



MEMO

REPORT DATE: October 6, 2023

TO: San Juan County Council

FROM: Sophia Cassam, Planner III

SUBJECT: Annual Docket Requests for Comprehensive Plan Map Amendments

HEARING: October 17, 2023

ATTACHMENTS:

- A. Draft Ordinance Regarding the 2023 Annual Docket and Site-Specific Re-Designation Requests 23-0003, 23-0004, And 23-0005, Amending the San Juan County Comprehensive Plan Official Maps
- B. Proposed Official Map Amendment Summary Tables, Recommendations and Map Excerpts
- C. Public Comments

PURPOSE

To provide the County Council with a draft ordinance for the October 17, 2023, public hearing on Comprehensive Plan Official Map amendments proposed through the 2023 Annual Docket process (Attachment A).

ACTION REQUESTED: Please adopt an ordinance regarding the proposed Official Map amendments.

PUBLIC COMMENTS

Please send all public comments to sophiac@sanjuanco.com. Please do not copy the County Council, Planning Commission members, or other County staff. Written public comments received by October 16, 2023 will be provided to the Council before hearing briefing on the 17th. Comments should refer to specific 2023 Docket requests. All comments on the 2023 Docket will be posted online at: <https://www.sanjuanco.com/1658/Annual-Docket>.

2023 DOCKET REQUESTS FOR COMPREHENSIVE PLAN MAP AMENDMENTS

The County accepts requests for Comprehensive Plan Official Map amendments each year through the Annual Docket process. These map amendment requests are also known as requests for site-specific redesignation. Requests can include amendments to a land use designation, residential density, or urban growth area boundary. Anyone can submit a request. Typical applicants include individual property owners, businesses, and County departments. Map amendment requests must follow the processes and criteria in the Unified Development Code (UDC) and Comprehensive Plan.

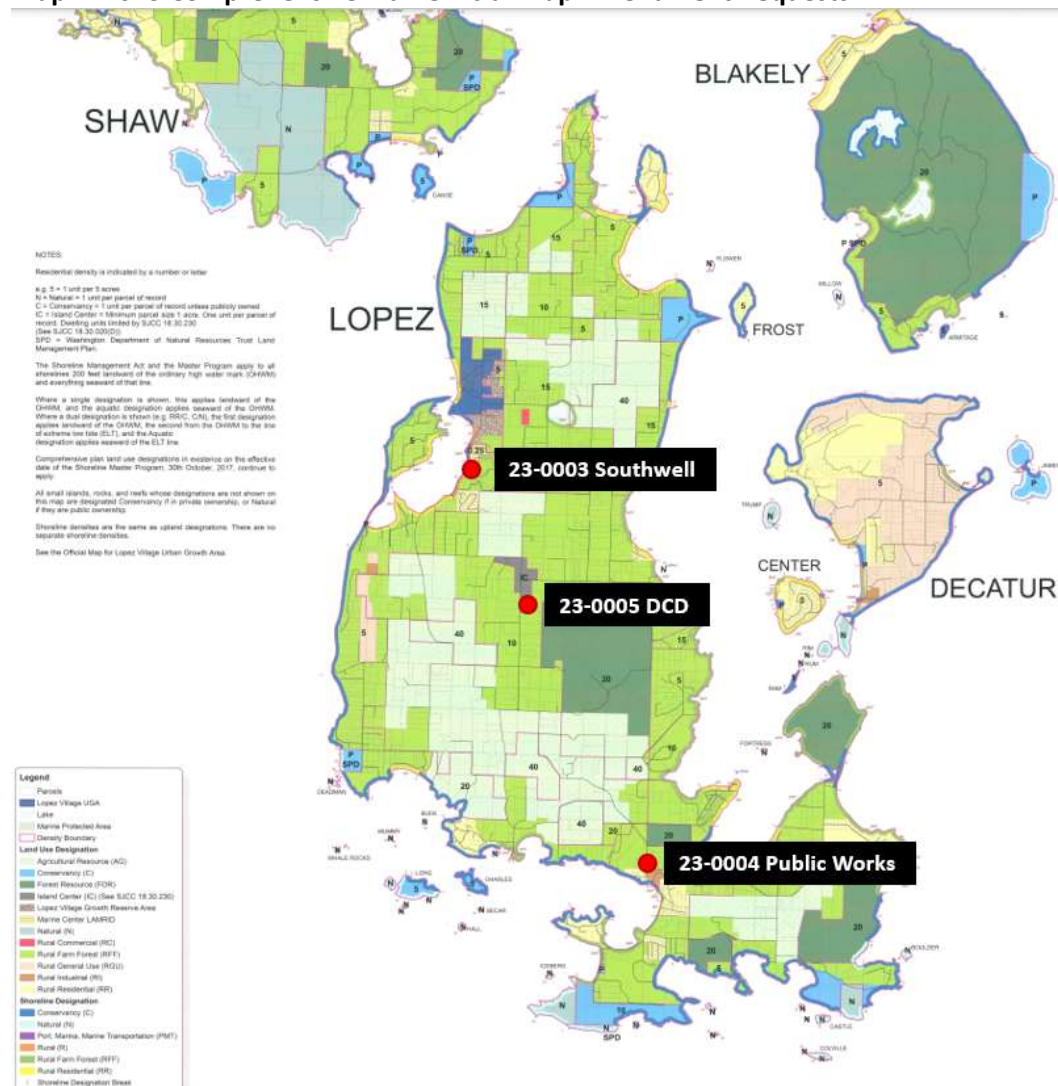
During the 2023 Annual Docket process, the Department of Community Development received three requests for site-specific redesignations. Staff briefed the Planning Commission and County Council on the requests in June and July 2023. The Planning Commission held a public hearing and made

recommendations to the Council on August 18, 2023. Staff briefed the Council on the Planning Commission’s recommendations on September 12, 2023. Previous staff reports provide key background information:

- A staff report dated June 5, 2023 explains the Official Map amendment process, relevant UDC and Comprehensive Plan sections, and summarizes this year’s three requests. The staff report is available online here: <https://www.sanjuanco.com/DocumentCenter/View/28255/>
- A staff report dated July 10, 2023 provides staff’s analysis and recommendations regarding the proposed Official Map amendments. The staff report is available here: <https://www.sanjuanco.com/DocumentCenter/View/28407/>
- A staff report dated September 5, 2023 provides the Planning Commission’s recommendations regarding the proposed Official Map amendments. The staff report is available here: <https://www.sanjuanco.com/DocumentCenter/View/28793/>

The three requests are located on Lopez Island and are shown in Map 1 below.

