




MEMO

REPORT DATE: August 1, 2024

TO: San Juan County Planning Commission

FROM: Sophia Cassam, Planner III 

SUBJECT: Public Works Site-Specific Redesignation – TPN 262932006000, Shaw Island Staff Analysis and Recommendation

BRIEFING: Planning Commission: August 16, 2024
County Council: August 27, 2024

STAFF RECOMMENDATION Staff recommends amending TPN 262932006000 to RI from RFF on the Comprehensive Plan Official Maps.

ATTACHMENTS:

- A. LANDUSE-24-0105 Site-Specific Redesignation Application
- B. Minutes of the July 9, 2024 County Council Meeting
- C. San Juan County Code (SJCC) SJCC 18.30.040 Land use table – Rural, resource, and special land use designations

PURPOSE

To provide the Planning Commission and County Council with the Department of Community Development's analysis and recommendation regarding San Juan County Public Works' site-specific redesignation application, changing the land use designation of Tax Parcel Number (TPN) 262932006000 from Rural Farm Forest (RFF) to Rural Industrial (RI) on the Comprehensive Plan Official Map.

BACKGROUND

San Juan County Public Works submitted the Site Specific Redesignation application LANDUSE-24-0105 to the Department of Community Development (DCD) on July 25, 2024 (Attachment A). The application proposes changing the land use designation of TPN 262932006000 from Rural Farm Forest to Rural Industrial. Land use designations are established on San Juan County's Comprehensive Plan Official Maps. Amendments must follow the procedures in SJCC 18.90.030 Amendments to Comprehensive Plan Official Maps and the criteria in Comprehensive Plan Section B, Element 2, Land Use.

The County typically accepts requests for Comprehensive Plan Official Map amendments through the annual docket process between January 1 – March 1 each year. San Juan County Code (SJCC) 18.90.030(C), however, states that this limitation does not apply to requests by the County Council. At the July 9, 2024, County Council meeting, the County Council directed the DCD to evaluate the proposed designation change (Attachment B).

DCD's analysis and recommendation are provided in the following sections of this report.

APPLICATION DETAILS

Table 1. Request Data

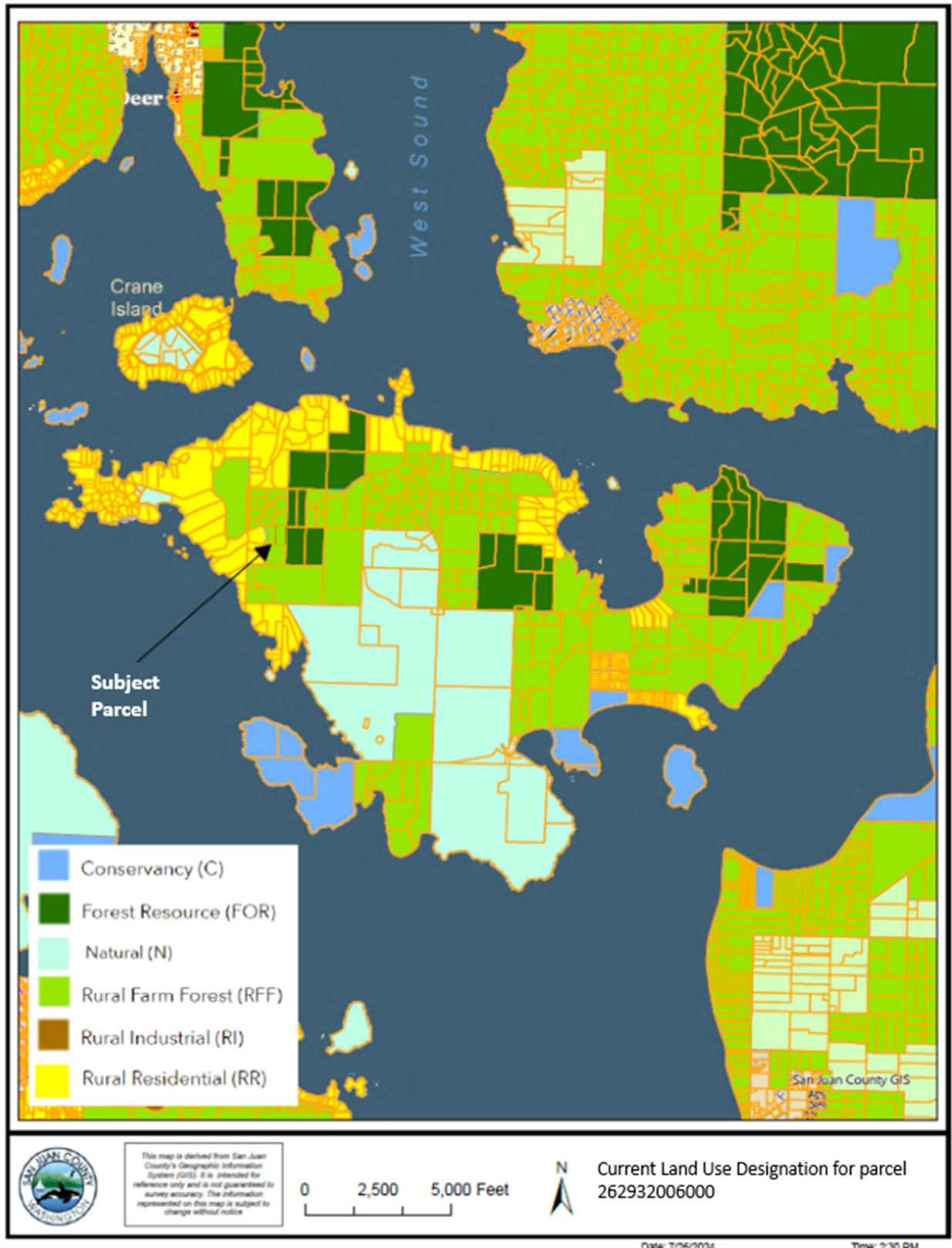
Property Data	
Applicant	San Juan County Public Works
Site address	1427 Neck Point Rd
Tax parcel	262932006000
Acreage	5.01 acres
Land Use Designation	Rural Farm Forest (RFF)
Density	1 dwelling per 5 acres
Proposal	Change land use designation from RFF to Rural Industrial (RI)
Surrounding land use	North: RFF 5, Residential East: Forest Resource Land (FOR) 20, Undeveloped South: RFF 5, Undeveloped County Property West: RFF 5 and Rural Residential (RR) 5, Residential
Application Processing	
Link to Application	https://www.sanjuancountywa.gov/DocumentCenter/View/30669
Date Submitted	July 25, 2024
Date Deemed Complete	July 25, 2024
Recommendation	Amend TPN 262932006000 from RFF to RI

