

Sophia Cassam

From: Jeff Lehman <jllehman@earthlink.net>
Sent: Monday, August 28, 2023 11:15 AM
To: Jane Fuller
Cc: Mike Thomas; Norman Gollub; Sophia Cassam; Jeff Lehman
Subject: DOCKET REQUEST 23-0003 - Southwell

Dear County Council Member Fuller,

Hi, Jane... I'm writing to ask you to vote NO on an egregious decision made by the Planning Commission on August 18, 2023. That decision runs against the expert recommendations made by the Dept of Community Development, and was further challenged by the Friends of the San Juans. Before the vote was taken there was NO option for legal opinion to be offered by the county, but Sophia Cassam, Planner III, did point out – when asked by one of the Planning Commission members – that the decision, “if litigated, would be hard to defend”.

This docket request met NONE of the five criteria in SJCC 18.90.030 (F) or the criteria in The Comprehensive Land Use Element that it needed to pass, yet it still did. That's confusing given that we have to follow the rules and laws. The Planning Commission made the huge leap of faith finding this request “consistent with surrounding achieved density” - which is a land use concept that doesn't exist in WA state. They effectively created a RFF-1.25 designation which also doesn't exist in WA state.

This amendment is clearly the poster child for “spot zoning” which is invalid in the state of Washington if it only benefits a private land owner. (WA State Attorney General's website.) This isn't about creating affordable housing in the Lopez Urban Growth Area. In this case it only benefits a one-third private land owner - who is the only party of the ownership group requesting it. If this amendment is passed it creates precedent and opens the door to legal exposure for the county from other land owners who want the same privilege. There were also no assessments done about the impact this precedent would set regarding water/sewer/septic or transportation throughout the county. This isn't just one little request for a subdivision change, it will affect the entire county.

As pointed out in the Planning Commission's findings, they urged “the County Council to evaluate the density of surrounding properties in the vicinity and consider amending the Comprehensive Plan Official Map Density in this area to be consistent with the achieved density.” (Docket Request 23-0003 findings 8/18/23) As Sophia Cassam pointed out in the meeting these requests are usually done in Urban Growth Areas and it's “a big process”. That could take years. If the County Council decides to re-evaluate at a future date, that's your choice – subject to a specific legal process. For now though, Docket Request 23-0003 does not meet any of the standards for acceptance, and no future standards changes are on the horizon, so it requires an unequivocal NO vote.

The below Polaris maps should help clarify the magnitude of what this precedent might bring.

If approved there are **at least** 83 ADDITIONAL 1.25 acre units in the immediate area on Lopez where landowners could potentially make similar requests. All of these units are outside of the Lopez Urban Growth Area and currently zoned RFF-5. Do any of us really want to see the islands grow out of control so quickly? Every star below represents one additional 1.25 acre lot in the immediate area. This is counter to our Comprehensive Land Use Plan. Note that this map represents just one small segment of Lopez Island.

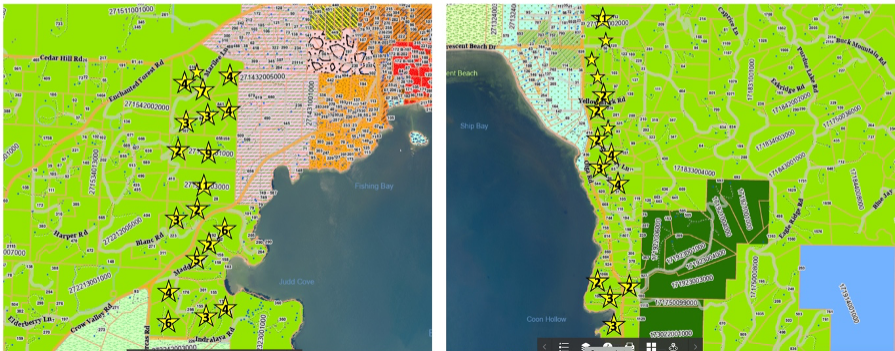
Impact of applying 1 dwelling per 1.25 acre change in density to nearby properties to 3101 Fisherman Bay Road. Stars indicate the number of additional housing units that would be allowed. Note: common areas excluded



There are also **at least** 128 additional 1.25 acre units in the Eastsound area alone on Orcas Island where landowners could potentially make similar requests. Every star below can represent one or more new units (the numbers are located inside the stars).

Eastsound, Orcas Island Example

Impact of applying 1 dwelling per 1.25 acre change in density precedent established by Planning Commission recommendation in 3101 Fisherman Bay Road Docket request. Stars indicate the number of additional housing units that would be allowed. Note: common areas excluded



And finally, there are **at least** 91 additional 1.25 acre units in the immediate area of Friday Harbor where landowners could potentially make a similar map amendment request. Every star below can represent one or more new units (the numbers are located inside the stars).

Friday Harbor, San Juan Island Example

Impact of applying 1 dwelling per 1.25 acre change in density precedent established by Planning Commission recommendation in 3101 Fisherman Bay Road Docket request. Stars indicate the number of additional housing units that would be allowed. Note: common areas excluded



PLEASE VOTE NO on Docket Request 23-0003 at your next decision meeting.

