCW 36.70A?

It will provide more land for urban development in an area already characterized as being urban development.

8. Does this proposal include an Urban Growth Area (UGA) expansion?

☒ Yes

☐ No

9. If yes, which UGA? **Town of Friday Harbor**

10. Attach map(s) of the property that shows existing buildings, roads, water bodies, wetlands and other environmentally sensitive areas, soil types (for resource lands or where otherwise appropriate) and other significant features, as well as the land-use, shoreline environment, and density designations of the property and abutting properties. (In most instances, copies of GIS Legal parcel maps or Assessor's maps provide suitable base maps on which to provide this information.) See attached.

11. Attach a list of the names and mailing addresses for all owners of property within 300 feet of the boundaries of the subject property (using the names and addresses of those individuals as shown on the tax assessment rolls on the date the application is submitted)

See attached.

12. Attach a completed and signed State Environmental Policy Act (SEPA) Environmental Checklist, including the supplemental sheet for non-project actions.

See attached.

13. Attach copy of deed(s), and a legal description of the property for which the amendment is requested. *See attached.*

DRAFT

Lynda Guernsey

From: Linda Ann Kuller
Sent: Monday, February 11, 2019 3:35 PM
To: Stephanie Johnson O'Day
Cc: Lynda Guernsey
Subject: Correct fee for a 2019 specific map re-designation docket request TPN 351444005 Cornelius

Hi Stephanie,

We received your 2019 redesignation request for Cornelieus Holdings. The DCD fee table says the correct fee is:

Site Specific Map Re-designation	\$3,900 +\$95/ hr over 40 hrs
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Linda Kuller, AICP
Planning Manager
360-370-7572

NOTICE: All emails and attachments, sent to and from San Juan County are public records and may be subject to public disclosure pursuant to the Public Records Act, Chapter 42.56 RCW.

PREDES-19-0001
HOLDINGS LLC, CORNELIUS

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Stephanie Johnson O'Day, PLLC
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TPN 351444005, San Juan Island

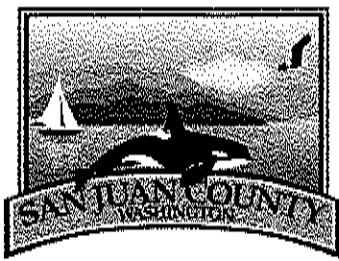
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**PREDES-19-0001
HOLDINGS LLC, CORNELIUS**



San Juan County

Building Permit, Planning & Land Use

135 Rhone Street P.O. Box 947 Friday Harbor, WA 98250
(360) 378-2354 (360) 378-2116 Fax (360) 378-3922
www.sanjuanco.com

Permit Receipt

RECEIPT NUMBER 00017924

Account number: 008053

Date: 2/26/2019

Applicant: CORNELIUS HOLDINGS LLC
300 LAKESIDE AVE #101
SEATTLE, WA 98144

Type: check # 0077668989

Permit Number	Fee Description	Amount
PREDES-19-0001	RE-DESIGNATION	3,900.00
	Total:	\$3,900.00

Receipt Description:

Receipt Comments:

REQUEST TO EXPAND THE TOWN OF FRIDAY HARBOR UGA TO INCLUDE THE PROJECT SITE FOR FUTURE ANNEXATION INTO THE TOWN OF FRIDAY HARBOR. PORTION OF FEE PAID BY CK#0077668989 \$2,300.00
PORTION OF FEE PAID BY CK#0082706299 \$1,600.00

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background

1. Name of proposed project, if applicable:

Cornelius Holdings, LLC Request for Official Comprehensive Plan Map Amendment

SJC DEPARTMENT OF
FEB 25 2019
COMMUNITY DEVELOPMENT

2. Name of applicant:

Cornelius Holdings, LLC

3. Address and phone number of applicant and contact person:

*Applicant: Cornelius Holdings, LLC
300 Lakeside Drive South
Suite 101
Seattle, WA 98144*

*Contact Person: Stephanie Johnson O'Day, Attorney
PO Box 2112
Friday Harbor, WA 98250
Phone: (360) 378-6278*

4. Date checklist prepared:

January 2019

5. Agency requesting checklist:

San Juan County Department of Community Development

6. Proposed timing or schedule (including phasing, if applicable):

If approved, the inclusion of this property into the Town of Friday Harbor's Urban Growth Area (UGA) will likely occur at the end of 2019.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Yes. A Conditional Use Permit Application is being considered by the property owner for relocating the existing nursery on the Browne's Home Center property, which is located immediately to the north of the subject site, onto this property.

In addition, if the Town of Friday Harbor's UGA is expanded to include this property, the applicant would apply for annexation into the corporate limits of the Town of Friday Harbor.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

A wetland report was prepared for the property and it was determined that a small Category IV wetland is located on the property. This wetland, which is located adjacent to Mullis Avenue, has been artificially enhanced and enlarged from stormwater runoff that has been directed onto the site from Mullis Avenue and surrounding development.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

There are no applications or other governmental approvals pending for development on this site.

10. List any government approvals or permits that will be needed for your proposal, if known.

The expansion of the Town of Friday Harbor's UGA will need the approval of the San Juan County Council and the adoption of an amended County Comprehensive Plan Map. It will also need to be approved by the Town of Friday Harbor.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The proposal includes a request for an amendment to the San Juan County Comprehensive Land Use Map for the purpose of including the subject property into the Town of Friday Harbor's UGA. The proposal does not include a change of county zoning designation.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The 5.1 acre property is located immediately east of Mullis Avenue, and south of and adjacent to the Town of Friday Harbor's corporate limits on San Juan Island. There is no address assigned to this property at this time but it is identified as TPN 351444005 and is located in Section 14, Township 35 North, Range 3 West, WM, in San Juan County.

B. Environmental Elements

1. Earth

- a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

- b. What is the steepest slope on the site (approximate percent slope)?

The steepest slope on the property does not exceed 5%.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

The site encompasses two soil types: 1) Mitchellbay gravelly sandy loam at 0 to 5% slopes and 2) Alderwood-Everett complex, warm at 5 to 15% slopes.

Mitchellbay gravelly sandy loam is considered prime farmland and Alderwood-Everett complex, warm is considered prime farmland, if irrigated.

The property is mostly undeveloped. When it is developed, it will remove land from the potential of producing agricultural crops. However, due to its small size and its location between developed urban properties (Browne's Home Center to the north, the dog park and fire station to the south, Mullis Avenue to the west and residential development to the east) the property is not suited for agricultural purposes.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Review of the San Juan County Critical Area Maps for geo-hazards indicates there are no unstable soils on this site.

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

NA – this is a non-project action.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

When the site is developed, there could be the potential for erosion when soils are exposed during construction.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Unknown at this time.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Erosion controls will be addressed at the time when building permits are submitted and the property is developed.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Unknown. The types of emissions generated by development on this property will be evaluated at the time of development.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

There are no noticeable odors from off-site emissions.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

None proposed at this time.