Proposal: The applicant, San Juan County Public Works, is requesting a change in land use designation of a 5.01-acre parcel on Shaw Island, TPN 262932006000. The property is designated RFF and the existing density is 1 dwelling unit per 5 acres (Map 1). San Juan County purchased the subject parcel and the 11.88-acre parcel to the south on June 16, 2024. The subject parcel was previously used for residential purposes. Changing the land use designation to Rural Industrial will allow Public Works to establish road maintenance services such as the outdoor storage of materials and equipment; activities prohibited in the RFF designation. If the proposal is approved, per Table 18.30.040, Public Works could operate an outdoor storage yard on the property by a provisional use permit. There is currently no RI land on Shaw, nor is there land with a designation that allows outdoor storage yards.

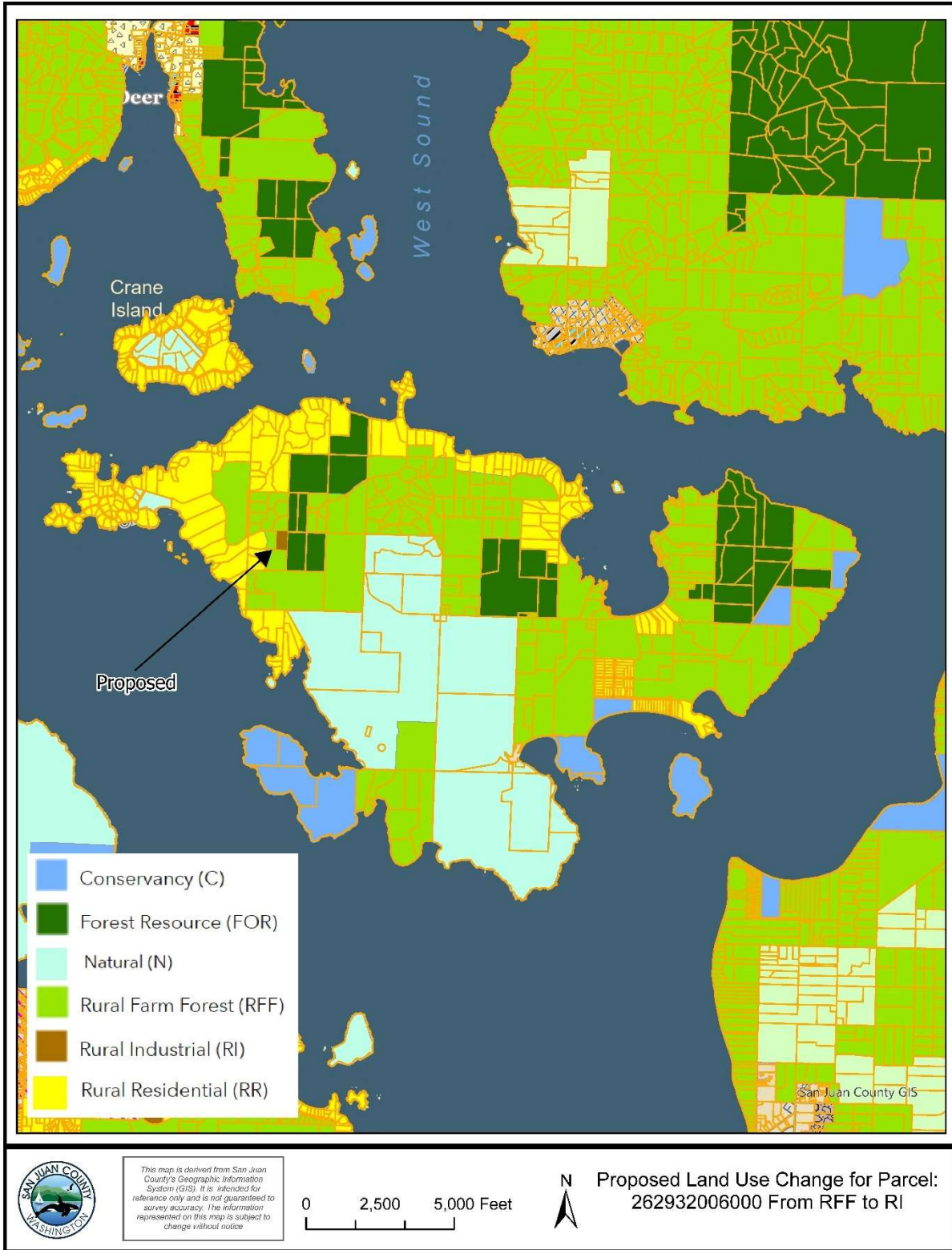
Existing Conditions: Staff reviewed the existing conditions of the subject parcel, noting surrounding land use, existing development, site access, and critical areas.

