



Development Code Amendments

Planning Commission Briefing– January 20, 2023

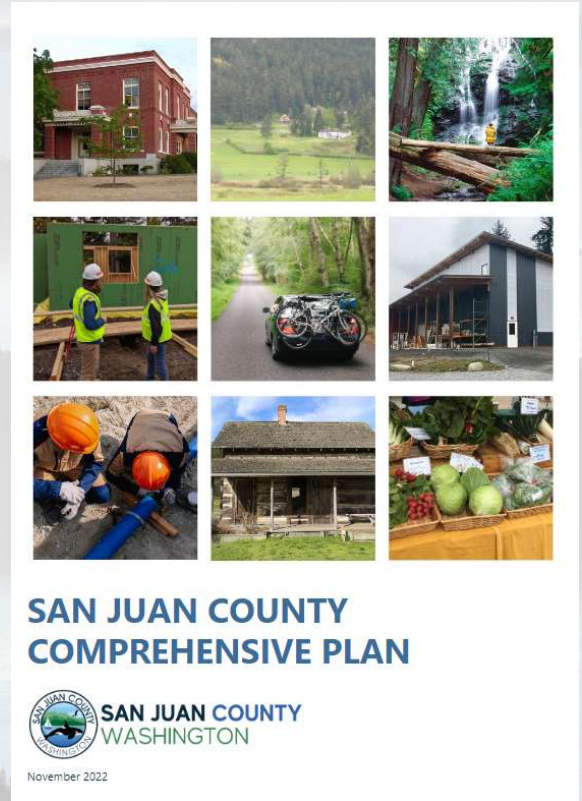
Purpose

- Review proposed development code amendments resulting from the 2036 Comprehensive Plan (*Plan*) Update
- Set a public hearing for February 17, 2023



2036 Comprehensive Plan Update

- Adopted November 30, 2023
- Effective April 1, 2023
- Contains policy amendments directly associated with the development code
- Other policy amendments are more conceptual



San Juan County Code

Title 18 Unified Development Code (UDC)

- Principal tool for implementing the goals and policies of the San Juan County Comprehensive Plan
- Should be consistent with the *Plan*
- Code changes needed prior to April 1

Title 18 UNIFIED DEVELOPMENT CODE (UDC)

Chapters:

- 18.10 Introductory Provisions
- 18.20 Definitions
- 18.30 Land Use Designations
- 18.35 Overlay District Regulations – Mineral Resource Lands, Critical Areas, Open Space Conservation, Airport, and Fairgrounds
- 18.40 Performance and Use-Specific Standards
- 18.50 Shoreline Master Program
- 18.60 Development Standards
- 18.70 Land Divisions
- 18.80 Application, Notice, Review, and Appeal Requirements
- 18.90 Criteria and Procedures for Legislative Actions and Site-Specific Redesignations
- 18.100 Enforcement

<https://www.codepublishing.com/WA/SanJuanCounty/#!/SanJuanCounty18/SanJuanCounty18.html>

Summary of Amendments

Topic	Adopted <i>Plan</i> Policy	SJCC Title 18 UDC
Mineral Resource Land Overlay (MRLO) commercial significance	Element 2, Section 2.4.c, Policy 1.i	18.35.015(A)(1)
Island Center	Element 2, Section 2.5.2, Policy 1.c	18.30.230
Cluster Developments: # of units, allowed square footage, and developer requirements	Element 5, Goal 7, Policy 4	18.60.230 (2.a), (5.b) and (6)
Affordable housing definition	Element 5, Goal 7, Policy 5	18.60.260(B) 18.20.010 "A" Definitions
Affordable housing for moderate income households	Element 5, Goal 7, Policy 3	18.60.260(G)
Allow existing schools in rural land use designations	No policy. Decision regarding land use review request 19-0005.	18.30.040 "Institutional Uses"