3. Water

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

The site includes a Category IV wetland that has been enhanced and enlarged due to stormwater runoff generated along Mullis Avenue and surrounding development being directed to and disposed on this site.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

NA – this is a non-project action.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

There will be no dredging or filling of the wetland when the site is developed.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No – this proposal is a non-project action.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

If the property is annexed into the Town of Friday Harbor, it will connect to the Town's municipal water system. The Town of Friday Harbor has confirmed they have the capacity to provide municipal water service to this parcel.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

If the property is annexed into the Town of Friday Harbor, it will connect to the Town's municipal sewage system. The Town of Friday Harbor has confirmed they have the capacity to provide municipal sewer service to this parcel.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

The source of runoff generated by this site is currently stormwater which is left to naturally absorb into the soils on site or flow into the Category IV wetland on site. Additional runoff may be generated when the site is developed. Runoff will be evaluated at that time when development plans are prepared.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

No, not with this proposed Comprehensive Plan Map Amendment.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No – this is a non-project action.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

None proposed at this time.

4. Plants

a. Check the types of vegetation found on the site:

- ☒ deciduous tree: alder, maple, aspen, other
☒ evergreen tree: fir, cedar, pine, other
☒ shrubs
☒ grass
☐ pasture
☐ crop or grain
☐ Orchards, vineyards or other permanent crops.

- X wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
 water plants: water lily, eelgrass, milfoil, other
 other types of vegetation

- b. What kind and amount of vegetation will be removed or altered?

There will be no vegetation removal with this non-project action. At the time of development native vegetation will be removed to accommodate structures, parking lots, etc. The extent of vegetation removal will be addressed at the time.

- c. List threatened and endangered species known to be on or near the site.

Review of the San Juan County Critical Area maps shows no threatened or endangered plant species on this property.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

No new landscaping is currently proposed.

- e. List all noxious weeds and invasive species known to be on or near the site.

There are no noxious weeds or invasive plant species known to exist on this property.

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other: raccoons, rats, bats, fox
fish: bass, salmon, trout, herring, shellfish, other _____

- b. List any threatened and endangered species known to be on or near the site.

There are no threatened and endangered animal species known to be on or near the site as per the San Juan County Critical Areas Map.

- c. Is the site part of a migration route? If so, explain.

The San Juan Islands are a migration route for Bald eagles. However, the property is not a significant migratory site.

- d. Proposed measures to preserve or enhance wildlife, if any:

None proposed at this time.

- e. List any invasive animal species known to be on or near the site.

There are no known invasive animal species known to be on or near the site.

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

If the site is developed as proposed, energy sources will include electricity, propane and, potentially, solar.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Unknown. There are no specific development plans at this time.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

No, not with this proposed Comprehensive Plan Map Amendment.

- 1) Describe any known or possible contamination at the site from present or past uses.

Since the site remains primarily undeveloped, it is highly unlikely that there have been any contaminants introduced onto the property.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

NA

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Unknown at this time. Evaluation of toxic and hazardous chemical will be done when site development plans are prepared.

- 4) Describe special emergency services that might be required.

Use of the site for commercial purposes will not require "special" emergency services. Existing EMT, police and fire protection services will be adequate to serve the

property.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

No measures are proposed at this time.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

The primary noise sources that affect this property are generated by vehicular traffic traveling along Mullis Avenue and air traffic from the Friday Harbor Airport, both which are located just west of the property.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

When the property is developed, there would be short term noise generated during construction. Long term noise sources would be from vehicular traffic generated by those working and shopping on the property.

- 3) Proposed measures to reduce or control noise impacts, if any:

None proposed at this time.

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The property is currently occupied by an off-street parking area, one single-family residence and portions of a dog park. Adjacent land uses include Browne's Home Center to the north, single-family residential uses to the east, the remaining portion of the dog park and a fire station to the south, and Mullis Avenue and the Friday Harbor Airport to the west.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

The property has not been used as working farmland or forestland. It is not zoned for use as agricultural or forestland of long term commercial significance. It is not in a farmland or forestland tax deferred status.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No.

- c. Describe any structures on the site.

A single-family residence is located near the east property line, a parking lot is centrally located on the property and portions of a dog park lie within the property adjacent to the south property line.

- d. Will any structures be demolished? If so, what?

Unknown. The old house on the east side of the property may be demolished in the future.

- e. What is the current zoning classification of the site?

Rural General Use

- f. What is the current comprehensive plan designation of the site?

Rural

- g. If applicable, what is the current shoreline master program designation of the site?

NA

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Yes, the property encompasses a Category IV wetland and is entirely a Critical Aquifer Recharge Area (CARA) as is all of San Juan County.

- i. Approximately how many people would reside or work in the completed project?

Unknown at this time.

- j. Approximately how many people would the completed project displace?

None.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

None proposed at this time.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

This request for an amendment to the official San Juan County Comprehensive Plan Map is simply for the expanding of the Town of Friday Harbor's UGA to include this property. It is not for the purpose of changing its land use designation. The property is currently zoned Rural General Use, and if the UGA boundary is expanded as requested, it will remain zoned Rural General Use until is annexed into the Town of Friday Harbor at some unknown time in the future.

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

None. This land is not considered agricultural or forest lands of long-term commercial significance.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

NA – this is not a housing project.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None at this time.

- c. Proposed measures to reduce or control housing impacts, if any:

NA – this is a non-project action.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Unknown at this time.

- b. What views in the immediate vicinity would be altered or obstructed?

There are no views in the area that would be altered or obstructed when the property is developed.

- b. Proposed measures to reduce or control aesthetic impacts, if any:

Unknown at this time.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

NA - this is a non-project action. Light and glare will be addressed when the property is developed.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Unknown at this time, but likely "no."

- c. What existing off-site sources of light or glare may affect your proposal?

There are currently no off-site light sources affecting this property other than lighting of the Friday Harbor Airport landing strip which is very evident at night.

- d. Proposed measures to reduce or control light and glare impacts, if any:

None proposed at this time.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

The dog park located on and to the south of this property provides passive recreational opportunities to dogs and their owners.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No, not with this non-project action.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Unknown at this time.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

Unknown.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

No.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

There has been no methods used to assess potential impacts to cultural and historic resources on or near the project site with this request for map amendment.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

None proposed at this time.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

The property is currently accessed at two separate points including direct access from Mullis Avenue to the west and access from the north via a parking lot located on the south side of the Browne's Home Center.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

No – there is no public transit available on San Juan Island.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

Unknown at this time.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

Unknown at this time.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

The property lies across Mullis Avenue to the east of the Friday Harbor Airport.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Unknown at this time.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No.

- h. Proposed measures to reduce or control transportation impacts, if any:

None proposed or required at this time.

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

Unknown at this time.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None proposed.

16. Utilities

- a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____

- c. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

If and when the property is annexed into the Town of Friday Harbor, it will be served by the Town's municipal water and sewer service. Construction activities required to extend utilities to the property are unknown at this time.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Francine Shaw

Name of signer: *Francine Shaw, Land Use Consultant*

Position and Agency/Organization: *Planning and Permit Services, LLC*

Date Submitted: 2-11-19

D. Supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Stormwater run-off will be generated by impervious surfaces placed on the property at the time of development which will require the development and implementation of a stormwater drainage plan. There are no specific development plans prepared at this time, so it is difficult to determine what emissions to the air will be generated by future development or what types of, if any, toxic or hazardous substances will be stored on the property. Noise will be generated when the property is developed, primarily by traffic generated by the site

Proposed measures to avoid or reduce such increases are:

To be determined at the time of development.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Existing vegetation will be removed in areas other than where the wetland and wetland buffers are located to accommodate future development. Animals using this vegetation will likely be unaffected due to the retention of vegetation in and around the wetland.

There is no fish or marine life on this property.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

As noted above, vegetation in and around the Category IV Wetland on this property will be retained and may even be enhanced at the time of development.