- **Surrounding Land Use:** Maps 1 and 2 shows the parcel surrounded on three sides (north, west, and south) by land that is designated RFF. Land to the east is designated Forest Resource Land.
- **Existing Development:** The parcel is developed with one single family residence, a detached bunkhouse, and a shed on the northern portion of the parcel. According to assessor records, the residence was built in 1992. Existing development is visible in Maps 3 and 4.
- **Site Access:** The site is accessed via an unpaved driveway off Neck Point Road. The driveway is partially on the neighboring parcel to the west with a permanent easement.
- **Critical Areas and Archaeology:** there are no mapped wetlands or streams affecting this parcel under current critical areas regulations. The entirety of the parcel shows mapped erosive soils, and there are minor areas with slopes greater than 15% and 30%. The parcel is not within any archaeology buffers.

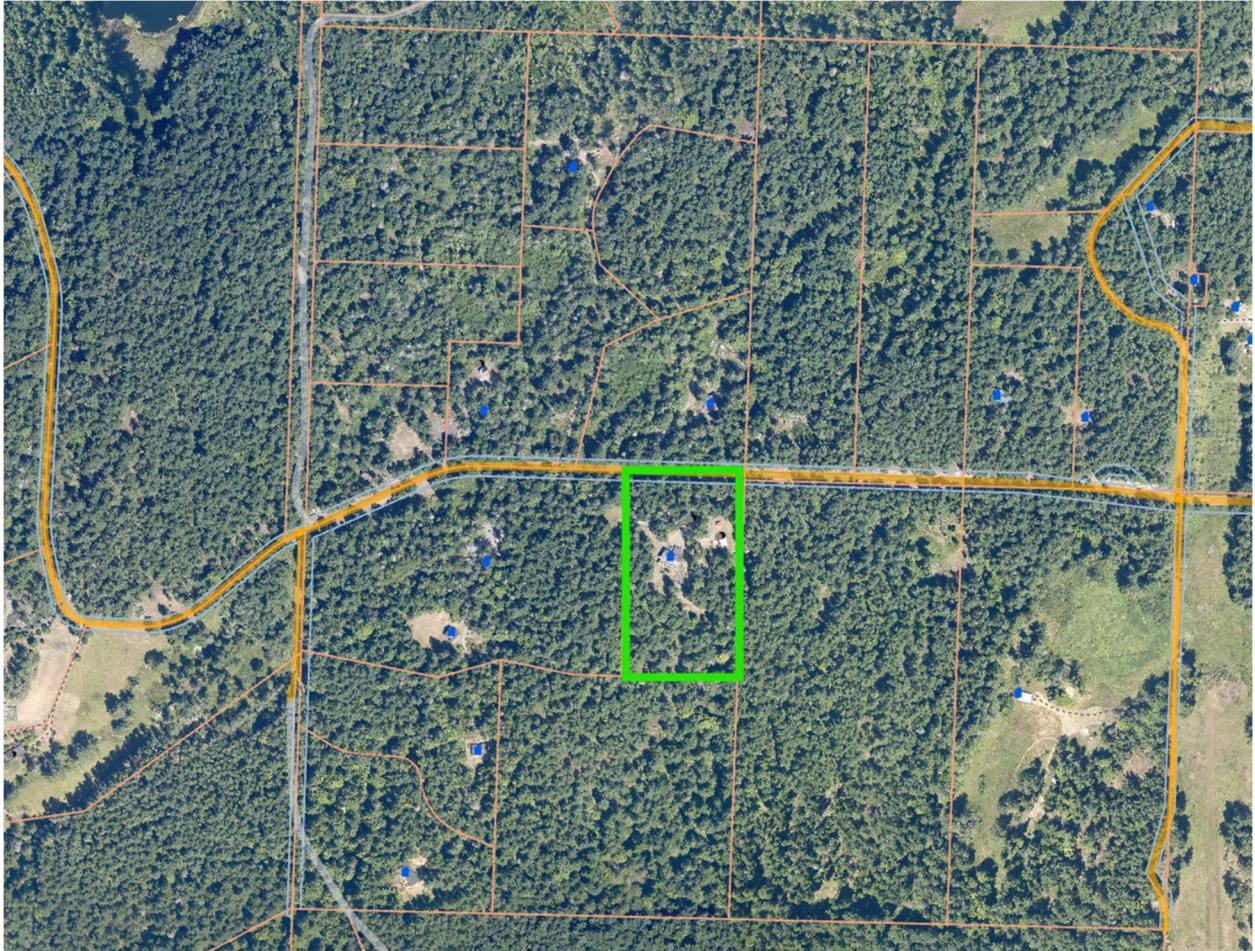
Map 1. Subject Property and Surrounding Land Use Designations.



Map 2. Proposed Land Use Designation



Map 3. Subject Property Aerial Vicinity Map



Map 4. Subject Property Aerial Image



Comparison of Allowable Uses: If approved, the proposed land use designation amendment would change the uses allowed on the parcel, per SJCC Table 18.30.040 Allowable and Prohibited Uses in Rural, Resource, and Special Land Use Designations (Attachment C). There are a variety of industrial uses prohibited in RFF that are allowed in RI. Such uses include construction yards, outdoor storage yards, and a variety of other heavier and lighter industrial activities. The proposed amendment would allow Public Works to use the property to provide essential road maintenance services on Shaw. There are also uses allowed in RFF which would no longer be allowed under the RI designation. For example, most residential uses are allowed in RFF but prohibited in RI. A residential unit attached and accessory to an industrial use is allowed in RI, meaning that the existing residence will not become nonconforming if the land use designation is changed. Government offices are allowed in RI by conditional use permit.

ANALYSIS

San Juan County Code 18.90.030(F) provides criteria for approving Comprehensive Plan map amendment requests. To amend the Comprehensive Plan Official Maps, all the criteria must be met. The proposal is assessed for consistency with each criterion below. Staff's analysis is shown in *blue italics*.

F. Criteria for Approval. These actions are reviewed for conformance with the applicable provisions of the Comprehensive Plan, the UDC, and as follows:

1. Comprehensive Plan Official Map Amendments. 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.

The proposed change would benefit the public safety and welfare because it will enable the Department of Public Works to utilize this parcel to efficiently and effectively serve the public's essential transportation needs. Designating the subject parcel Rural Industrial will allow for an outdoor storage yard for road maintenance materials and equipment. An outdoor storage yard is necessary for Public Works to provide road maintenance services on Shaw Island, supporting public safety and 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.