Thank you for your time.

Jeff

Jeff Lehman
239 Gibbs Road
Orcas Island, WA 98245

Sophia Cassam

From: Jeff Lehman <jllehman@earthlink.net>
Sent: Monday, August 28, 2023 11:15 AM
To: Christine Minney
Cc: Mike Thomas; Norman Gollub; Sophia Cassam; Jeff Lehman
Subject: DOCKET REQUEST 23-0003 - Southwell

Dear County Council Member Minney,

Hi, Christine... I'm writing to ask you to vote NO on an egregious decision made by the Planning Commission on August 18, 2023. That decision runs against the expert recommendations made by the Dept of Community Development, and was further challenged by the Friends of the San Juans. Before the vote was taken there was NO option for legal opinion to be offered by the county, but Sophia Cassam, Planner III, did point out – when asked by one of the Planning Commission members – that the decision, “if litigated, would be hard to defend”.

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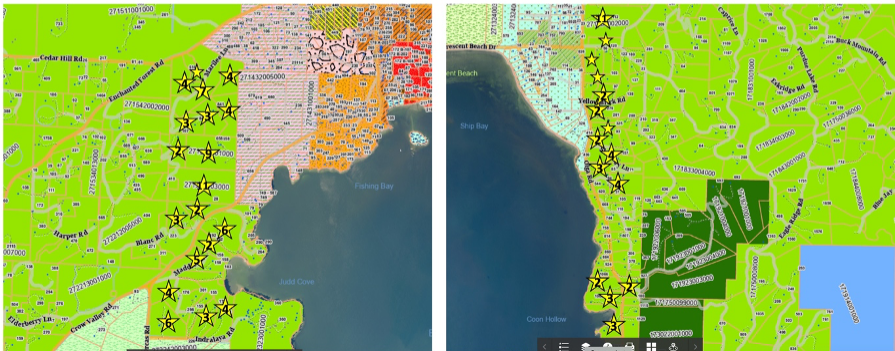
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239 Gibbs Road
Orcas Island, WA 98245

Sophia Cassam

From: Jeff Lehman <jjlehman@earthlink.net>
Sent: Monday, August 28, 2023 11:17 AM
To: Cindy Wolf
Cc: Mike Thomas; Norman Gollub; Sophia Cassam; Jeff Lehman
Subject: DOCKET REQUEST 23-0003 - Southwell

Dear County Council Member Wolf,

Hi, Cindy... I'm writing to ask you to vote NO on an egregious decision made by the Planning Commission on August 18, 2023. That decision runs against the expert recommendations made by the Dept of Community Development, and was further challenged by the Friends of the San Juans. Before the vote was taken there was NO option for legal opinion to be offered by the county, but Sophia Cassam, Planner III, did point out – when asked by one of the Planning Commission members – that the decision, “if litigated, would be hard to defend”.

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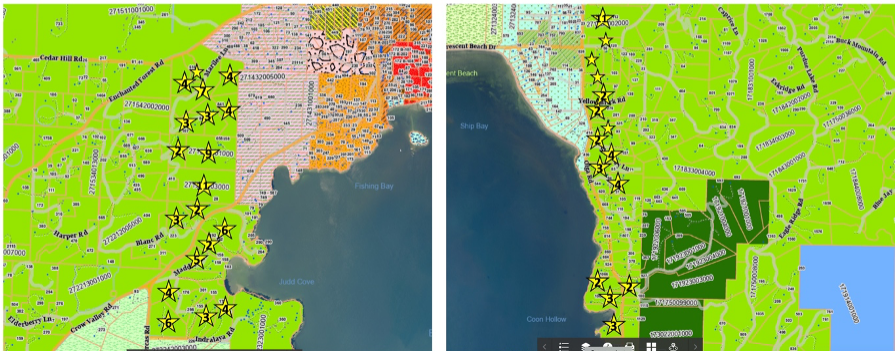
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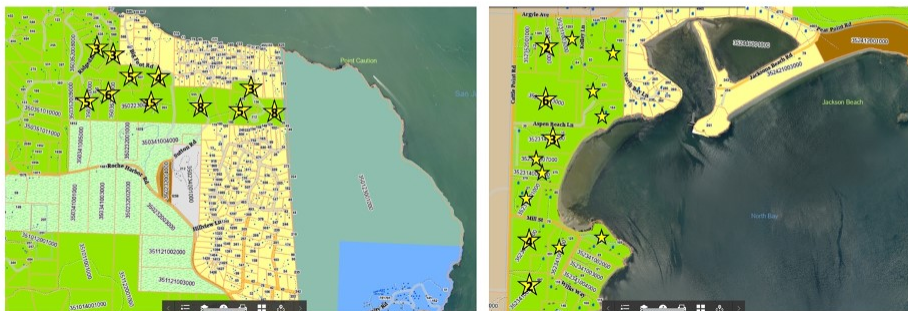
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