



SAN JUAN COUNTY  
DEPARTMENT OF COMMUNITY DEVELOPMENT

135 Rhone Street, PO Box 947, Friday Harbor, WA 98250  
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**MEMO**

**REPORT DATE:** May 10, 2022

**TO:** San Juan County Council  
San Juan County Planning Commission

**FROM:** Brooke K. Sullivan, Planner III *BK*  
Sophia Cassam, Planner II *SC*

**SUBJECT:** 2022 Annual Docket: Initial briefings and staff recommendations for Proposed Amendments to the SJC Comprehensive Plan and Development Regulations

**BRIEFINGS:** Planning Commission: May 20, 2022  
County Council: June 7, 2022

**ATTACHMENTS:**

- A. Table summarizing Annual Docket requests and staff recommendations
- B. Annual Docket requests and review forms
  - B.1 Request 22-0001: Port of Friday Harbor
  - B.2 Request 22-0002: Sunflower Properties LLC
  - B.3 Request 22-0003: OPAL Community Land Trust
  - B.4 Request 22-0004 Land Use 0044: New RH LLC
  - B.5 Request 22-0005 Land Use 0045: GTB Farms LLC
- C. Email list of applicants requesting amendments
- D. RCW 36.70A.470(2) and SJCC 18.90.020 Legislative Procedures
- E. Comprehensive Plan and Code Amendment Process

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**PURPOSE:** To brief the County Council and Planning Commission on the 2022 Annual Docket (Docket) applications and staff recommendations prior to the Planning Commission public hearing planned for June 17, 2022. DCD will answer questions about the Docket applications at the briefing. DCD is not currently requesting feedback or recommendations from the County Council or Planning Commission.

**PUBLIC COMMENTS:** Please send all public comments to [brookes@sanjuanco.com](mailto:brookes@sanjuanco.com). Please do not copy the County Council, Planning Commission members, or other County Staff. Written public comments received by noon on May 19th will be provided to the Planning Commission. Written public comments received by noon on May 23 will be shared with the County Council. Comments should refer to the 2022 Docket requests. All comments on the 2022 Docket will be posted online at: <https://www.sanjuanco.com/1658/Annual-Docket>.

**2022 DOCKET APPLICATIONS:** Attachment A summarizes the five completed 2022 Docket applications and provides a staff recommendation for each. Attachment B includes staff review forms and copies of each application.

**EMAIL LIST:** Attachment C provides a single email list of all applicants as required by SJCC 18.90.020 (E).

**BACKGROUND:** The Growth Management Act (RCW 36.70A.470(2)) and San Juan County Code (SJCC) 18.90.020 allow any interested party to propose amendments to the San Juan County Comprehensive Plan (*Plan*), Official Maps, and SJCC Title 18 Unified Development Code (UDC) in (Attachment D). The community proposes amendments through the Annual Docket process. The County Council considers the applications and decides whether to add them to future Department of Community Development (DCD) work programs. The RCW 36.70A.130(2) allows the County to make amendments to the *Plan* text and official maps once per year except as provided in RCW 36.70A.130 and the *Plan*. Amendments to the UDC may be adopted at any time; however, County Council has postponed most code amendments until the *Plan* update is completed. The *Plan* and code amendment process is explained step-by-step in Attachment E.

**PROCESS OVERVIEW:** SJCC 18.90.020 Legislative procedures requires that DCD evaluate docket requests and forward a recommendation to the Planning Commission and County Council for consideration (Attachment D). SJCC 18.90.020(C) requires that the Planning Commission hold a public hearing on the Docket. After the public hearing, Planning Commission will deliberate and recommend to the County Council which Docket items should be added to DCD's annual work program. Throughout the docket process written public comments will be shared with the Planning Commission and County Council. The County Council will hold a public hearing, considering the staff and Planning Commission recommendations and public testimony. They will act on the 2022 Docket via resolution. Then, the DCD will update upcoming work plans to include the projects the Council has added through the Docket.

The decision being made at the public hearings is not whether to adopt the requested changes, but whether to add the requested changes as projects on the DCD work plan. The merits of the proposed code changes do not need to be discussed line-by-line during the Docket process. If added to the DCD work plan, all *Plan*, official map, and code changes will undergo a public process in the future during which staff, the Planning Commission, the public, and County Council will closely assess the changes. During the Docket process, the County Council is deciding which projects are a priority for DCD to work on.

**TENTATIVE SCHEDULE:** The dates below may be subject to change depending on Planning Commission and County Council schedule and deliberations.

- **May 20, 2022:** Planning Commission initial briefing and setting a public hearing
- **June 07, 2022:** County Council initial briefing
- **June 17, 2022:** Planning Commission public hearing, deliberations, and recommendations
- **June 28, 2022:** County Council briefing on the Planning Commission's recommendation. Set public hearing.
- **Fall 2022:** County Council public hearing, deliberations, and adoption of a docket resolution
- **Fall 2022:** If necessary, finalize the 2022 Docket: update DCD's work programs

**LOCAL CHOICE:** None of the changes requested in the 2022 Annual Docket are required. Adding any of these requests to future DCD work plans would be a local choice. If the County Council chooses to pursue the docket requests proposed this year, the projects must be balanced with other projects already on the DCD work plan.

**IMPLEMENTATION:** Docket requests that the County Council chooses to pursue must be balanced on the DCD work plan with past docket requests and other projects. Many docket requests that the Council added to the DCD work plan in the past five years were able to be incorporated into the *Plan* update process. After the *Plan* update, most changes will be standalone code amendment projects, which typically take 6-18 months to complete. New requests are submitted every year and can quickly accumulate. Table 1 includes seven projects that the County Council added to the DCD work plan during past docket processes. The table also shows one 2022 Docket Request that DCD staff recommends adding to the workplan.

**Table 1. Projected and Proposed Docket Project Implementation Timeline.**

Docket #	Request	Applicant	Year (Quarter)
18-0005, 20-0006	Coastal Cutthroat Trout	Jenny DeGroot	2022 (Q3)
19-0003	Habitat Buffer	Fred Klein	2022 (Q3)
21-0008	Stormwater	Alexandra Gayek	2023 - 2024
21-0001	Composting	Thomas Bennett	2023 - 2024
21-0005	Tree Code	Miles Becker	2024, and with next CAO and SMP updates
21-0006	Eastsound Subarea Plan	EPRC	2024-2025
21-0002	Indoor Tennis	Orcas Tennis Club	2025
22-0002	Transfer of Development Rights Code	Sunflower Properties LLC	2025

**STAFF ANALYSIS:** The staff analysis of the 2022 Annual Docket requests are summarized below. See attachment B for full application forms and staff analysis.

### B.1 Request 22-0001: Port of Friday Harbor

**Request:** Change SJCC 18.50.240(B)(6) to allow boathouses and covered moorages to be reoriented or adjusted within marinas to cover less environmentally sensitive areas.

**Recommendation:** Staff do not recommend further consideration. In order to act on over-water structures, the County will need to update the SMP. County could inform applicant of the proper process for SMP updates, currently scheduled for 2028.

**Analysis:** For staff analysis, see attachment B.1

### B.2 Request 22-0002: Sunflower Properties LLC

**Request:** Allow the transfer of development rights. The applicant proposes this as a method of clustering development and promoting open space within UGAs.

**Recommendation:** Staff recognizes the importance of transfer of development rights (TDR) policies as a

planning tool that may increase opportunities to conserve open space and promote other desired outcomes from the comprehensive plan. However, to accomplish this, staff recommend developing an inclusive TDR code (SJCC 18.60.40) that will provide applicants with clear guidance for implementing TDR throughout the county and in a variety of circumstances.

Analysis – For staff analysis, see attachment B.2

### **B.3 Request 22-0003: OPAL Community Land Trust**

**Request:** Change SJCC 18.40.240(F)(4) to allow ADUs to be owned by the owner of the principal residence, or the owner of the land if the owner is providing perpetual affordable housing (as defined in SJC 2.27). Currently, ADUs must be owned by the owner of the principal residence. This proposal is to allow landowners to develop ADUs for affordable housing when they are not the owner of the principal residence.

**Recommendation:** Staff do not recommend further consideration of this request. This change may impact the definition and intent of ADUs. Additionally, there is an existing process for developing housing clusters, planned unit developments (PUDs), condominiums and other binding site plans where the landowners and homeowners may be different entities.

Analysis – For staff analysis, see attachment B.3

### **B.4 Request 22-0004: New RH LLC**

**Request:** Expand the Roche Harbor Master Planned Resort Activity Center to include five parcels currently designated Rural Residential for resort development.

**Recommendation:** Staff do not recommend further consideration of this request. The applicant does not provide enough detail to demonstrate the need to consider a substantial change to development rights and activities in the Roche Harbor Master Plan (RHMP). The described change is expressly forbidden in the RHMP and as such may be expected to receive substantial public comment, requiring considerable staff time to prepare and evaluate. In addition, the benefit to the landowner may be disproportionate to the effort the County would need to put into making this change to the comprehensive plan. The County could recommend the applicant pursue changes to the RHMP through the next Comprehensive Plan update process.

Analysis – For staff analysis, see attachment B.4

### **B.5 Request 22-0005: GTB Farms LLC**

**Request:** Change the land use designation of this parcel from Rural Farm Forest to Rural Commercial.

**Recommendation:** While staff recognize the importance and value of agritourism, Staff do not recommend further consideration of this application. This change will result in a significant benefit/added value to the landowner and may expand allowable uses beyond forestry and farming related activity. Staff does see value in broadly considering how RFF and agricultural land allowable uses could be updated to

increase opportunities for agritourism without broadly converting farms and forests to commercial properties.

Analysis – For staff analysis, see attachment B.5

**ATTACHMENT A. 2022 Annual Docket Summary Table**

Request #	Keyword	Proponent	Summary of Request	Type of Amendment	SJCC/Comp Plan Sections	Request Documents	Staff Recommendation	Category
22-0001	Boathouses and covered moorages	Port of Friday Harbor	Change SJCC 18.50.240(B)(6) to allow boathouses and covered moorages to be reoriented or adjusted within marinas to cover less environmentally sensitive areas.	UDC	SJCC 18.50.240(B)(6)	<a href="https://www.sanjuanco.com/DocumentCenter/View/25271/">https://www.sanjuanco.com/DocumentCenter/View/25271/</a>	Staff do not recommend further consideration. In order to take action on over-water structures, the County will need to update the SMP. County could inform applicant of the proper process for SMP updates, currently scheduled for 2028.	F
22-0002	Transfer of Development Rights (TDR)	Sean DeMeritt	Allow the transfer of development rights. The applicant proposes this as a method of clustering development and promoting open space within UGAs.	UDC	18.20.010(A) 18.20.200(T) 18.60.050(D) 18.70.060(B)(2)	<a href="https://www.sanjuanco.com/DocumentCenter/View/25267/">https://www.sanjuanco.com/DocumentCenter/View/25267/</a>	Staff recognizes the importance of transfer of development rights (TDR) policies as a planning tool that may increase opportunities to conserve open space and promote other desired outcomes from the comprehensive plan. However, to accomplish this, staff recommend developing an inclusive TDR code (SJCC 18.60.40) that will provide applicants with clear guidance for implementing TDR throughout the county and in a variety of circumstances.	D
22-0003	Accessory Dwelling Unit (ADU) Ownership	OPAL	Change SJCC 18.40.240(F)(4) to allow ADUs to be owned by the owner of the principal residence, <u>or the owner of the land if the owner is providing perpetual affordable housing</u> (as defined in SJC 2.27). Currently, ADUs must be owned by the owner of the principal residence. This proposal is to allow landowners to develop ADUs for affordable housing when they are not the owner of the principal residence.	UDC	SJCC 18.40.240(F)(4)	<a href="https://www.sanjuanco.com/DocumentCenter/View/25268/">https://www.sanjuanco.com/DocumentCenter/View/25268/</a>	Staff do not recommend further consideration. This change may impact the definition and intent of ADUs. Additionally, there is an existing process for developing housing clusters, planned unit developments (PUDs), condominiums and other binding site plans where the landowners and homeowners may be different entities.	F
LANDUSE-22-0044	Roche Harbor MPR	New RH LLC	Expand the Roche Harbor Master Planned Resort Activity Center to include five parcels currently designated Rural Residential for resort development.	Comprehensive Plan text and official maps	Parcels 462412001000 462411002000 361922001000 462411003000 361922002000	<a href="https://www.sanjuanco.com/DocumentCenter/View/25269/">https://www.sanjuanco.com/DocumentCenter/View/25269/</a>	Staff do not recommend further consideration of this request. The applicant does not provide enough detail to demonstrate the need to consider a substantial change to development rights and activities in the Roche Harbor Master Plan (RHMP). The described change is expressly forbidden in the RHMP and as such may be expected to receive substantial public comment, requiring considerable staff time to prepare and evaluate. In addition, the benefit to the landowner may be disproportionate to the effort the County would need to put into making this change to the comprehensive plan. The County could recommend the applicant pursue changes to the RHMP through the next Comprehensive Plan update process scheduled for 2024.	F
LANDUSE-22-0045	GTB Farms	GTB Farms, LLC	Change the land use designation of this parcel from Rural Farm Forest to Rural Commercial.	Official maps	Parcel 350814001000	<a href="https://www.sanjuanco.com/DocumentCenter/View/25270/">https://www.sanjuanco.com/DocumentCenter/View/25270/</a>	While staff recognize the importance and value of agritourism, Staff do not recommend further consideration of this application. This change will result in a significant benefit/added value to the landowner and may expand allowable uses beyond forestry and farming related activity. Staff does see value in broadly considering how RFF and agricultural land allowable uses could be updated to increase opportunities for agritourism without broadly converting farms and forests to commercial properties.	F

Categories
Category A – Required by law for GMA Compliance or otherwise
Category B – Items needed to achieve important public policy objectives of a countywide nature
Category C – Items that can be considered as part of a larger Comprehensive Plan Update or subarea planning process
Category D – Items needed to provide clarity and certainty to the Unified Development Code or Comprehensive Plan by removing inconsistencies and/or ambiguities
Category E – Lower priority items to be considered on a future year work program
Category F – Obsolete, previously resolved or not recommended for further consideration

**ATTACHMENT B, Docket Requests and Review Forms**

**Contains Attachments**

- B.1 Request 22-0001: Port of Friday Harbor**
- B.2 Request 22-0002: Sunflower Properties, LLC**
- B.3 Request 22-0003: OPAL Community Land Trust**
- B.4 Request 22-0004: New RH LLC**
- B.5 Request 22-0005: GTB Farms LLC**



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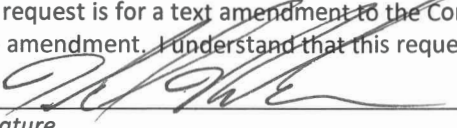
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**Comprehensive Plan Text/SJC Code\* Amendment Request**

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

<b>APPLICANT INFORMATION:</b>			
Name of Applicant:	<u>Port of Friday Harbor</u>	Name of Agent:	<u>Todd Nicholson</u>
Address	<u>PO Box 889</u>	Address	<u>PO Box 889</u>
City, State, Zip	<u>Friday Harbor</u>	City, State, Zip	<u>Friday Harbor</u>
Phone	<u>360-749-0664</u>	Phone	<u>360-749-0664</u>
Email	<u>ToddN@PortFH.org</u>	E-mail	<u>ToddN@PortFH.org</u>

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.		
	<u>Todd Nicholson</u>	<u>1/05/2022</u>
<i>Signature</i>	<i>Printed Name</i>	<i>Date</i>
_____ <i>Signature</i>	_____ <i>Printed Name</i>	_____ <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.

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.

San Juan Co. Code  
 18.50.240.B.6  
 "6. New or relocated boathouses and covered moorages are prohibited on boating facilities except as allowed for railway systems in SJCC [18.50.290\(E\)](#)."

Recommend change to:  
 "6. New or relocated boathouses and covered moorages are prohibited on boating facilities except as allowed for railway systems in SJCC [18.50.290\(E\)](#), provided that existing boathouses within a marina may be reoriented or adjusted within the marina to cover less environmentally sensitive areas."

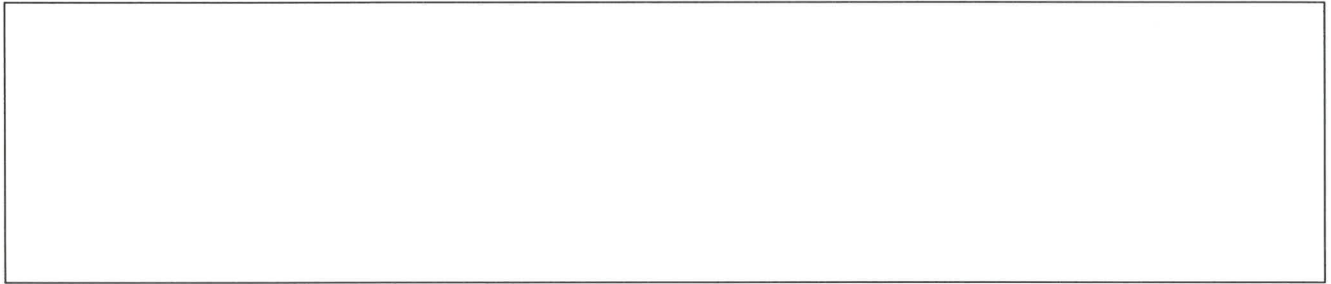


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3. Why is the amendment being proposed?

**The current language prevents new boathouse construction but also forces existing grandfathered boathouses to remain in exactly the same footprint. The unintentional result is that a code intended for environmental protection is preventing the the Port from an action to designed for environmental protection. Specifically, the Port wants to shift some existing grandfathered boathouses into less environmentally sensitive deeper water and away from existing eel grass beds.**

**The requested change would continue to prevent new boathouse introduction or the relocation of boathouses from one facility to another, but would allow for environmental protection actions within a marina.**

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

**This proposed code change does not impact any element of the Growth Management Act or Comprehensive Plan.**

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 \_\_\_\_\_

No

6. Does this proposal increase population or employment capacity?

**No**



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**FILE NUMBER 22-0001**  
**SAN JUAN COUNTY DOCKET INITIAL REVIEW**

<b>Applicant:</b>	Port of Friday Harbor	<b>File No.:</b>	<b>22-0001</b>
<b>Description of Proposal:</b> Change SJCC 18.50.240(B)(6) to allow boathouses and covered moorages to be reoriented or adjusted within marinas to cover less environmentally sensitive areas.			
<input type="checkbox"/>	Comprehensive Plan Text Amendment		
<input checked="" type="checkbox"/>	<b>Development Regulation Amendment</b>		

**SEPA Required:** YES

**Public Outreach/Notification Requirements:**

<input type="checkbox"/>	300-foot posted notification – for map amendments for five or fewer parcels
<input type="checkbox"/>	300-foot mailed notification and agency notification – this amendment will potentially affect adjacent properties within 300 feet of a proposal
<input type="checkbox"/>	Subarea or Overlay Wide Notification – this amendment will affect or potentially affect a neighborhood, subarea or multiple properties within an overlay or designation. Number of properties affected:
<input checked="" type="checkbox"/>	<b>Countywide Notification – this amendment will apply countywide or affect many properties throughout the County</b>

**Recommended Additional Public Outreach:**

<input checked="" type="checkbox"/>	<b>Community Meeting(s)</b>	<input type="checkbox"/>	Area-Wide Mailing	<input type="checkbox"/>	Countywide Mailing	<input checked="" type="checkbox"/>	<b>Publication</b>
<input checked="" type="checkbox"/>	<b>Web –page</b>	<input type="checkbox"/>	Press Release	<input type="checkbox"/>	Public Participation Plan	<input type="checkbox"/>	Other (reference below*)

\*Depending on the scope of the proposed development regulation amendments, additional public notice may be necessary.

<b>Priority:</b>	
<input type="checkbox"/>	A- Required by law for GMA Compliance or otherwise
<input type="checkbox"/>	B- Items needed to achieve important public policy objectives of a countywide nature
<input type="checkbox"/>	C- Items that can be considered as part of a larger CP update or subarea planning process
<input type="checkbox"/>	D- Items needed to provide clarity and certainty to the UDC and CP by removing inconsistencies and ambiguities
<input type="checkbox"/>	E- Items of lesser priority to be considered on a future year work program
<input checked="" type="checkbox"/>	<b>F - Obsolete, previously resolved or not recommended for further consideration</b>
<b>Scope of Work Necessary to Complete the Amendment:</b>	
<p>This would require going through the Washington State Shoreline Master Program (SMP) and San Juan County Code (SJCC) amendment processes established in WAC 173-26-090 – 120 and SJCC 18.90. The SMP update for San Juan County is scheduled to be completed in 2028. The SMP update process typically includes:</p> <ul style="list-style-type: none"> <li>• Multiple meetings with the Planning Commission and the County Council, including briefings and public hearings</li> <li>• Multiple staff reports</li> <li>• Coordination with other agencies</li> <li>• Public Outreach/Participation (amount depends on scope of Council recommendation).</li> </ul>	
<b>Changes to the following Comprehensive Plan Goals and Policies:</b>	
<b>Changes to the following sections of the Unified Development Code:</b>	
SJCC 18.50.240(B)(6)	

**Staff Analysis:**

The applicant states that an unintentional result of SJCC 18.50.240(B)(6) is that existing boathouses and covered moorages cannot be shifted within a marina to reduce harm to environmentally sensitive areas. In the case of the applicant, the Port of Friday Harbor wishes to move some existing boathouses that are near environmentally sensitive areas into deeper water.

The SMP is not subject to the GMA and revisions to the SMP are separate from the annual Docket process, identified in RCW 36.70A.130 (as occurring no more often than annually) and refined in RCW 36.70A.470. Amending the SMP requires the Department of Ecology's (DOE) approval, and the process by which minor amendments to SMP are made are regulated by WAC 173-26-090 – 120. WAC 173-26-090 establishes a timeline for periodic reviews of the SMPs. WAC 173-26-100 establishes the procedural minimums required for any change to the SMP and

WAC 173-26-110 establish the minimum requirements for submitting the proposed amendments to DOE.

San Juan County is expected to complete a periodic review in 2028. A periodic review is a formal process that requires the publication of a public participation plan, public hearing and legislative action that is subject to approval by DOE. The periodic update is different from a comprehensive update, which would entail updating the Shoreline Inventory and Characterization report, the maps, the restoration plan etc. in addition to extensive public input.

The Director can approve a different design for replacement, repair and expansion of boating facilities (SJCC 18.50.320) if any adverse impacts on the shoreline ecological functions are mitigated and the structure does not exceed the thresholds for substantive change set forth in WAC 173-27-100. Given the small number of boathouses where relocation may be beneficial, and the likelihood relocations will be within the state guidelines in WAC 173-27-100, County staff would prefer applicants utilize the existing jurisdictional processes to receive authorization for changes to boathouse designs and expansions.



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**Comprehensive Plan Text/SJC Code\* Amendment Request**

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

<b>APPLICANT INFORMATION:</b>			
Name of Applicant:	<b>Sunflower Properties LLC</b>	Name of Agent:	<b>Sean DeMeritt</b>
Address	<b>Po Box 425</b>	Address	
City, State, Zip	<b>Orcas, WA 98280</b>	City, State, Zip	
360-317-6313		Phone	
Email	<b><a href="mailto:seandemeritt@hotmail.com">seandemeritt@hotmail.com</a></b>	E-mail	

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	Printed Name	Date
Signature	Printed Name	Date

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

Please see Attachments:

1. Ordinance 2-1998 - Part 3 of 5 Section 6.4
2. SJCC 18.20.200 "Transfer of Development Rights"
3. SJCC 18.20.030 "Cluster Development"
4. SJCC 18.60.040 "Transfer of Development Rights"
5. RCW 36.70A.090



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Propose allowing the “Transfer of development rights” as reserved by Ord. 2-1998 Exh & 6.4 in SJCC 18.60.040, and further defined in SJCC 18.20.200 “T;” and allowed by RCW 36.70A.090 to promote open space within the UGA’s and the clustering of development. Both “clustering of development” and “transferring of development rights” is a policy within the goals and policies of the San Juan County Comprehensive plan: **Section B, Element 2 Land Use Ord. 11-2019**

### 2.2 General Goals and Policies of the Land Use Element

#### ~ 2.2.A General Goals and Policies

**(#6)** “Investigate the development of a program to allow for the transfer of residential density from Rural and Resource Lands to Activity Centers and other approved receiving areas as appropriate to protect rural and resource lands. Transfer of residential density within Activity Centers should also be allowed.”

#### ~2.2.F Natural Resource Conservation

**(#6)** “Develop voluntary, incentive-based, protection measures for natural resources including conservation easements, transfer and purchase of development rights programs, current use taxation, and public education programs.”

#### ~2.2.I Open Space and Scenic Resources

**(#1)** “Protect open space and scenic resources identified in the County Open Space and Conservation Plan through implementation of a variety of conservation techniques including fee acquisition, conservation easements, incentives, overlay districts, purchase, retirement, or transfer of development rights, and education programs.”

#### ~2.3.A Growth Areas

**(#8)** “New residential development in growth areas should include a full range of single- and multi-family housing types. New areas added to a growth area should permit minimum densities of 4 units per acre in order to support efficient public services and provide a full range of affordable housing opportunities in the future.”

**(#9)** “Open space design standards should be established to maintain the rural character at the borders of growth areas. Open space areas, in the form of squares, green spaces, and parks within growth areas, should be an integral part of these areas to provide settings for recreation and public gatherings, and to protect Critical Areas, scenic qualities, and historic features.”

**(#13)** “Establish development standards for planned unit developments (PUD) in growth areas to more effectively accomplish the goals and policies of this Plan and allow flexibility in site planning for sites characterized by special features of geography, topography, size and shape. PUD standards should include provisions for a mixture of housing types and residential densities, and preservation of open space and natural features, as well as concurrency requirements to address impacts on transportation and other capital facilities and services.”



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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.

### **Proposed Changes highlighted in Blue below:**

#### **18.20.010 “A”**

“Area of Open Space” means the size of an open space parcel, tract, or lot expressed in square feet or acres to two decimal places and dedicated within a plat, or plat alteration, that transfers the residential density associated with the open space through dedication to the declarant, or a lot, or lots, within the plat in the furtherance of clustering of development.

#### **18.20.200 “T”**

“Transfer of Development Rights” means the transfer of the right to develop or build, expressed in dwelling units per acre, from an open space parcel, tract, or lot created through a plat, or plat alteration, and dedicated to one or all lots within the plat in the furtherance of clustering of development.

#### **18.60.050 Density, dimension, and open space standards**

##### (D.) Open Space

1. The “parcel area” of an open space tract, parcel, or lot will be transferred to one or more of the lots within a plat, or plat alteration increasing residential density to other lots in the plat for the furtherance of clustering of development.

#### **18.70.060 Subdivision and short subdivision design and development standards.**

##### (B) (2) Clustering

a. The “Area of Open Space” created through the subdivision process will allow the dedication and transfer of development rights to one or more lots within the plat for the furtherance of clustering of development and preservation of Open space.



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3. Why is the amendment being proposed?

**Answer:**

For the clustering of development and preservation of open space within UGA's. This allows developers to plat land and preserve a tract or parcel of land for "Open space" while transferring the density attributed to that open space to one or all of the remaining lots in the plat.

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

5. **Answer:** See above it is in the furtherance of innovative land use techniques to cluster development and preserve open space within UGA's.