There is a demonstrable need for land on Shaw Island where the industrial activities Public Works performs are allowed. Rural Industrial and Rural General Use (RGU) are the two rural land use designations where outdoor storage yards are allowed. Both designations allow for a variety of industrial activities; however, RGU allows a broader range of commercial activities, which are not appropriate to this area or essential to the public health, safety or welfare. There is currently no RI or RGU land on Shaw Island, meaning that there is currently no place Public Works can establish an outdoor storage yard for road maintenance activities. The proposed change is warranted because it establishes a location for activities supporting essential services where, on Shaw Island, such a parcel does not currently exist.

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

The subject parcel meets the Comprehensive Plan criteria for Rural Industrial lands with the exception of criterion 1.i., which states that lands with an existing or historical commitments to rural industrial uses may be designated as RI. Public Works purchased the property to serve an imminent need, and there were no suitable alternative parcels with existing or historical rural industrial commitments available for purchase at that time. See Comprehensive Plan criteria analysis in following section.

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.

The proposed amendment will allow Public Works to conduct rural industrial activities on a single parcel to serve a public purpose. The subject parcel is surrounded by land designated Rural Farm Forest (RFF) and Forest Resource Land (FOR) and will allow Public Works to conduct different activities than those allowed or prohibited on neighboring parcels. While the proposed change would allow Public Works opportunities for rural industrial activities not enjoyed by other private property owners in the immediate vicinity at this time, the proposed change is justified because it serves a public purpose. Changing the land use designation of this parcel will allow Public Works to provide essential services long-term on Shaw Island, ensuring that island transportation systems are functional and safe for the public.

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

The change would provide a public benefit by allowing Public Works to utilize this parcel to the full extent necessary to support their operations and provide transportation services on Shaw Island. Potential adverse impacts of the change include additional traffic on Neck Point Road, as well as noise and more intensive use of this land attributed to activities supporting the proposed outdoor storage yard. Public Works will be required to follow the proper permitting procedures established in SJCC Title 18 Unified Development Code. Additionally, site characteristics including the parcel size, existing trees, and distance to neighboring residences will allow Public Works to mitigate any impacts of rural industrial activities. Staff finds the public benefits of the change would outweigh any potential adverse impacts.

Comprehensive Plan Criteria

Comprehensive Plan Section B, Element 2, Land Use provides designation criteria for Rural Industrial lands in Policy 2.5.3.d(1), shown below. All criteria must be met. Staff analysis is shown in blue italics.

(1) Areas which are characterized by the following criteria may be designated as Rural Industrial on the Plan Official Maps:

i. Lands with an existing or historical commitment to rural industrial uses;

The parcel does not have existing or historical rural industrial uses. However, if the land use designation is changed, San Juan County Public Works is committed to conducting rural industrial activities to serve Shaw Island.

ii. Lands with direct access to a public roadway classified as a minor or major arterial;

The parcel is accessed via a driveway from a public arterial, Neck Point Road. The driveway is located on both the subject parcel and the parcel to the west and is established by a permanent easement.

iii. Lands where on-site physical features can be used to protect surrounding lands from negative impacts; and

See Map 3. The parcel is separated from other parcels to the north by a public arterial, Neck Point Road, providing a buffer for impacts of industrial activity. The parcel abuts other land owned by Public Works to the south, where concerns for potential noise, dust, visual or other sensory impacts on this parcel are negligible. As described in the application, the cleared areas and existing structures on the property are centrally located, leaving a forested buffer surrounding the entire property, preventing visual impacts. Development on the parcel is currently not visible from the road. Future development may be conditioned to ensure that activities remain screened and potential offsite impacts are minimal.

iv. Areas with parcels sizes large enough to accommodate expansion of existing uses or serve several new uses in a concentrated area.

This 5-acre parcel is large enough to accommodate the proposed activities, future expansion, or new Public Works activities to serve Shaw, while maintaining the onsite features protecting surrounding lands from negative impacts.

Conclusion: The proposal to amend TPN 262932006000 to RI from RFF is consistent with the criteria for Official Map amendments in SJCC 18.90.030 and will allow for the provision of essential transportation services on Shaw Island.

Staff Recommendation: Staff recommends amending TPN 262932006000 to RI from RFF on the Comprehensive Plan Official Maps.

NEXT STEPS

The dates below are subject to change depending on Planning Commission and County Council schedules and deliberations:

Table 2. Tentative Schedule for Annual Docket Map Amendment Process.

Date (2024)	Step
August 16	Briefing to Planning Commission on staff analysis and recommendation
August 19	Applicant deadline to mail notices and post signs per SJCC 18.90.030(E)
August 27	Briefing to County Council on staff analysis and recommendation
September 20	Planning Commission public hearing
October 22	Briefing to Council on Planning Commission recommendation, set hearing
November 12	Council public hearing



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**LANDUSE-24-0105 SAN JUAN COUNTY PUBLIC WORKS
SITE SPECIFIC REDESIGNATION**

Comprehensive Plan Map Amendment Application

(Site Specific Map Re-Designation)

APPLICANT AND AGENT INFORMATION:	
Name of Applicant: <u>San Juan County Public Works</u>	Name of Agent: <u>Mackenzie Sims/Senior Project Engineer</u>
Address _____	Address <u>1609 Beaverton Valley Rd</u>
City, State, Zip _____	City, State, Zip <u>Friday Harbor, WA 98250</u>
Phone Number _____	Phone Number <u>360-468-1370</u>
Email _____	E-mail <u>mackenzies@sanjuancountywa.gov</u>

PROPERTY OWNER INFORMATION:	
Name of Owners: <u>SJC Public Works</u>	Phone Number <u>360-370-0514</u>
Address <u>1609 Beaverton Valley Rd</u>	E-mail <u>colinh@sanjuancountywa.gov</u>
City, State, Zip <u>Friday Harbor, WA 98250</u>	