MRLO Designation Criteria

- Map overlay for commercially significant mining lands
- WAC 365-190-070(1) directs counties to designate mineral resource lands as a county-wide process, with the exception of owner-initiated requests.
- SJCC MRLO designation criteria are oriented toward owner-initiated requests
 - Owner required to submit application, including a geologic and economic report verifying commercial significance

MRLO Designation Criteria

Plan Text: Element 2, Section 2.4.c, Policy 1.i

- i. Have a known or potential extractable resource in commercial quantities verified by submittal of a geologic and economic report prepared by a qualified professional or the land has a legally established mining operation, and the County Council adopts findings that the land has commercial significance for mineral resources;

- ii. Current or future land use will not exceed a residential density of one dwelling unit per ten acres;

- iii. Are not within an Activity Center, Rural Residential, Natural or Conservancy designation or any Shoreline designation; and iv. Are not within a wetland or fish and wildlife habitat conservation area as defined in this Plan.

MRLO Designation Criteria

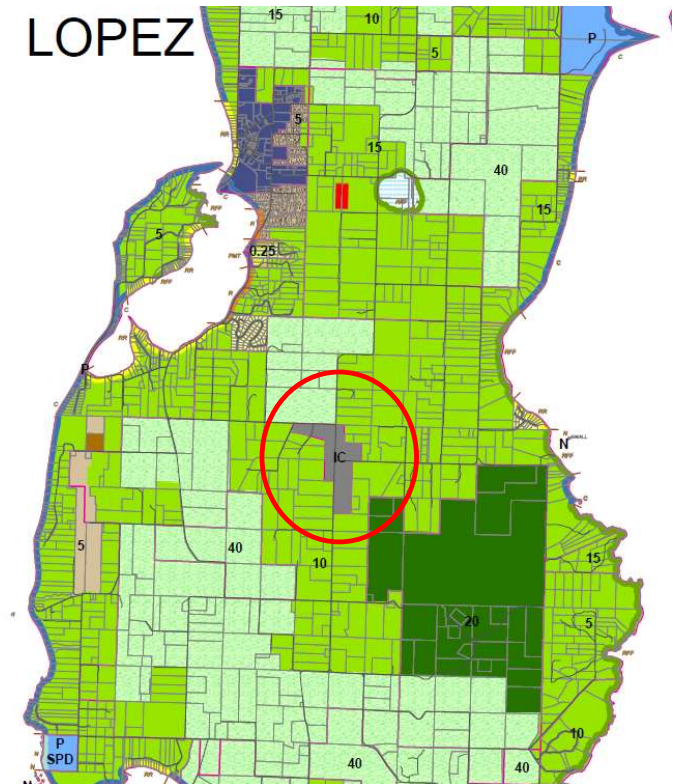
Code Amendment: SJCC 18.35.015(A)(1)

A. Designation Procedures. A mineral resource land overlay district may be applied based upon the following criteria, ~~only upon acceptance by the County of a complete application from a property owner and~~ upon approval of a redesignation in accordance with SJCC 18.90.030. Mineral resource lands of long-term commercial significance are those lands from which the commercial extraction of minerals (sand, gravel, rock, and other valuable aggregate or metallic substances) can be anticipated within 20 years and which are characterized by all of the following:

1. Have a known or potential extractable resource in commercial quantities verified by submittal of a geologic and economic report prepared by a qualified professional or the land has a legally established mining operation, and the County Council adopts findings that the land has commercial significance for mineral resources;
2. Current or future land use will not exceed a residential density of one dwelling unit per 10 acres;
3. Are not within an activity center, rural residential, natural or conservancy designation or any shoreline designation;
4. Are not within a regulated wetland or fish and wildlife habitat conservation area pursuant to SJCC 18.35.085 through 18.35.140.