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.

**Answer:**

Yes it affects all UGA's by allowing the clustering of development through SJC 18.70 Plats and Plat alterations.

6. Does this proposal increase population or employment capacity?

**Answer:**

It increases residential density on certain parcels or lots while preserving "open space" lots. It only transfers development potential from an open space lot to all or one other lot in the plat for the clustering of development.

**18.20.200 “T” definitions.**

“Tank farm” means an area used for the commercial bulk storage of fuel in tanks.

“Temporary development activity” means, for the purpose of critical area regulations in this title, temporary uses or activities associated with development on a permitted active construction site. Temporary uses and activities include mobile contractor offices, equipment storage and storage yards, portable toilets, on-site equipment repair, on-site staging, and workshops.

“Threshold determination” means the decision by the responsible official under the State Environmental Policy Act (SEPA) regarding the likelihood that a project or other “action” (WAC [197-11-704](#)) will have a probable significant adverse impact on an element of the environment.

“Tidelands” means land on the shore of marine water bodies between the line of ordinary high tide and the line of extreme low tide.

“Timber land” means land supporting or capable of supporting a stand of merchantable timber and which is not being developed or used for an activity which is incompatible with timber production.

“Trailer” means a structure standing on wheels, towed or hauled by another vehicle, and used for short-term human occupancy, carrying of materials, goods, or objects, or as a temporary office.

“Transfer of development rights (TDR)” means the transfer of the right to develop or build, expressed in dwelling units per acre, from land in one land use designation to land in another designation or from one property owner to another, where such a transfer is permitted.

“Transfer station” means a facility for the collection of solid waste from off site into a larger transfer container or vehicle for transfer to a permanent disposal site. (See “solid waste transfer station.”)

“Transient accommodations” means a commercial or residential use involving the rental of any structure or portion thereof for the purpose of providing lodging for periods less than 30 days.

“Transitional surface” means the FAA imaginary surface that is the lower boundary of an airspace which begins on either side of the primary surface and which slopes outward and upward to meet the horizontal surface above the airport. This surface is also connected to the approach surface at both ends of the runway.

“Transportation facilities” means roads, public pedestrian and bicycle trails, airports, airfields, public docks, ferries and related terminals, and parking areas.

“Tree line” means the line created by existing trees, at the trunk line, growing in a generally continuous line, as opposed to a line drawn between a few isolated trees.

# SECTION 6 • DEVELOPMENT STANDARDS

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## 6.1 Applicability.

The development standards of Section 6 are designed to effect the goals and policies of the *Comprehensive Plan*, and apply to all development subject to this Code and within all land use districts except as specified below.

## 6.2 Water Supplies.

1. All development must conform to the standards set by Chapter 13 SJCC, Water Supplies, and must satisfy the policies of Element 4 of the *Comprehensive Plan* (Water Resources) regarding the availability and adequacy of the water resource, the protection of water quality,

and the control or avoidance of pollution, and conservation of water.

2. Each new use of land that requires potable or nonpotable water or any major new use of water unrelated to new land use (the collection of rainwater for nonpotable use is exempt from this requirement) and for which the County has approval authority, shall:

- a. Provide documented evidence of available and adequate water quantity and quality for the intended use. Water supply is available and adequate when:
  - (1) Data are developed which show that the source meets the Source Approval requirements of the Public Services Code (SJCC Sections 13.06.140 and .150);
  - (2) An alternative system for an individual water system meets the requirements of SJCC 13.06.140 and 13.06.160; or
  - (3) A water facility provider makes a concurrency determination (see Section 6.18) that it has sufficient capacity to provide the needs of the new use without lowering LOS standards below the minimum adequate level.

A determination by a non-County concurrency facility and service provider that there is adequate capacity available (see Section 6.18) does not necessarily reserve that capacity or guarantee that water will be delivered. Such reservations and guarantees may require the purchase of a membership or other action as defined by the service provider.

Short and long subdivisions must demonstrate actual connections and guarantees of service before final approval.

- b. Meet standards for water system design and employ all county-wide water conservation measures. Applications shall indicate all structural or operational measures included for the conservation of water.

### 6.3 Sewage Disposal.

All development must conform to the standards set by Title 13 SJCC, Sewage Disposal. Applicants for subdivision and binding site plan approvals shall demonstrate conformance for both the preliminary and final approvals.

A determination by a non-County concurrency facility and service provider that there is adequate capacity available (see Section 6.18) does not necessarily reserve that capacity or guarantee that sewage disposal service will be provided. Such reservations and guarantees may require the purchase of a membership or other action as defined by the service provider. Short and long subdivisions must demonstrate actual connections and guarantees of service before final approval.

### 6.4 Transfer of Development Rights.

*[Reserved for Future Use]*

### 6.5 Density, Dimension, and Open Space Standards.

1. **Purpose.** This section establishes 1) residential density requirements, 2) bulk, area, and dimensional standards, and 3) specific rules for all uses. These standards and rules are intended to provide flexibility in project design and to maintain privacy between adjacent uses.

2. **Development Standards.**

- a. Section 6.5 and Tables 6.1 and 6.2 contain general residential density and dimensional standards for four general land-use categories:

- (1) Activity Center land-use districts;
- (2) Rural land-use districts;
- (3) Resource land-use districts; and
- (4) Special land-use districts.

Limitations specific to a particular district are also specified.

- b. Additional rules and exceptions are set forth in Sections 6.6 through 6.19, *below*.

3. **Measurement Methods.** The following methods will be used to determine compliance with this Code:

- a. The "maximum density" for a parcel is calculated by dividing the parcel area by the total number of residential dwelling units allowed according to the density designation. Only whole density units may be used. (See UDC Section 7.1.4.)
- b. "Parcel area" or "lot area" is the total horizontal land area contained within the boundaries of a parcel.
- c. Setbacks from roads shall be measured from the margin line of the road right-of-way. This measurement shall be to a line parallel to and measured perpendicularly

“Class III beach” means a beach or shore having no dry backshore.

“Clearing” means the destruction or removal of vegetation, roots, or topsoil materials by hand or mechanical means.

“Cluster development” means the massing of development on one or more parts of a property.

“Co-applicant” means all persons or entities joining with an applicant in an application for a project or development permit, including the owners of the subject property and any tenants proposing to conduct a development or activity subject to a permit.

“Coastal high hazard areas” means the areas within any areas of special flood hazard that are subject to high velocity waters, including but not limited to storm surge or tsunamis.

“Co-location” means the shared use of a building, tower or telecommunication mount or site by more than one licensed carrier. Additionally, to satisfy the definition of “co-location” on a wireless tower, the mounting of a new proposed antenna must not: (1) increase the approved height of the wireless tower by more than the minimal amount required by Section 6409 of the Middle Class Tax Relief Act (2012) by more than 10 percent; or (2) involve the installation of more than four new equipment cabinets or one new equipment shelter to serve the wireless tower; or (3) involve adding an appurtenance to the body of the wireless tower that would protrude from the edge of the wireless tower more than 20 feet; or (4) involve excavation outside the current wireless tower site, defined as the current boundaries of the leased or owned property surrounding the wireless tower and any access or utility easements currently related to the site; or (5) interfere with the camouflage or disguise of the wireless tower.

“Commercial communication facilities” means a facility for the broadcast of signals for television, HDTV, and commercial radio stations and refers to the lease area and easements, all towers, antennas, mounts, transmission cables, equipment shelters or cabinets and any other installation to facilitate the broadcast of radio and television. Personal wireless service facilities and joint-use wireless facilities are not “commercial communication facilities.”

“Commercial composting” means the collection of off-site or public drop-off of yard, landscape, agricultural wastes and other compostable materials to be processed into compost, including sales, pick-up or delivery of finished composted products.

“Commercial mobile radio services” or “CMRS” means any of several technologies using radio signals at various frequencies to send and receive voice, data and video.

“Commercial recreational facility” means a place designed and equipped for the conduct of sports and leisure-time activities which is operated as a business and open to the public for a fee (see “indoor recreational facilities”).

# Chapter 18.60

## DEVELOPMENT STANDARDS

Sections:

**18.60.010** Applicability.

**18.60.020** Water supplies.

**18.60.030** Wastewater disposal.

**18.60.040** Transfer of development rights.

**18.60.050** Density, dimension, and open space standards.

**18.60.060** Clearing and grading standards.

**18.60.070** Storm drainage standards.

**18.60.080** Roads – Generally.

**18.60.090** Roads – Public roads.

**18.60.100** Roads – Private roads.

**18.60.110** Pedestrian circulation.

**18.60.120** Parking.

**18.60.130** Bicycle parking standards.

**18.60.140** Off-street loading space requirements.

**18.60.150** Utility service lines and facilities – General regulations.

**18.60.160** Landscaping.

**18.60.170** Lighting.

**18.60.180** Home occupations.

**18.60.190** Master planned resort development.

**18.60.200** Concurrency.

Short and long subdivisions must demonstrate actual connections and guarantees of service before final approval.

2. Meet standards for water system design and employ all County-wide water conservation measures. Applications shall indicate all structural or operational measures included for the conservation of water. (Ord. 12-2001 § 6; Ord. 2-1998 Exh. B § 6.2)

### **18.60.030 Wastewater disposal.**

All development must conform to the standards set by SJCC Title [8](#), Health and Safety. Applicants for subdivision and binding site plan approvals shall demonstrate conformance for both the preliminary and final approvals.

Commercial, industrial, public, and institutional facilities that generate nonresidential and/or industrial wastewater shall be served by an appropriate wastewater treatment system or facility approved by the agency with jurisdiction.

A determination by a non-County concurrency facility and service provider that there is adequate capacity available (see SJCC [18.60.200](#)) does not necessarily reserve that capacity or guarantee that sewage disposal service will be provided. Such reservations and guarantees may require the purchase of a membership or other action as defined by the service provider. Short and long subdivisions must demonstrate actual connections and guarantees of service before final approval.

Maintenance, operation, and repair of on-site sewage disposal systems are governed by Chapter [8.16](#) SJCC. (Ord. 52-2008 § 11; Ord. 15-2005 § 3; Ord. 12-2001 § 6; Ord. 2-1998 Exh. B § 6.3)

### **18.60.040 Transfer of development rights.**

[Reserved.] (Ord. 2-1998 Exh. B § 6.4)

### **18.60.050 Density, dimension, and open space standards.**

A. Purpose. This section establishes (1) residential density requirements, (2) bulk, area, and dimensional standards, and (3) specific rules for all uses. These standards and rules are intended to provide flexibility in project design and to maintain privacy between adjacent uses.

B. Development Standards.

1. This section and Tables 6.1 and 6.2 contain general residential density and dimensional standards for four general land use categories:

a. Activity center land use districts;

b. Rural land use districts;

## **RCW 36.70A.090**

### **Comprehensive plans—Innovative techniques.**

A comprehensive plan should provide for innovative land use management techniques, including, but not limited to, density bonuses, cluster housing, planned unit developments, and the transfer of development rights.

[ 1990 1st ex.s. c 17 § 9.]



SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

135 Rhone Street, PO Box 947, Friday Harbor, WA 98250  
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 dcd@sanjuanco.com | www.sanjuanco.com

**FILE NUMBER 22-0002**  
**SAN JUAN COUNTY DOCKET INITIAL REVIEW**

<b>Applicant:</b>	Sean DeMeritt for Sunflower Properties LLC	<b>File No.:</b>	<b>22-0002</b>
<b>Description of Proposal:</b> Changes to SJCC 18.60.040 and 18.20.200 to accommodate the use of transfer of development rights to promote open space in UGAs.			
<input type="checkbox"/>	Comprehensive Plan Text Amendment		
<input checked="" type="checkbox"/>	<b>Development Regulation Amendment</b>		

**SEPA Required: Yes**

**Public Outreach/Notification Requirements:**

<input type="checkbox"/>	300-foot posted notification – for map amendments for five or fewer parcels
<input type="checkbox"/>	300-foot mailed notification and agency notification – this amendment will potentially affect adjacent properties within 300 feet of a proposal
<input type="checkbox"/>	Subarea or Overlay Wide Notification – this amendment will affect or potentially affect a neighborhood, subarea or multiple properties within an overlay or designation. Number of properties affected:
<input checked="" type="checkbox"/>	<b>Countywide Notification – this amendment will apply countywide or affect many properties throughout the County</b>

**Recommended Additional Public Outreach:**

<input checked="" type="checkbox"/>	<b>Community Meeting(s)</b>	<input type="checkbox"/>	Area-Wide Mailing	<input type="checkbox"/>	<b>Countywide Mailing</b>	<input type="checkbox"/>	Publication
<input checked="" type="checkbox"/>	<b>Web –page</b>	<input checked="" type="checkbox"/>	<b>Press Release</b>	<input checked="" type="checkbox"/>	<b>Public Participation Plan</b>	<input type="checkbox"/>	Other (reference below*)

\*Depending on the scope of the proposed development regulation amendments, additional public notice may be necessary.

<b>Priority:</b>	
<input type="checkbox"/>	A- Required by law for GMA Compliance or otherwise
<input type="checkbox"/>	B- Items needed to achieve important public policy objectives of a countywide nature
<input type="checkbox"/>	C- Items that can be considered as part of a larger CP update or subarea planning process
<input checked="" type="checkbox"/>	<b>D- Items needed to provide clarity and certainty to the UDC and CP by removing inconsistencies and ambiguities</b>
<input type="checkbox"/>	E- Items of lesser priority to be considered on a future year work program
<input type="checkbox"/>	F - Obsolete, previously resolved or not recommended for further consideration
<b>Scope of Work Necessary to Complete the Amendment:</b>	
The proposed changes would require going through the code amendment process to adopt code for SJCC 18.60.40 Transfer of Development Rights. This code amendment process is expected to take approximately one year and will require additional research and review of best practices, in addition to public outreach in order to develop a functional program. A SEPA process may also be required.	
<b>Changes to the following Comprehensive Plan Goals and Policies:</b>	
<b>Changes to the following sections of the Unified Development Code:</b>	
SJCC 18.20.010 (A) SJCC 18.20.200 (B) SJCC 18.60.050 (D) SJCC 18.70.060 (B)(2)	

**Staff Analysis:** A “Transfer of Development Rights” (TDR) section is currently reserved in the code (SJCC 18.60.040). Standards for TDR have not been developed. SJCC 18.20.200 defines TDR “as the right to develop or build, expressed in dwelling units per acre, from land in one land use designation to land in another designation or from one property owner to another, where such a transfer is permitted”.

TDR is a promising policy for San Juan County to adopt given its intent to mitigate density (or other issues facing land use, such as sea-level rise) by retaining open space or other features. Based on the goals and policies in the comprehensive plan, DCD is considering how TDR may impact Comprehensive Plan goals and coded development activities, including open space and other provisions within and outside of UGAs. Accepting this proposed amendment could result in significantly altered development patterns and thus the aesthetic and economic qualities of the County. Rather than piece-meal approvals related to TDR, DCD would prefer to develop a more comprehensive policy that is consistent with SJCC.

The County has already committed to developing TDR policies in the Comprehensive Plan and in the San Juan County Code. Staff see the merits of creating standards for transfer of development rights, but the changes proposed by the applicant are not comprehensive and may pose some issues with existing codes. As proposed by the applicant, it is unclear why a parcel or tract area designated for open space would have development rights that could be transferred, as the area is reserved and does not have

development on it. Staff supports adding a more comprehensive TDR project to the work plan in a future year after the Comprehensive Plan update and other projects the Council has already added to the DCD work plan via past annual docket processes.

SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT



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DATE RECEIVED

Comprehensive Plan Text/SJC Code\* Amendment Request

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

<b>APPLICANT INFORMATION:</b>			
Name of Applicant:	<u>OPAL Community Land Trust</u>	Name of Agent:	<u>Lisa Byers</u>
Address	<u>PO Box 1133</u>	Address	
City, State, Zip	<u>Eastsound, WA 98245</u>	City, State, Zip	
Phone	<u>360-376-3191</u>	Phone	
Email	<u>opalclt@opalclt.org</u>	E-mail	

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.

<i>Signature</i>	<i>Printed Name</i>	<i>Date</i>
<i>Signature</i>	<i>Printed Name</i>	<i>Date</i>

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

1. Comprehensive Plan – Describe proposed amendment and/or attach proposed text changes. List Comprehensive plan section, page numbers, title and policies proposed for amendment.

**N/A**

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

**The proposed change is to 18.40.240.F (4) re: Accessory Dwelling Units:**

**Ownership. An accessory dwelling unit must be owned by the owner of the principal residence, or the owner of the land if the owner is providing perpetual affordable housing (as defined in SJC 2.27).**

3. Why is the amendment being proposed?

**Community Land Trusts are non-profit organizations dedicated to providing permanently affordable housing. OPAL Community Land Trust owns two parcels in Eastsound and leases the land to individuals who own the house, or improvement on that land. The homeowners are low or moderate income and do not have the resources to build an ADU, but if OPAL were allowed, as the owner of the land, to build and rent an ADU on the property, it would enable OPAL to provide additional units of affordable housing.**

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

**The Housing Element of San Juan County's Comprehensive Plan identifies an estimated shortage of at least 600 homes countywide that are affordable for low- and moderate-income households. The Plan calls for making adequate provision for a variety of housing types (Goal 5.2) and the full spectrum of income groups (Goal 5.2.B.).**

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
- No

6. Does this proposal increase population or employment capacity?

**The proposal provides more affordable and stable housing options for existing residents of San Juan County and thereby improves the ability of local employers to find appropriate employees.**



## SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

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## FILE NUMBER 22-0003 SAN JUAN COUNTY DOCKET INITIAL REVIEW

<b>Applicant:</b>	OPAL	<b>File No.:</b>	22-0003
<p><b>Description of Proposal:</b> Change SJCC 18.40.240(F)(4) to allow ADUs to be owned by the owner of the principal residence, <u>or the owner of the land if the owner is providing perpetual affordable housing (as defined in SJC 2.27)</u>. Currently, ADUs must be owned by the owner of the principal residence. This proposal is to allow landowners to develop ADUs for affordable housing when they are not the owner of the principal residence.</p>			
<input type="checkbox"/>	Comprehensive Plan Text Amendment		
<input checked="" type="checkbox"/>	<b>Development Regulation Amendment</b>		

**SEPA Required: Yes**

**Public Outreach/Notification Requirements:**

<input type="checkbox"/>	300-foot posted notification – for map amendments for five or fewer parcels
<input type="checkbox"/>	300-foot mailed notification and agency notification – this amendment will potentially affect adjacent properties within 300 feet of a proposal
<input type="checkbox"/>	Subarea or Overlay Wide Notification – this amendment will affect or potentially affect a neighborhood, subarea or multiple properties within an overlay or designation. Number of properties affected:
<input checked="" type="checkbox"/>	<b>Countywide Notification – this amendment will apply countywide or affect many properties throughout the County</b>

**Recommended Additional Public Outreach:**

<input checked="" type="checkbox"/>	<b>Community Meeting(s)</b>	<input type="checkbox"/>	Area-Wide Mailing	<input checked="" type="checkbox"/>	<b>Countywide Mailing</b>	<input type="checkbox"/>	Publication
<input checked="" type="checkbox"/>	<b>Web –page</b>	<input type="checkbox"/>	Press Release	<input type="checkbox"/>	Public Participation Plan	<input type="checkbox"/>	Other (reference below*)

\*Depending on the scope of the proposed development regulation amendments, additional public notice may be necessary.

<b>Priority:</b>	
<input type="checkbox"/>	A- Required by law for GMA Compliance or otherwise
<input type="checkbox"/>	B- Items needed to achieve important public policy objectives of a countywide nature
<input type="checkbox"/>	C- Items that can be considered as part of a larger CP update or subarea planning process
<input type="checkbox"/>	D- Items needed to provide clarity and certainty to the UDC and CP by removing inconsistencies and ambiguities
<input type="checkbox"/>	E- Items of lessor priority to be considered on a future year work program
<input checked="" type="checkbox"/>	<b>F - Obsolete, previously resolved or not recommended for further consideration</b>
<b>Scope of Work Necessary to Complete the Amendment:</b>	
The proposed changes would require going through the code amendment process to adopt code for SJCC 18.40.240 Accessory Dwelling Units (ADUs). This code amendment process is expected to take approximately 8-12 months and will require additional research, in addition to public outreach.	
<b>Changes to the following Comprehensive Plan Goals and Policies:</b>	
N/A	
<b>Changes to the following sections of the Unified Development Code:</b>	
SJCC 18.40.240(F)(4)	

**Staff Analysis:** An ADU is “a living area that is accessory to the principal residence, located on the same lot, and that provides for sleeping quarters, kitchen, and sanitation facilities”. Thus, ADU units are intended to be associated with a primary residence. Allowing the landowner to build ADU’s that are not associated with the primary residences may create unforeseen issues where, by definition, ADU’s must use the same driveway, septage/sewer system, and water system as the principal residence.

Per SJCC 18.40.240 ADU’s are permitted on a parcel-by-parcel basis following application submittal. Typically, only 1 unit is allowed per parcel, though there are allowances in UGA’s and Activity Centers and where density permits. Still, only one ADU can be constructed on a parcel each year. This time constraint seems to limit rapid development of affordable units as needed to ease current gaps. Without a doubt, affordable housing is a long-standing issue in the county, however it is unclear whether changing this code would result in significantly greater opportunities for home ownership or rental unit availability.

The type of development that seems to be described here is a condominium, residential cluster or planned unit development (PUD), where the landowner may be different than the main residence. Condominium, cluster and PUD developments meeting these criteria would likely to have more immediate effect on affordable housing relief. A ‘Binding site plan’ division such as those above, allow landowners to provide home ownership and long-term rental opportunities for lower-income units despite homeowners not owning the land. For developers and landlords interested in multi-unit developments, this is the appropriate type of development.

SJCC 2.27 Affordable Housing Program provides that, “The County may consider proposals for apartments, condominiums, duplexes, modular and manufactured housing, mobile homes, congregate care housing, conventional single-family detached housing, tiny homes, and other types of housing suitable to meet local needs”. It is possible that the applicant could put forth a specific project proposal that meets the requirements of this Chapter with priority for projects that provide affordable housing in perpetuity.



**LANDUSE-22-0044 NEW RH LLC  
SITE SPECIFIC REDESIGNATION**

8250

S.J.C. DEPARTMENT OF  
FEB 28 2022  
COMMUNITY DEVELOPMENT

**Comprehensive Plan Map Amendment Application**  
(Site Specific Map Re-Designation)

<b>APPLICANT AND AGENT INFORMATION:</b>			
Name of Applicant:	<u>New RH LLC</u>	Name of Agent:	<u>Brent Snow, General Manager</u>
Address	<u>PO Box 4001</u>	Address	<u>PO Box 4001</u>
City, State, Zip	<u>Roche Harbor, WA 98250</u>	City, State, Zip	<u>Roche Harbor, WA 98250</u>
Phone Number	<u>360-378-2155</u>	Phone Number	<u>360-378-2155</u>
Email		E-mail	<u>BSnow@rocheharbor.com</u>

<b>PROPERTY OWNER INFORMATION:</b>			
Name of Owners:	<u>New RH, LLC</u>	Phone Number	<u>360-378-2155</u>
Address	<u>PO Box 4001</u>	E-mail	
City, State, Zip	<u>Roche Harbor, WA 98250</u>		

<b>PROPERTY INFORMATION:</b>			
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>462412001000</u>	Land Use Designation	<u>RR</u> Parcel size: <u>39.39 ac</u>
Tax Parcel Number:	<u>462411002000</u>	Land Use/Shoreline Designation:	<u>RR/</u> Parcel size: <u>20.20 ac</u>
Tax Parcel Number:	<u>361922001000</u>	Land Use/Shoreline Designation:	<u>RR/</u> Parcel size: <u>19.68 ac</u>
Tax Parcel Number:	<u>462411003000</u>	Land Use/Shoreline Designation:	<u>RR/</u> Parcel size: <u>20.18 ac</u>
Tax Parcel Number:	<u>361922002000</u>	Land Use/Shoreline Designation:	<u>RR/</u> Parcel size: <u>19.98 ac</u>

<b>PERMIT CERTIFICATION (Must be signed by all property owners of record or a notarized agent signature provided.)</b>		
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><i>Gres Komey</i></u> Signature	<u>Gres Komey</u> Printed Name	<u>member New RH LLC</u> Date
Signature	Printed Name	Date
Signature	Printed Name	Date

<b>For DCD Use Only</b>	Complete Application: <input type="checkbox"/> YES <input type="checkbox"/> NO	
Amt. Paid: <u>\$3,950.00</u>	Date Received: <u>2/28/22</u>	Receipt Number: <u>0000</u>

LA22-00114

**DESCRIPTION OF PROPOSAL:**

**Amend Comprehensive Plan Map and redesignate 119.43 acres from Rural Residential (RR) to Master Planned Resort (MPR). The redesignated MPR acreage would be added to the approved Roche Harbor Master Planned Resort Activity Center and the existing Master Plan Resort Recreation/Residential District. The modified District would be 275 acres. No change in uses or dwelling units is proposed (currently allowed up to 180 dwelling units).**

**CHECK ALL THAT APPLY:**

- Redesignation of Land-Use designation,
- Redesignation of Shoreline designation
- Redesignation of maximum allowable residential density
- Other \_\_\_\_\_

S.J.C. DEPARTMENT OF

FEB 28 2022

COMMUNITY DEVELOPMENT

**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>462412001000</u>	Land Use Designation	<b>RR</b>	Proposed Density:	<b>1.5/ac</b>
Tax Parcel Number:	<u>462411002000</u>	Land Use/Shoreline Designation:	<b>RR/</b> _____	Proposed Density:	<b>1.5/ac</b>
Tax Parcel Number:	<u>361922001000</u>	Land Use/Shoreline Designation:	<b>RR/</b> _____	Proposed Density:	<b>1.5/ac</b>
Tax Parcel Number:	<u>462411003000</u>	Land Use/Shoreline Designation:	<b>RR/</b> _____	Proposed Density:	<b>1.5/ac</b>
Tax Parcel Number:	<u>361922002000</u>	Land Use/Shoreline Designation:	<b>RR/</b> _____	Proposed Density:	<b>1.5/ac</b>

General location of property: Directly east of Roche Harbor Road, north of Roosevelt Road (private road), west of Rouleau Road and directly south of the Roche Harbor Resort MPR.

Island: **San Juan Island** Total acres of proposal: **119.43**

List all existing use(s) on property: **5 dwelling units, Resort Support uses, Disc Golf, Trails**

List any special tax categories that apply to the property, such as Open Space or Designated Forest Land **Removed from Designated Forest Land effective February 10, 2022.**

Describe existing and proposed method of sewage disposal **Roche Harbor Resort Wastewater Treatment Plant**

Describe existing and proposed water supply **Roche Harbor Water System**

Did you attend a pre-application meeting?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Has this proposal been previously submitted?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes – which year?	_____
---	--	--	--	----------------------	-------

**PLEASE ANSWER OR ATTACH INFORMATION FOR QUESTIONS 1-12, AS THEY APPLY TO YOUR PROPOSAL**

1. Why is the amendment being proposed?

The amendment will allow development of the approved Roche Harbor Master Planned Resort (RHMPR) *Activity Center Plan* to be realized (approved when the Comprehensive Plan was updated in 1998). The *Plan* (aka Resort Plan) identifies two Districts for resort development: Resort Core District (approved for 277 dwelling units and resort uses) and Resort Recreation/Residential District (approved for 180 dwelling units and resort uses). Development in the Resort Core District has been occurring incrementally since the first PUD was approved in July 2003. While preparing a new PUD for the Resort Recreation/Residential District it was discovered that a significant portion of the District that was previously assumed could be developed is not developable (approx. 70% of the District). As such, there is not sufficient land area available for the planned resort recreation and residential uses. The amendment to redesignate the RR parcels adjacent to the MPR and modify the MPR boundary will allow development consistent with the approved Resort Plan. No change in the uses or maximum dwelling units is proposed.

