



SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT


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dcd@sanjuanco.com | www.sanjuanco.com

MEMO

MEMO DATE: July 27, 2021

TO: San Juan County Council

CC: Erika Shook, AICP, DCD Director

FROM: Sophia Cassam, Planner I 

SUBJECT: 2021 Docket Public Planning Commission

BRIEFING DATE: August 10, 2021

ATTACHMENTS: A. Table of Staff and Planning Commission Recommendations on the 2021 Docket
B. Draft Resolution XX-2021 on the 2021 Docket

PURPOSE: To inform the County Council of the Planning Commission recommendation on the 2021 Docket. To set a public hearing on the 2021 Docket on September 14, 2021.

ACTION REQUESTED: Please set a public hearing on the 2021 Annual Docket on Tuesday, September 14, 2021 to begin at or after 9:15 a.m.

PUBLIC COMMENTS: Please send all public comments to sophiac@sanjuanco.com. Please do not copy the County Council, Planning Commission members, or other County staff. Written public comments received by noon on August 9 will be provided to the County Council before the briefing. Please focus public comments on the discussion topics contemplated in this memo.

To view the public comments submitted to date on the 2021 Docket, visit <https://www.sanjuanco.com/1658/Annual-Docket>

BACKGROUND: Through the Annual Docket process, interested parties submit requests for changes to the Unified Development Code, Comprehensive Plan, and Official Maps. Staff, the Planning Commission, and the County Council consider whether to add the requests to the Department of Community Development (DCD) future work program. Ultimately, the County Council adopts the docket by resolution and sets the DCD work program (Attachment B). The docket resolution includes a list of requests to be added to the DCD work program in order of priority and a list of requests that require no further action.

At the May 25, 2021 County Council meeting, DCD staff briefed the County Council on the 2021 Docket applications and staff recommendation. The staff report for the initial briefing is available here: <https://www.sanjuanco.com/DocumentCenter/View/22943/>. The Planning Commission held a public hearing on the 2021 Docket on June 18, 2021. The public hearing was continued to July 16 to allow the

Planning Commission to continue their deliberations before making to their recommendation to the County Council. The Planning Commission made their recommendation on the 2021 Docket on July 16. The docket requests and staff and Planning Commission recommendations are listed in Attachment A.

Request 21-0003

Docket request 21-0003 was of particular interest to the public. This request was submitted by Joe Symons of Orcas Island for a “Build-out Analysis” exploring the possible impacts that could occur if all land in the County were developed to the maximum amount allowed by the Official Maps. The Planning Commission received approximately 80 public comments in support of this request. The Planning Commission extended their public hearing on the 2021 Docket to give additional consideration to request 21-0003.

Before the July the public hearing, the Planning Commission requested additional information from staff about the work that has been done as part of the Comprehensive Plan update to address the concerns expressed by the applicant about population growth and development impacts. Staff provided the requested additional information in the staff memo available here: <https://www.sanjuanco.com/DocumentCenter/View/23417/>

PLANNING COMMISSION RECOMMENDATION: The Planning Commission held a public hearing over the course of two meetings and made a recommendation to the County Council on the 2021 Docket on July 16.

The Planning Commission recommended that the following requests be added to the DCD future work program in the following order:

- 21-0008 (Stormwater)
- 21-0001 (Commercial Composting)
- 21-0005 (Tree Code)
- 21-0006 (Eastsound Development Code)
- 21-0002 (Indoor Recreation Facilities/Tennis)

The Planning Commission recommended no further action on the following requests:

- 21-0003 (Build-out Analysis)
- 21-0004 (Floodproofing)
- 21-0007 (Drive-through windows)

Planning Commission Alternative: At the public hearing, the Planning Commission recommended no further action for request 21-0003, but requested that DCD put together and propose a possible scope of work for a study exploring the impacts that could occur if the County and visitor population were to double in the next 20 years. At the County Council public hearing on the Docket, DCD will require direction on whether to work on the Planning Commission’s request.