Island Center

- Limited Area of More Intense Rural Development (LAMIRD)
- Intended for commercial and industrial development
- Limited residential development: one unit per parcel accessory to a commercial or industrial use
- Lopez School District – institutional use in Island Center



Island Center

Plan Text:

Element 2, Section 2.5.2, Policy 1.c

Island Centers are generally characterized by existing general commercial and general industrial uses and may also include some rural commercial and rural industrial uses. These centers may be served by community water systems, but have only rural governmental services. Island Centers differ from other Activity Centers in that they generally do not have a high density residential component included within the center boundaries, and new residential development (except where accessory to institutional, commercial or industrial use) should be prohibited. The commercial and industrial uses located in these centers provide goods and services island-wide.

Island Center

Code Amendments:

SJCC 18.30.230 Residential development standards in island centers, rural industrial and rural commercial designations.

C. Residential Development Standard.

1. One dwelling unit per parcel is allowed.

a. The unit must be an accessory to a commercial, institutional, or industrial use, and must be located within or attached and subordinate to the commercial, institutional, or industrial structure.

b. Notwithstanding the definition of “dwelling unit” in SJCC 18.20.040, the dwelling unit may not include an accessory dwelling unit in addition to the main residence.

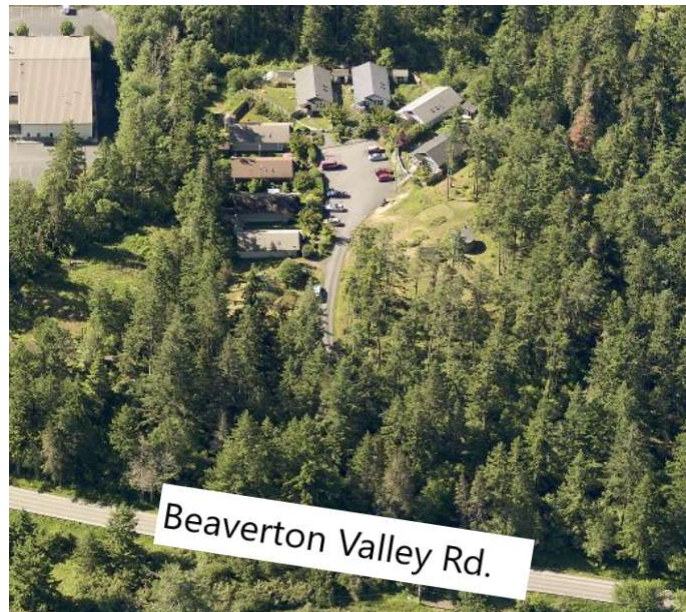
2. All other new residential development is prohibited.

Rural Residential Cluster Development

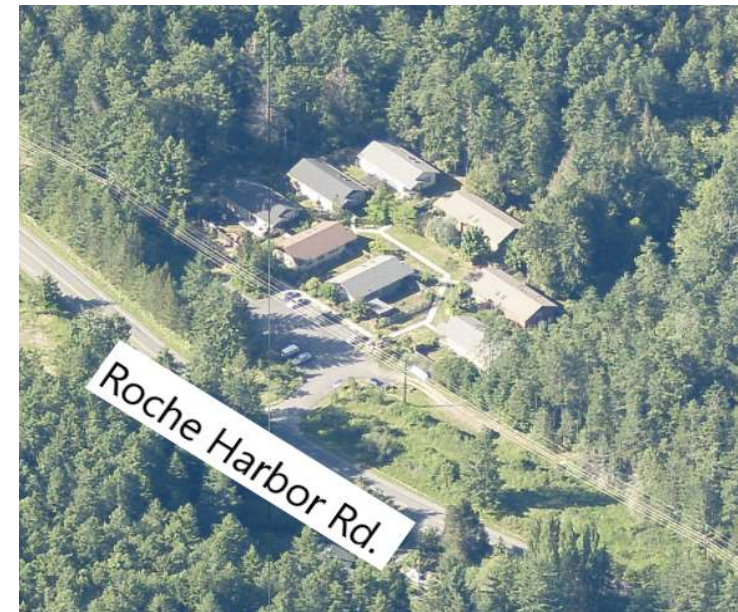
- Affordable housing model that allows small clusters of residences in rural areas
- Development standards in SJCC 18.60.230 strive to ensure compatibility with rural character
- Rarely utilized: two cluster developments in 25 years
- Homes for Islanders 2020 Docket request added to DCD work plan for *Plan* update
- Planning Commission worked on this issue in 2020 and 2021

