



SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

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DATE RECEIVED
 San Juan County
 Department of Community
 Development
 February 26, 2021

Comprehensive Plan Text/SJC Code* Amendment Request

*San Juan County Code Titles 15, 16 & 18
 (Annual Docket)

APPLICANT INFORMATION:			
Name of Applicant:	Eastsound Planning and Review Committee	Name of Agent:	Leith Templin
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This request is for a text amendment to the Comprehensive Plan or development regulations, not a comprehensive plan map amendment. I understand that this request will be reviewed according to the County's annual docket process.		
Signature	Leith Templin <i>Printed Name</i>	03/01/2021 <i>Date</i>
Signature	Charles Toxey <i>Printed Name</i>	03/01/2021 <i>Date</i>

Please Describe the Proposed Amendments (attach additional pages if you need more space):

1. Comprehensive Plan amendments (if applicable). Describe proposed amendment and/or attach proposed text changes. List Comprehensive plan section, page numbers, title and policies proposed for amendment.

EPRC hears public comment, reviews permits, and works with the Eastsound community, builders, and utility providers to identify needed changes in the Eastsound Subarea Plan. The attached list of suggested changes which will close loopholes, expand commercial opportunities, protect residents from harm, enhance the public's enjoyment of Eastsound, and protect its natural resources. A brief problem statement will precede each suggested change.

2. San Juan County Code Title 15, Title 16 or Title 18 amendments (if applicable). Describe proposed amendment and/or attach proposed text changes. List code sections proposed for amendment.

These are all Title 18 amendments, specifically in the Eastsound Subarea Plan.

3. Why is the amendment being proposed?

See the attached document. These changes fall into the categories of:

- **Fixing loopholes**
- **Correcting erroneous errors**
- **Clarifying misleading language**
- **Adding commercial opportunities in appropriate places within Eastsound**
- **Enhancing and Protecting residential areas, schools, and neighborhood institutions**
- **Protecting the Eastsound watershed**
- **Promoting affordable housing parks and industrial activity by creating better screening options**

4. How is the proposed amendment consistent with the Growth Management Act (RCW 36.70A), Comprehensive Plan and development regulations?

EPRC has separately sent recommendations to County Staff on all matters directly dealing with density and land use. These proposed changes work completely in tandem with and promote GMA principles by protecting effective respectful intersections between industrial, commercial and residential areas.

5. Does this proposal impact an Urban Growth Area (UGA)? Lopez Village, Eastsound and the Town of Friday Harbor are the only UGAs in the County.

- Yes, indicate UGA - Eastsound UGA
 No

6. Does this proposal increase population or employment capacity?

Not directly. However, it prevents ADUs from being used as vacation rentals in Village Commercial which makes them available for long term residential use and it could make it possible to allow affordable housing in the form of mobile home parks in more areas if they were better screened.

Docket – Comprehensive Plan Change Request EPRC February 2021

18.30.670 Design Standards – Request to change exemption language. There is currently an exception to the standards which was written to allow an individual to build a personal private home in whatever style desired: individual homes being such a tiny percentage of overall buildings that the impact to Eastsound’s architectural character would be minimal. The exemption reads, “with the exception of single family residences.” Recent development of multiple residential units has not followed the design standards citing the poorly worded exception because the units were all intended for a single family. This has had a negative impact on Eastsound. We recommended to Staff the removal of SFRs from Village Commercial. But, in case SFRs are allowed to remain, we recommend removing the exemption for SFRs in Village Commercial from the Design Standards – and keeping the exemption in VRI with a change in the language to “a single family residence built on a single parcel in VRI, not multiple dwellings and/or on multiple parcels.” or other language which meets that intent.

Description of Required Screening in land use tables - Several of the tables starting at **18.30.470 (tables 9,11,12,13,14,15,18,19)** reference the minimum screening height of “vegetation” required in 18.30.670 but fail to reference that this vegetation must include shrubs and trees, a 5 foot planting depth, and that it must achieve at least 80% opacity of the thing being screened. If builders or planners look at these tables, they might mistakenly believe they only have to put in a single 2 foot row of shrubs or a single fence 5 feet high. Please update the landscaping sections in each table to say “Screening is to provide a visual barrier at least five feet high, five feet deep with mix of evergreen trees and shrubs to achieve a sight-obscuring screen of at least 80 percent opacity.”

18.30.540 Eastsound airport district. Table 16. The Port of Orcas has doubled its land holdings in recent years and is planning a major expansion which will add hangars, a helipad, warehouse structures and a terminal building onto what is currently open space fields facing Mount Baker Road, Sea View Road, and possibly North Beach Road in the near future. The old terminal buildings were far from public roads and had no visual impact on the surrounding properties. So, there was no need for screening them. These new buildings will be prominent, abutting public roads and in close proximity to private homes, schools and places of worship, Add a Landscaping requirement in Table 16 Eastsound Airport District. Add “New development shall be designed to conserve natural site features to the extent possible. Outside of the runway and taxiway no object zones, 20 feet of treed screening landscaped buffers (in compliance with FAA height limits and SCC18.40.030 through 18.40.032) are required along public street frontage and along property lines adjacent to non-airport land use designations.”

Country Corner Commercial Screening - There also is no Landscaping requirement cited for Country Corner Commercial in **Table 17** where legacy Outdoor Storage is improperly screened. Please add a screening requirement to table 17.

18.30.670 D. a. More types of screening needed– The current description of Screening in Eastsound has only one 5 foot tall option with 80% opacity which barely screens a car, a dumpster or a small boat, but definitely not a building, a line of boats, recreational vehicles, work trucks or a lot of the things that need to be screened in densifying town. Please add an increased level of landscaped screening of mixed evergreens up to 15 or 20 feet high at maturity and up to 99% opacity which could make allowing a wider range of uses such as Outdoor Storage, mobile home parks, and RV parks acceptable in more places.