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>262932006000</u>	Land Use/Shoreline Designation: <u>RFF/</u>	Parcel size: 5.01
Tax Parcel Number: _____	Land Use/Shoreline Designation: _____/_____	Parcel size: _____
Tax Parcel Number: _____	Land Use/Shoreline Designation: _____/_____	Parcel size: _____
Tax Parcel Number: _____	Land Use/Shoreline Designation: _____/_____	Parcel size: _____

PERMIT CERTIFICATION (Must be signed by all property owners of record or a notarized agent signature provided.)		
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.)		
Mackenzie Sims <small>Digitally signed by Mackenzie Sims DN: cn=US, e=mackenzies@sanjuancountywa.gov, o=San Juan County, ou=Public Works, cn=Mackenzie Sims Date: 2024.07.25 15:28:28 -0700</small>	Mackenzie Sims _____ <i>Printed Name</i>	7/25/2024 _____ <i>Date</i>
Signature _____	Printed Name _____	Date _____
Signature _____	Printed Name _____	Date _____
Signature _____	Printed Name _____	Date _____
For DCD Use Only Complete Application: <input type="checkbox"/> YES <input type="checkbox"/> NO		
Amt. Paid: _____	Date Received: _____	Receipt Number: 0000

Invoiced 7/26/24

DESCRIPTION OF PROPOSAL:

Change the land use designation on the County-owned parcel from Rural Farm Forest (RFF) to Rural Industrial to allow the parcel to be used as a construction yard to support duties of Public Works on Shaw Island.

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: 262932006000 Land Use/Shoreline Designation: RI/ Proposed Density: NA

Tax Parcel Number: _____ Land Use/Shoreline Designation: _____/_____ Proposed Density: _____

Tax Parcel Number: _____ Land Use/Shoreline Designation: _____/_____ Proposed Density: _____

General location of property:	The parcel (1427 Neck Point rd) is accessed off Neck Point Road on Shaw island. It is about 3 miles west of the ferry landing. The nearest intersection is McLauchlan Rd and Neck point to the east.			
Island: Shaw	Total acres of proposal: 5.01			
List all existing use(s) on property:	The existing use of the property is a private residence. The property includes a main house, a small studio and shed.			
List any special tax categories that apply to the property, such as Open Space or Designated Forest Land	NA			
Describe existing and proposed method of sewage disposal	The Existing septic tank and drain field will be used. The system was inspected in 2023			
Describe existing and proposed water supply	The existing well will be used for domestic needs.			
Did you attend a pre-application meeting?	Yes <input checked="" type="checkbox"/> No	Has this proposal been previously submitted?	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?

Shaw public works currently operates from a 1 acre parcel next to the community center which has no utilities and insufficient space for storing and processing materials, staging vehicles and work crews for essential road maintenance on the island. The new location at 1427 Neck Point provides PW sufficient space for storing, managing and wasting materials from county roadwork, and includes utilities needed for more efficient operations including a resting and staging place and basic facilities for PW employees. Changing the designation of the parcel to RI best reflects the way the land would be used.

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

The parcel is currently designated 'Rural Farm Forest.' The proposed land use redesignation is to convert the parcel to 'Rural Industrial' to clearly reflect its proposed use as a construction yard for operations staff. The existing structure will be able to provide staff with a clean, adequate public health facility for their safety and well being during the work day, something that is currently not available

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

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.

The current land use map designation does not reflect the recent changed circumstance that in 2024 the County purchased TPN 262932006000, a parcel that has been residential historically but now will be a construction yard for Public Works. There are currently no parcels on Shaw designated as Rural Industrial. To align with the needed use by Public Works, a land use change is needed from RFF to RI. The construction yard allows operations and road maintenance staff to perform their essential duties with more ease, efficiency and in a safe environment.

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

Chapter 2.5.1 General Rural Goal is “to protect rural character while allowing a mix of uses that support the ability of residents to live and work in rural lands.”

The operations staff that will be using the facilities and land on this parcel live in San Juan County. Utilizing this property for a construction yard and home base for county employees performing work on Shaw Island allows for faster mobility of work crews and an increased efficiency of tasks performed, primarily road maintenance.

Chapter 2.5.1, Policy #6 states “allow the location of rural industries in...rural industrial areas.”

There are no existing parcels on Shaw Island designated as RI. Redesignating this parcel would reflect the intended use of the land for county road operations.

Chapter 2.5.3.d Rural Industrial, Goal is “to provide areas for rural oriented industrial uses...which can be served by rural governmental services.”

Redesignating this parcel to RI establishes a suitable location for PW staff to serve the community of Shaw safely and efficiently with needed road operation and maintenance services.

Chapter 2.5.3.d Rural Industrial, Policy (1)ii. Lands with direct access to a public roadway, iii. Lands where on-site physical features can be used to protect surrounding lands from negative impacts, and iv. Areas with parcel sizes large enough to accommodate expansion of existing uses or serve several new used in a concentrated area.

This approx. 5 acre parcel is accessed from Neck Point Road, a public road. The existing structures and clearings are centrally located on the property with an existing forested buffer between the cleared area and neighboring properties. The existing property used by PW for the storage of chip rock is 1 acre, and adjacent to the community center (note the community center is currently using this lot for access and parking). Relocating to the Neck Point property provides the community a buffer from activities on the Construction yard. Additionally, this parcel allows for additional uses needed to operate and maintain county roads including storage of equipment, processing and wasting of roadway shoulder materials, and safe basic facilities for staff. The parcel can also support other public entities such as the storage of a fire truck, or other essential public services as arranged.

Chapter 2.5.3d Rural Industrial, Policy (2) Rural industrial uses should be limited to those which are most appropriately located in rural environments because of incompatibility with...activity centers. Such uses include...storage yards...”