Map 1. 2023 Comprehensive Plan Official Map Amendment Requests



DRAFT ORDINANCE

The Planning Commission's recommended draft ordinance is provided in Attachment A. The draft ordinance includes a draft District 3 Official Map reflecting the proposed amendments as recommended by the Planning Commission. Section R of the background in the draft ordinance shows the recommendations and findings of fact for each proposed amendment (Attachment A, page 4). Attachment B summarizes each request, provides the staff and Planning Commission recommendations, and shows close-up map excerpts of the proposed map amendments.

At the October 17, 2023, Council meeting, staff will brief the Council on the draft ordinance, there will be a public hearing, and the Council may adopt an ordinance on the proposed Official Map amendments. This is the final step in the site-specific redesignation process established in San Juan County Code 18.90.030. After the Council adopts an ordinance, DCD will work with GIS staff to update the Official Map to reflect the Council's decisions.

Ordinance No. ___ - 2023**REGARDING THE 2023 ANNUAL DOCKET AND SITE-SPECIFIC RE-DESIGNATION
REQUESTS 23-0003, 23-0004, AND 23-0005, AMENDING THE SAN JUAN COUNTY
COMPREHENSIVE PLAN OFFICIAL MAPS.****BACKGROUND**

A. The Growth Management Act (GMA) was passed by the State Legislature in April 1990.

B. The Board of County Commissioners voted to plan under the GMA in November 1990.

C. RCW 36.70A.470(2) states:

“Each county and city planning under RCW 36.70A.040 shall include in its development regulations a procedure for any interested person, including applicants, citizens, hearing examiners, and staff of other agencies, to suggest plan or development regulation amendments. The suggested amendments shall be docketed and considered on at least an annual basis, consistent with the provisions of RCW 36.70A.130”.

D. San Juan County adopted the San Juan County Comprehensive Plan (Comprehensive Plan) and Official Maps to comply with the Growth Management Act (GMA), Chapter 36.70A RCW.

E. SJCC 18.90.020 Legislative Procedures establishes the procedures for the annual docket required by RCW 36.70.A.470(2).

F. SJCC 18.90.030 Amendments to Comprehensive Plan Official Maps establishes the procedures for amendment of the Comprehensive Plan Official Maps.

G. San Juan County Code (SJCC) 18.90.030 contains procedures for the amendment of Comprehensive Plan land use designations as site-specific re-designations. Such requests are placed on the County’s annual docket of Comprehensive Plan amendments (Docket).

H. 2023 Docket applications for Comprehensive Plan or development regulation amendments were accepted by the San Juan County Department of Community Development (DCD) between January 1 and March 1, 2023.

I. SJCC 18.90.020 (B) Legislative procedures states:

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

1 **J.** Jamie Grifo, on behalf of Linda Southwell, applied for a site-specific redesignation of Tax
2 Parcel Number (TPN) 252244002000 on February 24, 2023 through the annual docket
3 process.
4

- 5 **1.** The application requested that the County amend the density of TPN
6 252244002000 from 1 dwelling unit per 5 acres to 2 dwelling units per 2.53 acres.
7
- 8 **2.** The application was deemed complete on March 31, 2023 and was assigned the
9 docket application number 23-0003.
10
- 11 **3.** An environmental checklist was prepared by the applicant for the proposed density
12 amendment to the Official Comprehensive Plan Land Use Map. The Department
13 of Community Development published a notice of Determination of Non-
14 significance (DNS) on May 26, 2023, pursuant to WAC 197-11-350.
15
- 16 **4.** The SEPA DNS was sent to the WA State Department of Ecology and posted to
17 the SEPA register on May 26, 2023. It was assigned material identification number
18 202302542. The comment period on the SEPA determination was May 26 through
19 July 19, 2023. The SEPA determination was published in the Journal of the San
20 Juan Islands and the Island Sounder on June 7, 2023.
21
- 22 **5.** In a July 10, 2023 staff report, staff determined that the proposal is inconsistent
23 with applicable state and local requirements. Staff recommended denial of the
24 proposal.
25

26 **K.** The Department of Public Works applied for a site-specific redesignation of TPN
27 141822009000 on February 27, 2023 through the annual docket process.
28

- 29 **1.** The application requested that the County amend the land use designation of TPN
30 141822009000 from Rural Farm Forest to Rural Industrial.
31
- 32 **2.** The application was deemed complete on March 31, 2023 and was assigned the
33 docket application number 23-0004.
34
- 35 **3.** An environmental checklist was prepared by the applicant for the proposed density
36 amendment to the Official Comprehensive Plan Land Use Map. The Department
37 of Community Development published a notice of Determination of Non-
38 significance (DNS) on May 26, 2023, pursuant to WAC 197-11-350.
39
- 40 **4.** The SEPA DNS was sent to the WA State Department of Ecology and posted to
41 the SEPA register on May 26, 2023. It was assigned material identification number
42 202302543. The comment period on the SEPA determination was May 26 through
43 July 19, 2023. The SEPA determination was published in the Journal of the San
44 Juan Islands and the Island Sounder on June 7, 2023.
45