3. How would the proposal be likely to deplete energy or natural resources?

There will be absolutely no depletion of energy or natural resources if this property is more fully developed in the future.

Proposed measures to protect or conserve energy and natural resources are:

Structure constructed on this site will be required to comply with the Energy Code for Washington State.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Unknown at this time.

Proposed measures to protect such resources or to avoid or reduce impacts are:

To be determined at the time of development.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

If the requested map amendment to extend the Town of Friday Harbor's UGA boundary to include this property is approved and the land is annexed into the Town, it will allow the relocation of the Brownes Home Center nursery on Mullis Street. It may also result in the construction of multi-family housing on the east side of the property.

Proposed measures to avoid or reduce shoreline and land use impacts are:

This is not a shoreline parcel but an upland parcel. Development of the property will require compliance with the applicable development codes which are intended to avoid and reduce land use impacts.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

There is no indication that there will be increased need for public services if the property is included in the Town of Friday Harbor's UGSA. Existing services will have the capacity to serve the site. This specific proposal will bring the parcel into the UGA, but keep the same

RGU zoning designation. If the property is annexed, the Browne Lumber nursery can be relocated. The increase in traffic will be negligible.

Proposed measures to reduce or respond to such demand(s) are:

None proposed or required.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposed Comprehensive Plan Map Amendment, in and of itself, will have no impact on the environment.

Environmental impacts are better addressed at the time of development.

RECORDING REQUESTED BY AND
AFTER RECORDING RETURN TO:



FOSTER PEPPER PLLC
1111 Third Avenue, Suite 3000
Seattle, Washington 98101
Attention: Nathan Luce

Recorded at the request of:
CHICAGO TITLE

SAN JUAN COUNTY WASH.
REAL ESTATE EXCISE TAX
AMOUNT PAID \$

\$ 98,134-100

AUG 04 2017
079175

RHONDA PEDERSON
COUNTY TREASURER

245393661

STATUTORY WARRANTY DEED

Grantor: R & TB, LLC,
a Washington limited liability company

Grantee: CORNELIUS HOLDINGS, LLC,
a Washington limited liability company

Legal Description: Ptn. NE ¼ SE ¼ Section 14, Township 35 N, Range 3 W,
W.M., San Juan County, Washington; and
Ptn. NW ¼ SE ¼ SE ¼ Section 14, Township 35 N, Range 3
W, W.M., San Juan County, Washington
Complete legal description attached as Exhibit A

Assessor's Tax Parcel ID#: 351444005000 and 351492017000

For the consideration of Ten and no/100 Dollars, and other valuable consideration, R & TB, LLC, a Washington limited liability company ("Grantor"), does hereby convey and warrant to CORNELIUS HOLDINGS, LLC, a Washington limited liability company ("Grantee") the real property situated in San Juan County, Washington, legally described on Exhibit A attached hereto and incorporated herein.

SUBJECT TO: Items listed on Exhibit B attached hereto and incorporated herein.

[Remainder of page intentionally left blank; signatures follow.]

SJC DEPARTMENT OF
FEB 25 2019
COMMUNITY DEVELOPMENT

DATED: This 31st day of July, 2017.

GRANTOR:

R & TB, LLC,
a Washington limited liability company

By: [Signature]

Name: Terry C. Browne

Title: Member

STATE OF WASHINGTON

COUNTY OF SAN JUAN

ss.

I certify that I know or have satisfactory evidence that Terry C. Browne is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the authorized Member of R & TB, LLC, a Washington limited liability company, to be the free and voluntary act of such entity for the uses and purposes mentioned in the instrument.

Dated this 31st day of July, 2017.

[Signature]
(Signature of Notary)

Kathryn C. Loring
(Legibly Print or Stamp Name of Notary)

Notary public in and for the state of Washington, residing
at Friday Harbor

My appointment expires 2/26/2020



Exhibits

Exhibit A: Legal Description

Exhibit B: Permitted Exceptions

Exhibit A
Legal Description

PARCEL A:

That portion of the Northeast quarter of the Southeast quarter of Section 14, Township 35 North, Range 3 West, W.M., in San Juan County, Washington, described as follows:

Commencing at the Northeast corner of the Northeast Quarter of the Southeast Quarter of Section 14, Township 35 North, Range 3 West, W.M.;

THENCE South 70 rods to the POINT OF BEGINNING;

THENCE West 80 rods;

THENCE South 10 rods;

THENCE East 80 rods, on the line between the said Northeast Quarter of said section, township and range, and the Southeast Quarter of said section, township and range, to the East line of said Northeast Quarter of the Southeast Quarter;

THENCE North 10 rods to the POINT OF BEGINNING;

EXCEPT the East 260 feet thereof;

ALSO EXCEPT the West 10 feet thereof conveyed to San Juan County under Auditor's File No. 88153433, records of San Juan County, Washington.

PARCEL B:

The North 220.00 feet of the Northwest quarter of the Southeast quarter of the Southeast quarter of Section 14, Township 35 North, Range 3 West, W.M., in San Juan County, Washington; AND

Also the North 437.00 feet of the West 334.00 feet of said Northwest quarter of the Southeast quarter of the Southeast quarter; AND

EXCEPT the West 10 feet conveyed to San Juan County by deed recorded September 22, 1988 under Auditor's File No. 88153432, records of San Juan County, Washington.

Exhibit B
Permitted Exceptions

[To be Inserted from Pro Forma]

Unofficial
Copy

Exhibit B
Permitted Exceptions

1. Easement, including the terms and conditions thereof, granted by instrument

Recorded: June 28, 1994

Auditor's No.: 94062826, records of San Juan County, WA

In favor of: ORCAS POWER AND LIGHT COMPANY

For: Electric transmission and/or distribution line, together with necessary appurtenances

Affects: Parcel A

2. Covenants, conditions, and restrictions contained in declaration of restrictions

Recorded: March 12, 1996

Auditor's No.: 96031202, records of San Juan County, WA

Executed by: TED S. ELFVING, et al

Affects: Parcel A

3. Easement, including the terms and conditions thereof, granted by instrument

Recorded: November 21, 1963

Auditor's Nos.: 58130, records of San Juan County, WA

In favor of: ORCAS POWER AND LIGHT COMPANY

For: Electric transmission and/or distribution line, together with necessary appurtenances

Affects: Parcel B

4. Easement, including the terms and conditions thereof, granted by instrument

Recorded: June 28, 1994

Auditor's Nos.: 94062827, 94062828 and 94062830, records of San Juan County, WA

In favor of: ORCAS POWER AND LIGHT COMPANY

For: Electric transmission and/or distribution line, together with necessary appurtenances

Affects: Parcel B

5. Any rights, interests, or claims which may exist or arise by reason of the following matters disclosed by survey,

Recording Date: March 27, 2002

Recording No.: 20020327022 in book 17 of Surveys pg 133

Matters shown: gap

6. Any rights, interests, or claims which may exist or arise by reason of the following matters disclosed by survey,

Recording Date: December 8, 2016

Recording No.: 2016-1208025

Matters shown: overlap

7. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Town of Friday Harbor

Purpose: Water main

Recording Date: September 11, 2003

Recording No.: 20030911006

Affects: Portion of said premises

8. Notice to Land Title of Land Use Permit including the terms, covenants and provisions thereof

Recording Date: March 6, 2009
Recording No.: 2009-0306012

9. Simple Land Division including the terms, covenants and provisions thereof

Recording Date: June 1, 2016
Recording No.: 2016-0601022
Affects: Parcel B and other property