Cluster Developments in SJC

Leeward Cove (completed 2006)



Rocky Bay (completed 2007)



Source: San Juan County GIS

Rural Residential Cluster Development

Three proposed UDC amendments:

1. Increase the number of units allowed in a cluster development from 8 to 12
2. Allow any interested party to develop a cluster if they can satisfy the development standards
3. Clarify square footage limitations

Rural Residential Cluster Development

Plan Text: Element 5, Goal 7, Policy 4

4. Allow **nonprofits and private developers** to develop small-scale rural residential clusters with long-term affordability restrictions and no more than **twelve** dwelling units each, within rural residential, rural farm forest, and Village, Hamlet and Residential Activity Centers. The Developer must have a long-term stewardship plan, other than the County, for monitoring resales.

Rural Residential Cluster Development

1. Increase the number of units allowed in a cluster development from 8 to 12

18.60.230(5)(b)

b. A rural residential cluster development shall have a maximum density of two units per acre and a maximum of ~~eight~~ twelve dwelling units.

Rural Residential Cluster Development

2. Allow any interested party to develop a cluster if they can satisfy the development standards

18.60.230(2)(a) & (3)(c)

2. Project Site and Unit Ownership.

a. The project site shall consist of the entirety of one or more legal lots of record, and shall be in a single ownership ~~by a public agency, or by a business or nonprofit corporation in the business of providing affordable housing.~~ Any portion of the site not sold for affordable housing shall remain in such ownership as part of the rural residential cluster development for the duration of the use.

3. Affordable Housing.

a. All residential units within a rural residential cluster must be affordable housing meeting the standards of SJCC 18.60.260.

b. Prior to issuance of any building permit for the project, the applicant shall grant a restrictive use easement for the site to San Juan County for the purpose of affordable housing development, subject to such conditions and limitations as the County may require.

c. The applicant shall submit a long-term stewardship plan for monitoring resales subject to approval by the director.

Rural Residential Cluster Development

3. Clarify square footage limitations

18.60.230(6)

The ~~total~~ mean enclosed floor area of structures including dwelling units and accessory structures shall not exceed 1,500 square feet per dwelling unit. No dwelling unit and its accessory structures shall exceed 2,000 square feet.

Affordable Housing Definition

- Docket request 20-0004
- Definition of “Affordable Housing” varies in different parts of San Juan County Code
- Council directed staff to align the UDC definition with the Affordable Housing Program definition in SJCC Chapter 2.27

Affordable Housing Definition

Plan Text:

Element 5, Goal 7, Policy 5

Ensure consistency between the County's definitions of affordable housing by considering housing costs for renters to include rent and utilities, or, for owners, to include the principal and interest on the mortgage plus property taxes and insurance (PITI).

Affordable Housing Definition

Code amendments

18.20.010 “A” definitions

“Affordable housing” means housing where the occupants pay no more than 30 percent of gross ~~monthly~~ household income for ~~total housing costs, including the cost of property taxes and insurance for homeowners and monthly utilities for owners and renters~~ on housing costs. Housing costs for renters are considered to include rent and utilities, or, for owners, to include the principal and interest on the mortgage plus property taxes and insurance (PITI). Utility costs include water, sewage disposal, electricity and/or gas for lighting, heating and cooking.

Affordable Housing Definition

Code amendments

18.60.260(B) Affordable housing.