- 1 **5.** In a July 10, 2023 staff report, staff determined that the proposal is consistent with
2 applicable state and local requirements. Staff recommended approval of the
3 proposal.
4
- 5 **L.** The Department of Community Development applied for a site-specific redesignation of
6 TPNs 253512004000 and 253513001000 on February 28, 2023 through the annual docket
7 process.
8
- 9 **1.** The application requested that the County amend the land use designation of TPNs
10 253512004000 and 253513001000 from Island Center LAMIRD to Rural Farm
11 Forest.
12
- 13 **2.** The application was deemed complete on March 31, 2023 and was assigned the
14 docket application number 23-0005.
15
- 16 **3.** An environmental checklist was prepared by the applicant for the proposed density
17 amendment to the Official Comprehensive Plan Land Use Map. The Department
18 of Community Development published a notice of Determination of Non-
19 significance (DNS) on May 26, 2023, pursuant to WAC 197-11-350.
20
- 21 **4.** The SEPA DNS was sent to the WA State Department of Ecology and posted to
22 the SEPA register on May 26, 2023. It was assigned material identification number
23 202302544. The comment period on the SEPA determination was May 26 through
24 July 19, 2023. The SEPA determination was published in the Journal of the San
25 Juan Islands and the Island Sounder on June 7, 2023.
26
- 27 **5.** In a July 10, 2023 staff report, staff determined that the proposal is consistent with
28 applicable state and local requirements. Staff recommended approval of the
29 proposal.
30
- 31 **M.** The Planning Commission was briefed on the proposals and the staff analysis and
32 recommendations on July 21, 2023.
- 33 **N.** The County Council was briefed on the proposals on August 8, 2023.
- 34 **O.** SJCC 18.90.020 (C) Legislative procedures states:
35 *“Planning Commission. The planning commission shall hold a public*
36 *hearing and make recommendations to the County council on all legislative*
37 *decisions specified in this section”.*
- 38 **P.** On August 2, 2023, the Department of Community Development advertised an August 18,
39 2023 Planning Commission public hearing the Journal of the San Juan Islands and Islands’
40 Sounder.
- 41 **Q.** The Planning Commission held a duly advertised public hearing on August 18, 2023.

- 1 **R.** Following the public hearing, the Planning Commission issued the following findings and
2 recommendations:
- 3 **1.** Docket Request 23-0003: The Planning Commission recommends amending the
4 density of TPN 252244002000 from 1 dwelling unit per 5 acres to 1 dwelling unit
5 per 1.25 acres.
- 6 i. The proposed amendment allows the subject parcel to be consistent with the
7 surrounding achieved density; and
- 8 ii. The Planning Commission urges the County Council to evaluate the density
9 of surrounding properties in the vicinity and consider amending the
10 Comprehensive Plan Official Map density in this area to be consistent with
11 the achieved density.
- 12 **2.** Docket Request 23-0004: The Planning Commission recommends amending the
13 land use designation of TPN 252244002000 from Rural Farm Forest to Rural
14 Industrial.
- 15 i. The proposed amendment is consistent with the criteria established in SJCC
16 18.90.030 and the Comprehensive Plan; and
- 17 ii. The proposed amendment would allow Public Works to conduct operations
18 efficiently at the MacKaye Harbor Public Works site.
- 19 **3.** Docket Request 23-0005: The Planning Commission recommends amending the
20 land use designation of TPN 253513001000 from Island Center LAMIRD to Rural
21 Farm Forest. The Planning Commission does not recommend amending the land
22 use designation of TPN 253512004000 from Island Center LAMIRD to Rural Farm
23 Forest at this time.
- 24 i. The proposed amendment is consistent with the criteria established in SJCC
25 18.90.030 and the Comprehensive Plan;
- 26 ii. The proposed amendment provides the opportunity for a Rural Residential
27 Cluster Development to be developed;
- 28 iii. The proposed amendment is consistent with the public testimony received
29 during the Planning Commission public hearing on this matter.
- 30 **S.** In compliance with RCW 36.70A.106, a notice of the County's intent to adopt a
31 Comprehensive Plan amendment was transmitted to the Washington State Department of
32 Commerce on August 3, 2023.
- 33 **T.** Staff briefed the County Council on the Planning Commission recommendation and the
34 initial draft of this ordinance on September 12, 2023. At the briefing, the County Council
35 set a public hearing on the ordinance on October 17, 2023.
- 36 **U.** SJCC 18.90.020 (D) Legislative procedures states:

1 *“County Council. All amendments to the development code, Comprehensive*
2 *Plan, and official maps require a public hearing before the County*
3 *council”.*

4 **V.** The County Council public hearing was advertised in the Journal of the San Juan Islands
5 and the Island Sounder on September 27, 2023.

6 **W.** The County Council held a duly advertised public hearing and deliberated on the proposal
7 on October 17, 2023.

8 **NOW, THEREFORE, BE IT ORDAINED** by the County Council of San Juan County,
9 State of Washington, as follows:

10 **SECTION 1. The County Council makes the following findings:**

11 **A.** Site-specific map amendments can be considered annually under SJCC 18.90.030 in a
12 Comprehensive Plan amendment docket.

13 **B.** SJCC 18.90.030 establishes criteria and procedures for site-specific map changes, re-
14 designations and text amendments. The amendments to the Official Land Use Maps of the
15 San Juan County Comprehensive Plan shown in Exhibit A were evaluated and reviewed as
16 part of the 2023 Docket process. The proposal meets the procedural review requirements of
17 the SJCC.

18 **C.** The public was provided notice and opportunity to review and comment on the proposed
19 re-designations and the environmental impact of their adoption. This meets the
20 requirements of SJCC 18.90.030 and RCW 36.70A.140.

21 **D.** [placeholder for findings regarding Docket Request 23-0003]

22 **E.** [placeholder for findings regarding Docket Request 23-0004]

23 **F.** [placeholder for findings Docket Request 23-0005]

24 **G.** The San Juan County Comprehensive Plan Official Maps, as amended by this action, were
25 prepared as required by RCW 36.70A.040 (1) and meet the requirements of and are
26 consistent with the GMA, Chapter 36.70A RCW.