**PLEASE ANSWER OR ATTACH INFORMATION FOR QUESTIONS 1-12, AS THEY APPLY TO YOUR PROPOSAL**

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

The map amendment would move the majority of the approved Resort Plan development away from the wetlands, airfield clear zone and open scenic rural landscape in the current MPR Resort Recreation/Residential District and relocate it to the interior of the wooded RR parcels. Future resort development on the RR parcels would be clustered and integrated with the limited resort and residential development in the current District. An overall minimum 40% open space for the modified District would be required, consistent with the approved Resort Plan. Additionally, the planned development would be separated from Roche Harbor Road by retention of the existing woods along the roadway, consistent with the Buffer & Transition Vegetation areas identified in the Resort Plan – General Open Space Plan. No additional traffic or other public health and safety impacts would occur as the overall approved resort and residential development (180 dwelling units) would not change or exceed what is already allowed in the approved Resort Plan.

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.

As noted in Item 1. above, the amendment will allow development of the approved Roche Harbor Master Planned Resort (RHMPR) *Activity Center Plan* (aka Resort Plan) to be realized. When the Comprehensive Plan was updated in 1998, the Resort Plan did not identify the considerable wetland development constraints in this District. Additionally, the Comprehensive Plan recognized that the approved Resort Plan is based on a 200-unit reduction in density from that potentially allowed under the 1979-established densities on property under Roche Harbor ownership (CP Policy 2.3.B4.a.). Based on the constraints in the existing District and the long ago approved Resort Plan development plans, there is a demonstrable need to modify the MPR boundary to add additional MPR designated land to achieve the planned MPR development. As there would be no change in the uses or maximum dwelling units allowed in the District and any future PUD would use the Resort Plan as a guide for future development, the redesignation is consistent with the purposes, criteria and goals in the Comprehensive Plan.

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

The current Comprehensive Plan (Section B, Element 2, Land Use – Ord 11-2019) establishes different types of Activity Centers and establishes Master Planned Resort Activity Centers according to the criteria in RCW 36.70A.360 and 362. Additionally, CP Policy 2.3.B.1.e. states, in part, that Master Planned Resorts (MPRs) are self-contained and fully integrated planned unit developments in a setting of significant natural amenities, with a primary focus on destination resort facilities. Other residential and commercial uses are allowed if they are integrated into and support the on-site recreation nature of the resort. As described in the responses above, the amendment would add land directly adjacent to the existing MPR and incorporate it into the existing Resort Recreation/Residential District. Future resort and residential development on the RR parcels would be clustered and integrated with the limited resort and residential development planned for the current District and connect to the Resort Core District via recreational trails. On-site recreational facilities would be associated with the development on the RR parcels (e.g., existing disc golf area). Sewer and other urban levels capital facilities (UDC 18.60.250) utility services will be limited to the MPR. As there would be no change in the uses or maximum dwelling units allowed in the District and any future PUD would use the Resort Plan as a guide for future development (CP Policy 2.3.B4.4.), the amendment is consistent with the criteria for land use designations specified in the RCW 36.70A.360 and 362 and the Comprehensive Plan.

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.

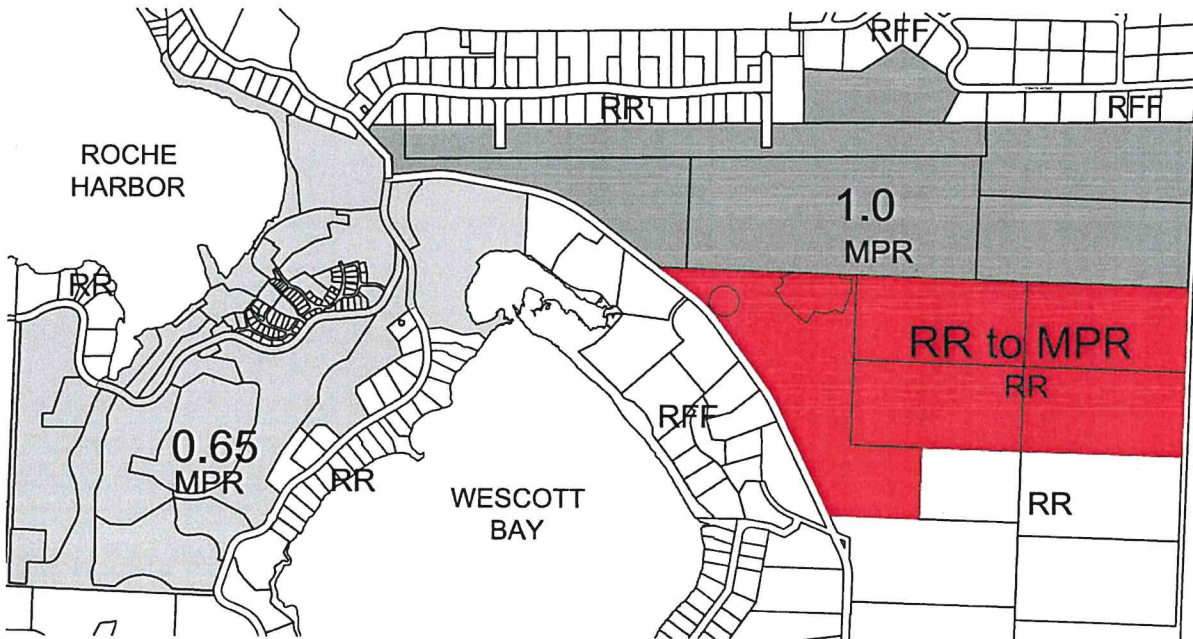
As described in the responses above, the amendment would add land directly adjacent to the existing MPR and incorporate it into the existing Resort Recreation/Residential District. Future resort and residential development on the RR parcels would be clustered and integrated with the limited resort and residential development planned for the current District. As such, the amendment will not result in an enclave of property owners enjoying greater privileges and opportunities. As there would be no change in the uses or maximum dwelling units allowed for the modified District, there will be no substantive difference in the resort development plan.

PLEASE ANSWER OR ATTACH INFORMATION FOR QUESTIONS 1-12, AS THEY APPLY TO YOUR PROPOSAL		
6. Describe how the benefits of the change will outweigh any significant adverse impacts of the change.		
No significant adverse impacts would be associated with the change to the MPR boundary. Instead, additional land area will be available to achieve the approved Resort Plan, thereby allowing greater flexibility for wetland protection, preservation of scenic rural vistas, retention of wooded areas, clustering of development and completion of Master Planned Resort uses approved with the Comprehensive Plan. Additionally, the overall residential density will be reduced as the dwelling units currently allowed on the RR parcels will be absorbed and counted toward the maximum allowed 180 units for the Resort Recreation/Residential District.		
7. How is this proposal consistent with the Growth Management Act (GMA) – RCW 36.70A?		
RCW 36.70A.362 states that existing resorts may be included as Master Planned Resorts. When the Comprehensive Plan was approved in 1998, Roche Harbor had an existing site-specific plan and standards (aka Resort Plan). This Plan and the related Activity Center is referenced in CP Policy 2.3.B.2. Table 2. Redesignating the RR parcels and modifying the MPR boundary is consistent with RCW 36.70A.362. The Comprehensive Plan and Resort Plan provide guidance for the development of the modified Resort Recreation/Residential District. The Comprehensive Plan, Resort Plan and County development regulations include restrictions that preclude new urban or suburban land uses in the vicinity of the resort. The RR land is better suited for development of existing allowed resort uses and will enable the resort ownership to achieve the long-term vision of the Resort Plan. Any development in the modified MPR boundary will be required to be development consistent with the County development regulations. Additionally, the map amendment would move the majority of the approved Resort Plan development away from the wetlands, airfield clear zone and open scenic rural landscape in the current MPR Resort Recreation/Residential District and relocate it to the interior of the wooded RR parcels. As there would be no change in the uses or maximum dwelling units allowed in the District and any future PUD would comply with the Resort Plan and County development regulations, on-site and off-site infrastructure impacts would be fully considered and mitigated.		
8. Does this proposal include an Urban Growth Area (UGA) expansion?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
9. If yes, which UGA? <b>Not applicable. Map amendment to add to Roche Harbor MPR Activity Center.</b>		
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.) <b>See attached map exhibits and maps in attached 2022 Docket Narrative for Roche Harbor MPR Boundary Modification. .</b>		
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) <b>See attached list and attached map identifying properties within 300 feet of the subject property to be redesignated.</b>		
12. Attach a completed and signed State Environmental Policy Act (SEPA) Environmental Checklist, including the supplemental sheet for non-project actions. <b>See attached.</b>		
13. Attach copy of deed(s), and a legal description of the property for which the amendment is requested. <b>See attached.</b>		

**2022 DOCKET NARRATIVE  
ROCHE HARBOR MPR BOUNDARY MODIFICATION  
COMPREHENSIVE PLAN OFFICAL MAP AMENDMENT**

**Summary of Amendment**

NEW RH, LLC (dba Roche Harbor Resort) is requesting an amendment to the Comprehensive Plan Official Map to redesignate 119.43 acres from Rural Residential (RR) to Master Planned Resort (MPR) and modify the southern boundary of the Roche Harbor Master Planned Resort Activity Center Plan. See map below.



No change in allowed uses or dwelling units is proposed for the MPR District. The District is currently designated for 1.0 unit/acre (currently allowed up to 180 dwelling). The modified District would be 275 acres with a new overall density of 1.5 unit/acre (maintain the District maximum of 180 dwelling units).

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FEB 28 2022

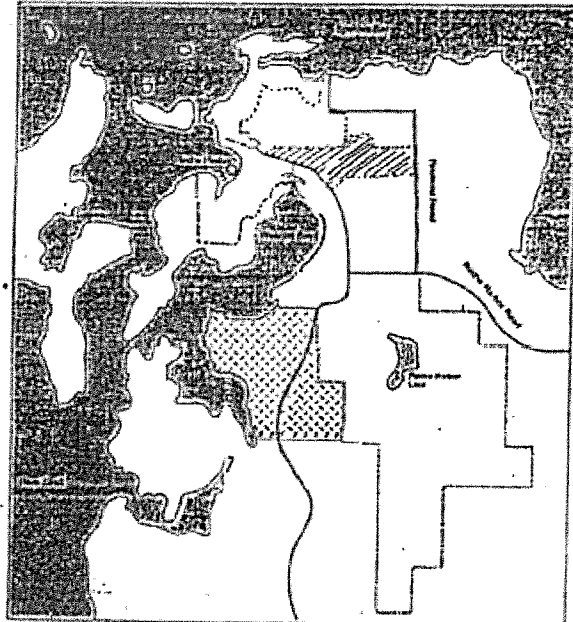
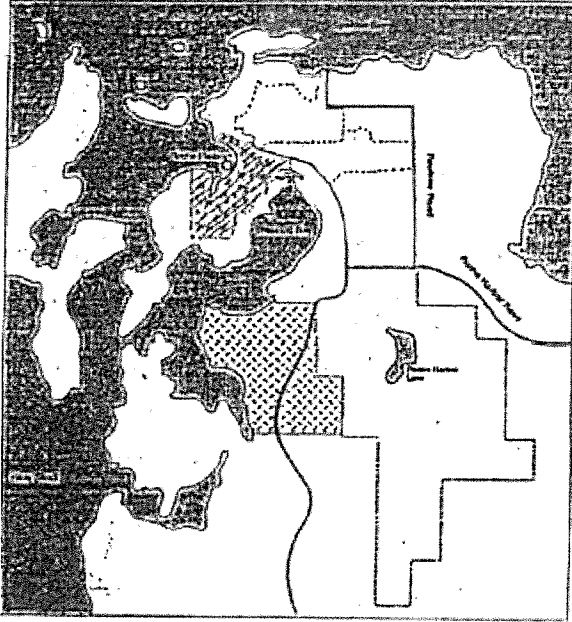
COMMUNITY DEVELOPMENT

**History**

**Comprehensive Plan and Resort Plan**

The Roche Harbor Master Planned Resort (RHMPR) *Activity Center Plan* was approved when the Comprehensive Plan was updated in 1998. The *Plan* (aka Resort Plan) identifies two Districts to guide resort development:

- Resort Core District (approved for 277 dwelling units and resort uses)
- Resort Recreation/Residential District (approved for 180 dwelling units and resort uses)



**Resort Core**

**Area:** 177 acres

**Dwelling Units:** 277 (Excludes Hotel Rooms)

**Density:** 1 Unit/ .65 Acre (Clustering is encouraged)

**Open Space:** 40% including combination of Hillside, Hill Tops, Gardens, Courtyards, Waterfront Promenade, Trails, Historic Areas.

**Allowable Uses:**

Hotels	Multi-unit attached housing
Marinas	Single Family Detached Housing
Restaurants	Gas Station
Retail Shops	Post Office
Tour Boat Terminal	Laundry & Showers
Float Plane Dock	Resort Recreational Areas
Fuel Dock	Maintenance & Resort Support
Clothing/Grocery	
Museum	
Interpretive Center	

**Resort Recreation/Residential**

**Area:** 180 acres

**Dwelling Units:** 180

**Density:** 1 Unit/ 1 Acre (Clustering is encouraged)

**Open Space:** 40% including combination Pastures, Golf Course, Viewsheds, Road Buffers, Wetlands, Landscape Separators, Trails.

**Allowable Uses:**

Golf Course, Clubhouse & Support Facilities
Equestrian Pastures, Trails, Stables & Rings
Driving Range
Tennis Courts
Swimming Pools
Open Fields
Sports Fields
Multi-unit attached housing
Single Family Detached Housing
Community Facilities

Development in the Resort Core District has been occurring incrementally since the first PUD was approved in July 2003. Activity in the Resort Recreation/Residential District, while planned for outdoor recreational activities, visitor accommodations and residential uses, has generally been limited to use of the existing airfield and resort support uses (e.g., water service facilities).

## Reason for Amendment

### **Existing Conditions**

As noted above, the existing uses in the Resort Recreation/Residential District are generally limited to use of the existing airfield and resort support uses (e.g., water service facilities). Some wetland delineation data gathering has been performed identifying three wetlands in the District (see below). Additional wetland delineation is underway to confirm the extent of other wetlands that are mapped on the County mapping in the eastern portion of the District and to the south in the RR designated area.



The RR designated area that is south and directly adjacent to the MPR is predominantly wooded (see below). The parcels proposed for redesignation are zoned RR 5. Existing uses include resort employee housing (5 units), resort support uses and disc golf in the eastern pasture area. The parcels, totally 119.43 acres, have not been logged since 1995 and were removed by the County from DFL tax status effective February 10, 2022.

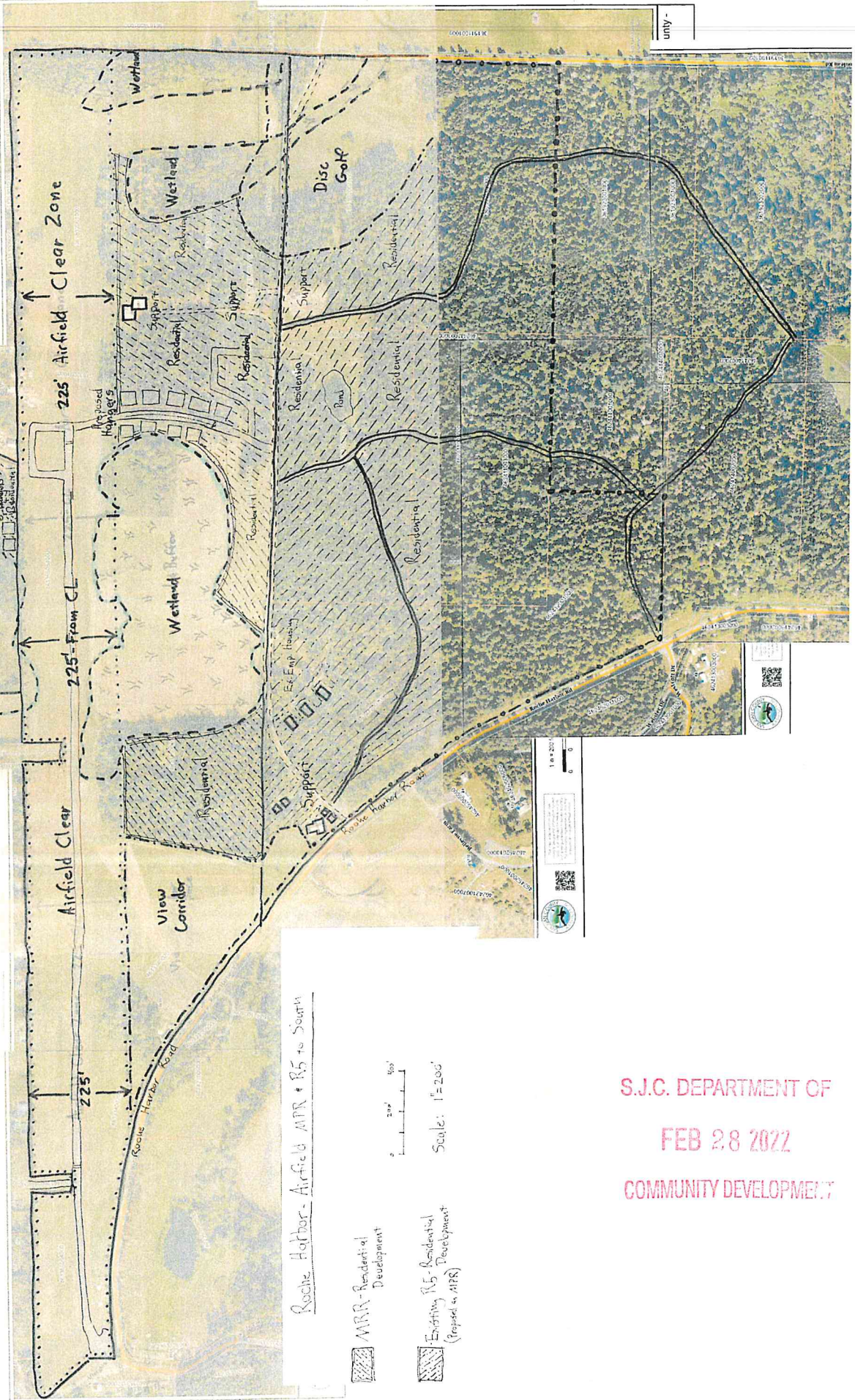


### **Resort Plan- Resort Recreation/Residential District**

The Resort ownership recently started planning for development of 12 resort recreation hangar buildings (each with associated a single unit visitor accommodation) and 16 single family resort residential dwelling units. As part of preparing a new PUD for these improvements it was discovered that a significant portion of the District that was previously assumed could be developed was not developable (approx. 70% of the District). The areas that are undevelopable include multiple wetlands and their associated buffers, the existing airfield and associated clear zone and the resort gateway scenic vista. See sketched map on next page.

ROCHE HARBOR - MPR - Airfield

Scale 1" = 200'



Roche Harbor Airfield MPR # 85 to South

MPR - Residential Development

Existing R5 Residential Development (Proposed in MPR)

Scale: 1" = 200'

S.J.C. DEPARTMENT OF  
FEB 28 2022  
COMMUNITY DEVELOPMENT

As such, there is not sufficient land area available for the approved planned resort recreation and residential uses. The amendment to redesignate the RR parcels directly south and adjacent to the MPR (see red highlighted parcels on below map), and modify the MPR boundary, will allow development consistent with the approved Comprehensive Plan and Resort Plan. No change in the uses or overall maximum dwelling units is proposed.



**Criteria For Approval (SJCC 18.90.030F)**

The County may approve an application or proposal for a Comprehensive Plan Official Map amendment if all of the following criteria are met.

- a. The changes would benefit the public health, safety or welfare.

Response: The change would benefit the public health, safety and welfare. The map amendment would move the majority of the approved Resort Plan development away from the wetlands, airfield clear zone and open scenic rural landscape in the current MPR Resort Recreation/Residential District and relocate it to the interior of the wooded RR parcels. Future resort development on the RR parcels would be clustered and integrated with the limited resort and residential development in the current District. An overall minimum 40% open space for the modified District would be required, consistent with the approved Resort Plan. Additionally, the planned development would be separated from Roche Harbor Road by retention of the existing woods along the roadway, consistent with the Buffer & Transition Vegetation areas identified in the Resort Plan – General Open Space Plan. No additional traffic or other public health and safety impacts would occur as the overall approved resort and residential development (180 dwelling units) would not change or exceed what is already allowed in the approved Resort Plan.

- b. The change is warranted because of 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.

Response: The change is warranted due to changes in circumstances and to provide additional land to implement the approved Resort Plan. When the Comprehensive Plan was updated in 1998, the Resort Plan did not identify the considerable wetland development constraints in this District. Additionally, the Comprehensive Plan recognized that the approved Resort Plan is based on a 200-unit reduction in density from that potentially allowed under the 1979-established densities on property under Roche Harbor ownership (CP Policy 2.3.B4.a.). Based on the constraints in the existing District and the long ago approved Resort Plan development plans, there is a demonstrable need to modify the MPR boundary to add additional MPR designated land to achieve the planned MPR development. As there would be no change in the uses or maximum dwelling units allowed in the District and any future PUD would use the Resort Plan as a guide for future development, the redesignation is consistent with the purposes, criteria and goals in the Comprehensive Plan.

- c. The change is consistent with the criteria for land use designations specified in the Comprehensive Plan.

Response: The change is consistent with the MPR land use designation criteria. The current Comprehensive Plan (Section B, Element 2, Land Use – Ord 11-2019) establishes different types of Activity Centers and establishes Master Planned Resort Activity Centers according to the criteria in RCW 36.70A.360 and 362. Additionally, CP Policy 2.3.B.1.e. states, in part, that Master Planned Resorts (MPRs) are self-contained and fully integrated planned unit developments in a setting of significant natural amenities, with a primary focus on destination resort facilities. Other residential and commercial uses are allowed if they are integrated into and support the on-site recreation nature of the resort. As described in the responses above, the amendment would add land directly adjacent to the existing MPR and incorporate it into the existing Resort Recreation/Residential District. Future resort and residential development on the RR parcels would be clustered and integrated with the limited resort and residential development planned for the current District and connect to the Resort Core District via recreational trails. On-site recreational facilities would be associated with the development on the RR parcels (e.g., existing disc golf area). Sewer and other urban level capital facilities (UDC 18.60.250) utility services will be limited to the MPR. As there would be no change in the uses or maximum dwelling units allowed in the District and any future PUD would use the Resort Plan as a guide for future development (CP Policy 2.3.B4.4.), the amendment is consistent with the criteria for land use designations specified in the RCW 36.70A.360 and 362 and the Comprehensive Plan.

More specifically, RCW 36.70A.362 states that existing resorts may be included as Master Planned Resorts. When the Comprehensive Plan was approved in 1998, Roche Harbor had an existing site-specific plan and standards (aka Resort Plan). This Plan and the related Activity Center is referenced in CP Policy 2.3.B.2. Table 2. Redesignating the RR parcels and modifying the MPR boundary is consistent with RCW 36.70A.362. The Comprehensive Plan and Resort Plan provide guidance for the development of the modified Resort Recreation/Residential District. The Comprehensive Plan, Resort Plan and County development regulations include restrictions that preclude new urban or suburban land uses in the vicinity of the resort. The RR land is better suited for development of existing allowed resort uses and will enable the resort ownership to achieve the long-term vision of the Resort Plan. Any development in the modified MPR boundary will be required to be development consistent with the County development regulations. Additionally, the map amendment would move the majority of the approved Resort Plan development away from the wetlands, airfield clear zone and open scenic rural landscape in the current MPR Resort Recreation/Residential District and relocate it to the interior of the wooded RR parcels. As there would be no change in the uses or maximum dwelling units allowed in the

District and any future PUD would comply with the Resort Plan and County development regulations, on-site and off-site infrastructure impacts would be fully considered and mitigated.

- d. The change, 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.

Response: The amendment would add land directly adjacent to the existing MPR and incorporate it into the existing Resort Recreation/Residential District. Future resort and residential development on the RR parcels would be clustered and integrated with the limited resort and residential development planned for the current District. As such, the amendment will not result in an enclave of property owners enjoying greater privileges and opportunities. As there would be no change in the uses or maximum dwelling units allowed for the modified District, there will be no substantive difference in the properties themselves.

- e. The benefits of the change will outweigh any significant adverse impacts of the change.

Response: No significant adverse impacts would be associated with the change to the MPR boundary. Instead, additional land area will be available to achieve the approved Resort Plan, thereby allowing greater flexibility for wetland protection, preservation of scenic rural vistas, retention of wooded areas, clustering of development and completion of Master Planned Resort uses approved with the Comprehensive Plan. Additionally, the overall residential density will be reduced as the dwelling units currently allowed on the RR parcels will be absorbed and counted toward the maximum allowed 180 units for the Resort Recreation/Residential District.

San Juan County, WA  
F. Milene Henley, Auditor  
BOUND  
Pgs=7 KIRAS

2020-1117023  
11/17/2020 02:07 PM  
Total:\$173.50

# LANDUSE-20-0190 NEW RH LLC BOUNDARY LINE MODIFICATION



Return to: New RH LLC/  
Roche Harbor Accounting  
PO Box 4001  
Friday Harbor, WA 98250

Recorded at the request of:  
NEW RH LLC

S.J.C. DEPARTMENT OF

FEB 28 2022

## BOUNDARY LINE MODIFICATION

COMMUNITY DEVELOPMENT

**THIS BOUNDARY LINE MODIFICATION WILL NOT BE VALID UNLESS IT IS RECORDED WITH THE SAN JUAN COUNTY AUDITOR WITHIN SIX MONTHS OF THE APPROVAL DATE.**

Because a boundary line modification (BLM) is not a conveyance there is no Grantee. For purposes of recording a BLM, the Auditor's Office treats all parties as both Grantors and Grantees.

Grantor(s) statement: I certify that all of the information submitted herewith is true and correct. I understand that this application is for boundary alterations between adjacent parcels and that approval does not constitute approval for creation of additional parcels or lots.

- A. Grantor(s) Name Rich Komen (New RH LLC)  
and address: c/o Accounting PO Box 4001  
(please print) Roche Harbor, WA 98250
- A. Grantor(s) signature: Rich Komen
- B. Grantor(s) Name Rich Komen (New RH LLC)  
and address: c/o Accounting PO Box 4001  
(please print) Roche Harbor, WA 98250
- B. Grantor(s) signature: Rich Komen

SJC DEPARTMENT OF

SEP 08 2022

COMMUNITY DEVELOPMENT

Parcel Number	Abbreviated Legal Description	Auditor's File Number of Latest Deed	Existing Area	New Area
A. 462412001000	PR NW-NE LYG E OF CO RD PR GL 2 LYG E OF CO RD Sec 24, T 36N, R 4W		28.1149 ac	40.1349 ac
B. 462414001000	N 560' SE-NE & N 560' GL3 LYG E OF CO RD Sec 24, T 36N, R 4W		21.1865 ac	9.1665 ac
C.				