10. Reserved.

12. Reserved.

13. Reserved.

14. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled: Memorandum of Ground Lease
Lessor: Cornelius Holdings, LLC, a Washington limited liability company
Lessee: TAL Holdings, LLC, a Washington limited liability company
Recording Date: , 2017
Recording No.: 2017

15. Reserved.

16. Reserved.

17. An unrecorded lease with certain terms, covenants, conditions and provisions as disclosed by the document

Entitled: Rental Agreement, Dwelling Unit Only
Lessor: R&TB, LLC
Lessee: Mike Barnes
Dated: July 29, 2014

18. Access and Parking rights in favor of Eddie and Friends Off-Leash Dog Park over a portion of said premises, as disclosed by unrecorded Ground Lease, dated July 17, 2008

CORNELIUS HOLDINGS BORDERING PARCELS

Win 300'

SJC DEPARTMENT OF

FEB 25 2019

COMMUNITY DEVELOPMENT

351444001

R&TB LLC
P.O. Box 742
Friday Harbor, WA 98250

351454303

CLARK D. CASEBOLT
12003 – 23RD Ave. N.E.
Seattle, WA 98125-5249

351454304

R. STEPHEN & LYNNE M. BARNES
P.O. Box 1451
Friday Harbor, WA 98250

351454401

JERRY L. & CONNIE L. BLACK
P.O. Box 2832
Friday Harbor, WA 98520

351454402

TIMMONS CALSTATE LLC
P.O. Box 2181
Friday Harbor, WA 98250

351454403

TIMMONS CALSTATE LLC
P.O. Box 2181
Friday Harbor, WA 98250

351454404

TIMMONS CALSTATE LLC
P.O. Box 2181
Friday Harbor, WA 98250

351454405

JERRY L. & CONNIE L. BLACK
P.O. Box 2832
Friday Harbor, WA 98520

351454406

JERRY L. & CONNIE L. BLACK
P.O. Box 2832
Friday Harbor, WA 98520

351491902

PORT OF FRIDAY HARBOR
P.O. Box 889
Friday Harbor, WA 98250

351492017

CORNELIUS HOLDINGS LLC
c/o TAL Holdings LLC
9300 Vancouver Mall Dr., Suite 101
Vancouver, WA 98662-7935

351492023

CALVIN & MARY KAREN RYAN
739 Telegraph Lane
Friday Harbor, WA 98250

351492024

RUSSELL L. SAMPLES
P.O. Box 4156
Roche Harbor, WA 98250

351492026

CRAIG & MARIANNE STARR
P.O. Box 961
Friday Harbor, WA 98250

351492027

JIMMIE R. LAWSON & DONALD A. GALT
P.O. Box 222
Friday Harbor, WA 98250

351492025

CALVIN & MARY KAREN RYAN
739 Telegraph Lane
Friday Harbor, WA 98250

351492029

JIMMIE R. LAWSON & DONALD A. GALT
P.O. Box 222
Friday Harbor, WA 98250

351492601

LISA BROWN
14 Apple Tree Lane
Friday Harbor, WA 98250

351492603

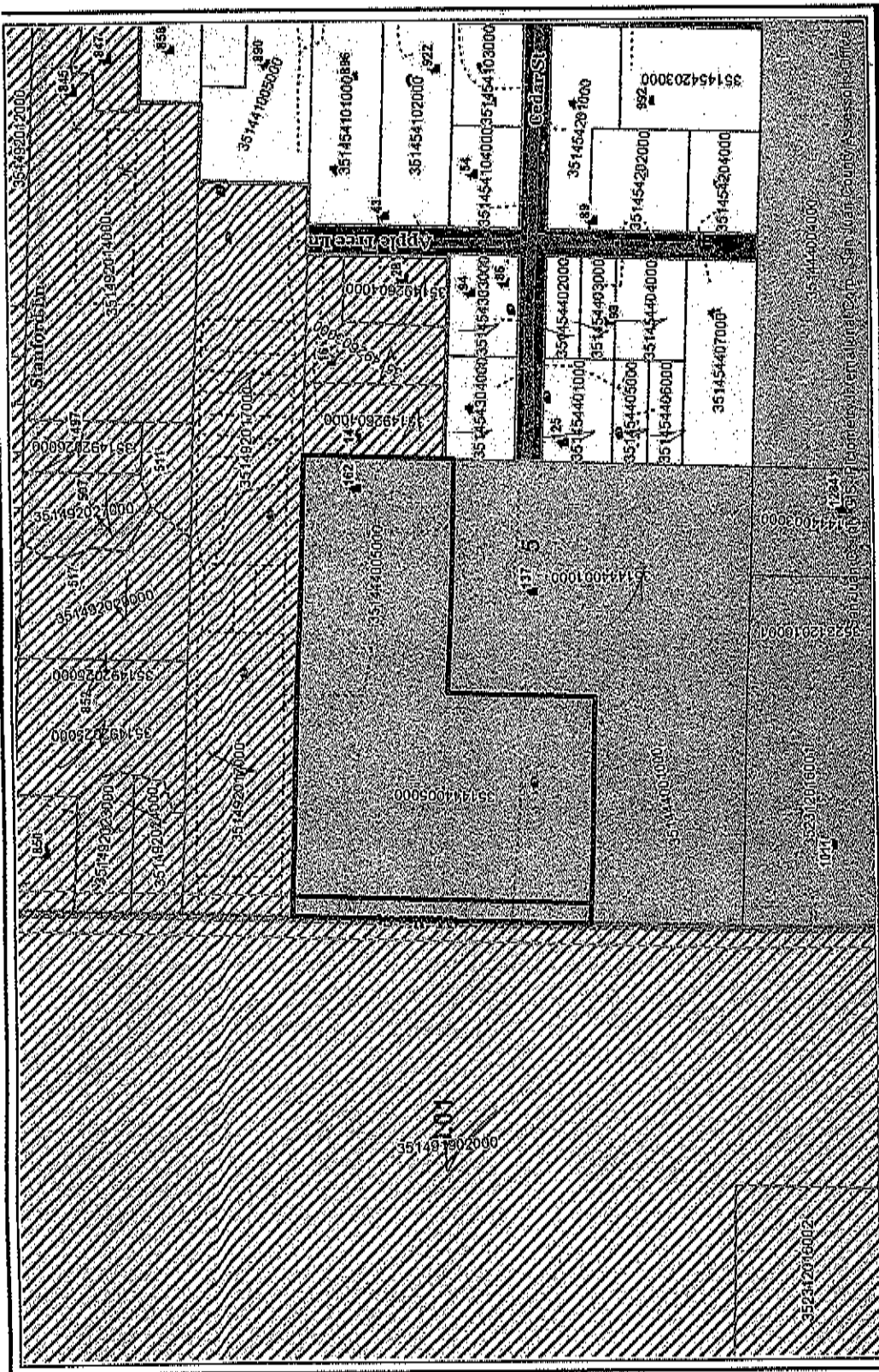
TIMOTHY A. & SALLY A. THOMSEN
745-C Larsen Street
Friday Harbor, WA 98250

351492604

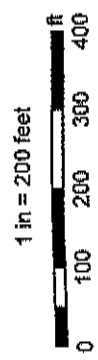
AARON & JODI ROCK
28 Apple Tree Lane
Friday Harbor, WA 98250