27 **SECTION 2. Amendments to the Comprehensive Plan Official Map:**

28 The San Juan County Comprehensive Plan, Official Map and Ord. 20-2022 § 3 is amended as
29 shown on attached Exhibit A. The land use designation for the following properties are hereby
30 amended: [placeholder for TPNs and approved designation changes]

1 **SECTION 3. Effective date:**
2

3 This ordinance shall take effect on the 10th working day after adoption.
4
5

DRAFT

1 ADOPTED this ____ day of _____ 2023.

2

3 ATTEST: Clerk of the Council

COUNTY COUNCIL

4

SAN JUAN COUNTY, WASHINGTON

5

6

7 _____
Sally Rogers, Clerk

Date

8

Cindy Wolf, Chair

9

District 2

10

11

12

13 REVIEWED BY COUNTY MANAGER

14

15

16

Jane Fuller, Vice-Chair

17

18 _____
Michael J. Thomas

Date

District 3

19

20 AMY S. VIRA

21 APPROVED AS TO FORM ONLY

22

Christine Minney, Member

23

24 By: _____

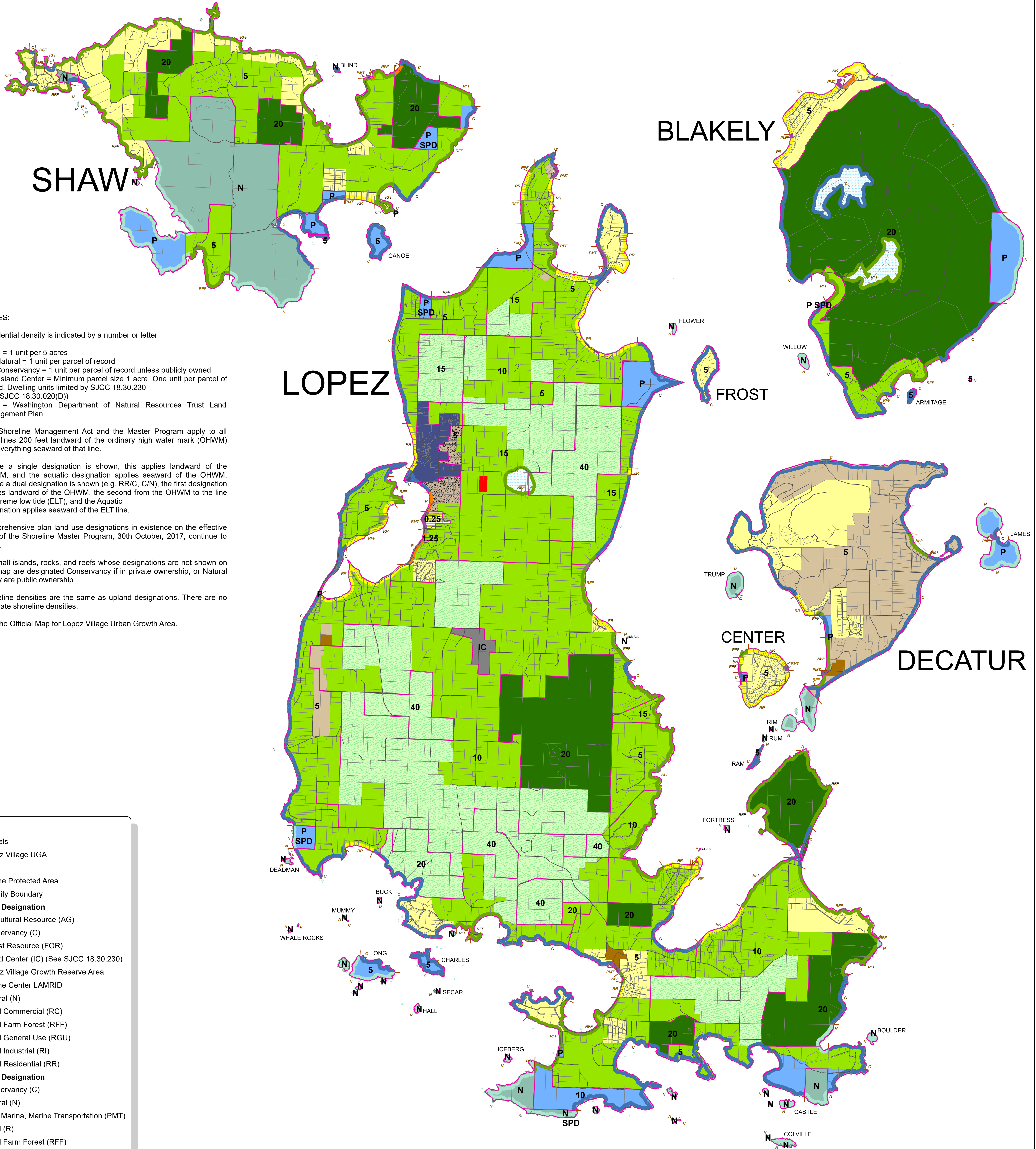
District 1

25

Date

26

27 **Exhibit A:** San Juan County Comprehensive Plan Official Map sheet for Lopez Island



NOTES:

Residential density is indicated by a number or letter

e.g. 5 = 1 unit per 5 acres
 N = Natural = 1 unit per parcel of record
 C = Conservancy = 1 unit per parcel of record unless publicly owned
 IC = Island Center = Minimum parcel size 1 acre. One unit per parcel of record. Dwelling units limited by SJCC 18.30.230 (See SJCC 18.30.020(D))
 SPD = Washington Department of Natural Resources Trust Land Management Plan.

The Shoreline Management Act and the Master Program apply to all shorelines 200 feet landward of the ordinary high water mark (OHWM) and everything seaward of that line.

Where a single designation is shown, this applies landward of the OHWM, and the aquatic designation applies seaward of the OHWM. Where a dual designation is shown (e.g. RR/C, C/N), the first designation applies landward of the OHWM, the second from the OHWM to the line of extreme low tide (ELT), and the Aquatic designation applies seaward of the ELT line.

Comprehensive plan land use designations in existence on the effective date of the Shoreline Master Program, 30th October, 2017, continue to apply.

All small islands, rocks, and reefs whose designations are not shown on this map are designated Conservancy if in private ownership, or Natural if they are public ownership.

Shoreline densities are the same as upland designations. There are no separate shoreline densities.

See the Official Map for Lopez Village Urban Growth Area.