Has either parcel in the proposed change been involved in any way in a Simple Land Division in the last five years? Yes  No   
Is any of the property classified as "Open Space" or "Designated Forest Land" for taxation purposes? Yes  No

Date received: 9/3/2020 Receipt Number: LA20-00250

ISLAND San Juan

SUBMITTAL DATE \_\_\_\_\_

COMPREHENSIVE PLAN DESIGNATION RR-5

SHORELINE DESIGNATION \_\_\_\_\_

SJC DEPARTMENT OF

Approval does not change ownership of land. If ownership is to be conveyed, the applicant shall effect an appropriate legal instrument for conveyance.

COMMUNITY DEVELOPMENT

Approvals of boundary line modifications shall expire if the authorized deeds transferring property ownership, together with a copy of the approved boundary line modification and map, are not recorded within six months of the approval, unless the application identified the modification as subject to a pending development permit application as a documented contingency agreement between the prospective land seller and purchaser. In that event, the recordings required above shall be filed within 30 days of the effective date of the approved development permit or shall become void upon the denial of a development permit. Documentation authorizing the transfer of property ownership may be placed on the original boundary line map along with the legal descriptions of those portions of land being transferred. (SJCC 18.70.030G)

LAND DIVISION ADMINISTRATOR'S CERTIFICATE: Pursuant to SJCC 18.70.030 Community Development & Planning has reviewed this application and found it in compliance with the codes applicable at the time of the application. All boundary line modifications are subject to SJCC 18.70.030(A)5 " Pursuant to RCW 58.17.060 the property subject to this authorization may not be divided in any manner within a period of five (5) years without the filing of an application for a long subdivision unless eligible for redivision by short plat in accordance with state law.

TREASURER'S CERTIFICATE: All taxes and assessments of the current year, 2020, including advance taxes per RCW 58.08.040, for current year tax not yet levied or certified and any delinquent taxes or assessments which have become a lien upon the lands herein described have been fully paid and discharged according to the records of my office. If any penalty fees are due under the provisions of the Open Space or DFL Law (84.33 and 84.34RCW) this does not guarantee that they have been paid.

Approved

Denied

Julie Shampoo 9-15-20  
Administrator Date

[Signature] 11/17/20  
San Juan County Treasurer Date

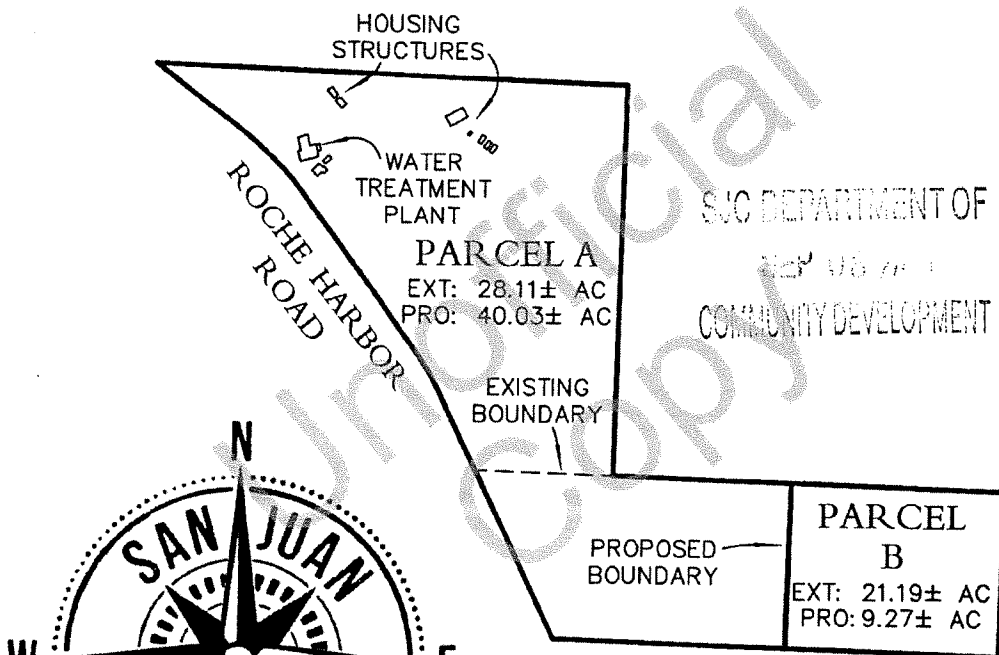
NOTE: This modification is not valid unless it is recorded with the San Juan County Auditor within 6 months of the approval date, together with a map (8 1/2"X11") containing an original approval stamp signed by the Director of Community Development & Planning or designee.

# BOUNDARY LINE MODIFICATION EXHIBIT

PORTIONS OF THE NW/NE, GL-2, GL-3, SE/NE, SECTION 29, TOWNSHIP 36 NORTH,  
RANGE 2 WEST, W.M., SAN JUAN COUNTY, WASHINGTON.

## SURVEYOR'S NOTES

1. THIS IS AN EXHIBIT TO ACCOMPANY A BOUNDARY LINE MODIFICATION APPLICATION. THIS IS NOT INTENDED TO BE A "SURVEY" AS DEFINED BY RCW 58.09.020(3) AND IS EXEMPT FROM THE REQUIREMENTS FOR FILING UNDER RCW 58.090.040.
2. NO CURRENT TITLE REPORT WAS AVAILABLE. THE ACCESSES, UTILITIES, IMPROVEMENTS AND STRUCTURES UPON AND ADJACENT TO THE LANDS SHOWN HEREON ARE PER THE SAN JUAN COUNTY GIS AERIAL IMAGES AND HAVE NOT BEEN FIELD VERIFIED.

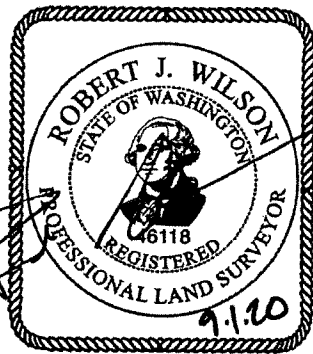


SJC DEPARTMENT OF  
COMMUNITY DEVELOPMENT



This site plan is consistent with the County land use and development codes, subject to the terms and conditions of:

Permit No. LA 1955-20-0100 Date: 9-15-20  
Approved by: J. Thompson



EXISTING LAND DESCRIPTION OF  
PARCEL A  
BEFORE BOUNDARY LINE MODIFICATION

---

97100245

**PARCEL B:**

The Northwest Quarter of the Northeast Quarter, Section 24, Township 36 North, Range 4 West, W.M., lying East of the County Road;

AND that portion of Government Lot 2, Section 24, Township 36 North, Range 4 West, W.M., lying East of the County Road.

SJC DEPARTMENT OF  
COMMUNITY DEVELOPMENT

Unofficial  
Copy

EXISTING LAND DESCRIPTION OF  
PARCEL B  
BEFORE BOUNDARY LINE MODIFICATION

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Auditor File Number: 97102970

The North 560 feet of the Southeast Quarter of the Northeast Quarter, Section 24, Township 36 North, Range 4 West, W.M., AND that portion of the North 560 feet of Government Lot 3, Section 24, Township 36 North, Range 4 West, W.M., lying East of the County Road, in San Juan County, Washington.

SJC DEPARTMENT OF  
COMMUNITY DEVELOPMENT

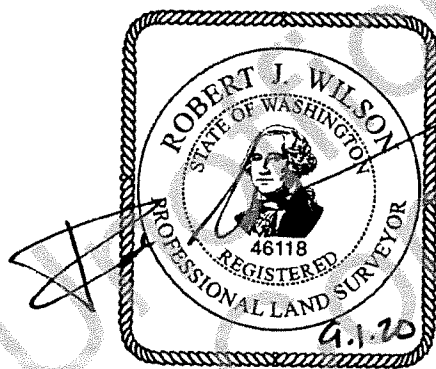
Unofficial  
Copy

**LAND DESCRIPTION**  
**Modified Parcel A**

The Northwest Quarter of the Northeast Quarter and Government Lot 2, Section 24, Township 36 North, Range 4 West, W.M., lying East of the County Road;

AND ALSO that portion of the North 560 feet of Government Lot 3 and the North 560 feet of the Southeast Quarter of the Northeast Quarter, said Section 24, lying East of said County Road;

EXCEPT the East 721.44 feet of said North 560 feet of the Southeast Quarter of the Northeast Quarter.



San Juan County  
Department of  
COMMUNITY DEVELOPMENT

*San Juan Surveying*

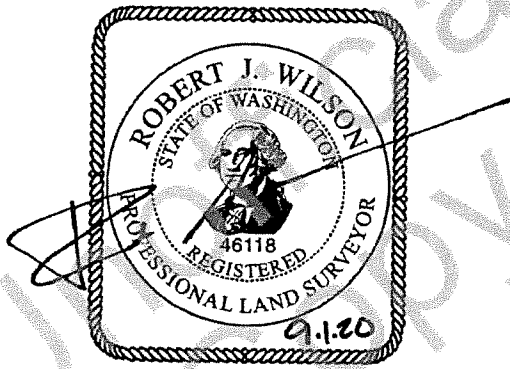
365-D Spring Street • P.O. Box 611 • Friday Harbor, WA 98250 • (360)378-2300 • [www.sanjuansurveying.com](http://www.sanjuansurveying.com)



**LAND DESCRIPTION**  
**Modified Parcel B**

The North 560 feet of the East 771.44 feet of the Southeast Quarter of the Northeast Quarter, Section 24, Township 36 North, Range 4 West, W.M.

STATE DEPARTMENT OF  
COMMUNITY DEVELOPMENT



*San Juan Surveying*

365-D Spring Street • P.O. Box 611 • Friday Harbor, WA 98250 • (360)378-2300 • [www.sanjuansurveying.com](http://www.sanjuansurveying.com)



REAL ESTATE TAX AMOUNT

97102972

Auditor File Number: \_\_\_\_\_

*yp*  
OCT 28 1997  
049878

Filed in the Official Records at the request of:  
LAW OFFICES OF JOHN O. LINDE

Kathy Turnbull  
COUNTY TREASURER

on OCT 29 1997 at 4:12 p.m.

Filed for Record at Request of:  
LAW OFFICES OF JOHN O. LINDE  
Post Office Box 668  
Friday Harbor, WA 98250

Total of 2 page(s), Fee: \$ 9.00

SAN JUAN COUNTY, WASHINGTON  
Si A. Stephens, Auditor

By Megan Dixon  
Recording Deputy

QUIT CLAIM DEED

Grantor(s): R. H. Limited Partnership

Grantee(s): R. H. Limited Partnership

Legal Description: A: N $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  S24 T36N R4W W.M.  
San Juan County, Washington  
B: S $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  S24 T36N R4W W.M.  
San Juan County, Washington

Assessor's Tax  
Parcel Number: Ptn 462411002

Reference (Auditor File) Numbers of  
Documents assigned, released or amended:

=====

On this 29th day of October, 1997, THE GRANTOR: R. H. LIMITED PARTNERSHIP, a Washington Partnership, for purposes of perfecting an a simple land division (WAC 458-61-235), hereby conveys and warrants to R. H. LIMITED PARTNERSHIP, a Washington Partnership, the following described real estate, situate in the County of San Juan, State of Washington together with all after acquired title of the grantor therein:

PARCEL A:

462411002

The North one-half of the Northeast Quarter of the Northeast Quarter, Section 24, Township 36 North, Range 4 West, W.M., in San Juan County, Washington.

PARCEL B:

462411003

The South one-half of the Northeast Quarter of the Northeast Quarter, Section 24, Township 36 North, Range 4 West, W.M., in San Juan County, Washington.

No single family residential construction or other active use incompatible with timber growing shall be allowed for a period of six years from May-96.  
DATED this 29th day of ~~September~~, 1997.

*JD*



OCT 29 1997  
049865  
Kathy Turnbull  
COUNTY TREASURER

Filed for Record at Request of:  
LAW OFFICES OF JOHN O. LINDE  
Post Office Box 668  
Friday Harbor, WA 98250

Auditor File Number: \_\_\_\_\_  
Filed in the Official Records at the request of:  
LAW OFFICES OF JOHN O. LINDE  
on OCT 29 1997 at 3:24 PM  
Total of 2 page(s), Fee: \$ 9.00  
SAN JUAN COUNTY, WASHINGTON  
S. A. Stephens, Auditor

By Megan Dixon  
Recording Deputy

QUIT CLAIM DEED

Grantor(s): R. H. Limited Partnership

Grantee(s): R. H. Limited Partnership

Legal Description: A: N $\frac{1}{2}$  GL1 S19 T36N R3W W.M.  
B: S $\frac{1}{2}$  GL1 S19 T36N R3W W.M.  
San Juan County, Washington

Assessor's Tax  
Parcel Number: Ptn 361922001

Reference (Auditor File) Numbers of  
Documents assigned, released or amended:

On this 29th day of October, 1997, THE GRANTOR: R. H. LIMITED PARTNERSHIP, a Washington Partnership, for purposes of perfecting an a simple land division (WAC 458-61-235), hereby conveys and warrants to R. H. LIMITED PARTNERSHIP, a Washington Partnership, the following described real estate, situate in the County of San Juan, State of Washington together with all after acquired title of the grantor therein:

PARCEL A:

The North one-half of Government Lot 1, Section 19, Township 36 North, Range 3 West, W.M., in San Juan County, Washington.

361922001

PARCEL B:

The South one-half of Government Lot 1, Section 19, Township 36 North, Range 3 West, W.M., in San Juan County, Washington.

361922002

No single family residential construction or other active use incompatible with timber growing shall be allowed for a period of six years from May-96.  
DATED this 29th day of October, 1997.

R.H. LIMITED PARTNERSHIP, by  
Roche Harbor Resort Company, Inc.,  
General Partner,

Richard B. Komen  
Richard B. Komen, President

Verne W. Howard  
Verne W. Howard, Vice-President

Quit Claim Deed

Page 1 of 2

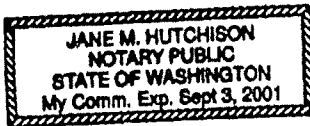
SAN JUAN COUNTY  
OFFICIAL RECORD  
Page 01 of 02

97102948

STATE OF WASHINGTON :  
                          : ss  
COUNTY OF SAN JUAN :

I certify that I know or have satisfactory evidence that Richard B. Komen, President of Roche Harbor Resort Company, Inc., is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the President of Roche Harbor Resort Company, Inc., General Partner of R. H. Limited Partnership, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: October 29, 1997

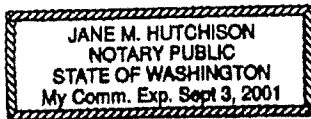


Jane M Hutchison  
Printed Name: Jane M. Hutchison  
NOTARY PUBLIC in and for the State  
of Washington. Commission Expires:  
September 03, 2001

STATE OF WASHINGTON :  
                          : ss  
COUNTY OF SAN JUAN :

I certify that I know or have satisfactory evidence that Verne W. Howard, Vice-President of Roche Harbor Resort Company, Inc., is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Vice-President of Roche Harbor Resort Company, Inc., General Partner of R. H. Limited Partnership, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: October 29, 1997



Jane M Hutchison  
Printed Name: Jane M. Hutchison  
NOTARY PUBLIC in and for the State  
of Washington. Commission Expires:  
September 03, 2001

rhlp27.qcd

Quit Claim Deed

Page 2 of 2

SAN JUAN COUNTY  
OFFICIAL RECORD  
Page 02 of 02



# STATE of WASHINGTON



## SECRETARY of STATE

*I, RALPH MUNRO, Secretary of State of the State of Washington and custodian of its seal, hereby issue this*

### ARTICLES OF MERGER

to

**NEW RH L.L.C.**

a Washington Limited Liability Company. Articles of Merger were filed for record in this office on the date indicated below.

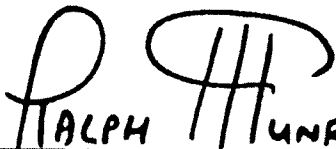
**Merging R. H. LIMITED PARTNERSHIP into NEW RH L.L.C.**

UBI Number: 601 817 742

Date: October 31, 1997



*Given under my hand and the Seal of the State of Washington at Olympia, the State Capital*

  
**RALPH MUNRO**  
Ralph Munro, Secretary of State  
2 565273 6

ARTICLES OF MERGER OF R.H. LIMITED PARTNERSHIP  
WITH AND INTO  
NEW RH L.L.C.

STATE OF WASHINGTON

OCT 31 1997

RALPH MUNHO  
SECRETARY OF STATE

Pursuant to RCW 25.15.405, the undersigned limited liability company hereby submits these Articles of Merger for the purpose of effecting the merger of a Washington limited partnership with and into a Washington limited liability company.

1. The Plan of Merger, a copy of which is attached hereto as Exhibit A, calls for each ownership interest in R.H. Limited Partnership (the "Disappearing Entity") to be converted into a membership interest in New RH L.L.C. (the "Surviving LLC").

2. The Plan of Merger was approved by the general partner of the Disappearing Entity and approved by the limited partners who own more than fifty percent (50%) of the current percentage interest in the profits of the limited partnership as required by RCW 25.10.810.

3. The Plan of Merger was approved by the Members contributing more than fifty percent (50%) of the agreed value of the contributions made to the Surviving LLC as required by RCW 25.15.400.

I DECLARE under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: October 20, 1997.

NEW RH L.L.C.

By: Roche Harbor Investments, Inc., Member

By James E. Gauntt  
James E. Gauntt  
Its President

FILED: 10/31/1997 - 35419  
RECORDED ON 10/31/1997  
INDEXED - 10/30/1997 - 02927

**PLAN OF MERGER OF R.H. LIMITED PARTNERSHIP  
WITH AND INTO  
NEW RH L.L.C.**

This Plan of Merger is entered into as of the 20<sup>th</sup> day of October, 1997, by R.H. Limited Partnership and New RH L.L.C., a Washington limited liability company, pursuant to the authority of RCW 25.15.395.

1. Constituent Parties. The parties to the Merger shall be R.H. Limited Partnership (hereinafter the "Disappearing Entity") and New R.H. L.L.C. (hereinafter the "Surviving L.L.C.").

2. Terms and Conditions of the Merger; Manner and Basis. A list of the current partners of the Disappearing Entity is attached hereto as Exhibit A. On the Effective Date specified in Section 3 below, each interest in the Disappearing Entity shall be converted into an interest in the Surviving L.L.C. as specified on Exhibit A.

3. Effective Date of the Merger. The Disappearing Entity shall be merged with and into the Surviving L.L.C. as of the date that the Surviving L.L.C. files Articles of Merger with the Washington Secretary of State as provided in RCW 25.15.405.

**R.H. LIMITED PARTNERSHIP**

By: Roche Harbor Resort Co., Inc., General Partner

DATED: Oct 20, 1997

By Richard Komen  
Richard Komen  
Its Vice President

**NEW RH L.L.C.**

By: Roche Harbor Investments, Inc., Member

DATED: October 20, 1997

By James E. Gauntt  
James E. Gauntt  
Its President

**Exhibit A**

R. H.

**Roche Harbor Limited Partnership (Disappearing Entity)**

Richard Komen	32.67%
Roche Harbor Lime & Cement Co.	65.35%
Roche Harbor Resort Co.	1.98%

---

**New RH L.L.C. (Surviving L.L.C.)**

Richard Komen	16.5%
Roche Harbor Lime & Cement Co.	33.0%
Roche Harbor Investments, Inc.	49.5%
Roche Harbor Resort Co.	1.0%

# of parcels FID

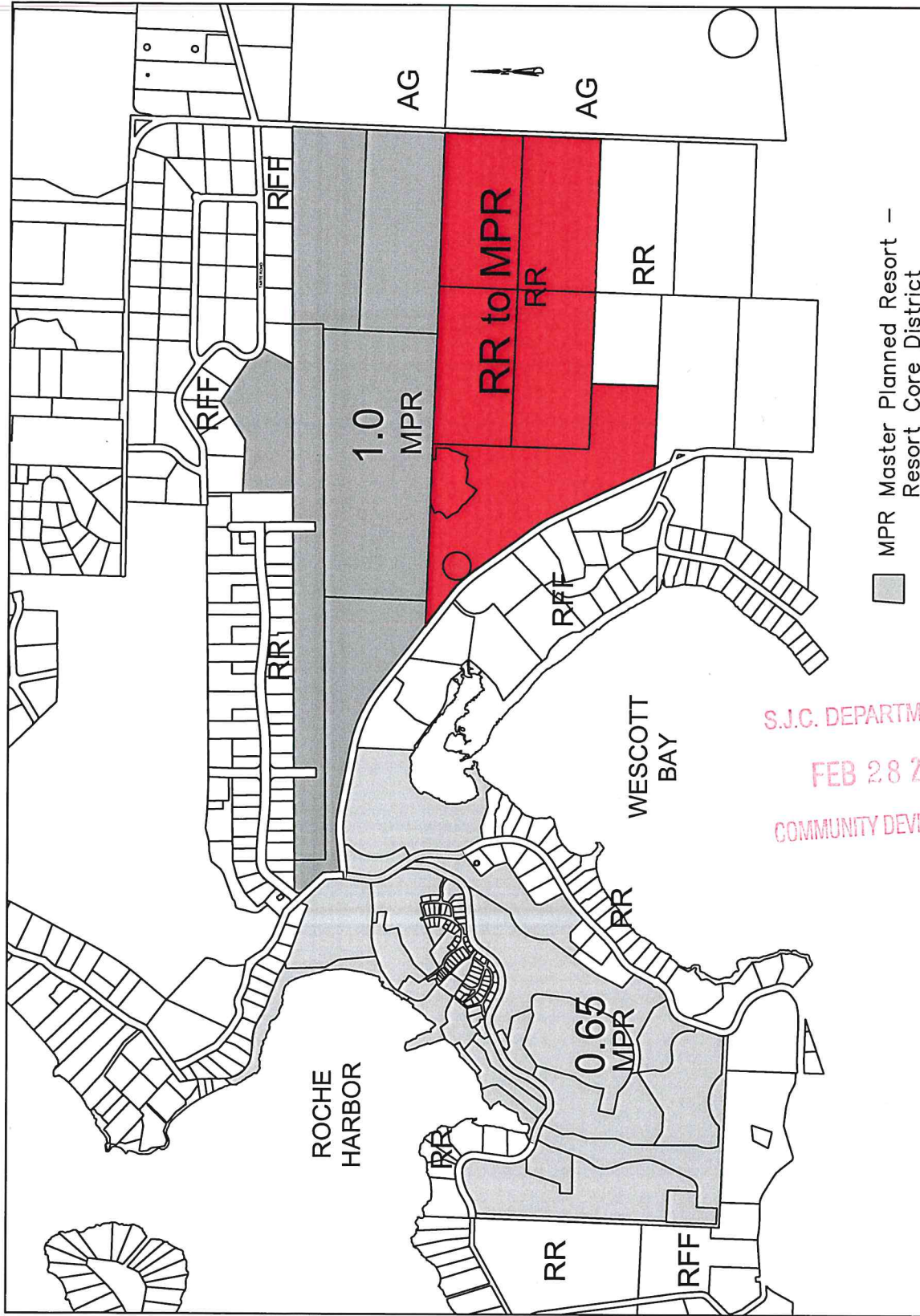
FID	Owner	Address_1	Address_2	City	State	ZIP
1						
2	17173 CRAIG BLAKE & ROBIN RUESCH	PO BOX 4444		FRIDAY HARBOR	WA	98250-4444
3	17175 NEW RH LLC	c/o ACCOUNTING	PO BOX 4001	ROCHE HARBOR	WA	98250-4001
4	17176 NEW RH LLC	c/o ACCOUNTING	PO BOX 4001	ROCHE HARBOR	WA	98250-4001
5	17177 SAN JUAN FIRE DISTRICT #3	1011 MULLIS ST		FRIDAY HARBOR	WA	98250-4001
6	17178 NEW RH LLC	c/o ACCOUNTING	PO BOX 4001	ROCHE HARBOR	WA	98250-4001
7	17179 NEW RH LLC	c/o ACCOUNTING	PO BOX 4001	ROCHE HARBOR	WA	98250-4001
8	17180 AMIT MEHTA & TERESA L MASON TTEES	PO BOX 2908		KIRKLAND	WA	98033-2908
9	17182 MARY E IRELAND	231 WHITE POINT RD		FRIDAY HARBOR	WA	98250-9179
10	17184 MARY E IRELAND	231 WHITE POINT RD		FRIDAY HARBOR	WA	98250-9179
11	17185 SOUTH COVE VENTURES	PO BOX 1607		BELLEVEUE	WA	98009-1607
12	17186 CALVIN & BERNETTA LEENSTRA	514 S STATE ST #306		BELLINGHAM	WA	98225-6167
13	17187 EDWARD & CLARE KEIM	164 CESSNA AVE		FRIDAY HARBOR	WA	98250-9143
14	17188 EDWARD & CLARE KEIM	164 CESSNA AVE		FRIDAY HARBOR	WA	98250-9143
15	17189 JWP KENNEDWICK LLC	1004 COMMERCIAL AVE #356		AVACORTES	WA	98221-4117
16	17190 ANTHONY & LINDA TIRITILLI	423 SCOTTSDALE RD		PLEASANT HILL	CA	94523-5112
17	17191 RONALD A ANDERSON	PO BOX 2246		SARATOGA	CA	95070-2246
18	17192 FRANK A & THELMA L SAMUELISSON TTEES	C/O ANDY HAWKEY	18 CHAMBERS LN	OAKLAND	CA	94611-1306
19	17193 STEVE & KARLA COWDEN	5570 KNIGHT RD		BELLINGHAM	WA	98276-9503
20	17194 DARYL R & VICKI L BOULTON	350 AFTERGLOW DR		FRIDAY HARBOR	WA	98250-4913
21	17195 GRACE BORSARI & LARRY MADSEN	3139 MCLEOD RD		BELLINGHAM	WA	98225-1037
22	17196 DANIEL J & MICHELLE A ROOT	374 CESSNA AVE		FRIDAY HARBOR	WA	98250-9147
23	17197 LOT 14 CESSNA LLC	290 HERON LN		FRIDAY HARBOR	WA	98250-8121
24	17198 JOSEPH H & ROXANNE LABEAU	418 CESSNA AVE		FRIDAY HARBOR	WA	98250-9148
25	17199 TWO BAR LAND LLC	316 & 25TH ST APT B		FRIDAY HARBOR	WA	82001-3192
26	17200 TWO BAR LAND LLC	316 & 25TH ST APT B		CHEYENNE	WY	82001-3192
27	17201 CHRISTOPHER SCOTT BIDDLE	PO BOX 70897		SEATTLE	WA	98107-1305
28	17202 TROY GRIFFITH & LYSA M CATLIN	4817 LAKE WASHINGTON BLVD NE APT 2		KIRKLAND	WA	98033-7648
29	17203 MICHAEL DZUBINSKI & ANN MCLEEN	11233 NE 95TH ST		KIRKLAND	WA	98033-5105
30	17204 ROBERT & EDITH GRUBE	4404 S 272		KENT	WA	98032-7215
31	17205 CHRISTOPHER V BLAINE	PO BOX 4343		ROCHE HARBOR	WA	98250-4343
32	17206 CHARLES L & KATHLEEN M WILSON	PO BOX 4344		ROCHE HARBOR	WA	98250-4344
33	17207 GREAT WESTERN AVIATION LLC	1301 ALASKAN WAY		SEATTLE	WA	98101-2013
34	17208 589 CESSNA AVENUE LLC	22430 SE 231ST ST	16725 32ND AVE SW	MAPLE VALLEY	WA	98166-3105
35	17209 ROCHE AVIATION PARTNERS LLC	c/o RICHARD BUS		BURIEN	WA	98166-3105
36	17210 CAROL ANN FARROW	71 GARRISON DR		FRIDAY HARBOR	WA	98250-8138
37	17211 SUZANNE M DIESEN ET AL	4235 BEACH DR E		PORT ORCHARD	WA	98366-8049
38	17212 RICHARD L & MARILY A REMENTERIA	41 MCMILLIN DR		FRIDAY HARBOR	WA	98250-5874
39	17213 FRANK N BYRNE	281-A CESSNA AVE		FRIDAY HARBOR	WA	98250-9146
40	17214 PROP PLACE LLC	723 HANNA PARK		EDMONDS	WA	98020-2619
41	17215 KARL D NEIDERS	1120 E TERRACE ST STE 300		SEATTLE	WA	98122-7405
42	17216 DAVID J NUTTER TTEE	524 KAI HELE KU ST		LAHAINA	HI	96761-5706
43	17217 171 CESSNA AVE LLC	1910 FAIRVIEW AVE E STE 500		SEATTLE	WA	98102-3620
44	17218 KARL (CHARLES) WALTERS	525 DU PONT LANE		KEY WEST	FL	33040-7458
45	17219 TERESA MASON TTEE	PO BOX 2908		KIRKLAND	WA	98033-2908
46	17220 ROBERT HARTLEY JONES & THOMAS O & JULIE YOUNG	128 AVENIDA DE ORO		FRIDAY HARBOR	WA	98250-9931
47	17221 ROCHE HARBOR SKYWAY OWNERS & MAINTENANCE ASSN	PO BOX 4004		ROCHE HARBOR	WA	98250-4004
48	17222 ROCHE HARBOR SKYWAY OWNERS & MAINTENANCE ASSN	PO BOX 4004		ROCHE HARBOR	WA	98250-4004
49	17223 ROCHE HARBOR SKYWAY OWNERS & MAINTENANCE ASSN	PO BOX 4004		ROCHE HARBOR	WA	98250-4004
50	17224 G MICHAEL SIEVERT & SUZANNE J SIEVERT TTEES	10122 NE 64TH ST		KIRKLAND	WA	98033-6829
51	17225 RUSS SAMPLES	PO BOX 4156		ROCHE HARBOR	WA	98250-4156
52	17226 MB AIR LLC & BLUE BOX LLC	1323 CHUCKANUT DRIVE		BELLINGHAM	WA	98229-8979
53	17227 MOUNTAINTIME LLC	3333 ALLEN PARKWAY #2708		HOUSTON	TX	77019-1851
54	17228 MICHAEL LEAN SMITH & SIDNEY S SMITH	1467 TARTE RD		FRIDAY HARBOR	WA	98250-4927
	17229 MICHAEL JEAN SMITH & SIDNEY S SMITH	1467 TARTE RD		FRIDAY HARBOR	WA	98250-4927