PREDES-19-0001

HOLDINGS LLC, CORNELIUS



**Cornelius Holdings parcel
BORDERING TFH**



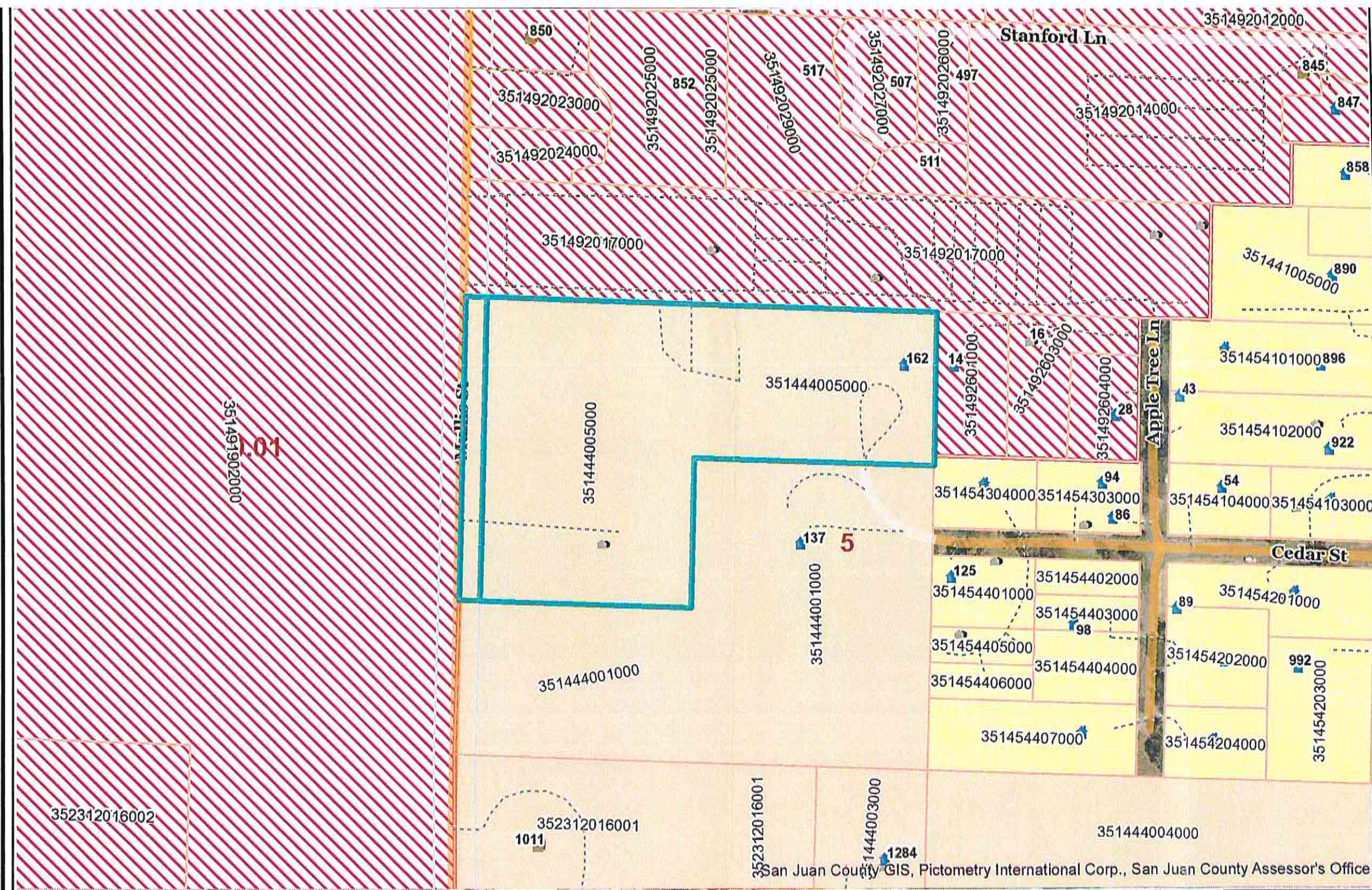
This map is derived from San Juan County's Geographic Information System (GIS). It is intended for reference only and is not guaranteed for survey accuracy. The information represented on this map is subject to change without notice.



Date: 8/16/2018

Time: 10:25:45 AM

Printed from Polaris Property Search - San Juan County WA



SJC DEPARTMENT OF
FEB 25 2019
COMMUNITY DEVELOPMENT



This map is derived from San Juan County's Geographic Information System (GIS). It is intended for reference only and is not guaranteed to survey accuracy. The information represented on this map is subject to change without notice.

1 in = 200 feet
0 100 200 300 400 ft

**Cornelius Holdings parcel
BORDERING TFH**



1 in = 200 feet

0 100 200 300 400 ft

Cornelius Holdings 5 acre parcel



BROWNE'S HOME CENTER NURSERY SITE

⌚ NOT TO SCALE

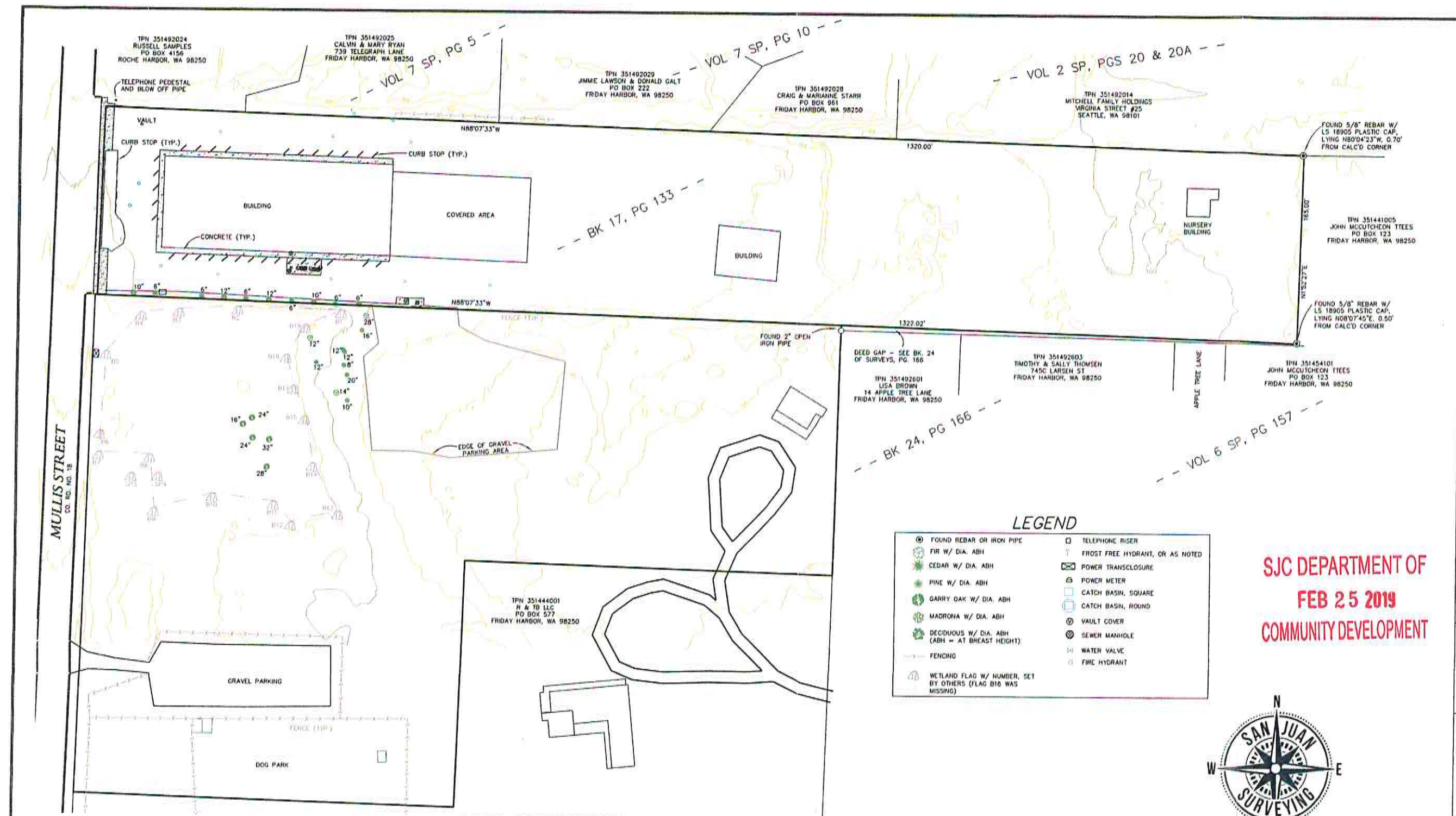
GRAHAM BABA ARCHITECTS SJC DEPARTMENT OF