Legend

- Parcels
- Lopez Village UGA
- Lake
- Marine Protected Area
- Density Boundary
- Land Use Designation**
- Agricultural Resource (AG)
- Conservancy (C)
- Forest Resource (FOR)
- Island Center (IC) (See SJCC 18.30.230)
- Lopez Village Growth Reserve Area
- Marine Center LAMRID
- Natural (N)
- Rural Commercial (RC)
- Rural Farm Forest (RFF)
- Rural General Use (RGU)
- Rural Industrial (RI)
- Rural Residential (RR)
- Shoreline Designation**
- Conservancy (C)
- Natural (N)
- Port, Marina, Marine Transportation (PMT)
- Rural (R)
- Rural Farm Forest (RFF)
- Rural Residential (RR)
- Shoreline Designation Break

ATTEST: Clerk of the Council
 COUNTY COUNCIL
 SAN JUAN COUNTY, WASHINGTON

By: Sally Rogers, Date: _____
 Date: Cindy Wolf, Chair, Date: _____
 District 2

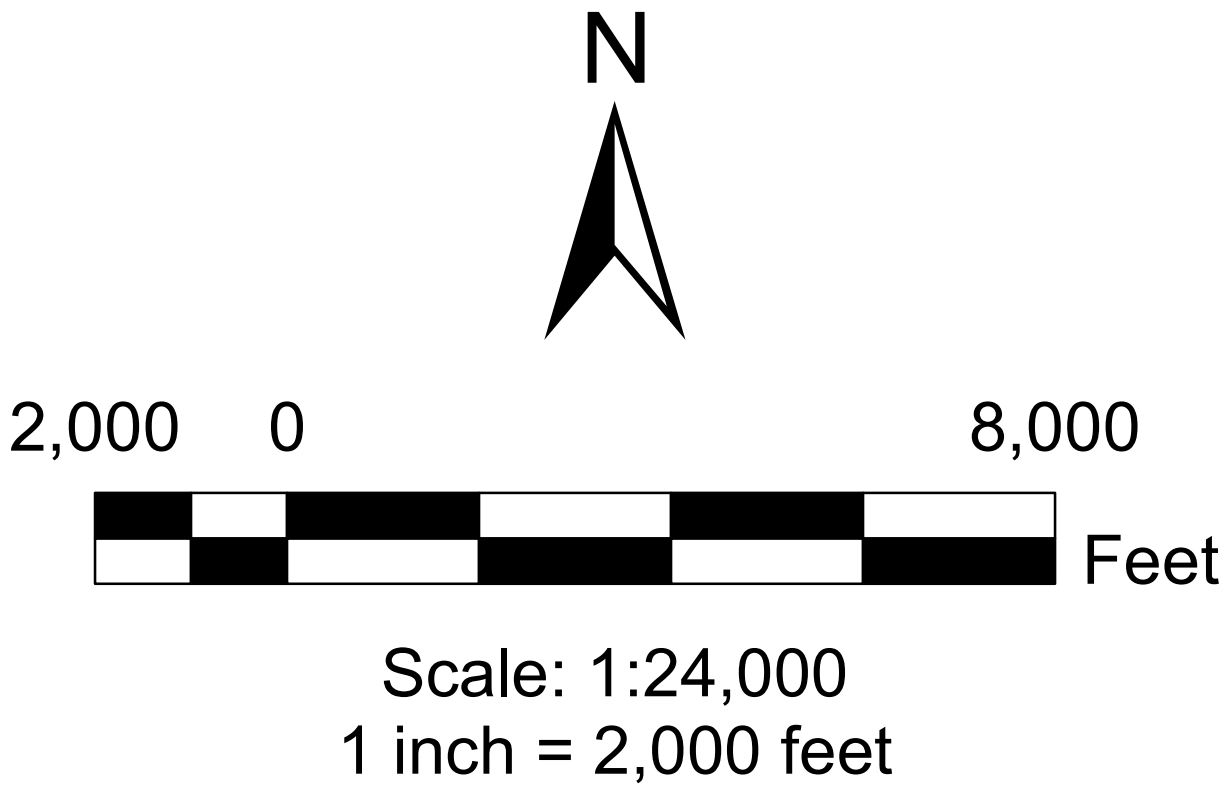
REVIEWED BY COUNTY MANAGER

By: Mike Thomas, Date: _____
 Date: Jane Fuller, Vice-Chair, Date: _____
 District 3

APPROVED AS TO FORM ONLY
 RANDALL K. GAYLORD

By: _____, Date: _____
 Date: Christine Minney, Member, Date: _____
 District 1

Revisions:	
Ord. 11-2000	Ord. 47-2007
Ord. 12-2000	Ord. 48-2007
Ord. 13-2000	Ord. 49-2007
Ord. 5-2003	Ord. 37-2008
Ord. 12-2003	Ord. 46-2008
Ord. 13-2003	Ord. 49-2008
Ord. 14-2003	Ord. 3-2009
Ord. 2-2002	Ord. 11-2010
Ord. 5-2002	Ord. 12-2010
Ord. 7-2002	Ord. 13-2010
Ord. 7-2005	Ord. 14-2010
Ord. 9-2005	Ord. 20-2015
Ord. 13-2005	Ord. 21-2015
Ord. 15-2006	Ord. 1-2016
Ord. 2-2007	Eastsound Technical Map Correction - 06-21-16
Ord. 11-2007	Eastsound Technical Map Correction - 10-18-16
Ord. 22-2007	Ord. 11-2016
Ord. 23-2007	Ord. 12-2016
Ord. 24-2007	Ord. 12-2019
Ord. 25-2007	Town Ordinances 1685 and 1686
Ord. 26-2007	Ord. 20-2022



Drawn By:
 San Juan County GIS

Comprehensive Plan
 Land Use and Shoreline Master Program
 District 3
 San Juan County, Washington