18.30.560 Eastsound rural residential – Required Clustering. The code states, “All residential developments of 5 or more units or any residential development on a lot or lots in common ownership of 10 acres or more is required to be designed as a cluster of buildings and appurtenances. A minimum of 30 percent of the site shall be retained in open space. All cluster development shall be connected to public water and sewer systems.” This appears to be at odds with requirement for properties outside the UGA not to be hooked up to sewer or water.

Table 5 - VC Vacation Rentals – No vacation rentals should be allowed in ADUs in VC. ADUs meet GMA goals specifically to promote affordable long-term housing.

18.30.640 Payment in lieu – Eastsound village parking fund states “The County council, after receiving the recommendations of the EPRC and the County council’s designee, shall annually establish a fee-in-lieu charge which is based on the average current cost of providing a completed parking space in the village commercial district. An additional charge of \$250.00 shall be included in the fee-in-lieu charge which shall be devoted to the repair and maintenance of the space so created.” The current fee-in-lieu charge has not been updated in decades instead of being updated per the plan, and could not possibly pay for a parking space in Eastsound. EPRC recommends adding the following fee reference for fee-in-lieu to this section of the Eastsound Subarea Plan – fee equal to ‘10% of the current year assessed land value of an average ¼ acre parcel in Village Commercial land use designation.’ or similar.

18.30.660 Signs. 1) Recent problems have occurred with signs being mounted so low that pedestrians could easily hit their heads when walking on the sidewalk. 2) Brightly illuminated ATM machines, gas pumps and charging stations which are lighted from within have been permitted and installed which do not meet code, and, 3) there have been discussions of businesses wanting multiple freestanding signs. In B. 3. Under the public

hazard section, please clarify that signs over walkways should be above head height, at least 7 feet. Please also clarify further under B. 4. that ATMs, ATM signs, fuel pumps and electric charging stations are not exempt from the requirement that signs should not be illuminated from within. Under B. 5. Please indicate that only one freestanding sign is allowed.

18.30.700 Street development standards Curb, gutter and sidewalk are not the only street standards now. Section B should be removed entirely. Section D should include “public paths” Section E should not only reference curb, gutter and sidewalks. It should state “all street improvements established for their street which may include curbs, gutters, sidewalks, public paths,” or the equivalent.

The following are suggested changes to the Eastsound Subarea Allowable Use Tables

- Animal Shelters – Apply the phrase “must be enclosed” (which currently applies to SLI) to all locations in the Subarea, to reduce noise. Or, as an alternative, in 18.40.050 code for Kennels references “indoor facilities only.” This would not prevent the facility from having outside dog run areas. It would just mean the animals would be housed indoors.
- Landscaping, Lawn and Garden Centers, Nurseries and Retail Plant Sales – Change to Yes for 400 square feet or less in Marina, Airport and Country Corner Commercial. Add caveat that “No night lighting” of greenhouses is permitted 8pm to 8am unless glass is opaque. Change to Prov for structures/greenhouses over 400 square feet. This will allow very small nursery and greenhouses (no bigger than a two-car garage) in commercial areas without negatively affecting neighbors.
- Garbage and Solid Waste Transfer Stations – Change to No in Service and Light Industrial – Eastsound’s aquifer would be in jeopardy from solid waste leaching into ground water, and our garbage and transfer needs are being met well in an area which does not leach into the Eastsound watershed or the swale.
- Light Manufacturing – Require manufacturing to be enclosed in buildings and outside storage to be screened in all land uses, not just in some land uses. Airport and SLI are co-located with residential and institutional uses. Enclosing manufacturing and screening outside storage just makes sense.
- Storage and Treatment of Sewerage, Sludge and Septage, Lagoon Systems – Add “enclosed” to SLI for aquifer concerns and containment. I.e., no ‘open’ lagoons.
- Library – Allow in VRI. Libraries are definitive institutional uses and should be allowed in VRI.
- Museum – Allow in VRI. Museums are exemplary of institutions and are perfect for VRI.
- Outdoor Recreation Developments– No in Natural. We understand that commercial tent camping is considered an Outdoor recreation development. Tent camping takes a negative toll on natural areas. Review state parks camping areas

for reference. We want Madrona Point and other natural areas to be enjoyed by the public but not commercial tent camping or playing fields in Parks.

- Outdoor Shooting Ranges – No in SLI. We don't see why the safety risks and noise associated with outdoor shooting ranges should be allowed anywhere in Eastsound. However, we have no objection to having indoor shooting ranges in SLI.
- Mobile Home Parks – We strongly support the establishment of mobile home parks in the interest of affordable housing but should not be visible from County roads. We suggest adding a new level of Screening which requires a deeper planting area and 99% opacity which would make them more acceptable where they are allowed now and possibly make them acceptable in other land uses.
- Helipads Private or Emergency – There is no reason to have helipads anywhere except in the Eastsound Airport land use designation. Some of the rejected iterations of the Airport Master Plan showed a helipad close to the Montessori School. Thankfully, the final version located it farther away. Add caveat in Airport “No Helipads within 100 feet of residences or schools.”
- Utility Facilities Including Storage, Maintenance, Service, Operations and Other Support Offices – Keep YES in Service Park with caveat – Yes to Storage and Utility Support Buildings and No to Offices.
- Agricultural Uses and Activities – YES for SLI and Airport. This allows unused land to be planted or hayed until it is needed for other purposes. Per Adam's input, add a caveat that no agricultural buildings, barns, etc. should be allowed in SLI or Airport.
- Nurseries – We see no reason not to allow this commercial activity on Country Corner properties. YES in Country Corner Commercial.

02/25/2021