This parcel is in a rural environment, not adjacent to community activity centers on the Island. With a RI designation, PW will be able to perform road maintenance duties with increased safety and efficiency.

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.

The parcel is publicly owned and exists to continue to provide essential services to the community, ensuring that island transportation systems is open ad safe for public travel to the benefit of all.

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

The property will be used to store, process, and waste materials needed and generated from road maintenance on Shaw Island. No significant adverse impacts are anticipated. The overall benefit is that the land use redesignation allows the parcel to reflect

PLEASE ANSWER OR ATTACH INFORMATION FOR QUESTIONS 1-12, AS THEY APPLY TO YOUR PROPOSAL		
the proposed use for county road maintenance and operations. The county staff will also gain access to the existing structure to support their duties while on Shaw Island including staging, preparation, and basic facilities (restroom).		
7. How is this proposal consistent with the Growth Management Act (GMA) – RCW 36.70A?		
<p>The redesignation of the parcel from RFF to RI is consistent with the GMA. RCW 36.70A.070(5) states that a Comprehensive Plan must have a rural element which:</p> <p>“...provide for a variety of rural densities, uses, essential public facilities, and rural governmental services...”</p> <p>Public Work staff will be located at the redesignated parcel which will be considered an essential public facility and rural government office.</p>		
8. Does this proposal include an Urban Growth Area (UGA) expansion?	Yes	<input checked="" 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.		

Comprehensive Plan Map Amendment Application

1427 Neck Point Rd, Shaw Island

Attachments

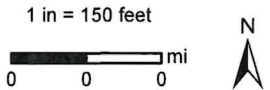
1. Maps
 - Parcel map
 - Land use map
 - Conceptual site plan
2. Mailing list – Parcels within 300ft of property boundary
3. Agreement for Sale and Real Property including Attachment A-Legal Description
4. SEPA Checklist



San Juan County GIS, San Juan County Assessor's Office, EagleView, Corp



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 - Polaris

Date: 7/10/2024

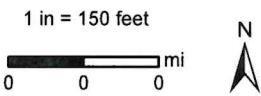
Time: 1:52 PM



San Juan County GIS, San Juan County Assessor's Office, EagleView Corp.



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San Juan County - Polaris

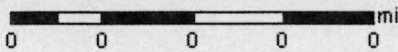


DRAFT
revised June 24, 2024



This map is derived from San Juan County's Geographic Information System (GIS). It is intended for reference only and is not guaranteed to state accuracy. The information represented on this map is subject to change without notice.

1 in = 107 feet



Shaw Island Facility

Parcels within 300 FT of 1427 Neck Point Rd (TPN 262932006000)

Tax Parcel Number: 262932001000
Owner: ZACHARY S & CAROLINE A CROSBY
Address:
65 PARKS BAY DR
SHAW ISLAND WA 98286

Tax Parcel Number: 262923006000
Owner: NATALIA SULANTAY & CARLOS VIDELA POUSA
Address:
PO BOX 424
SHAW ISLAND WA 98286-0424

Tax Parcel Number: 262923002000
Owner: TIMOTHY & HELEN RIGGINS
Address:
PO BOX 384
SHAW ISLAND WA 98286-0384

Tax Parcel Number: 262924008000
Owner: DONALD YANSEN & DIANA MARIE WISEN & DAVID YANSEN & DEBRA YANSEN ET AL
Address:
1501 WALTER ST
MOUNT VERNON WA 98273-4854

Tax Parcel Number: 262931003000
Owner: KRISTINA YOUNGER
Address:
1415 MADRONA PT DR
BREMERTON WA 98312-2346

Tax Parcel Number: 262932004000
Owner: SAN JUAN COUNTY
Address:
1609 BEAVERTON VALLEY RD
FRIDAY HARBOR WA 98250-8345

APPROVED AS TO FORM ONLY
San Juan County Prosecuting Attorney
AMY S. Vira

When recorded return to:
Mark Tompkins
San Juan County, a political subdivision of the state
of Washington
1609 Beaverton Valley Rd
Friday Harbor, WA 98250

DocuSigned by:
Jonathan Cain 6/25/2024
BY: Jon Cain Date
11E8E634598405...

San Juan County, a political subdivision of the state
of Washington

DocuSigned by:
Mark Tompkins 6/25/2024
BY: Mark Tompkins
Mark Tompkins
Interim County Manager
11E8E634598403...

Filed for record at the request of:



CHICAGO TITLE
COMPANY OF WASHINGTON

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

Escrow No.: 245461987

STATUTORY WARRANTY DEED

THE GRANTOR(S) Susan Laurene Laursen also known as Susan L. Laursen, as her separate property 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 San Juan County, a political subdivision of the state of Washington

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.)

Lot(s): Ptn. 4 Ben Nevis 2 Short Plat

Tax Parcel Number(s): 262932006000, 262932004000

Subject to:

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

STATUTORY WARRANTY DEED
(continued)

Dated: _____

Susan Laurene Laursen

State of _____
County of _____

This record was acknowledged before me on _____ by Susan Laurene Laursen.

(Signature of notary public)
Notary Public in and for the State of _____
My commission expires: _____

EXHIBIT "A"
Legal Description

Parcel A:

A portion of Lot 4, Short Plat of Ben Nevis 2, as recorded in Volume 4 of Short Plats, pages 24 and 24A, records of San Juan County, Washington, being portions of the Southwest quarter of the Northwest quarter and the Northwest quarter of the Southwest quarter of Section 29, Township 36 North, Range 2 West, W.M., described as follows:

Beginning at the Southeast corner of the said Southwest quarter of the Northwest quarter;
Thence along the Easterly boundary of the said Southwest quarter of the Northwest quarter North 0°19'27" East, 17.73 feet to a point on the centerline of the Neck Point County Road #100 as shown on the Short Plat of Ben Nevis 2 as recorded in Volume 4 of Short Plats, page 24, records of said County, said point also being the Northeast corner of said Lot 4;
Thence along said centerline North 89°52'50" West, 353.04 feet;
Thence leaving said centerline South 0°07'10" West, 620.07 feet;
Thence South 89°34'44" East, 349.80 feet to a point on the Easterly boundary of the said Northwest quarter of the Southwest quarter;
Thence along said Easterly boundary North 0°25'16" East, 604.19 feet to the Point of Beginning.