Date Adopted:
 11/2022

Figure
 3
 Revised:
 7/2023

DRAFT

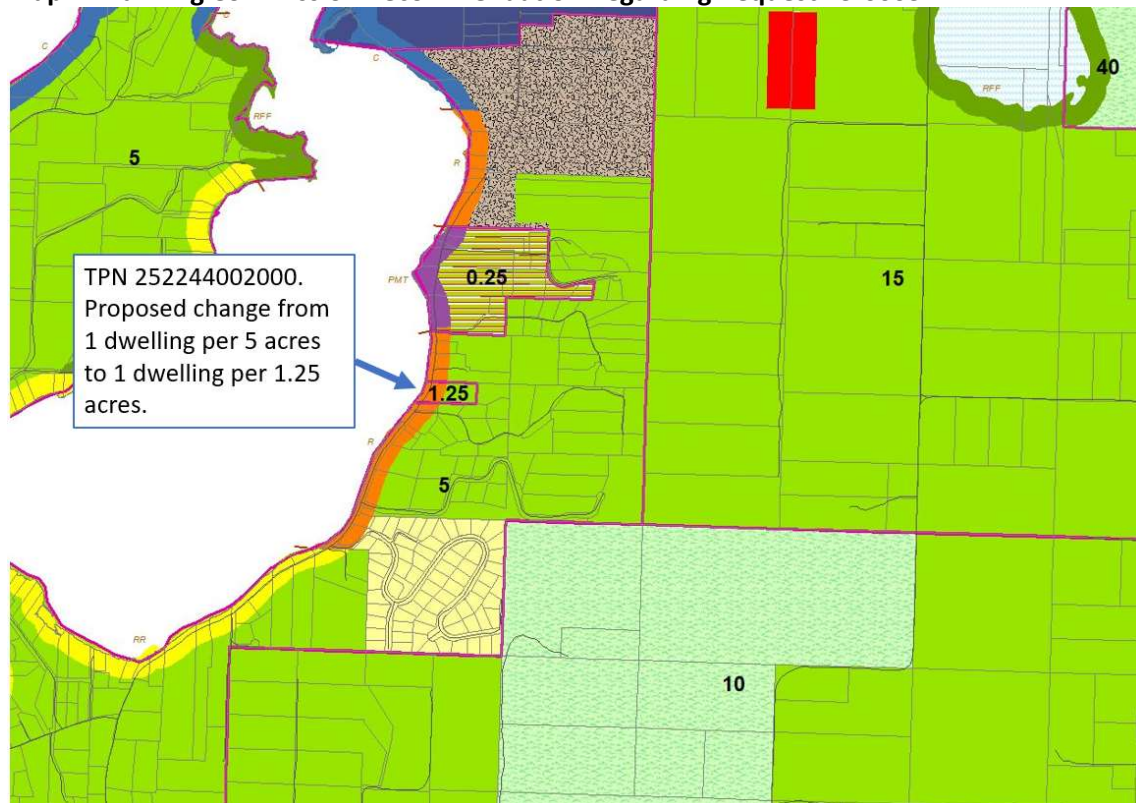
2023 Annual Docket Proposed Official Map Amendment Summary Tables, Recommendations and Map Excerpts

Docket Request 23-0003, Southwell

Table 1. Project Data for Docket Request 23-0003

Project Data	
Applicant	Linda Southwell
Agent	Jamie Grifo
Site address	3101 Fisherman Bay Rd
Tax parcel	252244002000
Acreage	2.53 acres
Land Use Designation	Rural Farm Forest (RFF)
Density	1 dwelling per 5 acres
Proposal	Change density to 2 dwellings per 2.53 acres (effectively 1 dwelling per 1.25 acres)
Surrounding land use	North: RFF 5, Residential East: RFF 5, Residential South: RFF 5, Residential West: Fisherman Bay
Application Processing	
Link to Application	https://www.sanjuanco.com/DocumentCenter/View/28206/
Date Submitted	February 24, 2023
Date Deemed Complete	March 31, 2023
Notice of Application	Due July 18, 2023
SEPA Determination	DNS
Staff Recommendation	Not recommended
Planning Commission Recommendation	Recommended

Map 1. Planning Commission Recommendation Regarding Request 23-0003.