55	17241 FRANK MARTIN	PO BOX 512	OVERTON	NV	89040-0512
56	17242 REINHARDT D QUELLE	649 TARTIE RD	FRIDAY HARBOR	WA	98250-7034
57	17307 JAMES P & DENISE A VOLKMAN	3239 N SHORE RD	BELLINGHAM	WA	98226-7828
58	17308 DARYL R & VICKI L BOULTON	350 AFTERGLOW	FRIDAY HARBOR	WA	98250-4913
59	17309 H2H2H LLC	1910 FAIRVIEW AVE E STE 500	SEATTLE	WA	98102-3698
60	17310 PETER P & JANET L TONG TTEES	PO BOX 4338	FRIDAY HARBOR	WA	98250-4338
61	17311 MARK P & JENNIFER T SALVINO	PO BOX 4132	ROCHE HARBOR	WA	98250-4132
62	17312 WINGTYME II LLC	3333 ALLEN PKWY #2708	HOUSTON	TX	77019-1851
63	17313 WIM F KESEY & ARDITH KESEY TTEES	345 CESSNA AVE	FRIDAY HARBOR	WA	98250-9147
64	17314 RICKEY L & LINDA L HERSEY	156 JANINE PL	FRIDAY HARBOR	WA	98250-6968
65	17315 BILL & MARIE WADDINGHAM	12975 VIA REGALLO DR	RANCHO CUCAMONGA	CA	91739-5987
66	17316 TIMOTHY J CASEY, MICHAEL D CASEY, COLLEEN M SULLIVAN, LINDA SHIER TTEE	1332 MILBY LN	VISTA	CA	92083-7166
67	17317 AMIT MEHTA & TERESA L MASON TTEES	PO BOX 2908	KIRKLAND	WA	98033-2908
68	17318 ROCHE HARBOR SKYWAY OWNERS & MAINTENANCE ASSN	PO BOX 4004	ROCHE HARBOR	WA	98250-4004
69	17455 GREG P & BRENDA R TUTTMARC	8484 ROCHE HARBOR RD	ROCHE HARBOR	WA	98250-9141
70	17456 PYXIS LLC	10708 NE 19TH PL	BELLEVEUE	WA	98004-2850
71	17469 NORTH ROCHE HARBOR ROAD ASSN	300 DESCHUTES WAY SW STE 304	TUMWATER	WA	98501-7719
72	17866 NEW RH LLC	PO BOX 4007	ROCHE HARBOR	WA	98250-4007
73	17173 CRAIG BLAKE & ROBIN RUESCH	c/o ACCOUNTING	ROCHE HARBOR	WA	98250-4001
74	17175 NEW RH LLC	PO BOX 4444	FRIDAY HARBOR	WA	98250-4444
75	17176 NEW RH LLC	c/o ACCOUNTING	ROCHE HARBOR	WA	98250-4001
76	17177 SAN JUAN FIRE DISTRICT #3	1011 MULLIS ST	ROCHE HARBOR	WA	98250-4001
77	17178 NEW RH LLC	c/o ACCOUNTING	ROCHE HARBOR	WA	98250-4001
78	17179 NEW RH LLC	c/o ACCOUNTING	ROCHE HARBOR	WA	98250-4001
79	17180 AMIT MEHTA & TERESA L MASON TTEES	PO BOX 2908	KIRKLAND	WA	98033-2908
80	17182 MARY E IRELAND	231 WHITE POINT RD	FRIDAY HARBOR	WA	98250-9179
81	17184 CALVIN & BERNETTA LEENSTRA	PO BOX 1607	BELLEVEUE	WA	98250-1607
82	17185 SOUTH COVE VENTURES	514 S STATE ST #306	BELLINGHAM	WA	98225-6167
83	17186 EDWARD & CLARE KELIM	164 CESSNA AVE	FRIDAY HARBOR	WA	98250-9143
84	17187 EDWARD & CLARE KELIM	164 CESSNA AVE	FRIDAY HARBOR	WA	98250-9143
85	17188 JWP KENNEDICK LLC	1004 COMMERCIAL AVE #356	ANACORTES	WA	98221-4117
86	17190 ANTHONY & LINDA TIRITILLI	423 SCOTTSDALE RD	PLEASANT HILL	CA	94523-5112
87	17191 RONALD A ANDERSON	PO BOX 2246	SARATOGA	CA	95070-2246
88	17192 FRANK A & THELMA L SAMUELSSON TTEES	C/O ANDY HAWKEY	OAKLAND	CA	94611-1306
89	17193 STEVE & KARLA COWDEN	5570 KNIGHT RD	BELLINGHAM	WA	98226-9503
90	17194 DARYL R & VICKI L BOULTON	350 AFTERGLOW DR	FRIDAY HARBOR	WA	98250-4913
91	17195 GRACE BORSARI & LARRY MADSEN	3139 MCLEOD RD	BELLINGHAM	WA	98225-1037
92	17196 DANIEL J & MICHELLE A ROOT	374 CESSNA AVE	FRIDAY HARBOR	WA	98250-9147
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95	17200 TWO BAR LAND LLC	316 E 25TH ST APT B	CHEYENNE	WY	82001-3192
96	17201 CHRISTOPHER SCOTT BIDDLE	4817 LAKE WASHINGTON BLVD NE APT 2	SEATTLE	WA	98107-7608
97	17202 TROY GRIFFITH & LYSA M CASTIN	11239 NE 95TH ST	KIRKLAND	WA	98033-7648
98	17203 MICHAEL DZUBINSKI & ANN MCLEAN	4404 S 272	KENT	WA	98033-5105
99	17204 ROBERT & EDITH GRUBE	PO BOX 4343	ROCHE HARBOR	WA	98250-4343
100	17205 CHRISTOPHER V BLAINE	PO BOX 4344	ROCHE HARBOR	WA	98250-4344
101	17206 CHARLES L & KATHLEEN M WILSON	1301 ALASKAN WAY	SEATTLE	WA	98101-2013
102	17207 GREAT WESTERN AVIATION LLC	22430 SE 231ST ST	MAPLE VALLEY	WA	98038-2000
103	17208 589 CESSNA AVENUE LLC	c/o RICHARD BUS	BURIEN	WA	98166-3105
104	17209 ROCHE AVIATION PARTNERS LLC	71 GARRISON DR	FRIDAY HARBOR	WA	98250-8138
105	17210 CAROL ANN FARROW				

110	17211 SUZANNE M DIESEN ET AL	4235 BEACH DR E	PORT ORCHARD	WA	98366-8049
111	17212 RICHARD L & MARILY A REMWENTERA	41 MCMILLIN DR	FRIDAY HARBOR	WA	98250-5874
112	17213 FRANK N BYRNE	281-A CESSNA AVE	FRIDAY HARBOR	WA	98250-9146
113	17214 PROP PLACE LLC	723 HANNA PARK	EDMONDS	WA	98020-2619
114	17215 KARL D NEIDERS	1120 E TERRACE ST STE 300	SEATTLE	WA	98122-7405
115	17216 DAVID J NUTTER TTEE	524 KAI HELE KU ST	LAHAINA	HI	96761-5706
116	17217 171 CESSNA AVE LLC	1910 FAIRVIEW AVE E STE 500	SEATTLE	WA	98102-9620
117	17218 KARL (CHARLES) WALTERS	525 DU PONT LANE	KEY WEST	FL	33040-7458
118	17219 TERESA MASON TTEE	PO BOX 2908	KIRKLAND	WA	98083-2908
119	17220 ROBERT HARTLEY JONES & THOMAS O & JULIE YOUNG	128 AVENIDA DE ORO	FRIDAY HARBOR	WA	98250-6931
120	17221 ROCHE HARBOR SKYWAY OWNERS & MAINTENANCE ASSN	PO BOX 4004	ROCHE HARBOR	WA	98250-4004
121	17222 ROCHE HARBOR SKYWAY OWNERS & MAINTENANCE ASSN	PO BOX 4004	ROCHE HARBOR	WA	98250-4004
122	17223 ROCHE HARBOR SKYWAY OWNERS & MAINTENANCE ASSN	PO BOX 4004	ROCHE HARBOR	WA	98250-4004
123	17224 G MICHAEL SIEVERT & SUZANNE J SIEVERT TTEES	10122 NE 64TH ST	KIRKLAND	WA	98033-6829
124	17225 RUSS SAMPLES	PO BOX 4156	ROCHE HARBOR	WA	98250-4156
125	17226 MB AIR LLC & BLUE BOX LLC	1323 CHUCKANUT DRIVE	BELLINGHAM	WA	98229-8979
126	17227 MOUNTAINTIME LLC	3333 ALLEN PARKWAY #2708	HOUSTON	TX	77019-1851
127	17228 MICHAEL JEAN SMITH & SIDNEY S SMITH	1467 TARTE RD	FRIDAY HARBOR	WA	98250-4927
128	17229 MICHAEL JEAN SMITH & SIDNEY S SMITH	1467 TARTE RD	FRIDAY HARBOR	WA	98250-4927
129	17241 FRANK MARTIN	PO BOX 512	OVERTON	NV	89040-0512
130	17242 REINHART D QUELLE	649 TARTE RD	FRIDAY HARBOR	WA	98250-7034
131	17307 JAMES P & DENISE A VOLKMANN	3239 N SHORE RD	BELLINGHAM	WA	98226-7828
132	17308 DARYL R & VICKI L BOULTON	350 ATERGLOW	FRIDAY HARBOR	WA	98250-4132
133	17309 HZH2H LLC	1910 FAIRVIEW AVE E STE 500	FRIDAY HARBOR	WA	98250-4913
134	17310 PETER P & JANET L TONG TTEES	PO BOX 4388	SEATTLE	WA	98102-3698
135	17311 MARK P & JENNIFER T SALVINO	PO BOX 4132	FRIDAY HARBOR	WA	98250-4338
136	17312 WINGTYME II LLC	3333 ALLEN PKWY #2708	ROCHE HARBOR	WA	98250-4132
137	17313 WM F KESEY & ARDITH KESEY TTEES	345 CESSNA AVE	HOUSTON	TX	77019-1851
138	17314 RICKEY L & LINDA L HERSEY	156 JANINE PL	FRIDAY HARBOR	WA	98250-9147
139	17315 BILL & MARIE WAADINGHAM	12975 VIA REGALLO DR	FRIDAY HARBOR	WA	98250-6988
140	17316 TIMOTHY J CASEY, MICHAEL D CASEY, COLLEEN M SULLIVAN, LINDA SHIER TTEE	1332 KILBY LN	RANCHO CUCAMONGA	CA	91739-9987
141	17317 AMIT MEHTA & TERESA L MASON TTEES	PO BOX 2908	VISTA	CA	92083-7166
142	17318 ROCHE HARBOR SKYWAY OWNERS & MAINTENANCE ASSN	PO BOX 4004	KIRKLAND	WA	98033-2908
143	17319 ROCHE HARBOR AIRPORT INC	8484 ROCHE HARBOR RD	ROCHE HARBOR	WA	98250-4004
144	17455 GREG P & BRENDA R TUTMARC	10708 NE 19TH PL	ROCHE HARBOR	WA	98250-9141
145	17456 PYKS LLC	300 DESCHUTES WAY SW STE 304	BELLEVEUE	WA	98004-2850
146	17469 NORTH ROCHE HARBOR ROAD ASSN	PO BOX 4007	TUMWATER	WA	98501-7719
147	17839 NEW RH LLC	c/o ACCOUNTING	ROCHE HARBOR	WA	98250-4007
148	17846 NEW RH LLC	c/o ACCOUNTING	ROCHE HARBOR	WA	98250-4001
			ROCHE HARBOR	WA	98250-4001



# Roche Harbor Master Planned Resort Activity Center



- MPR Master Planned Resort - Resort Core District
- MPR Master Planned Resort - Resort Recreation/Residential District
- Area redesignated from RR to MPR

S.J.C. DEPARTMENT OF  
FEB 28 2022  
COMMUNITY DEVELOPMENT

Development in the Roche Harbor MPR is guided by the Master Plan in addition to the County Comprehensive Plan and UDC.

Information shown per San Juan County GIS

kenny 02/18/22 1:11pm - P:\2107-01 Landed Gentry Roche Harbor\7 CAD\Planning\Site Plan\RH MPR Activity Center.dwg



## ROCHE HARBOR MASTER PLANNED RESORT ACTIVITY CENTER

Exhibit

**WEDEN ENGINEERING, LLC**  
Civil Engineering - Planning - Project Management

2636 Nugard Rd, Ferndale, WA 98248  
(360) 380-1363 (360) 384-3615 Fx  
email: info@wedenengineering.com

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SCALE: 1" = 1250'	DATE: 02/16/2022
DWG FILE: 2	DRAWN BY: J.M.
PROJECT NO.: 2107-01	REVIEWED: J.E.N.
SHEET 1 OF 1	

ORIGINAL SHEET SIZE: 8.5x11

**SEPA ENVIRONMENTAL CHECKLIST**

FEB 28 2022

COMMUNITY DEVELOPMENT

***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 [\[HELP\]](#)**

1. Name of proposed project, if applicable:

San Juan County 2022 Docket

Roche Harbor MPR Boundary Modification – Redesignation of land use from Rural Residential (RR) to Master Planned Resort (MPR)

2. Name of applicant:  
NEW RH, LLC

3. Address and phone number of applicant and contact person:  
NEW RH, LLC c/o Brent Snow, General Manager  
PO Box 4001  
Roche Harbor, WA 98250  
360-378-2155

4. Date checklist prepared:  
February 28, 2022

5. Agency requesting checklist:  
San Juan County

6. Proposed timing or schedule (including phasing, if applicable):  
Docket application deadline is March 1, 2022, for consideration in 2022 Annual Docket process.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.  
Future project related activities are planned for the Roche Harbor MPR, consistent with the County Comprehensive Plan and Roche Harbor Master Planned Resort (RHMPR) *Activity Center Plan* (aka Resort Plan). Project SEPA review will be conducted at the time those development proposals are submitted to the County.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.  
SEPA review was conducted for the MPR Activity Center approved with the 1998 Comprehensive Plan adoption. No change in uses or maximum allowed density is proposed with the proposed MPR boundary modification and addition of the adjacent RR parcels to the MPR Activity Center.

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.  
No.

10. List any government approvals or permits that will be needed for your proposal, if known.  
Legislative approval of Comprehensive Plan Official Map Amendment and related Activity Center zoning map amendment.

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.)

Proposal is to amend the Comprehensive Plan Official Map to redesignate 119.43 acres from Rural Residential (RR) to Master Planned Resort (MPR) and modify the southern boundary of the Roche Harbor Master Planned Resort Activity Center Plan. No change in allowed uses or dwelling units is proposed for the MPR District. The District is currently designated for 1.0 unit/acre (currently allowed up to 180 dwelling). The modified District would be 275 acres with a new overall density of 1.5 unit/acre (maintain the District maximum of 180 dwelling units).

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 parcels proposed for redesignation are located directly east of Roche Harbor Road, north of Roosevelt Road (private road), west of Rouleau Road and directly south of the Roche Harbor Resort MPR in Section 24, Township 36N, Range 4W. See attached map.

**B. Environmental Elements** [\[HELP\]](#)

1. **Earth** [\[help\]](#)

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)?  
Approx 18% on westernmost parcel.

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.

Primarily Whidbey gravelly loam, 3 to 15 percent slopes, Laconner gravelly sandy loam, warm, 5 to 15 percent slopes and Sucia loamy sand, 2 to 10 percent slopes.

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

None known.

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.

None. Non-project proposal.

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

No. Non-project proposal.

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

Not applicable to non-project proposal. For future project proposals, the approved Resort Plan requires 40% open space for this District.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:  
None. Not applicable to non-project proposal.

## 2. **Air** [\[help\]](#)

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.

None. Not applicable to non-project proposal.

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

No.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:  
None. Not applicable to non-project proposal.

## 3. **Water** [\[help\]](#)

a. Surface Water: [\[help\]](#)

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.  
County mapping identifies potential wetlands on the eastern portion of the 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.

No. Not applicable to non-project proposal.

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.

None. Not applicable to non-project proposal.

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

No. Not applicable to non-project proposal.

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. Not applicable to non-project proposal.

b. Ground Water: [\[help\]](#)

- 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.

No. Not applicable to non-project proposal. Future development will be served by the Roche Harbor Water System.

- 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.

None. Not applicable to non-project proposal.

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.

None. Not applicable to non-project proposal.

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

No. Not applicable to non-project proposal.

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

No. Not applicable to non-project proposal.

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

None. Not applicable to non-project proposal.

4. **Plants** [\[help\]](#)

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.

\_\_\_ **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?  
None. Not applicable to non-project proposal.

c. List threatened and endangered species known to be on or near the site.  
None known. Not applicable to non-project proposal.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance  
vegetation on the site, if any:  
None. Not applicable to non-project proposal.

e. List all noxious weeds and invasive species known to be on or near the site.  
None known. Not applicable to non-project proposal.

## 5. **Animals** [\[help\]](#)

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:  
fish: bass, salmon, trout, herring, shellfish, other \_\_\_\_\_

b. List any threatened and endangered species known to be on or near the site.  
None known. Not applicable to non-project proposal.

c. Is the site part of a migration route? If so, explain.  
Site is within Pacific Flyway bird migration route.

d. Proposed measures to preserve or enhance wildlife, if any:  
None. Not applicable to non-project proposal.

e. List any invasive animal species known to be on or near the site.  
None known. Not applicable to non-project proposal.

## 6. **Energy and Natural Resources** [\[help\]](#)

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.

Not applicable to non-project proposal.

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:

None. Not applicable to non-project proposal.

## **7. Environmental Health** [\[help\]](#)

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 applicable to non-project proposal.

1) Describe any known or possible contamination at the site from present or past uses.  
None known. Not applicable to non-project proposal.

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.  
None. Not applicable to non-project proposal.

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.  
None. Not applicable to non-project proposal.

4) Describe special emergency services that might be required.  
None. Not applicable to non-project proposal.

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

None. Not applicable to non-project proposal.

### **b. Noise**

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

Not applicable to non-project proposal.

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.

None. Not applicable to non-project proposal.

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

None. Not applicable to non-project proposal.

## **8. Land and Shoreline Use** [\[help\]](#)

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 RR designated parcels are predominantly forested. There are 5 resort employee housing units, resort support facilities (e.g. water facilities) and a disc golf area on the north eastern parcel. The parcels directly south are designated RR and are vacant. The parcels directly north are designated MPR and are predominantly vacant with resort support uses. The parcels to the west across Roche Harbor Road area designated RFF and the parcels to the east across Rouleau Road are designated AG. See attached aerial with highlight of area to be redesignated from RR to MPR..

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 parcels are not designated as forest land of long-term commercial significance. The parcels, totally 119.43 acres, have not been logged since 1995 and were removed by the County from DFL tax status effective February 10, 2022.

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.

Five employee residences and resort water facility buildings.

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

Not applicable to non-project proposal.

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

Land Use District RR – 5 acre density

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

Rural Residential

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

Not applicable.

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

County mapping has potential wetlands on a portion of the eastern parcels.

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

Not applicable to non-project proposal.

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

Not applicable to non-project proposal.

- k. Proposed measures to avoid or reduce displacement impacts, if any:  
None. Not applicable to non-project proposal.
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:  
Parcels to be redesignated would be subject to the approved MPR Resort Plan.
- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:  
None necessary.

### **9. Housing** [\[help\]](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.  
Not applicable to non-project proposal.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.  
Not applicable to non-project proposal.
- c. Proposed measures to reduce or control housing impacts, if any:  
Not applicable to non-project proposal.

### **10. Aesthetics** [\[help\]](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?  
Not applicable to non-project proposal.
- b. What views in the immediate vicinity would be altered or obstructed?  
Not applicable to non-project proposal.
- b. Proposed measures to reduce or control aesthetic impacts, if any:  
None. Not applicable to non-project proposal.

### **11. Light and Glare** [\[help\]](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?  
None. Not applicable to non-project proposal.
- b. Could light or glare from the finished project be a safety hazard or interfere with views?  
No. Not applicable to non-project proposal.
- c. What existing off-site sources of light or glare may affect your proposal?

Not applicable to non-project proposal.

- d. Proposed measures to reduce or control light and glare impacts, if any:  
None. Not applicable to non-project proposal.

**12. Recreation** [\[help\]](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity?  
Trails and disc golf on some of the parcels to be redesignated from RR to MPR, and resort recreational facilities in the MPR Resort Core District.
- b. Would the proposed project displace any existing recreational uses? If so, describe.  
No.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:  
None. Not applicable to non-project proposal.

**13. Historic and cultural preservation** [\[help\]](#)

- 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.  
No.
- 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.  
None. Not applicable to non-project proposal.
- 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. Not applicable to non-project proposal.

**14. Transportation** [\[help\]](#)

- 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.  
Roche Harbor Road and Rouleau Road. See attached maps.
- 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?

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?  
Not applicable to non-project proposal.
- 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).  
Not applicable to non-project proposal.
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.  
No. Not applicable to non-project proposal.
- 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?  
Not applicable to non-project proposal.
- 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. Not applicable to non-project proposal.

**15. Public Services** [\[help\]](#)

- 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.  
No. Not applicable to non-project proposal.
- b. Proposed measures to reduce or control direct impacts on public services, if any.  
None. Not applicable to non-project proposal.

**16. Utilities** [\[help\]](#)

- a. Circle utilities currently available at the site:  
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,  
other \_\_\_\_\_  
Not applicable to non-project proposal.
- b. 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.  
None. Not applicable to non-project proposal.

**C. Signature** [HELP]

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.

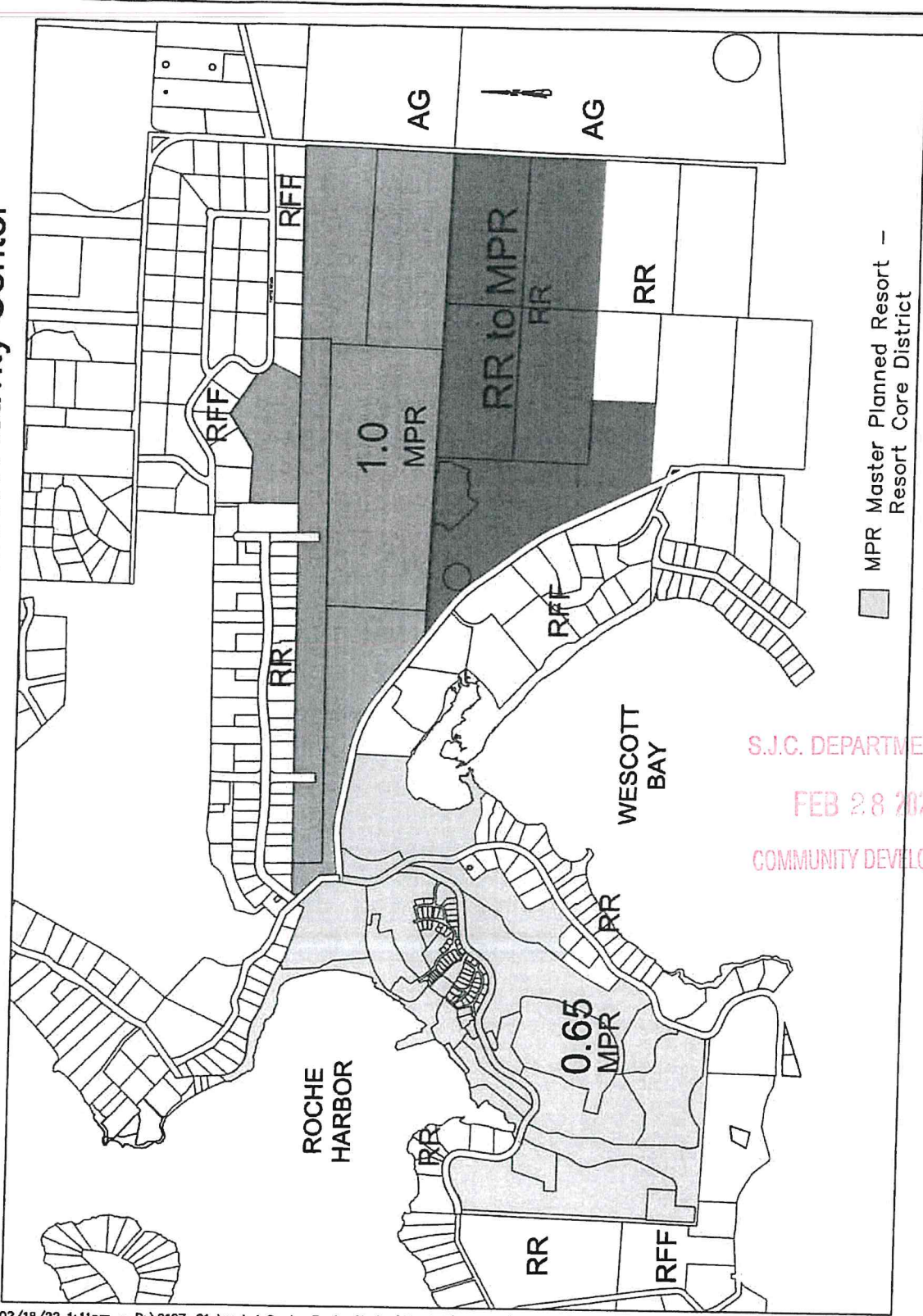
Signature: Anna Nelson

Name of signee Anna Nelson

Position and Agency/Organization AICP, Land Use Planning Consultant

Date Submitted: 2/28/22

# Roche Harbor Master Planned Resort Activity Center



S.J.C. DEPARTMENT OF  
FEB 28 2022  
COMMUNITY DEVELOPMENT

Development in the Roche Harbor MPR is guided by the Master Plan in addition to the County Comprehensive Plan and UDC.