EXCEPT Neck Point County Road No. 100 along the North boundary thereof.

Situate in San Juan County, Washington.

Parcel B:

That portion of Lot 4, SHORT PLAT OF BEN NEVIS 2, as recorded at Volume 4 of Short Plats, pages 24 and 24A, records of San Juan County, Washington lying South of the following described line:

Beginning at the Southeast corner of the Southwest quarter of the Northwest quarter of Section 29, Township 36 North, Range 2 West, W.M., Shaw Island, said county and state; THENCE along the Easterly boundary of the said Southwest quarter of the Northwest quarter North 0°19'27" East, 17.73 feet to a point on the centerline of the Neck Point County Road #100 as shown on said SHORT PLAT OF BEN NEVIS 2, said point also being the Northeast corner of said Lot 4; THENCE along said centerline North 89°52'50" West, 353.04 feet; THENCE leaving said centerline South 0°07'10" West, 620.07 feet; THENCE South 89°34'44" East, 349.80 feet to a point on the Easterly boundary of the Northwest quarter of the Southwest quarter of said Section 29 and the beginning of said line; THENCE North 89°34'44" West 499.80 feet; THENCE North 79°53'24" West 215.35 feet to the Southeast corner of Lot 1 of said Short Plat and the terminus of said line.

ALSO EXCEPT that portion conveyed to San Juan County for road purposes under Auditor's File No. 69694, records of San Juan County, Washington.

Parcel B-1:

EXHIBIT "A"
Legal Description
(continued)

A non-exclusive easement for roadway and utility purposes as set out and described in instrument recorded May 7, 1997 under Auditor's File No. 97050715, records of San Juan County, Washington.

EXHIBIT "B"
Exceptions

1. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, encroachments, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on Short Plat of Ben Nevis 2:

Recording No: 119634 and in Volume 4 of Short Plats, pages 24 and 24A

2. Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: December 31, 1981

Recording No.: 119635

3. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Orcas Power & Light Company
Purpose: Electric transmission and/or distribution line
Recording Date: July 6, 1971
Recording No.: 76330
Affects: Portion of said premises

4. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, encroachments, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on Simple Land Division:

Recording No: 92183219

5. Easement(s) for the purpose(s) shown below and rights incidental thereto as reserved in a document;

Purpose: Ingress, egress and utilities
Recording Date: June 2, 1993
Recording No.: 93187439
Affects: Portion of said premises

EXHIBIT "B"

Exceptions (continued)

6. Any rights, interests, or claims which may exist or arise by reason of the following matters disclosed by survey,

Recording Date: December 19, 1995
Recording No.: 95121928
Matters shown: Revised boundary lines and monuments; county road location; proposed driveway centerline

7. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Purpose: Roadway and utility purposes
Recording Date: May 7, 1997
Recording No.: 97050715
Affects: Portion of said premises and other property

Said easement contains a provision for bearing a proportionate or equal cost of maintenance, repair or reconstruction of said easement by the common users.

SEPA¹ Environmental Checklist

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.

¹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/Checklist-guidance>

A. Background

[Find help answering background questions](#)²

1. Name of proposed project, if applicable:

1427 Neck Point Shaw Island Land-use redesignation

2. Name of applicant:

San Juan County Public Works

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

Mackenzie Sims
Senior Project Engineer
1609 Beaverton Valley Rd
Friday Harbor 98250
(360) 468-1370
mackenzies@sanjuancountywa.gov

4. Date checklist prepared:

7/25/2024

5. Agency requesting checklist:

San Juan County Department of Community Development

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

Land use redesignation change for 2023 Land Use Map changes

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

Yes, the County intends to use the site for road maintenance related material waste, operations staging, and material storage.

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

None known

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.

None known

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

None known at this time

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

² <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-A-Background>

this page. (Lead agencies may modify this form to include additional specific information on project description.)

Change the land use designation on the County-owned parcel from Rural Farm Forest (RFF) to Rural Industrial (RI) to be consistent with the use as a construction yard for public works road operations and maintenance.

- 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.**

Address: 1427 Neck Point Rd Shaw Island, 98286, access from Neck Point Road

TPN: 262932006000

Southwest quarter of the Northwest quarter and the Northwest quarter of the Southwest quarter of Section 29, Township 36 North, Range 2 West.

Maps are included with this application.

B.Environmental Elements

1. Earth

[Find help answering earth questions³](#)

- a. General description of the site:**

Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other:

Flat, hilly

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

Generally 5-10% slope across parcel. Section of parcel at the south-central portion of site and the northwest corner have small areas with 30% slope.

- 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.**

Generally sandy loamy soils.

³ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-earth>

- 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.**

No earthwork required for Land Use Redesignation proposal.

- f. **Could erosion occur because of clearing, construction, or use? If so, generally describe.**

Erosion will not occur on the parcel as a result of the Land Use Redesignation

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

No construction is proposed for this Land Use Redesignation proposal.

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

Not required for this Land Use Redesignation.

2. Air

[Find help answering air questions⁴](#)

- 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.**

General motor vehicle and engine emission currently occur from the adjacent Neck Point Road, but none are associated with the Land Use Redesignation proposal.

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

None known to the applicant

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

Motor vehicle emissions are regulated at the Federal and State Level.

⁴ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-Air>

3. Water

[Find help answering water questions](#)⁵

a. Surface:

[Find help answering surface water questions](#)⁶

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.**

No onsite water bodies or known wetland on the parcel.

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.**

None included in Land Use Redesignation proposal.