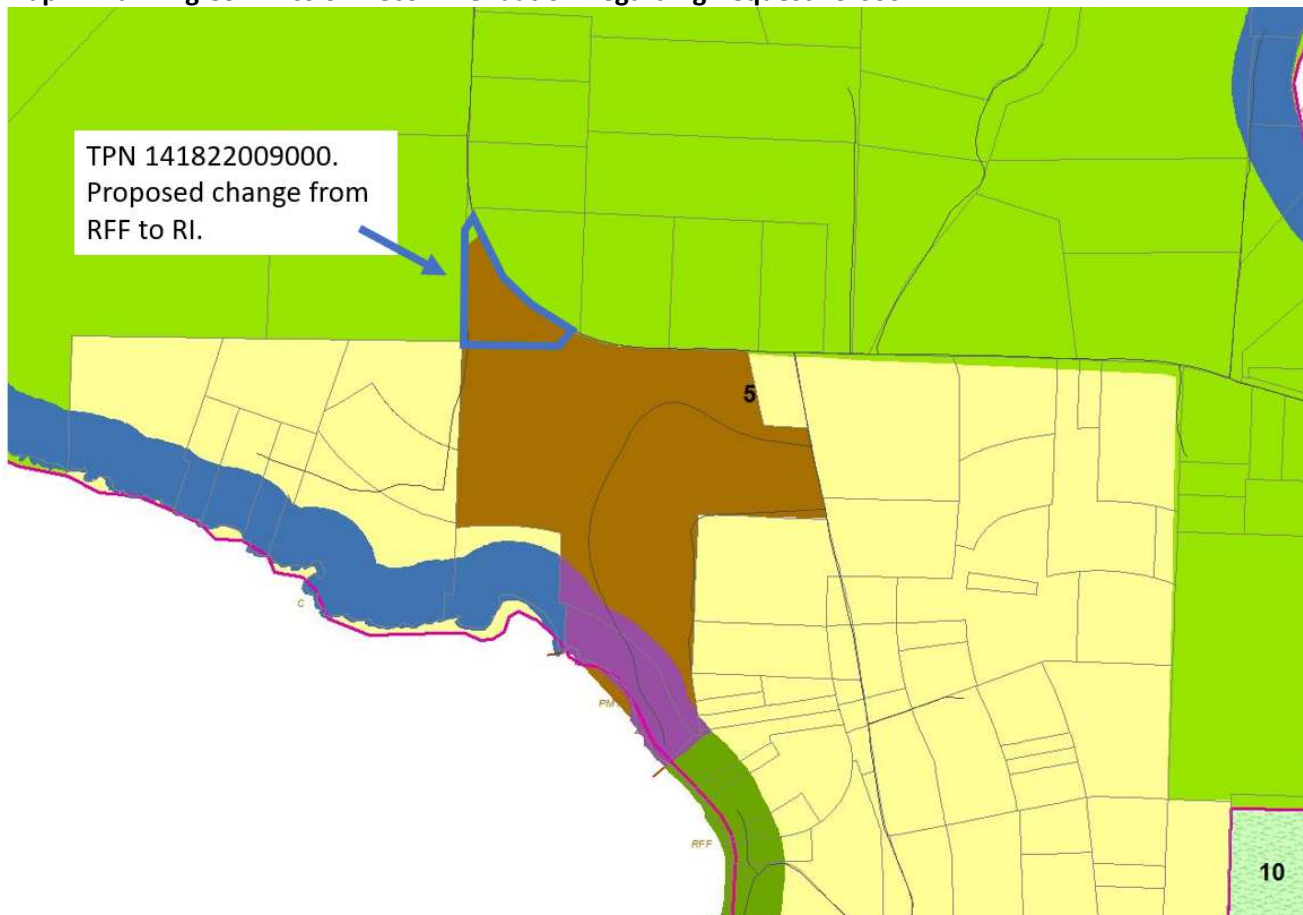


Docket Request 23-0004, Public Works

Table 2. Project Data for Docket Request 23-0004

Project Data	
Applicant	San Juan County Public Works
Site address	25 Calle Aguila Rd
Tax parcel	141822009000
Acreage	1.3 acres
Land Use Designation	Rural Farm Forest (RFF)
Density	1 dwelling per 5 acres
Proposal	Change land use designation to Rural Industrial (RI)
Surrounding land use	North: RFF 5, Residential East: RFF 5, Residential South: RI 5, Public Works government services West: RFF 5, Undeveloped
Application Processing	
Link to Application	https://www.sanjuanco.com/DocumentCenter/View/28207/
Date Submitted	February 27, 2023
Date Deemed Complete	March 31, 2023
Notice of Application	Due July 18, 2023
SEPA Determination	DNS
Staff Recommendation	Map amendment recommended
Planning Commission Recommendation	Recommended

Map 2. Planning Commission Recommendation Regarding Request 23-0004.

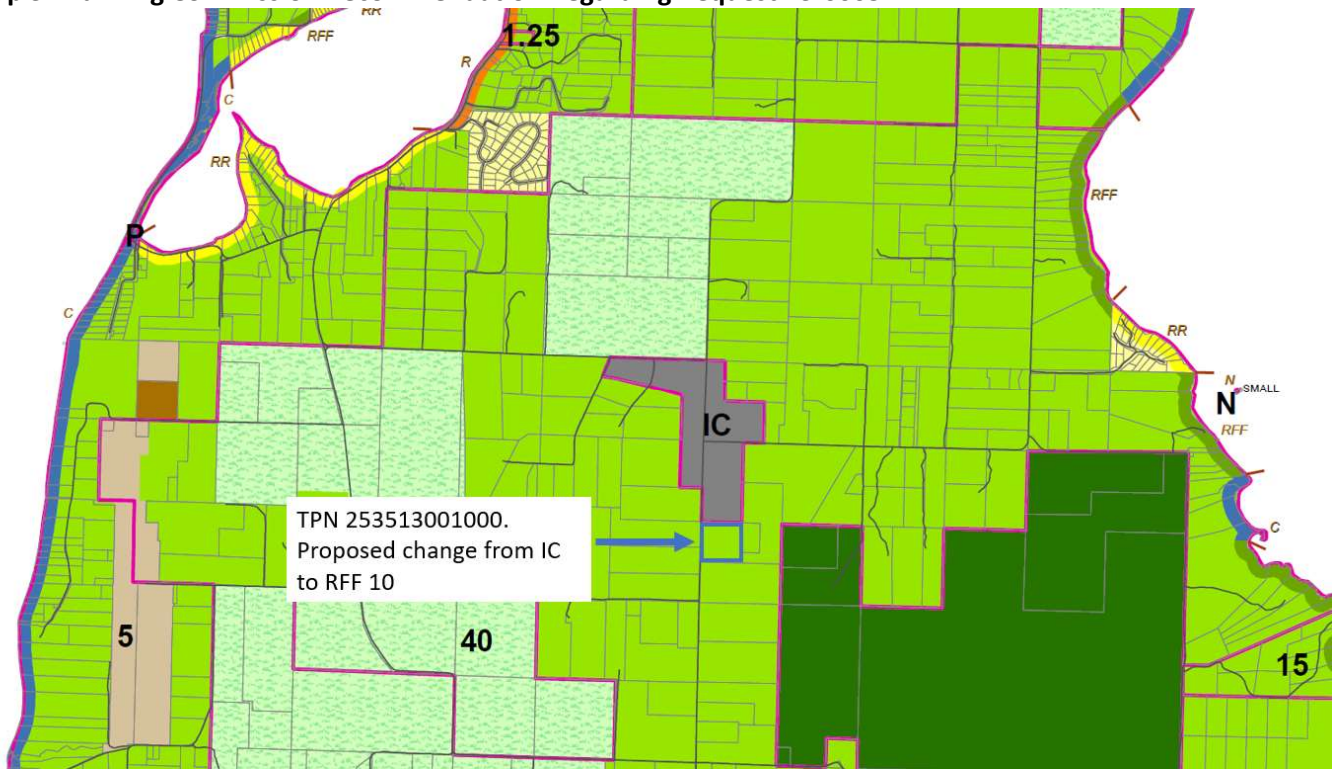


Docket Request 23-0005, Department of Community Development

Table 3. Project Data for Docket Request 23-0005

Project Data	
Applicant	San Juan County Department of Community Development
Site address	86 School Road
Tax parcels	253512004000, 253513001000
Acreage	9.51 acres, 9.90 acres respective to above parcels
Land Use Designation	Island Center LAMIRD
Density	1 dwelling per parcel, min. parcel size 1 acre
Proposal	Change land use designation to RFF and density to 1 dwelling per 10 acres
Surrounding land use	North: Island Center, educational services East: RFF, residential and undeveloped land South: RFF, undeveloped land West: RFF, residential and undeveloped land
Link to Application	https://www.sanjuanco.com/DocumentCenter/View/28208/
Date Submitted	February 28, 2023
Date Deemed Complete	March 31, 2023
Notice of Application	Due July 18, 2023
SEPA Determination	DNS
Staff Recommendation	Map amendment recommended
Planning Commission Recommendation	Amend southern parcel, TPN 253513001000, as proposed. Do not amend the northern parcel, TPN 253512004000

Map 3. Planning Commission Recommendation Regarding Request 23-0005.