Information shown per San Juan County GIS

kenny 02/18/22 1:11pm - P:\2107-01 Landed Gentry Roche Harbor\7 CAD\Planning\Site Plan\RH MPR Activity Center.dwg



## ROCHE HARBOR MASTER PLANNED RESORT ACTIVITY CENTER

Exhibit

**WEDEN ENGINEERING, LLC**  
Civil Engineering • Planning • Project Management

2636 Nulgaard Rd, Ferndale, WA 98248  
(360) 380-1363 (280) 384-3615 Fax  
email: info@wedenengineering.com

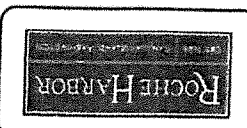
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SCALE: 1" = 1250'	DATE: 02/16/2022
SHEET 1 OF 1	SHEET 1 OF 1

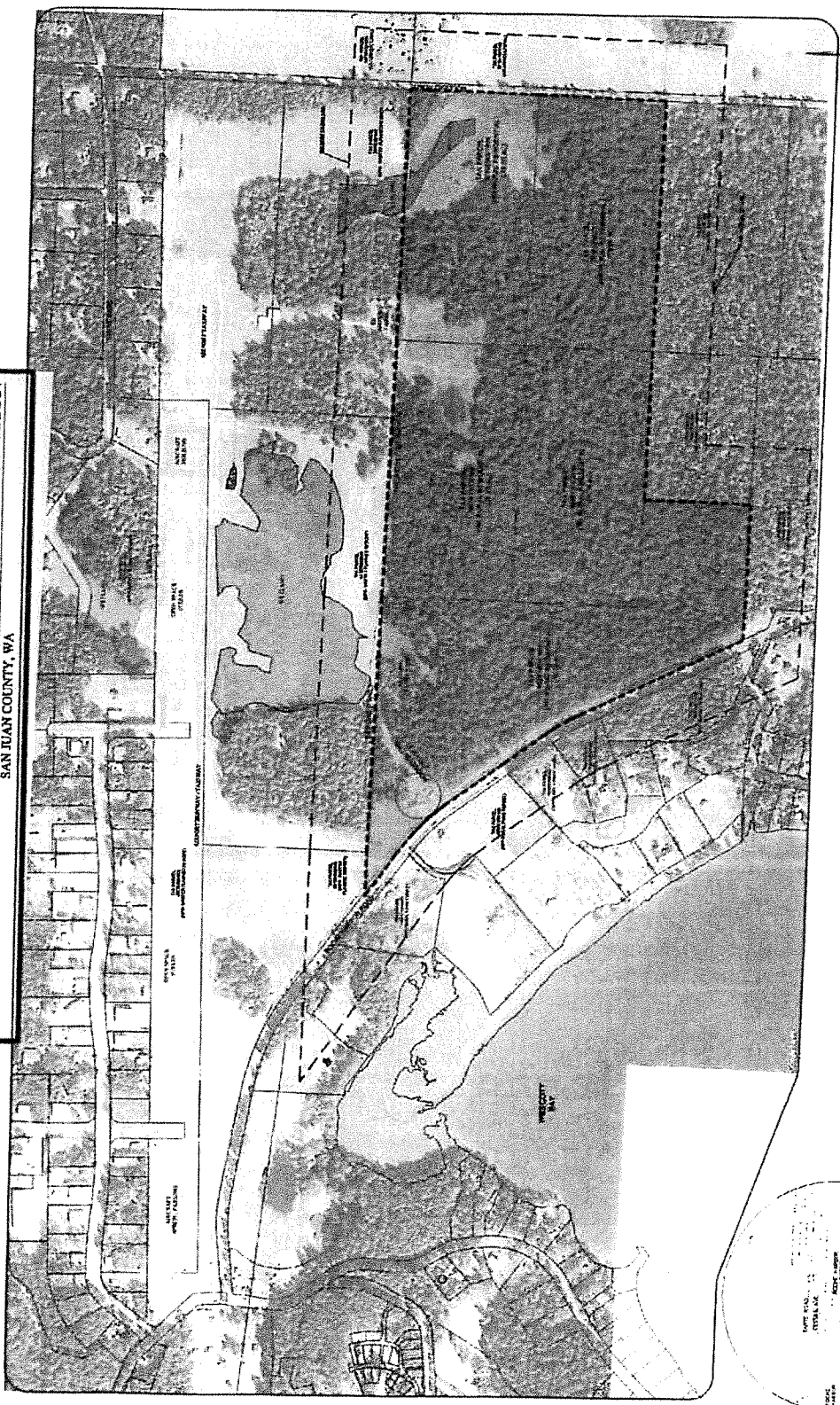
ORIGINAL SHEET SIZE: 8.5x11

DATE: 07/20/2022  
 DRAWN BY: JAW  
 CHECKED BY: JAW  
 SCALE: 1" = 200'  
 SHEET 1 of 1  
 WEDEN ENGINEERING, LLC

**ROCHE HARBOR MASTER PLANNED RESORT**  
 SAN JUAN COUNTY, WA  
**REDESIGNATION FROM RR TO MPR**



**ROCHE HARBOR 2022 DOCKET MPR BOUNDARY MODIFICATION**  
 SAN JUAN COUNTY, WA



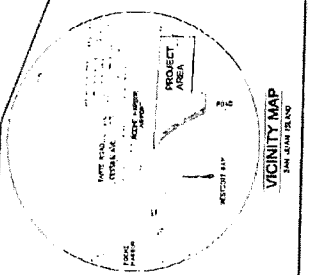
SCALE: 1" = 200'  
 0 100 200  
 INFORMATION SHOWN ON THIS MAP IS FOR THE COUNTY OF SAN JUAN WA. THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY AND SHALL BE VOIDED PRIOR TO ANY OTHER USE.

**LAND USE:**  
 CURRENT ZONING: RESIDENTIAL (R2)  
 PLAN REDESIGNATION: RURAL RESIDENTIAL (RR)  
 PROPOSED REDESIGNATION: MARTELA PLANNED RESORT (MPR)

**LAND JURISDICTION:**  
 SAN JUAN COUNTY, WA  
 COUNTY DEVELOPMENT  
 15 HIGHWAY 100, WA 98280  
 (509) 734-2300

**PARCELS:**  
 4621100000, 4621100000, 4621100000, 4621100000  
**AREA:**  
 TOTAL AREA: 119.6 ACRES (±)

**PROPERTY OWNERS/DEVELOPERS:**  
 NEW RH, LLC  
 400 4th St  
 BOSTON, MA 02114  
**PROJECT ENGINEERS:**  
 WEDEN ENGINEERING, LLC  
 1000 1st St  
 FERNDALE, WA 98248



S.A.C. DEPARTMENT OF  
 COMMUNITY DEVELOPMENT



Community Development  
135 Rhone Street P.O. Box 947  
Friday Harbor, WA 98250

Receipt Number: LA22-00114

(360) 378-2354  
dcd@sanjuanco.com

**Payer/Payee:** NEW RH LLC  
PO BOX 4001  
ROCHE HARBOR WA 98250-4001

**Cashier:** Lynda Guernsey

**Date:** 03/03/2022

LANDUSE-22- REDESIGNATION 27-C Roosevelt Rd  
0044

<u>Fee Description</u>	<u>Fee Amount</u>	<u>Amount Paid</u>	<u>Fee Balance</u>
Redesignation Fee	\$3,900.00	\$3,900.00	\$0.00
Technology Surcharge Fee	\$50.00	\$50.00	\$0.00
	<b>\$3,950.00</b>	<b>\$3,950.00</b>	<b>\$0.00</b>

<u>Payment Method</u>	<u>Reference Number</u>	<u>Payment Amount</u>
CHECK	29432	\$3,950.00
<b>Total Paid:</b>		<b>\$3,950.00</b>



## 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

### FILE NUMBER 22-0004 SAN JUAN COUNTY DOCKET INITIAL REVIEW

#### Application Information:

Applicant:	<b>Brent Snow for New RH LLC</b>	Application No.:	<b>22-0004</b>
Description of Proposal: <b>Expand the Roche Harbor Master Planned Resort (MPR) area to include 5 additional parcels (119 acres).</b>			
Land Use Re-Designation:	Existing:	<b>Rural Residential</b>	
<input checked="" type="checkbox"/> <b>Yes</b>	<input type="checkbox"/> No	Proposed:	<b>Roche Harbor Master Planned Resort (RHMPR) Activity Center</b>
<input type="checkbox"/>	Comprehensive Plan Text Amendment		
<input type="checkbox"/>	Development Regulation Amendment		

#### Process Requirements:

State Environmental Policy Act (SEPA):	<input type="checkbox"/> SEPA Exempt	<input type="checkbox"/> SEPA Completed	Date Complete:		
	<input checked="" type="checkbox"/> SEPA Required	Determination:	<input type="checkbox"/> DNS	<input type="checkbox"/> MDNS	<input type="checkbox"/> DS
Environmental Impact Statement:	<input type="checkbox"/> Yes	Date of Final Issuance:			
	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not Applicable			

#### Public Outreach/Notification Requirements:

<input checked="" type="checkbox"/>	300-foot posted notification – for map amendments for five or fewer parcels
<input checked="" type="checkbox"/>	300-foot mailed notification and agency notification – this amendment will potentially affect adjacent properties within 300 feet of a proposal
<input checked="" type="checkbox"/>	<b>Subarea or Overlay Wide Notification – this amendment will affect or potentially affect a neighborhood, subarea or multiple properties within an overlay or designation.</b>
<input type="checkbox"/>	Countywide Notification – this amendment will apply countywide or affect many properties throughout the County

#### Recommended Additional Public Outreach:

<input checked="" type="checkbox"/>	<b>Community Meeting(s)</b>	<input checked="" type="checkbox"/>	<b>Area-Wide Mailing</b>	<input type="checkbox"/>	Countywide Mailing	<input checked="" type="checkbox"/>	<b>Publication</b>
<input checked="" type="checkbox"/>	<b>Web page</b>	<input checked="" type="checkbox"/>	<b>Press Release</b>	<input checked="" type="checkbox"/>	<b>Public Participation Plan</b>	<input type="checkbox"/>	Other (reference below*)

\*Depending on the scope of the proposed development regulation amendments, additional public notice may be necessary.

**Evaluation:**

<b>Priority:</b>	
<input type="checkbox"/>	A- Required by law for GMA Compliance or otherwise
<input type="checkbox"/>	B- Items needed to achieve important public policy objectives of a countywide nature
<input type="checkbox"/>	C- Items that can be considered as part of a larger CP update or subarea planning process
<input type="checkbox"/>	D- Items needed to provide clarity and certainty to the UDC and CP by removing inconsistencies and ambiguities
<input type="checkbox"/>	E- Items of lessor priority to be considered on a future year work program
<input checked="" type="checkbox"/>	<b>F - Obsolete, previously resolved or not recommended for further consideration</b>
<b>Scope of Work Necessary to Complete the Amendment:</b>	
<p>A public hearing before the Planning Commission and County Council is required by SJCC 18.90.030. Moving forward on this request will involve ensuring compliance with legislative procedures in SJCC 18.90.020 and provided in Attachment D.</p> <p>Legislative approval of the Comprehensive Plan, including changes to the Comprehensive Plan Official Map and Roche Harbor Activity Center Resort Plan, is an amendment process that typically takes 8-12 months, and includes:</p> <ul style="list-style-type: none"><li>• Minimum 5 meetings: 2 with the Planning Commission and 3 with the County Council, including briefings and public meetings</li><li>• Multiple staff reports</li><li>• SEPA review, determination and notices</li><li>• Updates to the Roche Harbor Master Planned Resort (RHMPR) Resort Master Plan and land use designation maps.</li><li>• Coordination with County GIS Program</li><li>• Public Outreach/Participation (amount depends on scope of Council recommendation), including additional meetings with advisory committees such as the Open Space, Climate and Sustainability and Clean Water Advisory as appropriate</li></ul>	
<b>Changes to the following CP Goals and Policies:</b>	
N/A	
<b>Changes to the following sections of the Unified Development Code:</b>	
N/A	

**Additional Evaluation for Site Specific Re-Designations:**

Site Related Information: <b>This application includes 5 parcels (totaling 119.74 acres): 462412001000 (39.39 acres), 462411002000 (20.20 acres), 361922001000 (19.99 acres), 462411003000 (20.18 acres), 361922002000 (19.98 acres)</b>				
Location: <b>Roche Harbor Resort</b>		<b>South Rural Residential District (5)</b>		
Site Characteristics: (Topography, critical areas, shorelines)		<b>These 5 parcels are contiguous and contain a 180 degree south-facing forested slope with wetlands on some of the parcels</b>		
Existing Land Use:		<b>Employee housing off Roosevelt Way. Resort support uses. Recreational uses including a trail system and disc golf course.</b>		
	North	South	East	West
Adjacent Land Use:	<b>Master Planned Resort</b>	<b>Rural Residential</b>	<b>Agricultural Land</b>	<b>Rural Farm Forest</b>
Adjacent CP Designations:	<b>MPR – Activity Center</b>	<b>South Rural Residential</b>	<b>Agricultural Lands</b>	<b>Rural Farm Forest</b>
Infrastructure:	<input type="checkbox"/> Water service	<input type="checkbox"/> Sewer Service	<input type="checkbox"/> Access	

**Consistency with criteria:** The request was submitted in accordance with SJCC 18.90.030 (A). The Planning Commission and County Council are required to hold a public hearing on this proposal.

**Staff Analysis:** Per San Juan County Code 18.90.030(F), the County may amend Comprehensive Plan Official Maps if all the following criteria are met:

- a. The changes would benefit the public health, safety, or welfare.
- b. The change is warranted because of 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.
- c. The change is consistent with the criteria for land use designations specified in the Comprehensive Plan.
- d. The change, 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.
- e. The benefits of the change will outweigh any significant adverse impacts of the change.

Staff do not recommend further consideration of the application. The application does not provide enough detail to demonstrate the need for considering a substantial change to development rights and activities agreed to in the Roche Harbor Master Plan (Plan). The described change is expressly forbidden in the Roche Harbor Master Plan and related Revised Code of Washington (RCW) and as such may be expected to consume staff resources through substantial research, public comment, evaluation, staff reports and briefings in commission and council meetings. In addition, the benefit to the individual landowner may be disproportionate to the effort the County would need to put into making this change to the comprehensive plan.

The applicant proposes changing the land use map and development plans for five (5) New RH LLC parcels currently designated Rural Residential (RR). In 1975 a large portion of the resort holdings, including these parcels, were recognized and recorded as Designated Forest Land (DFL). In 2019, 3.65 acres of the northwestern-most parcel 462412001 were removed from DFL to accommodate employee housing. In 2022, an additional 16 parcels, including those from this request were removed from DFL status. New RH LLC would now like to see these parcels redesignated as Master Planned Resort (MPR), thus extending the southern boundary of the RHMPR Activity Center. The five parcels requested for this land use designation map and resort plan change amount to about a 42% reduction of the Southern Rural Residential area (119 out of 285 acres original) and expansion of the Resort Recreation/Residential Area by 66% (equaling a 33% increase of the total Activity Center overall) as it increases the total area of the Activity Center from 357 acres to 477 (nearly 25%). With this adjustment, the applicant will move most of the resort development proposed for the Resort Recreation/Residential (180 planned units) to the interior of the five wooded parcels (currently ~24 units are allowed on these 5 parcels).

Table 1. Summary of Existing Land Use Districts in RHMPR Under Consideration

Land Use Designation	Area (Acres)	Density (units/acre)	Dwelling Units	OpenSpace (percent)	Allowable Uses
Activity Center -Resort Core	177	~1.5	277 (excludes hotel)	40	Hotel, Marina, Restaurants, Retail Shops, Tour Boat Terminal, Float plane dock, grocery, museum, interpretive center, fuel dock, multi-unit attached, SF detached, gas station, post office, laundry and showers, resort recreational areas, maintenance and resort support
Activity Center- Resort Recreation/Residential	180	1	180	40	Golf course, clubhouse and support facilities, equestrian pastures, trails, stables and rings, driving range, tennis courts, swimming pools, open fields, sport fields, multi-unit attached, SF detached housing, community facilities
South Rural Residential	285	.20	57	35	Same as Comp Plan Rural Residential

The applicant states the need for the requested land use change is due to recently realizing 70% of the Resort Recreation/Residential district of the Activity Center (180 acres) is undevelopable, thus achieving 1 unit/acre clustered housing as approved in the Resort Recreation/Residential Plan with 40% open space maintained is not attainable. Details of the specific wetland development constraints were not submitted with the application and no description of how this discovery impacts the short- or long-term viability of the resort was provided in the docket application.

The requested change conflicts with the San Juan Comprehensive Plan Land Use and Shoreline Master Program Map and the Roche Harbor Master Planned Resort Activity Center Map. The proposal also conflicts with State law, where in RCW 36.70A.362 precludes new urban or suburban land uses in the vicinity of the master planned resort and further does not allow resort area to encompass lands where use is better suited to timber or agriculture. In addition, this proposal conflicts with the 1996 approved update to the Roche Harbor Master Plan, which states new urban and suburban land uses and densities are prohibited outside the boundaries of the MPR activity center per SJCC 18.30.060(A)(2). Thus, this request will require updates to the Comprehensive Plan, including the Roche Harbor Master Plan and Comprehensive Maps, along with a public process.

Maintaining the rural character of Roche Harbor while maintaining open space is an important part of the compromise that led to the acceptance of the Master Plan by the owner and the community. This land

use designation change may change the rural character of the Southern Rural Residential area, potentially with significant adverse impacts and is likely to raise significant concerns with the public.

**Table 2. Excerpt from the approved Roche Harbor Master Plan amendment, 1996.**

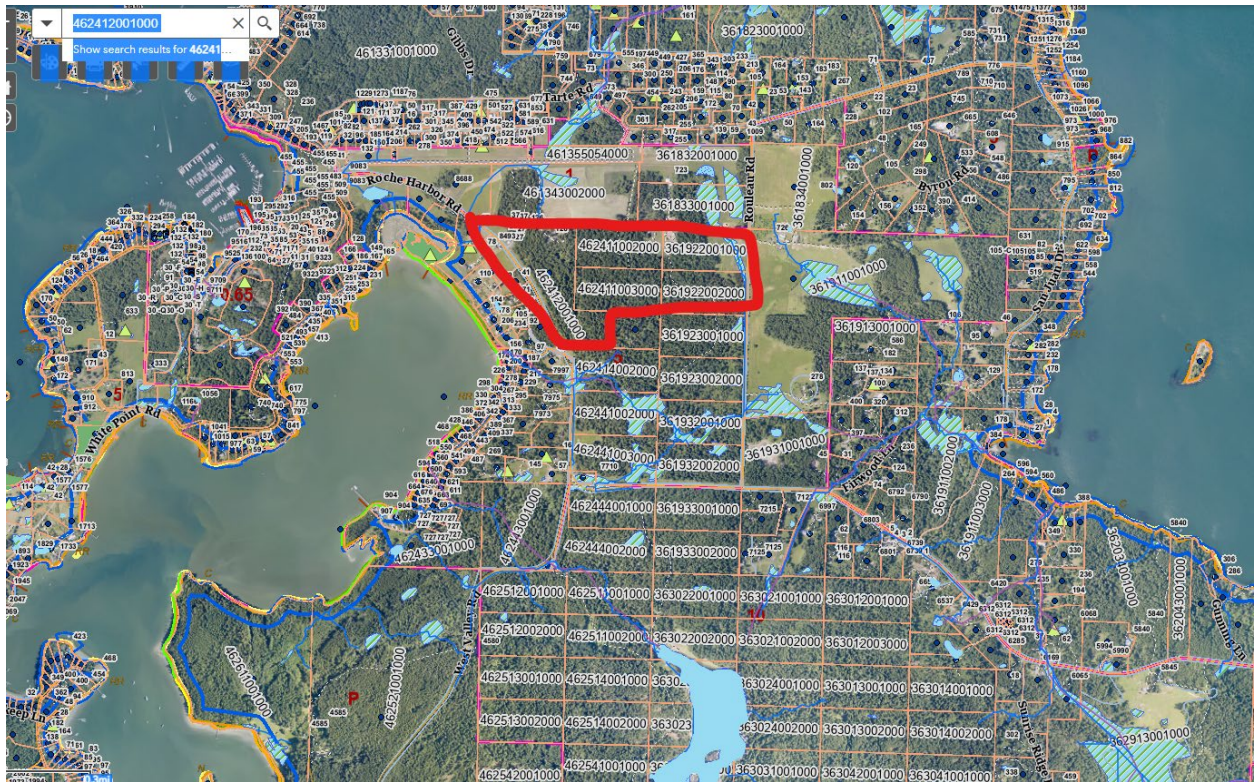
**Summary of Roche Harbor Resort  
GMA Planning Alternatives**

Current Designation					Village Plan					MPR Proposal				
Area Class	Area Description	Acres	Density	Units	Area Description	Acres	Density	Units	Change	Area Description	Acres	Density	Units	Change
U Urban	Resort	35	0.16	219	Village Resort	154	1.23	125	(94)					
S Suburban	Resort	62	0.50	124	Village Center	40	0.50	80	(44)					
3 R-2	S. of Quarries	70	2.00	35	Village Support	40	-	-	(35)					
2 R-2	Airport & Surrounding	190	2.00	95	Airport (to reconcile)	25	-	-	(95)					
		357	0.76	473		259	1.26	205	(268)	Master Planned Resort	357	0.76	457	(16)
1 R-2	N. of Skyways	165	2.00	83	Village Residential	200	1.00	200	118	R-2 (no change)	165	2.00	83	-
4 R-5	Blwn Roche & Roslo	285	5.00	57	Recreation Residential	348	2.00	174	117	R-5 (no change)	285	5.00	57	-
		450	3.23	140		548	1.47	374	235		450	3.23	140	-
5 R-10		920	10.00	92	Rural Residential	530	3.31	160	68	Rural Faras-Forest-10	920	10.00	92	-
6 R-2		460	2.00	230	Forest Resource	900	-	-	(230)	Rural Faras-Forest-10	460	10.00	46	(184)
7 R-10		50	10.00	5				(5)	Rural Faras-Forest-10	50	10.00	5	-	
	S. of Roche Harbor R	1,430	4.37	327	S. of Roche Harbor Rd.	1,430	6.94	160	(167)	S. of Roche Harbor Rd.	1,430	10.00	143	(184)
<b>Total</b>		<b>2,237</b>	<b>2.38</b>	<b>939</b>	<b>Total</b>	<b>2,237</b>	<b>3.03</b>	<b>739</b>	<b>(200)</b>	<b>Total</b>	<b>2,237</b>	<b>3.03</b>	<b>740</b>	<b>(200)</b>

**Benefits of MPR Proposal vs. Village Plan:**

Roche Village is one of the most controversial aspect of current SJC comp. plan  
 MPR proposal is supported by Owners and Community (who oppose the village plan)  
 Smaller core area than Village plan (MPR of 357 acres vs. Village of 780 acres)  
 No commercial activity outside of Resort area  
 Both alternatives provide a 200 dwelling unit voluntary density reduction.  
 MPR creates no transfer of density between areas.  
 MPR designation is recognized State GMA definition  
 MPR proposes very little change from current designations and densities  
 All designations in MPR plan exist in current proposed SJC comp plan

**Figure 1. Map of the five Southern Rural Residential parcels requested for inclusion in the Resort Activity Center (Source: Brooke Sullivan, Orion, April 2022)**





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**LANDUSE-22-0045 GTB FARMS LLC  
SITE SPECIFIC REDESIGNATION**

COMMUNITY DEVELOPMENT

S.J.C. DEPARTMENT OF

FEB 28 2022

COMMUNITY DEVELOPMENT

**Comprehensive Plan Map Amendment Application**  
(Site Specific Map Re-Designation)

<b>APPLICANT AND AGENT INFORMATION:</b>			
Name of Applicant:	<u>GTB Farms LLC</u>	Name of Agent:	<u>Nicole Fuenzalida</u>
Address	<u>3501 Beaverton Valley Road</u>	Address	<u>3501 Beaverton Valley Road</u>
City, State, Zip	<u>Friday Harbor, WA. 98250</u>	City, State, Zip	<u>Friday Harbor, WA 98250</u>
Phone Number	<u>360-622-2330</u>	Phone Number	<u>360-622-2330</u>
Email	<u>nicole@dancingseedsfarm.com</u>	E-mail	<u>nicole@dancingseedsfarm.com</u>

<b>PROPERTY OWNER INFORMATION:</b>			
Name of Owners:	<u>GTB Farms LLC</u>	Phone Number	<u>360-622-2330</u>
Address	<u>1100 5<sup>th</sup> Avenue West</u>	E-mail	<u>nicole@dancingseedsfarm.com</u>
City, State, Zip	<u>Seattle, Washhington 98119</u>		

<b>PROPERTY INFORMATION:</b>			
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>350814001</u>	Land Use/Shoreline Designation:	<u>RFF /</u>
			Parcel size: <u>16.18 ac</u>
Tax Parcel Number:	<u>                    </u>	Land Use/Shoreline Designation:	<u>      /      </u>
			Parcel size: <u>      </u>
Tax Parcel Number:	<u>                    </u>	Land Use/Shoreline Designation:	<u>      /      </u>
			Parcel size: <u>      </u>
Tax Parcel Number:	<u>                    </u>	Land Use/Shoreline Designation:	<u>      /      </u>
			Parcel size: <u>      </u>

<b>PERMIT CERTIFICATION (Must be signed by all property owners of record or a notarized agent signature provided.)</b>								
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.)								
DocuSigned by: <u>Geof Barker</u> BDC440F8B2B94D1...	<u>Geof Barker, Manager GTB Farms LLC</u>	<u>2/28/2022</u>						
Signature	Printed Name	Date						
Signature	Printed Name	Date						
Signature	Printed Name	Date						
<table border="0"> <tr> <td><b>For DCD Use Only</b></td> <td>Complete Application: <input type="checkbox"/> YES <input type="checkbox"/> NO</td> <td></td> </tr> <tr> <td>Amt. Paid: <u>\$3,950.</u></td> <td>Date Received: <u>2/28/22</u></td> <td>Receipt Number: <u>0000</u></td> </tr> </table>			<b>For DCD Use Only</b>	Complete Application: <input type="checkbox"/> YES <input type="checkbox"/> NO		Amt. Paid: <u>\$3,950.</u>	Date Received: <u>2/28/22</u>	Receipt Number: <u>0000</u>
<b>For DCD Use Only</b>	Complete Application: <input type="checkbox"/> YES <input type="checkbox"/> NO							
Amt. Paid: <u>\$3,950.</u>	Date Received: <u>2/28/22</u>	Receipt Number: <u>0000</u>						

**DESCRIPTION OF PROPOSAL:**

**The Applicant is seeking an amendment to the Comprehensive Plan to change the land use designation for the property located at 3501 Beaverton Valley Road (TPN 350814001) ("the Property") from Rural Farm Forest ("RFF") to Rural Commercial ("RC").**

**CHECK ALL THAT APPLY:**

- Redesignation of Land-Use designation,
- Redesignation of Shoreline designation
- Redesignation of maximum allowable residential density
- Other \_\_\_\_\_

**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>350814001</u>	Land Use/Shoreline Designation: <u>RFF/</u> _____	Proposed Density: <u>1/10ac</u>
Tax Parcel Number: _____	Land Use/Shoreline Designation: _____/_____	Proposed Density: _____
Tax Parcel Number: _____	Land Use/Shoreline Designation: _____/_____	Proposed Density: _____

General location of property: <u>Beaverton Valley Road</u>	Land Use/Shoreline Designation: _____/_____	Proposed Density: _____
Tax Parcel Number: _____		

Island: <b>San Juan</b>	Total acres of proposal: <b>16.18</b>
-------------------------	---------------------------------------

List all existing use(s) on property:	<b>Agricultural Activities</b>
---------------------------------------	--------------------------------

List any special tax categories that apply to the property, such as Open Space or Designated Forest Land	<b>N/A</b>
--	------------

Describe existing and proposed method of sewage disposal	<b>See Attached Addendum.</b>
--	-------------------------------

Describe existing and proposed water supply	<b>See Attached Addendum.</b>
---	-------------------------------

Did you attend a pre-application meeting?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Has this proposal been previously submitted?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If yes – which year?	_____
---	---	--	---	----------------------	-------

**PLEASE ANSWER OR ATTACH INFORMATION FOR QUESTIONS 1-12, AS THEY APPLY TO YOUR PROPOSAL**

1. Why is the amendment being proposed?

See Attached Addendum.