2021 Docket Requests and Planning Commission Recommendations

Request #	Keyword	Proponent	Summary of Request(s)	SJCC/Comp Plan Sections	Request Documents	Planning Commission Recommendation
21-0001	Commercial Composting	Thomas Bennett	Allow commercial composting by Provisional/Conditional use permit in the Agricultural (AG) Resource land use designation.	Table 18.30.040	https://www.sanjuanco.com/DocumentCenter/View/22052/	Add to the DCD work program after the <i>Plan</i> update. Priority 2.
21-0002	Indoor Recreational Facilities	Orcas Tennis Club	In Rural Farm Forest (RFF), change Indoor Recreation Facilities from a No to a Yes (or Provisional or Conditional Use). Orcas Tennis Club is proposing this change so that they can build covered tennis courts.	Table 18.30.040	https://www.sanjuanco.com/DocumentCenter/View/22244/	Add to the DCD work program after the <i>Plan</i> update. Priority 5.
21-0003	Build-out Analysis	Joe Symons	Add an executive summary and 'build-out analysis' to the Introduction of the Comprehensive Plan.	Section A, Introduction	https://www.sanjuanco.com/DocumentCenter/View/22257/	No further action.
21-0004	Floodproofing	SJC DCD	Amend Chapter 15.12 San Juan County Code (SJCC) Flood Hazard Control Regulations to allow agricultural and accessory structures located in the Special Flood Hazard Areas (SFHA) to be wet floodproofed in lieu of the elevation or dry floodproofing requirement without a variance.	SJCC 15.12 Flood Hazard Control Regulations	https://www.sanjuanco.com/DocumentCenter/View/22316/	No further action.
21-0005	Tree Retention and Protection	Miles Becker	Add a new section to the development standards for Tree Retention and Protection. The purpose of the new section is to: (1) clarify the tree regulations by consolidating the regulations into one section and (2) to add new protection standards for trees, especially during development activities.	18.35 – Critical Areas, 18.40 – Forest Practices, 18.50 – Shoreline Master Program	https://www.sanjuanco.com/DocumentCenter/View/22318/	Add to the DCD work program after the <i>Plan</i> update. Priority 3.
21-0006	Eastsound Subarea Plan	Eastsound Planning and Review Committee (EPRC)	Various proposed changes to SJCC Chapter 18.30 Article VIII Eastsound Subarea Plan. Topics include design standards, landscaping and screening, Vacation Rentals, parking, signage, and street development standards in addition to various proposed changes to the allowed uses in the land use tables.	SJCC 18.30 Article VII. Eastsound Subarea Plan	https://www.sanjuanco.com/DocumentCenter/View/22320/	Add to the DCD work program after the <i>Plan</i> update. Priority 4.
21-0007	Drive-through eating establishments	Rachelle Ericsson	Change SJCC 18.40.220 to allow restaurants as a permitted use for drive-through windows.	SJCC 18.40.220	https://www.sanjuanco.com/DocumentCenter/View/22322/	No further action.
21-0008	Stormwater	Alexandra Gayek	Various changes and additions to SJCC Chapter 18.60 Development Standards related to stormwater: 18.60.060 Clearing and Grading Standards, 18.60.070 Storm Drainage Standards, and 18.60.050 Density, Dimension, and Open Space Requirements. Changes are proposed to address drinking water needs and stormwater problems and improve ecosystem sustainability. A related change to <i>Plan</i> Element 4, Water Resources of the Comprehensive Plan is proposed as well.	18.60.060 Clearing and Grading Standards, 18.60.070 Storm Drainage Standards, and 18.60.050 Density, Dimension, and Open Space Requirements	https://www.sanjuanco.com/DocumentCenter/View/22329/	Add to the DCD work program after the <i>Plan</i> update. Priority 1.