Sophia Cassam

From: Ed Andrews <ed@somelabdesign.com>
Sent: Thursday, September 7, 2023 5:31 PM
To: Jane Fuller; Cindy Wolf; Christine Minney; Mike Thomas; Norman Gollub; Sophia Cassam
Subject: Docket Request 23-0003 / Southwell

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear County Council members Jane, Cindy and Christine,

I'm greatly concerned about the possibility of this docket request being approved by the County Council. To meet the requirements, the Department of Community Development and the Council has to apply existing law, not the law back in 2007, and definitely not the current desires of the Planning Commission. This request is completely inconsistent with the criteria established in SJCC 18.90.030 (F) and the policies of the Comprehensive Land Use Plan. If the proposed subdivision amendment passes, it's going to undermine up all the hard work we did in creating the Comprehensive Plan. This is why we have laws that the County Council must abide by. This request is definitely not in the public interest.

If this is approved, why even have zoning laws? Everyone else in a similar land partition situation must then also be treated the same. It would set a precedent, despite the claim by the Planning Commission, that "each lot is different." All lots are different but they have to comply with the current zoning laws under which they are designated. Shaw, Orcas, Lopez, and San Juan would all have to be treated the same. How is this fair and how does it benefit the health, safety or welfare of the community? That's the first criteria that needs to be met and it isn't.

Please don't approve Docket Request 23-0003. Vote NO.

With regards and appreciation,

Ed Andrews
266 Deep Meadow Lane
Orcas Island, WA 98245

Sophia Cassam

From: Jeff Lehman <jllehman@earthlink.net>
Sent: Tuesday, September 12, 2023 8:51 AM
To: Jane Fuller; Cindy Wolf; Christine Minney
Cc: Mike Thomas; Norman Gollub; Sophia Cassam
Subject: Docket Request 23-0003 - Southwell

Dear San Juan County Council members,

I realize that you are likely on your way to the Docket Request briefing meeting this morning but thought you'd find the below interesting.

I recently asked ChatGPT to weigh in on some of the issues surrounding Docket Request 23-0003. Three simple questions were posed. Here are the responses:

ChatGPT Question 1: Should a 2.5 acre lot that is zoned RFF-5 on Lopez Island, WA, and outside the Urban Growth Area, be allowed to be split into two 1.25 acre lots?

ChatGPT Response: "Decisions regarding the subdivision of a 2.5-acre lot zoned RFF-5 outside the Urban Growth Area on Lopez Island, WA, should be made in accordance with local zoning regulations and land use planning policies. Zoning regulations and land use plans are typically designed to manage development in a way that aligns with the community's goals, environmental considerations, and infrastructure capacity. Whether or not the lot can be split into two 1.25-acre lots would depend on the specific zoning rules, ordinances, and comprehensive plans in place. Local authorities and planning commissions usually evaluate such requests to ensure they are consistent with established regulations and the broader community vision for development."

ChatGPT Question 2: Should the San Juan County WA County Council be asked to settle private land disputes between owners on Lopez Island, WA?

ChatGPT Response: "The San Juan County WA County Council is typically not responsible for settling private land disputes between individual property owners on Lopez Island or elsewhere. Land disputes of a private nature are usually resolved through legal channels, such as through the courts or through mediation services. Property owners should seek legal advice or mediation services to address and resolve their specific land disputes. The County Council's primary role is to establish and enforce land use regulations and policies, rather than mediating or settling private disputes."

Chat GPT Question 3: Should the County Council allow "spot zoning" to settle a family land dispute for a private individual on Lopez Island, WA?

ChatGPT Response: "The decision to allow 'spot zoning' to settle a family land dispute for a private individual on Lopez Island, WA, should be made in accordance with local zoning regulations, land use policies, and legal considerations. Whether or not spot zoning is appropriate in this context depends on various factors, including the specific circumstances of the dispute, potential impacts on the community, and compliance with existing zoning laws."

It's important for the County Council to carefully evaluate such requests, considering the broader implications, fairness, and adherence to established planning principles. However, the primary purpose of zoning regulations is to manage land use for the public interest rather than to settle private disputes. In cases of family land disputes, it may be more appropriate to seek legal advice, mediation, or alternative means of resolution that are separate from zoning decisions."

It's clear that even an inanimate natural language processing AI tool (ChatGPT) can suss out the correct answers here. They all point to a NO vote for Docket Request 23-0003.

Thank you for taking the time to consider this information.

Jeff

Jeff Lehman
239 Gibbs Road
Eastsound, WA 98245

Sophia Cassam

From: Hal Clure <hal@clure.com>
Sent: Saturday, September 16, 2023 9:06 PM
To: Cristinem@sanjuanco.com; Cindy Wolf; Jane Fuller
Cc: Mike Thomas; Norman Gollub; Sophia Cassam
Subject: Docket Request 23-0003 - Southwell

Some people who received this message don't often get email from hal@clure.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear County Council Members,

I am writing to ask you to vote NO on Docket Request 23-0003 Southwell. Our family has owned land on Lopez Island for 50 years and have sold various parcels to the Land Bank to help preserve this island. We want to see Lopez grow in a reasonable manner, subject to current rules and regulations.

Docket Request 23-0003 does not meet any of the current rules and regulations and could open a Pandora's Box - if approved. It is counter to the DCD recommendation, meets no guidelines for approval with the SJCC or the Comprehensive Land Use Plan, and the Friends of the San Juans clearly think it's wrong. So do we.

It appears from the Docket Request documents that a refund was graciously offered on the application by the DCD in early April 2023 because it met none of the tests. Our understanding is that it has to meet all of them according to the county.

Based on the one-third (Southwell) / two-thirds (other family members) ownership issues related to this property, it seems the County Council is being asked to settle a family dispute. That doesn't appear to be for the good of the county, only for the individual requesting the change. There is a bigger issue at hand though, a wrong decision on Lopez Island could have an ominous impact throughout the islands.

Please vote NO on this Docket Request.

Sincerely,
Harold and Martha Clure

--
Harold R. Clure, MD
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