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

See Attached Addendum.

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.

See Attached Addendum.

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

See Attached Addendum.

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.

See Attached Addendum.

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

See Attached Addendum.

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

See Attached Addendum.

8. Does this proposal include an Urban Growth Area (UGA) expansion?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
9. If yes, which UGA?		
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.)		
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)		
12. Attach a completed and signed State Environmental Policy Act (SEPA) Environmental Checklist, including the supplemental sheet for non-project actions.		
13. Attach copy of deed(s), and a legal description of the property for which the amendment is requested.		

# ADDENDUM TO APPLICATION FOR AMENDMENT TO COMPREHENSIVE PLAN MAP

Dancing Seeds Farm / Beaverton Valley Farms  
3501 Beaverton Valley Road

S.J.C. DEPARTMENT OF

FEB 28 2022

COMMUNITY DEVELOPMENT

## 1. Why is the amendment being proposed?

The subject Property is a 16.18 acre working farm located in the heart of San Juan Island. The current land use designation for the Property is Rural Farm Forest (“RFF”). Under the RFF designation the agricultural activities that can occur on the Property are limited. The Applicant seeks to expand its present agricultural activities to include additional agricultural activities that will support the Island’s agricultural economy and enhance the community’s food security by changing the land use designation from RFF to Rural Commercial (“RC”). With such a change in designation, and as an example, the Applicant would be able to offer regularly scheduled farm-to-table dinners to showcase farm products, as well as those produced by other farmers in San Juan County. The Applicant would also be allowed to engage in retail sales of farm products and other agricultural goods produced by County farmers and artisans. Both of which examples are arguably prohibited in the RFF designation.

The known history of ownership and use of the subject property is as follows:

Daniel B Shull Farm- 1895 Daniel Bair Shull (served as San Juan County Commissioner), Emma Shade (wife)

Howard Shull (1886-1923) son of Daniel B and Emma Shull- Dairy farm, Loretta Mary Newhall (wife). In 1902 the Shull Family obtained what is now Beaverton Valley Farm.

“Once a dairy farm and homestead in the early 1900s, this historic farm became Glad Acres in the mid-20th century with a communal living setting. In the 1980s, it was the Moon and Sixpence Bed and Breakfast. And shortly after the start of the 21st century, the property became a biointensive organic farm known as Synergy Farm.” - Dancing Seeds Website

Moon and Sixpence - Evelyn “Ev” Tuller, property sold in 2004

Synergy Farm - Peter Corning, Susan Corning

Heart of the Island/Dancing Seeds - John and Gail Kretchmer

Beaverton Valley Farm - Geof Barker, Anne Barker

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

Public health, safety, and welfare would be benefitted by allowing a more robust localized food system and supply. The additional agricultural activities that could occur on the Property as a result of the change in designation would directly support the County's local agricultural economy and would also compliment San Juan County's status as a popular tourist destination. The proposed change in designation would encourage Island tourists to explore the heart of San Juan Island and be able to directly experience the agricultural products and services being offered by San Juan County farmers and artisans.

3. The proposed amendment is warranted due to changed circumstances.

Under the existing San Juan County Code provisions certain agricultural activities, specifically farm-to-table dinners, are arguably prohibited in the RFF designation. This prohibition conflicts with the Land Use Element of the Comprehensive Plan's stated purpose for RFF designation. Agricultural activities like retail sales of agricultural goods and products and farm-to-table dinners are allowed, following the appropriate approvals, under the RC designation, but are prohibited in the RFF designation. The ability of small-scale agricultural operations to remain viable in San Juan County, particularly in light of the County's tourism-based economy, require that farm operators be allowed to pursue more creative activities and operations, which are not clearly contemplated by the current language contained in the San Juan County Code for properties designated as RFF. The proposed amendment is more consistent with the purposes, criteria, and goals outlined in the Land Use and Economic Development elements of the County's Comprehensive Plan. For example, the proposed amendment will allow for the creation of jobs through a community-friendly industry, promote tourism and leisure opportunities consistent with the County's rural and agricultural heritage, strengthen the community's traditional agricultural industry, and allow for expanded farming activities that will allow the farm to remain a commercially viable farming operation.

4. The proposed amendment is consistent with the criteria for land use designations specified in the Comprehensive Plan. While the RFF and RC designations have significant overlap, the RC designation allows for more flexibility in how agricultural operations can become and remain commercially viable. The goal of the RC designation is to provide areas rural oriented commercial uses that complement rural character and development. Pursuant to the Land Use Element of the Comprehensive Plan, areas that are characterized as lands with an existing or historical commitment to rural commercial uses (like the Property), lands with direct access to a public roadway classified as a major or minor arterial (like the Property), and lands where on-site physical features and parcel size can protect surrounding rural land uses from negative impacts (like the Property), are appropriate for RC designation. Small scale commercial operations, like country inns and restaurants, are allowed in RC designated areas, and it is these kinds of activities that farmers in San Juan County need to be able

to pursue to remain viable operations. The proposed amendment will benefit the County's tourism-based economy, improve the quality and profitability of farm goods and services, and allow for the addition of value added farm products.

5. The proposed 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, since many neighboring properties are also engaged in low impact commercial enterprises such as, raising livestock, small-scale farming, and cottage enterprises. In fact, the property located immediately to the east of the subject property presently operates as a public storage facility. There is an existing mix of residential development, scattered single family residences, small farms, forestry activities, resource-based commercial and industrial uses, cottage enterprises, rural commercial and rural industrial uses already occurring within the vicinity. Moreover, the subject property has a long legacy as a working farm, and as farmers struggle to find ways to remain commercially viable, the uses that will be allowed under the RC designation will simply allow for more enhanced and creative agricultural activities to occur on the subject property.
6. The benefits of the proposed amendment will be significant, while the adverse impacts, if any, will be minimal and can be appropriately controlled and mitigated by conditions of approval imposed upon any subsequent application filed by the Applicant. For example, farm-to-table dinners would arguably be considered an "eating establishment," which is a conditional use under the RC designation (prohibited by RFF). Allowing the Applicant to apply to hold regular farm-to-table dinners on the subject Property would provide gainful employment for many in the community, would enhance and showcase agricultural goods and products from the farm (as well as from other community farms), and would complement the Island's tourism-based economy. Any potential adverse impacts from such use can and would be appropriately limited and/or mitigated during the application process, and through conditions of approval.
7. The proposed amendment is consistent with the Growth Management Act. For example, RCW 36.70A.177 states that a county or city may use a variety of innovative zoning techniques to conserve agricultural lands and encourage the agricultural economy. Agricultural zoning that allows accessory uses, including nonagricultural accessory uses and activities, that support, promote, or sustain agricultural operations and production is allowed and encouraged. Accessory uses shall be located, designed, and operated to support the continuation of the overall agricultural use of the property, and include without limitation storage, distribution, and marketing of regional agricultural products from one or more producers, agriculturally related experiences (like farm-to-table dinners), or the production, marketing, and distribution of value-added agricultural products, including support services that facilitate these kinds of activities. The Applicant's ability to host farm-to-table dinners on the Property, and to engage in retail sales of farm products, under the RC designation would all comport with the Growth Management Act, and can be appropriately conditioned as part of any subsequent application process.

8. The proposal does not include an Urban Growth Area expansion.
9. N/A
10. Please see attached maps of the property showing existing buildings, roads, water bodies, wetlands and other environmentally sensitive areas, and soil types.
11. List of names and mailing addresses for all property owners within 300ft:

350811007000- Nicholas Power & Penelope Haskew- 3660 Beaverton Valley Rd, Friday Harbor, WA 98250-7066

350811003000- William Arthur Karges Jr TTEE (Trustee)- PO Box D-1 Carmel, CA 93921-0729

350923002000- Thomas B & Deborah M Nolan- 14 Fieldstone Rd, Friday Harbor, WA 98250-9714

350922006000- Mary Jane Anderson- PO Box 1304, Friday Harbor, WA 98250-1304

350922005000- Mary Jane Anderson- PO Box 1304, Friday Harbor, WA 98250-1304

350923005000- San Juan Storage LLC % Dan Galt Jr- PO Box 809, Friday Harbor, WA 98250-0809

350923004000- John M & Janice A Hagey CO-TTEES (co-trustees)- 167 Evans Way, Friday Harbor, WA 98250- 8955

350950013000- Daniel D & Barbara A Gimlett- 3812 Creek View Dr, Medford, OR 97504-9121

350932008000- Gudrun S Zimney & Carl F Hassel- PO Box 2316, Friday Harbor, WA 98250-2316

350932005000- Gary Pulkka- PO Box 2511, Friday Harbor, WA 98250-2511

350841001000- David C Geist & June Hart, 221 Private PL, Friday Harbor, WA 98250-4924

350850009000- Kellie Dawn Leblond & Kenneth Leblond, PO Box 1551, Vancouver, WA 98668-1551

350850010000- Tamara Weaver- PO Box 1192, Friday Harbor, WA 98250-1192

350850011000- Friday Harbor LLC- Lk Edna Estates HOA % Mark Fleming- 61 Timber Ln, Friday Harbor, WA 98250-6822

12. Please see attached SEPA Environmental Checklist, including Supplement for Non-Project Actions.

13. Please see attached deed, including legal description, of the property for which the amendment is being requested.

**SEPA ENVIRONMENTAL CHECKLIST**

S.J.C. DEPARTMENT OF  
 FEB 28 2022  
 COMMUNITY DEVELOPMENT

***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 [\[HELP\]](#)**

1. Name of proposed project, if applicable:

Beaverton Valley Farm (f/k/a Dancing Seeds Farm) Comprehensive Plan Amendment Application

2. Name of applicant:

GTB Farms LLC

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

Nicole Fuenzalida  
3501 Beaverton Valley Road  
Friday Harbor, WA 98250  
360-622-2330  
nicole@dancingseedsfarm.com

4. Date checklist prepared:

February 21, 2022

5. Agency requesting checklist:

San Juan County

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

See Comprehensive Plan Amendment process timetable.

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

Yes. If the proposal is approved, the Applicant intends to seek permits for enhanced and expanded agricultural activities allowed in the Rural Commercial land use designation, which will have to be independently reviewed and permitted in accordance with existing provisions of the San Juan County Code.

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

No environmental information has been prepared directly related to this proposal, but the application contains a variety of information related to the subject property's features, including critical areas, infrastructure, and soils.

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.

No other applications are pending at this time.

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

The San Juan County Council will have to approve of the proposed amendment to the County's Comprehensive Plan, which will change the land use designation for the subject property from Rural Farm Forest to Rural Commercial.

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 seeks to amend the Comprehensive Plan such that, if approved, the Rural Commercial land use designation will apply to the subject property.

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.

Please see maps, deeds, and legal description appended to the Application with which this checklist is related. The property is located at 3501 Beaverton Valley Road, Friday Harbor, Washington, 98250 (Tax Parcel No. 350814001).

## **B. Environmental Elements** [\[HELP\]](#)

### **1. Earth** [\[help\]](#)

a. General description of the site:

Gradual slope.

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

16%

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.

Soil types: Roche-Kilbrew complex 90.9% (14.7 acres of property, where all current and future agricultural operations located, currently ~2 acres in production), Roche-Kilbrew-Rock outcrop complex 5.9%, Cady-Rock Outcrop complex 3.1%, Semiahmoo muck .1%

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

No.

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.

N/A – none proposed.

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

N/A – none proposed.

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

N/A – none proposed at this time.

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

N/A - no impacts anticipated.

**2. Air** [\[help\]](#)

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.

N/A – no emissions would result from the requested amendment.

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

No.

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

N/A – NO EMISSIONS OR IMPACTS ANTICIPATED.

**3. Water** [\[help\]](#)

a. Surface Water: [\[help\]](#)

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.

There is a 1.2 million gallon capacity irrigation pond on the subject property. San Juan County's wetland inventory suggests existence of a wetland on a small portion of the property, but no delineation or investigation has been performed to confirm the accuracy or existence of any wetland on the property.

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.

No.

- 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.

N/A – none proposed.

- 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.

b. Ground Water: [\[help\]](#)

- 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.

Well water is presently used for drinking and sanitation purposes. There are two separate water systems on the farm. One potable water system is served by two wells: one in the well pump house (about 1 gpm at about 380 feet deep) and the other in the pasture (about 6.5 gpm at 67 feet deep). The water flows directly into a 1000 gallon holding tank. It then flows through a pressure tank inside the pumphouse to pressurize and distribute. The potable water distribution system includes one line that goes through a back-flow valve system to serve existing infrastructure on the property, and to provide a backup water supply for the vegetable garden hydrants. A second and third line services other existing infrastructure and fire suppression equipment on the property. Additional groundwater will not be withdrawn nor will any water be discharged to groundwater as a part of this proposal.

- 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.

N/A – NO WASTE MATERIAL WILL BE DISCHARGED AS A PART OF THIS PROPOSAL.

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.

There is no new source of runoff proposed as part of this proposal. Existing infrastructure and facilities are the only sources of runoff, and no change is being proposed at this time.

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

N/A – none proposed as part of this proposal.

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

No.

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

N/A – no new impacts will result as part of this proposal.

#### 4. **Plants** [\[help\]](#)

- 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.
- 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?

No change is proposed as part of this proposal.

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

[https://wdfw.wa.gov/sites/default/files/2021-10/statelistedcandidatespecies\\_10132021.pdf](https://wdfw.wa.gov/sites/default/files/2021-10/statelistedcandidatespecies_10132021.pdf)

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

None proposed at this time.

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

Old Man's Beard, English Ivy, English Hawthorn, Canada Thistle, Bull Thistle, Tansy Ragwort, Gorse, Scots Broom, Himalayan Blackberry, Yellow Archangel, Garlic Mustard, Herb-Robert

**5. *Animals*** [\[help\]](#)

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.

Birds: hawks, eagles, owls, songbirds, herons, geese, chickens, ducks  
Mammals: deer, domesticated animals: dogs, cat livestock: pigs, sheep, chicken  
Fish: none.

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

Northern spotted owl.

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

No.

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

NO IMPACTS TO WILDLIFE WILL OCCUR AS A RESULT OF THIS PROPOSAL.

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

Unknown.

**6. *Energy and Natural Resources*** [\[help\]](#)

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.

N/A – the proposal will not require any additional energy sources.

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:

N/A – the proposal will not require any energy nor have any impacts.

7. **Environmental Health** [\[help\]](#)

- 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.

N/A – the proposal is requesting an amendment to the Comprehensive Plan and no environmental health hazards will result from any such amendment.

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

Unknown.

- 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.

N/A.

- 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.

N/A.

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

N/A.-

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

N/A.

b. *Noise*

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

Noise from existing agricultural activities and traffic along Beaverton Valley Road presently exist.

- 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.

No noise would be created or associated with the proposal.

- 3) Proposed measures to reduce or control noise impacts, if any:  
N/A.- No noise would be created or associated with the proposal.

**8. Land and Shoreline Use** [\[help\]](#)

- 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 site is presently used as commercial farm. Neighboring properties are engaged in commercial activities (public self-storage), single family residences, cottage enterprises, hobby farming, and raising of livestock.

- 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?

Yes, the property has been historically operated as a commercial farm. The proposal will not result in the conversion of any agricultural land, and will allow for increased agricultural activities to occur on the property.

- 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:

The proposal will allow for additional agricultural activities to occur on the property. The uses of oversized equipment, application of pesticides, tilling, and harvesting that already occur will not be changed by the proposal.

- c. Describe any structures on the site. Farm house, water tower, bunk house, studio, barn, chicken coop/feedhouse

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

No.

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

Rural Farm Forest.

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

Rural Farm Forest.

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

N/A. – The site is not part of the shoreline master program

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

The County has identified a potential wetland on the subject property, but this has not been confirmed or verified by any on-site inspection or qualified expert.

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

N/A- housing is not part of the proposal

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

N/A.- the completed project will not displace any people

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

N/A.

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

The proposal seeks to change the existing land use designation to Rural Commercial.

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

The proposal will not have any impact on agricultural and forest lands of long-term commercial significance, but if approved, would allow the Applicant to expand commercial agricultural activities and remain commercially viable.

## 9. *Housing* [\[help\]](#)

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

N/A. – housing is not proposed as part of this proposal

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

N/A. none.

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

N/A.

**10. Aesthetics** [\[help\]](#)

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

N/A – no structures proposed as part of this proposal.

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

N/A – the proposal will not alter or obstruct any views.

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

N/A.

**11. Light and Glare** [\[help\]](#)

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

N/A.

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

N/A.

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

N/A.

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

N/A.

**12. Recreation** [\[help\]](#)

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

Unknown.

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

No.

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

N/A.

**13. Historic and cultural preservation** [\[help\]](#)

- 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.

Barn, farm house, water tower

- 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. San Juan Islands Conservation District- July 2018 – Bruce Gregory, SICD

- 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.

N/A – no impacts to cultural and historic resources on or near the site will occur.

- 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.

N/A.

**14. Transportation** [\[help\]](#)

- 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.

See maps and plans appended to project proposal Application.

- c. 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.

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

N/A- parking is not proposed as part of this proposal

- 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).

No.

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

No.

- 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?

No trips per day will be generated by the proposal.

- 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:

N/A

**15. Public Services** [\[help\]](#)

- 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.

No.

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

N/A.

**16. Utilities** [\[help\]](#)

- a. Circle utilities currently available at the site:

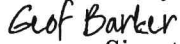
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other \_\_\_\_\_

- b. 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.

N/A- utilities are not part of this proposal. The proposed land use designation amendment may allow for certain land uses and activities to occur on the subject property, but all of which will have to be independently permitted and reviewed for these kinds of impacts.

**C. Signature** [\[HELP\]](#)

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.

 Geof Barker

Signature: \_\_\_\_\_

Name of signee Geof Barker

Position and Agency/Organization Owner

Date Submitted: 28 Feb 2022

**D. Supplemental sheet for nonproject actions** [\[HELP\]](#)

**(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?

The proposal is not likely to increase discharge to water, emissions to air, production, storage, or release of toxic or hazardous substances, or produce noise. The proposed land use designation amendment may allow for certain land uses and activities to occur on the subject property, but all of which will have to be independently permitted and reviewed for these kinds of impacts.

Proposed measures to avoid or reduce such increases are:

N/A.

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

The proposal is not likely to affect plants, animals, fish, or marine life. The proposed land use designation amendment may allow for certain land uses and activities to occur on the subject property, but all of which will have to be independently permitted and reviewed for these kinds of impacts.

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

N/A – The proposal

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

The proposal is not likely to deplete energy or natural resources. The proposed land use designation amendment may allow for certain land uses and activities to occur on the subject property, but all of which will have to be independently permitted and reviewed for these kinds of impacts.

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

N/A

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?

The proposal is not likely to use or affect environmentally sensitive areas or areas designated for governmental protection. The proposed land use designation amendment may allow for certain land uses and activities to occur on the subject property, but all of which will have to be independently permitted and reviewed for these kinds of impacts. The proposal will allow for enhanced and expanded agricultural activities to occur on the subject property, if such activities are approved by San Juan County under a separate permit process for any such activity.

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

N/A

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?

The proposal is not likely to use or affect land or shoreline use. The proposed land use designation amendment may allow for certain land uses and activities to occur on the subject property, but all of which will have to be independently permitted and reviewed. The proposal will allow for enhanced and expanded agricultural activities to occur on the subject property, if such activities are approved by San Juan County under a separate permit process for any such activity. The proposed amendment would allow for certain agriculturally-related uses to occur on the property, if permitted and approved by San Juan County, following approval of the proposed amendment to the Comprehensive Plan.

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

N/A.

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

The proposal is not likely to increase demands on transportation or public services or utilities. The proposed land use designation amendment may allow for certain land uses and activities to occur on the subject property, but all of which will have to be independently permitted and reviewed. The proposal will allow for enhanced and expanded agricultural activities to occur on the subject property, if such activities are approved by San Juan County under a separate permit process for any such activity. The proposed amendment would allow for certain agriculturally-related uses to occur on the property, if permitted and approved by San Juan County, following approval of the proposed amendment to the Comprehensive Plan, which could result in increased demand on transportation; however, any such impacts will be independently reviewed and studied for compliance with existing land use regulations.

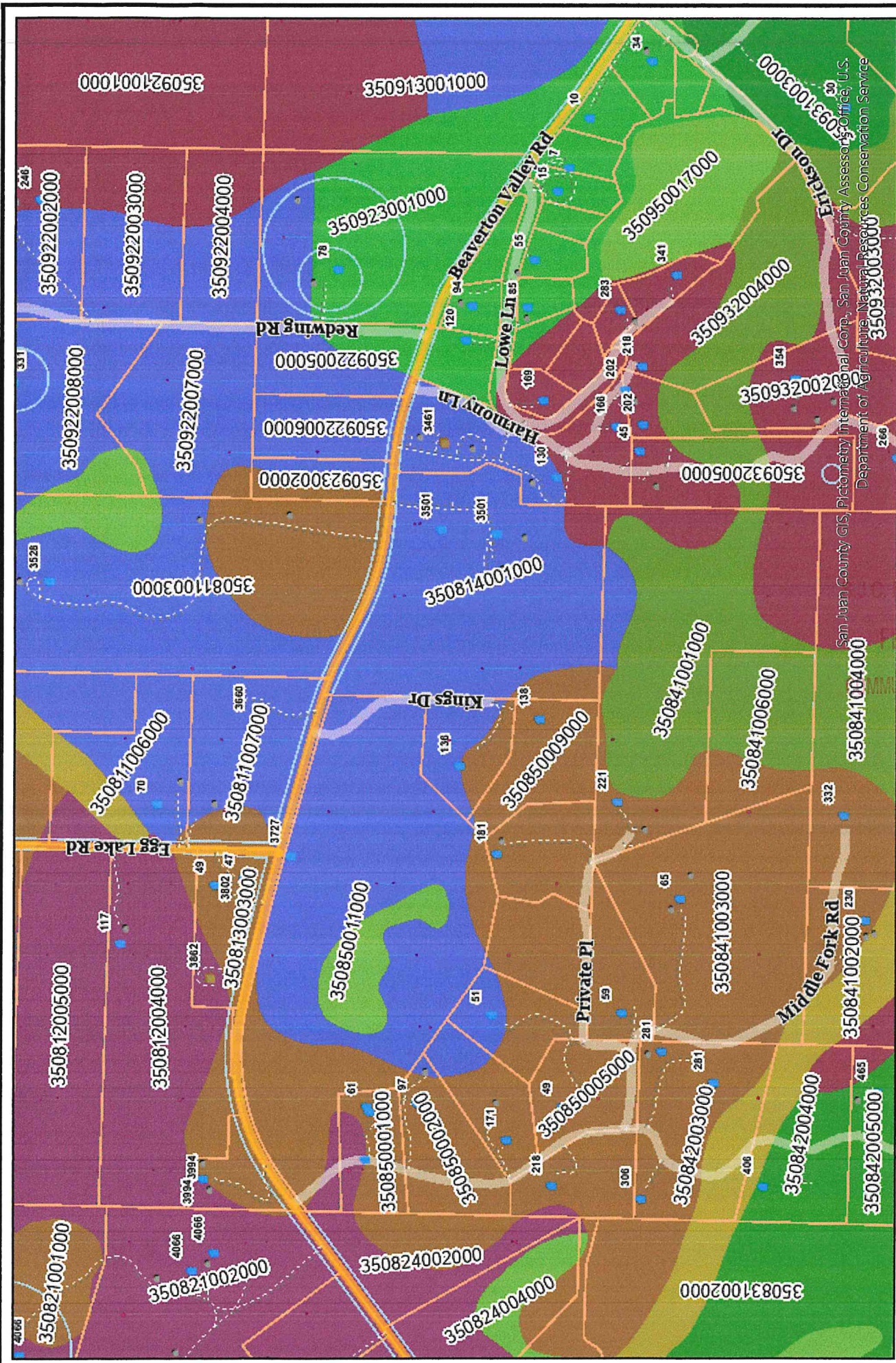
Proposed measures to reduce or respond to such demand(s) are:

N/A.

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

The proposal will not conflict with any local, state, or federal laws or requirement for the protection of the environment.