PREDES-19-0001

HOLDINGS LLC, CORNELIUS

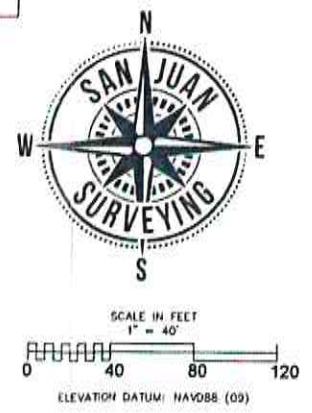
FEB 25 2019

COMMUNITY DEVELOPMENT



LEGEND	
● FOUND REBAR OR IRON PIPE	☐ TELEPHONE RISER
● FIR W/ DIA. ABH	☐ FROST FREE HYDRANT, OR AS NOTED
● CEDAR W/ DIA. ABH	☐ POWER TRANSCLUSURE
● PINE W/ DIA. ABH	☐ POWER METER
● GARRY OAK W/ DIA. ABH	☐ CATCH BASIN, SQUARE
● MADRONA W/ DIA. ABH	☐ CATCH BASIN, ROUND
● DECIDUOUS W/ DIA. ABH (ABH = AT BREAST HEIGHT)	☐ VAULT COVER
--- FENCING	● SEWER MANHOLE
● WETLAND FLAG W/ NUMBER, SET BY OTHERS (FLAG B10 WAS MISSING)	☐ WATER VALVE
	● FIRE HYDRANT

SJC DEPARTMENT OF
FEB 25 2019
COMMUNITY DEVELOPMENT



LAND DESCRIPTION

PARCEL A:
THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 35 NORTH, RANGE 3 WEST, W.M., IN SAN JUAN COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 35 NORTH, RANGE 3 WEST, W.M.; THENCE SOUTH 70 ROADS TO THE POINT OF BEGINNING; THENCE WEST 80 ROADS; THENCE SOUTH 10 ROADS; THENCE EAST 80 ROADS, ON THE LINE BETWEEN THE SAID NORTHEAST QUARTER OF SAID SECTION, TOWNSHIP, AND RANGE, AND THE SOUTHEAST QUARTER OF SAID SECTION, TOWNSHIP, AND RANGE, TO THE EAST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 10 ROADS TO THE POINT OF BEGINNING;
EXCEPT THE EAST 200 FEET THEREOF;
ALSO EXCEPT THE WEST 10 FEET THEREOF CONVEYED TO SAN JUAN COUNTY UNDER AUDITOR'S FILE NO. 88153433, RECORDS OF SAN JUAN COUNTY, WASHINGTON.

PARCEL B:
THE NORTH 220.00 FEET OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 35 NORTH, RANGE 3 WEST, W.M., IN SAN JUAN COUNTY, WASHINGTON; AND,
ALSO THE NORTH 437.00 FEET OF THE WEST 334.00 FEET OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, AND,
EXCEPT THE WEST 10 FEET CONVEYED TO SAN JUAN COUNTY BY DEED RECORDED SEPTEMBER 22, 1988 UNDER AUDITOR'S FILE NO. 88153432, RECORDS OF SAN JUAN COUNTY, WASHINGTON.

- SURVEYOR'S NOTES**
1. THIS TOPOGRAPHIC SURVEY MEETS OR EXCEEDS THE REQUIREMENTS OF WAC 332-130-090.
 2. THIS MAP REPRESENTS A TOPOGRAPHIC SURVEY WHICH LOCATED EXISTING MONUMENTS, STAKES AND PHYSICAL FEATURES. NO BOUNDARY MARKERS OR STAKES WERE SET. ALL PARTIES ARE HEREBY ADVISED THAT THIS MAP DOES NOT CONSTITUTE A BOUNDARY SURVEY, AND IS EXEMPT FROM THE REQUIREMENTS FOR FILING UNDER THE PROVISIONS OF THE WASHINGTON STATE SURVEY RECORDING ACT PER RCW 58.09.090(1)(D).
 3. FOR MORE BOUNDARY INFORMATION SEE BOOK 17 OF SURVEYS, PAGE 133, RECORDS OF SAN JUAN COUNTY, WASHINGTON.
 4. THE BASIS OF BEARINGS FOR THIS SURVEY IS THE WASHINGTON STATE PLANE COORDINATE SYSTEM - NORTH ZONE.
 5. THE CONTOURS SHOWN ARE PER THE PUGET SOUND LIDAR CONSORTIUM AND HAVE BEEN FIELD VERIFIED.

EQUIPMENT AND PROCEDURES

EQUIPMENT: TOPCON ROBOTIC TOTAL STATION (PS103A)
HIPER V GPS DUAL FREQUENCY GNSS RECEIVER W/ BASE STATION

PROCEDURE: FIELD TRAVERSE

PROPERTY INFORMATION		TOPOGRAPHIC SURVEY FOR	
SITE ADDRESS: 860 MULLIS STREET	TAX PARCEL NUMBER: 351492017 & 35144005	CORNELIUS HOLDINGS, L.L.C.	CORNELIUS HOLDINGS, L.L.C.
DESCRIPTION: PTN NE-SE, SE-SE, S1/4, T35N, R3W	MISC:	ON SAN JUAN ISLAND	ON SAN JUAN ISLAND
		GRAPHIC SCALE: 1" = 40'	GRAPHIC SCALE: 1" = 40'
		CHECKED BY: [Signature]	CHECKED BY: [Signature]
		DATE: 2/19/18	DATE: 2/19/18
		SHEET: 1 OF 1	SHEET: 1 OF 1



EXISTING CURB CUT

1A CONCEPTUAL PLAN USING PERVIOUS PAVERS (IF ALLOWED)
N.T.S.
3.9.2018
UPDATED 3.21.2018

SJC DEPARTMENT OF
FEB 25 2019
COMMUNITY DEVELOPMENT

Law Offices Of
STEPHANIE JOHNSON O'DAY, PLLC

540 Guard Street, Suite 160
Post Office Box 2112
Friday Harbor, Washington 98250-2112

Telephone: (360) 378-6278 Fax: (360) 378-5066
E-Mail: sjoday@rockisland.com

SJC DEPARTMENT OF
FEB 25 2019
COMMUNITY DEVELOPMENT

To: Duncan Wilson, Town of Friday Harbor Administrator
From: Stephanie Johnson O'Day *SJO*
Re: Cornelius Holdings LLC request for inclusion in TFH UGA
Date: December 20, 2018

This memo is in response to your request for a legal basis to support my client's request to San Juan County to expand the UGA to include a five-acre parcel on Mullis Street, located immediately adjacent to the Town of Friday Harbor boundary.