RESOLUTION NO. ____ - 2021

**A RESOLUTION SETTING A 2021 DOCKET OF PROPOSED AMENDMENTS TO
THE SAN JUAN COUNTY COMPREHENSIVE PLAN (COMPREHENSIVE PLAN)
AND TITLE 18 SAN JUAN COUNTY CODE (SJCC).**

BACKGROUND

- A. The Growth Management Act (GMA) was passed by the State Legislature in April 1990;
- B. The Board of County Commissioners voted to plan under the GMA in November 1990;
- C. RCW 36.70A.470(2) states:
- “Each county and city planning under RCW 36.70A.040 shall include in its development regulations a procedure for any interested person, including applicants, citizens, hearing examiners, and staff of other agencies, to suggest plan or development regulation amendments. The suggested amendments shall be docketed and considered on at least an annual basis, consistent with the provisions of RCW 36.70A.130”;
- D. SJCC 18.90.020 Legislative procedures establishes the procedures for the annual docket required by RCW 36.70A.470(2);
- E. 2021 Docket applications for Comprehensive Plan or development regulation amendments were accepted by the San Juan County Department of Community Development (DCD) between January 1 and March 1, 2021;
- F. Eight 2021 Docket requests were received, as shown in Attachment A;
- G. Staff evaluated the 2021 Docket requests and forwarded recommendations on them to the County Council and Planning Commission in a staff report dated May 6, 2021;
- H. On May 21, 2021, staff briefed Planning Commission on the 2021 Docket applications;
- I. On May 25, 2021, staff briefed County Council on the 2021 Docket applications;
- J. The June 18, 2021 Planning Commission public hearing was duly advertised in the *Journal of the San Juan Islands* and the *Islands Sounder* on June 2, 2021;
- K. On June 7, 2021, applicants were personally notified via email about the June 18, 2021 Planning Commission public hearing, with an invitation and instructions for providing testimony virtually;

1 L. On June 18, 2021, Planning Commission held a public hearing on the 2021 Docket
2 applications;

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4 M. On June 18, 2021, following the public hearing, the Planning Commission deliberated on
5 public testimony and staff recommendations;

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7 N. The Planning Commission recommended that the following 2021 Docket requests be
8 added to the Department of Community Development work program after the Comprehensive
9 Plan update in the following order of priority: 21-0008, 21-0001, 21-0005, and 21-0006.

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11 O. The Planning Commission recommended that no further action be taken on the following
12 2021 Docket requests: 21-0004 and 21-0007.

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14 P. The Planning Commission continued the public hearing on the 2021 Docket to July 16,
15 2021 to consider request 21-0003.

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17 Q. On July 16, 2021, following the public hearing the Planning Commission held a public
18 hearing and deliberated on request 21-0003;

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20 R. The Planning Commission recommended that no further action be taken on 2021 Docket
21 requests 21-0003.

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23 S. On August 10, 2021, staff briefed the County Council on the Planning Commission's
24 recommended actions and asked them to set a public hearing for July 14, 2021.

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26 T. [Placeholder for additional background]

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29 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of San Juan County, state
30 of Washington, as follows:

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32 A. The 2021 Docket requests shown in Attachment A be addressed as follows:

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34 1. [Placeholder for resolution]

1 ADOPTED this ____ day of _____, 2021.
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5 ATTEST: Clerk of the Council
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COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON

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9 _____
Ingrid Gabriel, Clerk Date

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Cindy Wolf, Member
District 2, Orcas/Waldron
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15 REVIEWED BY COUNTY MANAGER
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18 _____
Michael J. Thomas Date

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Jamie Stephens, Chair
District 3, Lopez/Shaw
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23 RANDALL K. GAYLORD
24 APPROVED AS TO FORM ONLY
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27 By: _____
28 Date

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Christine Minney, Vice-Chair
District 1, San Juan
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31 **ATTACHMENTS**

A. 2021 Docket

2021 Docket Requests and Planning Commission Recommendations

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