# San Juan County - Polaris

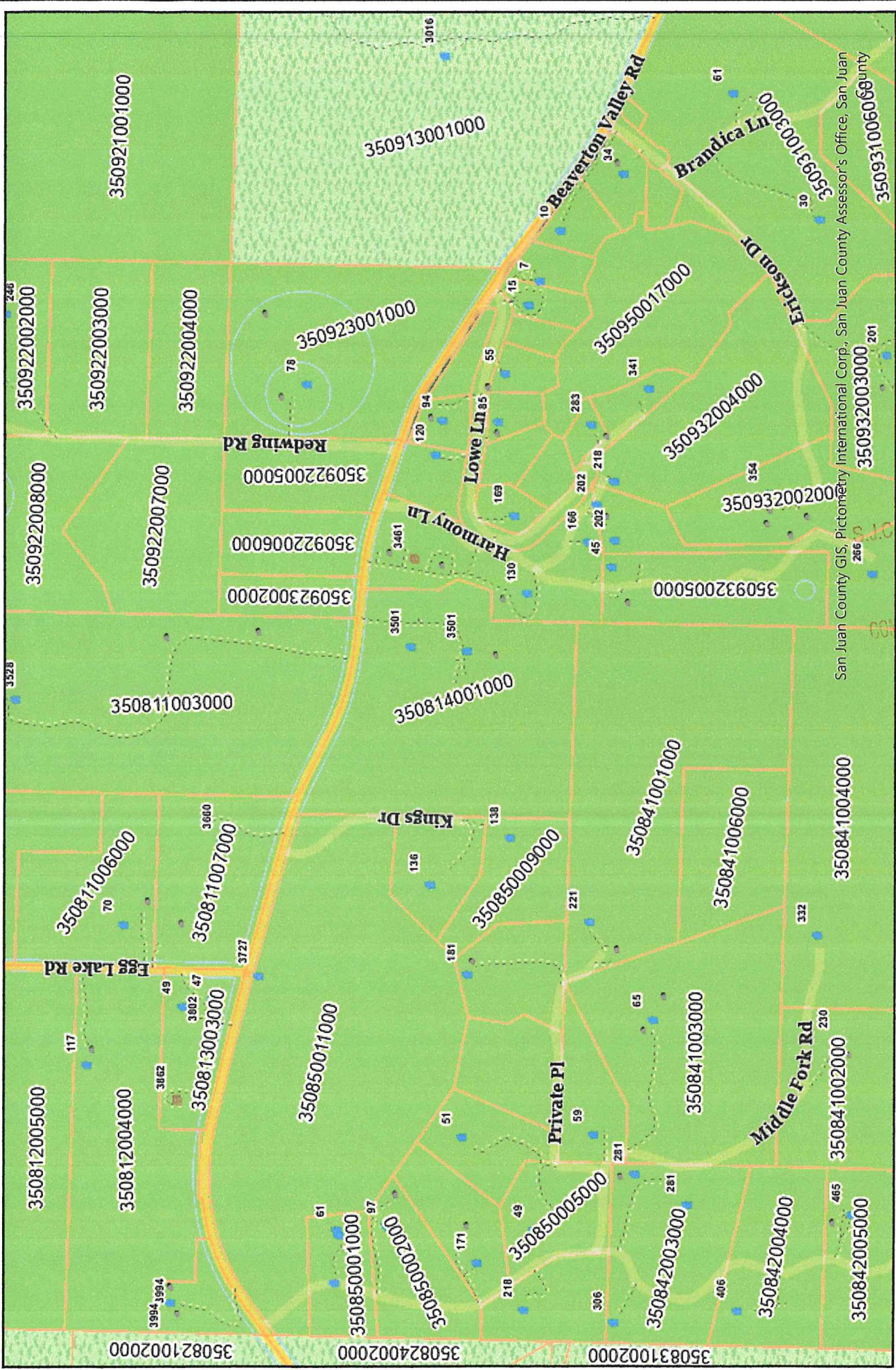
DEPARTMENT OF  
 COMMUNITY DEVELOPMENT  
 2/28/2022



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.



San Juan County GIS, Pictometry International Corp, San Juan County Assessor's Office, U.S. Department of Agriculture, Natural Resources Conservation Service



San Juan County Assessor's Office, San Juan County  
 Pictometry International Corp., San Juan County Assessor's Office, San Juan County

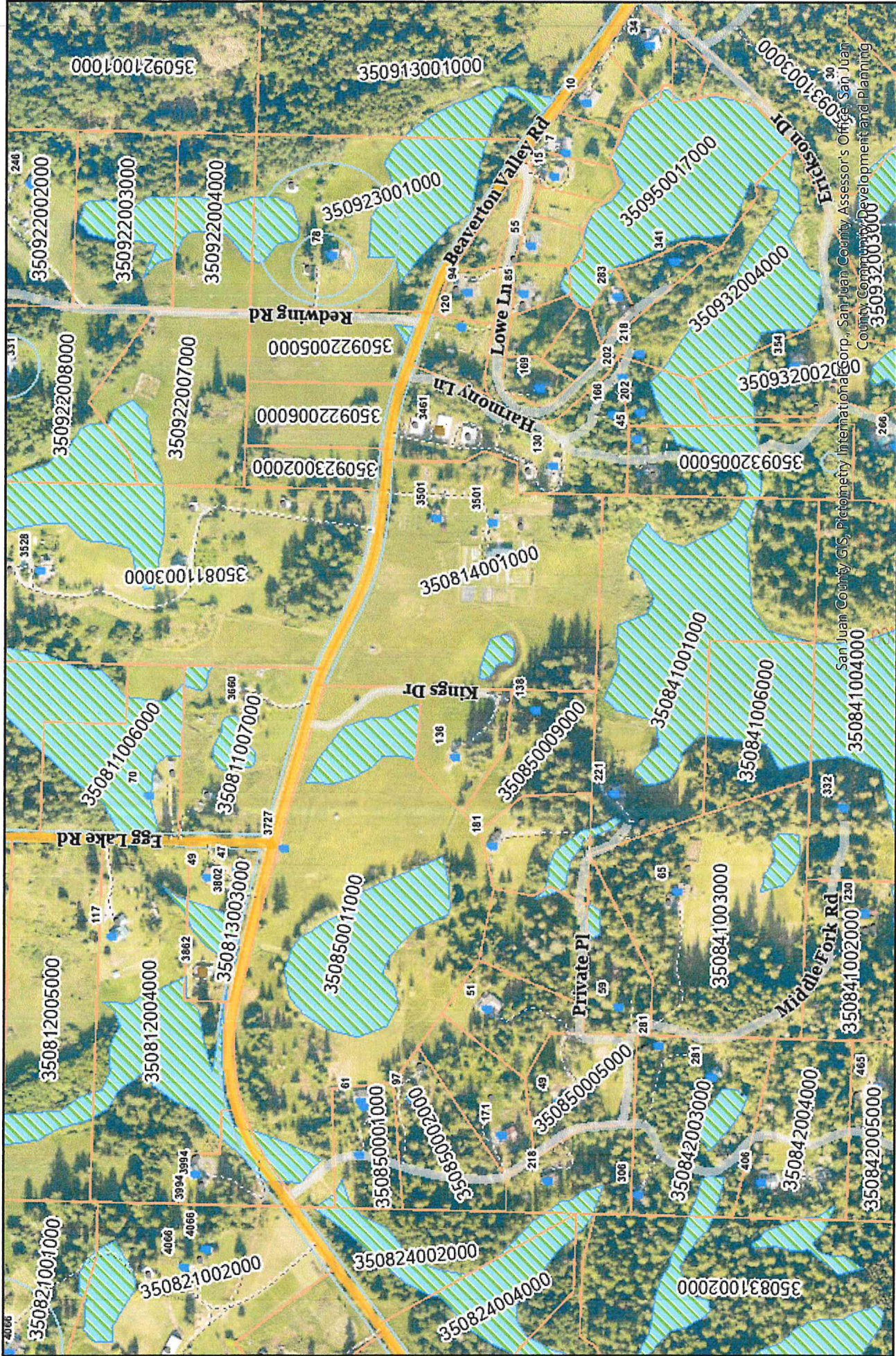
# San Juan County - Polaris

1 in = 490 feet



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# San Juan County - Polaris

DEPARTMENT OF  
FEB 28 2022  
COMMUNITY DEVELOPMENT



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San Juan County Assessor's Office, San Juan County Community Development and Planning



San Juan County, WA **2020-0605006**  
F. Milene Henley, Auditor  
D-SWD 06/05/2020 11:14:00 AM  
Stn=4 KIRAS \$106.50  
Recorded at the request of:  
CHICAGO TITLE BELLINGHAM

**When recorded return to:**  
GTB Farms, LLC  
1100 5th Avenue West  
Seattle, WA 98119

SAN JUAN COUNTY WASH.  
REAL ESTATE EXCISE TAX  
AMOUNT PAID \$26947.20  
TML  
Jun 05 2020  
083025  
RHONDA PEDERSON  
COUNTY TREASURER

S.J.C. DEPARTMENT OF  
FEB 28 2022  
COMMUNITY DEVELOPMENT

Filed for record at the request of:



**CHICAGO TITLE**  
COMPANY OF WASHINGTON

315 Court Street, PO Box 790  
Friday Harbor, WA 98250

Escrow No.: 245424497

### **STATUTORY WARRANTY DEED**

THE GRANTOR(S) Dancing Seeds Farm LLC, a Washington limited liability company  
for and in consideration of Ten And No/100 Dollars (\$10.00) and other good and valuable  
consideration  
in hand paid, conveys, and warrants to GTB Farms, LLC, a Washington limited liability company  
the following described real estate, situated in the County of San Juan, State of Washington:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

Abbreviated Legal: (Required if full legal not inserted above.)

Ptn. SE NE, 8-35-3W & Ptn SW NW, 9-35-3W

Tax Parcel Number(s): 350814001000

Subject to:

**SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF**

**STATUTORY WARRANTY DEED**  
(continued)

Dated: June 3, 2020

Dancing Seeds Farm LLC, a Washington limited liability company

BY: *John Kretchmer*  
John Kretchmer  
Manager,

BY: *Gail Kretchmer*  
Gail Kretchmer  
Manager

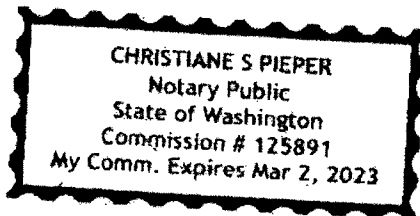
State of Washington

County of *King*

I certify that I know or have satisfactory evidence that John Kretchmer and Gail Kretchmer are the person(s) who appeared before me, and said person acknowledged that they signed this instrument, on oath stated that they were authorized to execute the instrument and acknowledged it as the Managers of Dancing Seeds Farm LLC to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: *6.4.2020*

*Christiane S Pieper*  
Name: *Christiane S Pieper*  
Notary Public in and for the State of Washington  
Residing at: *Tacoma*  
My appointment expires: *03.02.2023*



**EXHIBIT "A"**  
Legal Description

**Parcel A:**

That part of the East 727.0 feet of the Southeast quarter of the Northeast quarter in Section 8, Township 35 North, Range 3 West, W.M., in San Juan County, Washington, lying South of the South margin of the County Road as conveyed to San Juan County by deed recorded under Auditor's File No.79481, records of San Juan County.

ALSO that part of the Southwest quarter of the Northwest quarter, Section 9, Township 35 North, Range 3 West, W.M., described as follows:

Beginning at a point 318 feet North of the Northeast corner of the Southeast quarter of Section 8, Township 35 North, Range 3 West, W.M.; running  
THENCE North 494 feet;  
THENCE East 10 feet;  
THENCE South 256 feet;  
THENCE East 76 feet;  
THENCE South 29°55' 48" East 132 feet;  
THENCE South 18°42'34" West 130.5 feet to a  
point which is 110 feet East of the said TRUE POINT OF BEGINNING;  
THENCE West 110 feet to the TRUE POINT OF BEGINNING.

EXCEPTING from the foregoing that portion as conveyed to San Juan County for road by deed recorded under Auditor's File No.79481, records of San Juan County.

**PARCEL B:**

East 110 feet of West 120 feet of that part of the Southwest quarter of the Northwest quarter, Section 9, Township 35 North, Range 3 West, W.M., San Juan County, Washington; lying Southerly of Beaverton Valley County Road and North of the Northerly line of tract of land as described under Auditor's File No.89699, records of San Juan County.

**EXHIBIT "B"**  
**Exceptions**

1. Rights of the Town of Friday Harbor to a strip of land for water pipeline as granted by instrument recorded in Volume 4 of Miscellaneous, page 42, records of San Juan County, Washington.
  
2. Easement, including the terms and conditions thereof, granted by instrument  
Recorded: July 19, 1973  
Auditor's No.: 82268, records of San Juan County, Washington  
In favor of: ORCAS POWER AND LIGHT COMPANY  
For: Electric transmission and/or distribution line, together with necessary appurtenances  
Affects: Parcel A lying within Section 8
  
3. Easement, including the terms, covenants and provisions thereof as disclosed by instrument  
Recorded: August 31, 1976  
Auditor's No.: 93328, records of San Juan County, Washington  
For: Water pipeline  
Affects: Parcel A lying within Section 8

NOTE: An agreement pertaining to relocation of said waterline was recorded April 3, 1979 under Auditor's File Number 106488, records of San Juan County, Washington

4. Record of Surveys  
  
Recording Date: July 8, 1976  
Recording No.: 92608 (v2 pg 31 of surveys) and 92609 (v2 pg 32 of surveys)
  
5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:  
  
Granted to: Orcas Power and Light Cooperative  
Purpose: Communications system  
Recording Date: August 10, 2017  
Recording No.: 2017-0810003
  
6. Effects of, Quit Claim Deed;  
  
Recording Date: November 3, 2017  
Recording No.: 2017-1103003

Note: review of an Operating Agreement etc. for Grantor is required in order to pass title.



Community Development  
 135 Rhone Street P.O. Box 947  
 Friday Harbor, WA 98250

Receipt Number: LA22-00115

(360) 378-2354  
 dcd@sanjuanco.com

**Payer/Payee:** GTB FARMS LLC  
 1100 5TH AVE W  
 SEATTLE WA 98119-3407

**Cashier:** Lynda Guernsey

**Date:** 03/03/2022

**LANDUSE-22-0045 REDESIGNATION 3501 Beaverton Valley Rd**

<u>Fee Description</u>	<u>Fee Amount</u>	<u>Amount Paid</u>	<u>Fee Balance</u>
Redesignation Fee	\$3,900.00	\$3,900.00	\$0.00
Technology Surcharge Fee	\$50.00	\$50.00	\$0.00
	<b>\$3,950.00</b>	<b>\$3,950.00</b>	<b>\$0.00</b>

<u>Payment Method</u>	<u>Reference Number</u>	<u>Payment Amount</u>
CHECK	1008	\$3,950.00
<b>Total Paid:</b>		<b>\$3,950.00</b>

**Notes :**

03/03/2022 FEE PAID BY DANCING SEEDS FARM



## 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

### FILE NUMBER 22-0005 SAN JUAN COUNTY DOCKET INITIAL REVIEW

#### Application Information:

Applicant:	<b>GTB Farms, LLC</b>	Application No.:	<b>22-0005</b>
Description of Proposal: <b>Change the land use designation of this parcel from Rural Farm Forest to Rural Commercial.</b>			
Land Use Re-Designation:	Existing:	<b>Rural Farm Forest</b>	
<input checked="" type="checkbox"/> <b>Yes</b>	<input type="checkbox"/> No	Proposed:	<b>Rural Commercial</b>
<input type="checkbox"/>	Comprehensive Plan Text Amendment		
<input type="checkbox"/>	Development Regulation Amendment		

#### Process Requirements:

State Environmental Policy Act (SEPA):	<input type="checkbox"/> SEPA Exempt	<input type="checkbox"/> SEPA Completed	Date Complete:		
	<input checked="" type="checkbox"/> SEPA Required	Determination:	<input type="checkbox"/> DNS	<input type="checkbox"/> MDNS	<input type="checkbox"/> DS
Environmental Impact Statement:	<input type="checkbox"/> Yes	Date of Final Issuance:			
	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not Applicable			

#### Public Outreach/Notification Requirements:

<input checked="" type="checkbox"/>	300-foot posted notification – for map amendments for five or fewer parcels
<input checked="" type="checkbox"/>	<b>300-foot mailed notification and agency notification – this amendment will potentially affect adjacent properties within 300 feet of a proposal</b>
<input type="checkbox"/>	Subarea or Overlay Wide Notification – this amendment will affect or potentially affect a neighborhood, subarea or multiple properties within an overlay or designation. Number of properties affected:
<input type="checkbox"/>	Countywide Notification – this amendment will apply countywide or affect many properties throughout the County

#### Recommended Additional Public Outreach:

<input type="checkbox"/>	Community Meeting(s)	<input checked="" type="checkbox"/>	<b>Area-Wide Mailing</b>	<input type="checkbox"/>	Countywide Mailing	<input type="checkbox"/>	Publication
<input type="checkbox"/>	Web –page	<input type="checkbox"/>	Press Release	<input checked="" type="checkbox"/>	<b>Public Participation Plan</b>	<input type="checkbox"/>	Other (reference below*)

\*Depending on the scope of the proposed development regulation amendments, additional public notice may be necessary.

#### Evaluation:

<b>Priority:</b>	
<input type="checkbox"/>	A- Required by law for GMA Compliance or otherwise
<input type="checkbox"/>	B- Items needed to achieve important public policy objectives of a countywide nature
<input type="checkbox"/>	C- Items that can be considered as part of a larger CP update or subarea planning process
<input type="checkbox"/>	D- Items needed to provide clarity and certainty to the UDC and CP by removing inconsistencies and ambiguities
<input type="checkbox"/>	E- Items of lesser priority to be considered on a future year work program
<input checked="" type="checkbox"/>	<b>F - Obsolete, previously resolved or not recommended for further consideration</b>
<b>Scope of Work Necessary to Complete the Amendment:</b>	
<p>A public hearing before the Planning Commission and County Council is required by SJCC 18.90.030. Moving forward on this request will involve ensuring compliance with legislative procedures in SJCC 18.90.020 and provided in Attachment D.</p> <p>Legislative approval of the Comprehensive Plan, including changes to the Comprehensive Plan Official Map and Roche Harbor Activity Center Resort Plan, is an amendment process that typically takes 8-12 months, and includes:</p> <ul style="list-style-type: none"> <li>• Minimum 5 meetings: 2 with the Planning Commission and 3 with the County Council, including briefings and public meetings</li> <li>• Multiple staff reports</li> <li>• SEPA review, determination and notices</li> <li>• Updates to land use designation maps</li> <li>• Coordination with County GIS Program</li> <li>• Public Outreach/Participation (amount depends on scope of Council recommendation), including additional meetings with advisory committees such as the Agricultural Resources Committee, as appropriate</li> </ul>	
<b>Changes to the following CP Goals and Policies:</b>	
N/A	
<b>Changes to the following sections of the Unified Development Code:</b>	
N/A	

**Additional Evaluation for Site Specific Re-Designations:**

<b>Site Related Information:</b>	
Location:	TN 350814001000
Site Characteristics: (Topography, critical areas, shorelines)	<b>The parcel is a gently sloping, south-facing farm property with a wetland on Beaverton Valley Road.</b>
Existing Land Use: RFF (10)	

Adjacent Land Use:	North	South	East	West
	<b>Residence</b>	<b>Residence</b>	<b>Storage facility</b>	<b>Residence</b>
Adjacent CP Designations:	<b>Rural Farm Forest</b>	<b>Rural Farm Forest</b>	<b>Rural Farm Forest</b>	<b>Rural Farm Forest</b>
Infrastructure:	<input type="checkbox"/> Water service		<input type="checkbox"/> Sewer Service	<input checked="" type="checkbox"/> Access

**Consistency with Criteria:** The request was submitted in accordance with SJCC 18.90.030 (A). The Planning Commission and County Council are required to hold a public hearing on this proposal.

**Staff Analysis:** Per San Juan County Code 18.90.030(F), the County may amend Comprehensive Plan Official Maps if all the following criteria are met:

- a. The changes would benefit the public health, safety, or welfare.
- b. The change is warranted because of 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.
- c. The change is consistent with the criteria for land use designations specified in the Comprehensive Plan.
- d. The change, 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.
- e. The benefits of the change will outweigh any significant adverse impacts of the change.

Applicant wishes to host farm-to-table meals and other events on their farm site and they feel their desired uses are not currently allowed in Rural Farm Forest (RFF). They believe this redesignation will allow for greater support of the County’s agricultural economy and increase tourism opportunities as supported by the Comprehensive Plan.

Redesignation of the parcel to Rural Commercial (RC) could provide an opportunity to increase agricultural activities currently not allowed in RFF for the applicant. However, staff are concerned this change could be seen as providing a real and material benefit and added value to a single parcel owner by providing options to engage in activities that are not farm- or forest-related. The applicant asserts that the RC designation will allow them to support a farm-to-table enterprise for themselves and possibly other farms, but this public benefit cannot be guaranteed on a private parcel. In addition, adverse transportation, noise and other environmental conditions may outweigh perceived benefits.

RFF land use designation already allows for cottage enterprises, including agriculture- and forestry-related commercial and industrial uses, such as the farmstand currently operating at Dancing Seeds Farm. Also, investments in other facilities, like the Grange, allow for the use of commercial kitchen and dining spaces that can be rented and used by the agricultural community for these desired purposes. Changing the land use designation of this parcel from RFF to RC would open the use of this parcel to all the activities allowed in the RC land use designation in SJCC Table 18.30.040. Many activities allowed in RC are not suitable to areas otherwise designated entirely RFF. Regardless of the current owner’s intent to host farm-to-table

dinners and other farm activities, the proposed change would allow a range of other activities not conducive to this area.

It is unclear how this single redesignation could make a significant difference outside of the operation of this farm. Rather than change land use designations, Staff believe amending the RFF designation to allow more flexibility for agritourism activities is desirable over increased areas designated for Rural Commercial on parcels with working agricultural and forest practices.

**ATTACHMENT C**

## 2022 Docket Applicant Email List

<b>Application #</b>	<b>Applicant Name</b>	<b>Email Address</b>
22-0001	Applicant: Port of Friday Harbor Agent: Todd Nicholson	<a href="mailto:ToddN@PortFH.org">ToddN@PortFH.org</a>
22-0002	Applicant: Sunflower Properties LLC Agent: Sean DeMeritt	<a href="mailto:seandemeritt@hotmail.com">seandemeritt@hotmail.com</a>
22-0003	Applicant: OPAL Agent: Lisa Byers	<a href="mailto:opalclt@opalclt.org">opalclt@opalclt.org</a>
22-0004	Applicant: New RH LLC Agent: Brent Snow	<a href="mailto:BSnow@rocheharbor.com">BSnow@rocheharbor.com</a>
22-0005	Applicant: GTB Farms, LLC Agent: Nicole Fuenzalida	<a href="mailto:nicole@dancingseedsfarm.com">nicole@dancingseedsfarm.com</a>

## Legislative Procedures

### **RCW [36.70A.470\(2\)](#)**

Project review—Amendment suggestion procedure—Definitions.

(2) 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](#).

### **18.90.020 Legislative procedures.**

A. Procedures. All proposed amendments to this code and proposed amendments to the official maps and/or Comprehensive Plan shall be handled according to the procedures established in Chapters [36.70](#) and [36.70A](#) RCW, RCW [36.32.120](#), the County Charter, and the County code. This process will ensure formal public notice and public hearings, evaluation, and recommendations from the planning department's professional, technical perspective and from the planning commission's knowledgeable lay perspective. Final action is reserved for the County council.

B. Planning Department. The department shall evaluate all requests to modify this code and forward recommendations to the planning commission and County council for consideration.

C. Planning Commission. The planning commission shall hold a public hearing and make recommendations to the County council on all legislative decisions specified in this section.

D. County Council. All amendments to the development code, Comprehensive Plan, and official maps require a public hearing before the County council.

E. Public Notice. Notice of all public hearings will be given in conformance with applicable law. The department shall maintain a printed list of proposed development code and Comprehensive Plan amendments, and shall include a copy of the list on its web site. A single e-mail list shall be maintained by the department. All those requesting the service shall receive all department notices digitally.

F. Implementation. The County council decision shall become effective no sooner than 10 working days after passage of an ordinance except in the case of an emergency.

G. Comprehensive Plan Amendments. Amendments to the Comprehensive Plan text and official maps may not be considered more frequently than once per year except as provided in RCW [36.70A.130\(2\)](#) and the Comprehensive Plan.

H. Unified Development Code (UDC) Amendment. Amendments to the UDC may be adopted at any time. (Ord. 32-2010 § 1; Ord. 50-2008 § 1; Ord. 15-2005 § 3; Ord. 16-2002 § 1; Ord. 2-1998 Exh. B § 9.2)

# ATTACHMENT E



## 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

### San Juan County Docket Process

The Growth Management Act at RCW 36.70A.470(2) allows any interested person, including applicants, citizens, hearing examiners, and staff of other agencies, to request amendments to the San Juan County Comprehensive Plan or suggest Comprehensive Plan policy amendments or development regulation amendments. This process is known as the annual "Docket" process. Development Regulations are those contained in Titles 16 and 18 of San Juan County Code.

#### How do I suggest a change to the Comprehensive Plan or Development Regulations?

Complete one of the following application forms for each proposed amendment and submit it to the Community Development Department. There is a fee for a Comprehensive Plan Map Amendment, but no fee for a Comprehensive Plan Policy or Development Regulation amendment. Each request must be submitted on its own form.

- [Comprehensive Plan Map Amendment Form](#)
- [Comprehensive Plan Policy or Development Regulation Amendment Form](#)

#### What happens after I submit a proposed amendment?

Community Development staff will review the application and determine if the application is complete. If the application does not include the information requested in the application form, staff will contact the applicant to request the additional information.

Since the County's docket schedule is very short, applications that are not complete as of March 1 may be deferred to a subsequent year's docket. All applications are placed on the Initial Docket, but Council might not place all the proposals onto the Final Docket.

#### Initial Docket Review

The Initial Docket will be created and Community Development staff will categorize each proposal as follows:

- A - Required by law for GMA Compliance or otherwise
- B - Items needed to achieve important public policy objectives of a countywide nature
- C - Items that can be considered as part of a larger Comprehensive Plan Update or subarea planning process
- D - Items needed to provide clarity and certainty to the Unified Development Code or Comprehensive Plan by removing inconsistencies and/or ambiguities
- E- Lower priority items to be considered on a future year work program
- F- Obsolete, previously resolved, inconsistent with state law, or not recommended for further consideration.



## SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

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dcd@sanjuanco.com | www.sanjuanco.com

### Final Docket Review

The Planning Commission and Council will consider the Initial docket and determine which items will be placed on the Final docket for review and consideration. Possible outcomes as a result of Council review of the initial docket include:

- Review and adoption in the same year
- Deferral to a subsequent year
- Considered as part of a larger planning project (such as the 2022 Comprehensive Plan Update)
- Not considered or adopted

### How long does a proposed amendment take?

The length of time for review will vary depending upon the size and complexity of the amendment, Council priorities, and other work in progress. All applications submitted before March 1 will be considered in the same year.

### Annual Comprehensive Plan Docket Calendar

**January** - Publish notice of docket application due date

**March 1** - Docket application submittal deadline

**April** - DCD staff assembles initial docket

**May** - Staff Briefs County Council and Planning Commission on initial docket

**June** - Council public hearing to set final docket (by resolution)

**October** - Planning Commission public hearing. Makes recommendation on final docket ordinances

**November** - Council public hearing on final docket ordinances

**December** - Council adopts final docket ordinances