FACTS

On August 4, 2017, Cornelius Holdings LLC purchased two parcels of land on Mullis Street, Friday Harbor. Both parcels are located east of the Friday Harbor airport. One parcel is located inside the Town boundaries and is the home of Browne Lumber. The other parcel is vacant and within the County boundaries. The owner would like to move the Browne Lumber nursery from the back of the Town parcel to the Mullis Street side of the County parcel, retaining the right to use the back of one or both properties for affordable housing purposes. The owner would like to utilize Town of Friday Harbor water and sewer for the project.

Current Allowed Zoning:

351492017: LIGHT INDUSTRIAL. Located within Town limits. 4.17 acres of land. Property houses Browne Lumber. FHMC 17.52 allows wholesale and retail commercial uses with ancillary single-family uses. Uses Town water and sewer.

351444001: RURAL GENERAL USE. Located within County limits. 5.10 acres of vacant land with .82 acres on a short term lease to Island Rec for the dog park. SJCC 18.30.040 regulates uses on this land and allows more intensive industrial and commercial uses to be placed in this area. San Juan County Code allows only 1 residence per five acres. There is currently no water or septic serving this property.

PREDES-19-0001
HOLDINGS LLC, CORNELIUS

GMA Applicable Laws

The Growth Management Act requires that Counties and Towns regulate urban growth by containing it to outside of the rural areas. San Juan County is primarily rural in nature.

36.70A.030(21) *"Urban growth" refers to growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources, rural uses, rural development, and natural resource lands designated pursuant to RCW 36.70A.170.....*

"Characterized by urban growth" refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.

36.70A.110(1) *Each county that is required or chooses to plan under RCW 36.70A.040 shall designate an urban growth area or areas within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature. ...An urban growth area may include territory that is located outside of a city only if such territory already is characterized by urban growth whether or not the urban growth area includes a city, or is adjacent to territory already characterized by urban growth...*

36.70A.110(2)..... *An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties **may consider local circumstances**. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.*

36.70A.110(3) *Urban growth should be located first in areas **already characterized by urban growth** that have adequate existing public facility and service capacities to serve such development.*

36.70A.110(7) *An urban growth area designated in accordance with this section may include within its boundaries urban service areas or potential annexation areas designated for specific cities or towns within the county.*

UGA MANAGEMENT AGREEMENT
TOWN OF FRIDAY HARBOR & SAN JUAN COUNTY

On July 8, 2008, San Juan County and the Town of Friday Harbor entered into a UGA management agreement. At that time, ten years ago, three areas around the TFH were designated as UGA's. All three, with the exception of a very small acreage near the water tower, have been annexed into the Town. It is now time to update that agreement. It would be in the best interests of the citizens to designate additional lands adjacent to the Town as UGA to accommodate growth in the next ten years. The Cornelius five acre parcel is a logical choice.

Mullis Street is already characterized by Urban Growth. This is not a residential area nor is it a rural area. The frontage of the Mullis Street properties are not appropriate for residential use, being so close to the airport. Neither are these properties appropriate for agricultural use. Once the Cornelius five-acre property is included in the UGA, the owner can apply for annexation – which would allow the Town to sell water and sewer hookups not only for the proposed Nursery and possible café use, but potentially for a multi-family complex on the east side of the property.

The Town of Friday Harbor does not have parcels large enough to accommodate the placement of a large outdoor nursery, nor does the Town have a parcel large enough to accommodate what the every day workers on the island really need – which is a large new apartment building which is affordable.

We all know that the need exists. Now there is a way that need can be filled. The Town will clearly benefit financially as well by the inclusion of this parcel and sale of utility hookups.

We urge the Town Council to support the inclusion of the Cornelius five-acre parcel into the Town UGA. We ask that the Council send a letter of support of the Cornelius UGA inclusion request to: Linda Kuller, Planning Manager, San Juan County DCD, PO Box 947, Friday Harbor, WA 98250.

Thank you in advance for your support.