B. Affordable housing is housing where the occupants pay no more than 30 percent of gross monthly household income ~~for total housing costs, including the cost of property taxes and insurance for homeowners and monthly utilities, excluding telephone, for owners and renters.~~ on housing costs. Housing costs for renters are considered to include rent and utilities, or, for owners, to include the principal and interest on the mortgage plus property taxes and insurance (PITI). Utility costs include water, sewage disposal, electricity and/or gas for lighting, heating and cooking. Except where further specified in the Comprehensive Plan and this code, “affordable housing” refers to such housing serving as the primary residence for very low-, low-, moderate- and middle-income households. The definition of income groups by household size shall be as most recently defined by the U.S. Department of Housing and Urban Development for San Juan County.

Moderate Income Affordable Housing

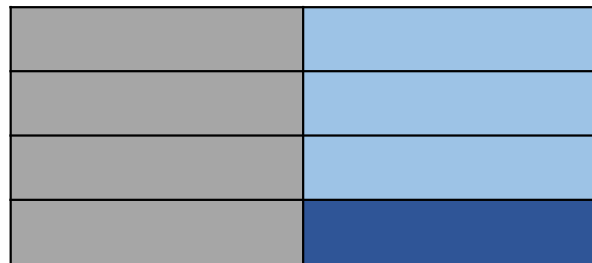
- Docket request 20-0002 from Homes for Islanders: strike SJCC 18.60.260(G)
- When receiving affordable housing privileges (i.e. density bonus), currently only 25% of the units counted as affordable may be for moderate income households

Market-rate	Low-income
	Moderate

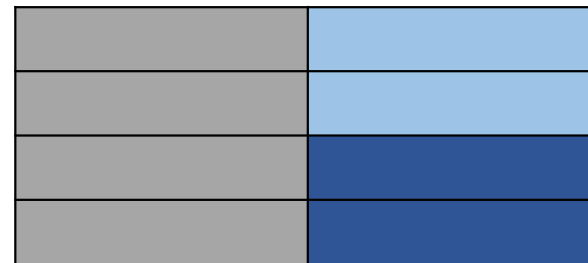
Moderate Income Affordable Housing

Plan policy:

Allow up to 50% of dwelling units counted as affordable housing for the purpose of obtaining affordable housing privileges to be for moderate income households



Current SJCC 18.60.260(G)



Plan policy and Proposed 18.60.260(G)

Moderate Income Affordable Housing

18.60.260(G)

G. Limitation on Credit for Affordable Moderate~~Middle~~-Income Housing. No more than 2550 percent of the dwelling units counted as affordable housing or permanently affordable housing for the purpose of obtaining a density bonus, use permit, or other special privilege reserved for affordable housing in any project may be for moderat~~middle~~-income households.

Existing Schools in Rural Lands

- Land Use Review Request 19-0005: change Shaw Island School parcel from Natural (N) to a land use designation where schools are allowed
- Council decision: change UDC to allow existing schools
- Apply change to N and RFF designations to benefit Shaw, Waldron, and Stuart Island schools



The Shaw Island School is nonconforming to the N land use designation.

Existing Schools in Rural Lands

Plan: no policy amendment. Change resulting from use review request 19-0005.

Code Amendment:

Table 18.30.040 Allowable and Prohibited Uses in Rural, Resource, and Special Land Use Designations

Land Use	RGU	RR	RFF	RI	RC	AG	FOR	C	N
School, primary and secondary	C	N	N	N	C	N	N	N	N
<u>Existing School, primary and secondary</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>

Proposed public hearing date:
February 17, 2023

Next Steps

Step	Date (2023)
Planning Commission briefing	January 20 
Planning Commission public hearing	February 17
County Council briefing on Planning Commission recommendation	February 28
County Council public hearing	March 14
Comprehensive Plan update effective date	April 1

Public Comments

Email:

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Mail:

- Department of Community Development
- PO Box 947
- Friday Harbor WA 98250

Project Webpage:

<https://www.sanjuanco.com/1943/>

Thank You