Cc: Linda Kuller
Mike Bertrand
client

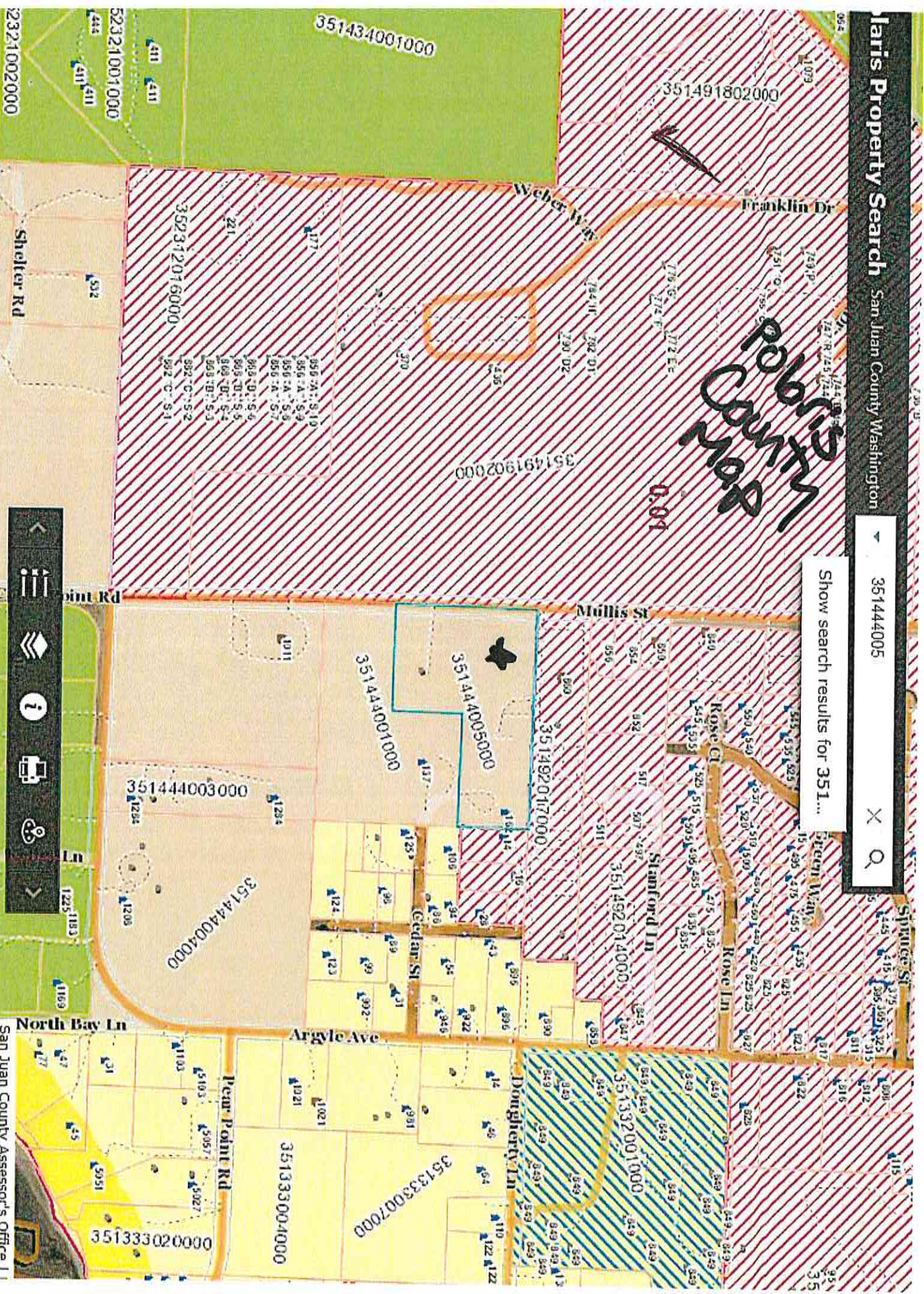
351444005

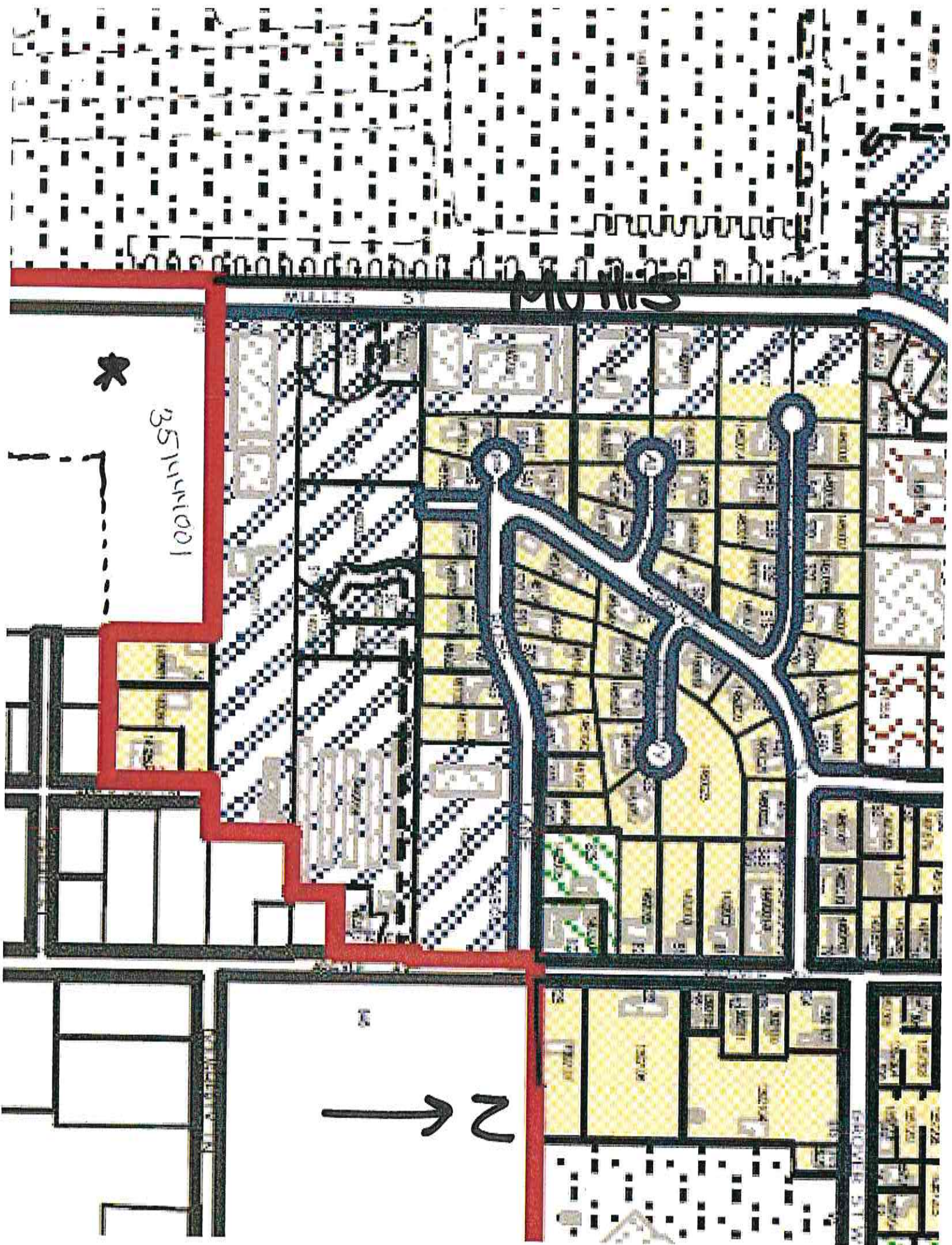


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Chapter 17.76 FRIDAY HARBOR URBAN GROWTH AREA ADMINISTRATION

Sections:

- 17.76.010 Purpose.
- 17.76.020 Applicability.
- 17.76.030 Geographic area.
- 17.76.040 Urban services.

17.76.010 Purpose.

The purpose of this chapter is to provide the town with a process for administration and management of the Friday Harbor urban growth area as defined in the Friday Harbor Unincorporated Urban Growth Area Management Agreement (hereinafter "management agreement"), adopted jointly by the San Juan County board of county commissioners and the Friday Harbor town council and set forth in Appendix C of the comprehensive plan. (Ord. 1194 § 5, 2002; Ord. 1172 § 102, 2001)

17.76.020 Applicability.

Any and all land use and/or development occurring in the Friday Harbor urban growth area shall be subject to the provisions of the management agreement as amended unless the management agreement is terminated as defined in Section 10 of the management agreement. (Ord. 1172 § 103, 2001)

17.76.030 Geographic area.

The boundaries of the Friday Harbor urban growth area shall be as defined in Section 3 of the management agreement. (Ord. 1172 § 104, 2001)

17.76.040 Urban services.

Water and sewer services shall not be provided outside the corporate boundary, including the Friday Harbor urban growth area, until it has been annexed into the town, except where the town has a contractual obligation to provide, or is providing, such services. (Ord. 1172 § 105, 2001)

The Friday Harbor Municipal Code is current through
Ordinance 1644, passed June 21, 2018.

Disclaimer: The Town Clerk's Office has the official version of the
Friday Harbor Municipal Code. Users should contact the Town
Clerk's Office for ordinances passed subsequent to the ordinance
cited above.

**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: [Signature] 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
Ann Larson - Clerk

Date: 7/8/08

Gene Knapp
Gene Knapp, Vice-Chair
District 5, Orcas East

REVIEWED BY COUNTY
ADMINISTRATOR

Pete Rose
Pete Rose Date: 7-8-08


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

APPROVED AS TO FORM ONLY
RANDALL K. GAYLORD

By: Randall K. Gaylord
Date: 7/8/2008

Richard Peterson
Rich Peterson, Member
District 2, San Juan North

Alan Lichter
Alan Lichter, Member
District 4, Orcas West/Waldron

Bob Myhr
Bob Myhr, Member
District 6, Lopez/Shaw

C:\Documents and Settings\jone\Desktop\UGA Mgt Agreement\cr061908.doc

Friday Harbor with Unincorporated UGA areas Shaded

2008

Figure 1