4. **Will the proposal require surface water withdrawals or diversions? Give a 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 material discharges are included in the Land Use Redesignation proposal

b. Ground:

[Find help answering ground water questions](#)⁷

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 a general description, purpose, and approximate quantities if known.**

⁵ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water>

⁶ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Surface-water>

⁷ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Groundwater>

There is an existing well on the parcel.

- 2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (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.**

The Land Use Redesignation proposal does not generate any waste material. The parcel does have an existing septic system that serves the existing buildings.

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.**

No runoff has been observed by the applicant. Current stormwater is assumed to infiltrate into the existing parcel lands.

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

Unknown to the applicant

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

The proposal is for a Land Use Redesignation from RFF to RI which will not affect drainage patterns.

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

None. The proposal is for a Land Use Redesignation from RFF to RI which will not impact any waters.

4. Plants

[Find help answering plants questions](#)

- 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?**
The proposal is for Land Use Redesignation, which will not cause the removal or alteration of vegetation.
- c. List threatened and endangered species known to be on or near the site.**
No federal or State listed threatened, endangered, sensitive or rare plant species are known to exist on the parcel or in the immediate vicinity.
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any.**
No landscaping is proposed to be installed in association with the Land Use Redesignation.
- e. List all noxious weeds and invasive species known to be on or near the site.**
Purple starthistle, Himalayan blackberry, Tansy

5. Animals

[Find help answering animal questions⁸](#)

- a. List any birds and other animals that 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:**
- Various birds and mammals, including deer, are known to be on or near the site.
- b. List any threatened and endangered species known to be on or near the site.**
None known.
- c. Is the site part of a migration route? If so, explain.**
None known.
- d. Proposed measures to preserve or enhance wildlife, if any.**
No wildlife preservation measures are proposed in conjunction with the Land Use Redesignation proposal.
- e. List any invasive animal species known to be on or near the site.**
None known.

⁸ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-5-Animals>

6. Energy and natural resources

[Find help answering energy and natural resource questions](#)⁹

- 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.**

The Land Use Redesignation proposal does not have any energy needs.

- 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.**

No energy conservation measures are included in the Land Use Redesignation proposal.

7. Environmental health

[Health Find help with answering environmental health questions](#)¹⁰

- a. **Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.**

There are no environmental health impacts associated with the current Land Use Redesignation proposal.

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

None known to the applicant

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 known to the applicant

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.**

No chemicals are associated with this Land Use Redesignation proposal.

4. **Describe special emergency services that might be required.**

None needed for this proposal.

5. **Proposed measures to reduce or control environmental health hazards, if any.**

⁹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-6-Energy-natural-resou>

¹⁰ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-7-Environmental-health>

None required for this proposal.

b. Noise

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

There is traffic noise from adjacent Neck Point Road but it does not impact the Land Use Redesignation 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)?

The Land Use Redesignation proposal from RFF to RI will not generate any noise.

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

None proposed

8. Land and shoreline use

[Find help answering land and shoreline use questions](#)¹¹

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 parcel contains a residence, small studio, and shed. The property will be used as a construction yard and material waste site. The buildings will be used to support the road crew while working on Shaw. All adjacent properties are residential and will remain so except for the property directly to the south, also owned by Public Works. This property is designated as RFF but has no development on it. This proposal does not impact that parcel and no development is proposed for that site. This land use redesignation from RFF to RI is not expected to affect current land uses on adjacent properties.

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 because 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?

Unknown to the applicant.

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.

There is an existing single family residence, small studio, shed, and wellhouse on site.

¹¹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-8-Land-shoreline-use>

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

No

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

RFF5

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

Rural Farm Forest (RFF)

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.

Critical aquifer recharge area.

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

The current proposal is a Land Use Redesignation from RFF to RI. One full time county employee works on Shaw Island and would use the site regularly. Other operations staff would use the site while performing road operation and maintenance tasks while on Shaw Island. Likely four-seven staff as needed.

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

None

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

Not applicable.

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

This proposal is documenting the need for changing the land use designation to be consistent with the uses.

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

This proposal for Land Use Redesignation from RFF to RI will not impact commercially significant lands.

9. Housing

[Find help answering housing questions](#)¹²

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

None

¹² <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-9-Housing>

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

None

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

None

10. Aesthetics

[Find help answering aesthetics questions](#)¹³

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

This proposal is for a Land Use Redesignation from RFF to RI. The existing structures on site include a 2-story wood siding dwelling, single story shed, and studio.

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

None.

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

None proposed.

11. Light and glare

[Find help answering light and glare questions](#)¹⁴

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

This proposal will not impact light or glare.

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

No

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

None

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

None

¹³ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-10-Aesthetics>

¹⁴ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-11-Light-glare>

12. Recreation

[Find help answering recreation questions](#)

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

None

- 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.

13. Historic and cultural preservation

[Find help answering historic and cultural preservation questions](#)¹⁵

- 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.**

None known to the applicant.

- 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.**

None known to the applicant

- 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.**

Not applicable.

- 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.**

The current proposal is to redesignate the parcel from RFF to RI which does not impact cultural resources.

¹⁵ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-13-Historic-cultural-p>

14. Transportation

[Find help with answering transportation questions](#)¹⁶

- 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.**

The property is served from Neck Point Road which turns into Blind Bay Road to the east towards the ferry landing.

- 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?**

No, there is no land-based public transit on Shaw Island.

- c. **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

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

No.

- e. **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?**

Redesignation the Land use from RFF to RI does not require transportation.

- f. **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

- g. **Proposed measures to reduce or control transportation impacts, if any:**

None.

15. Public services

[Find help answering public service questions](#)¹⁷

- 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.

¹⁶ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-14-Transportation>

¹⁷ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-15-public-services>

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

None proposed.

16. Utilities

[Find help answering utilities questions¹⁸](#)

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:

Electricity, water (on site well), telephone, septic system.

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.

No utilities are required from the Land Use Redesignation from RFF to RI

C. Signature

[Find help about who should sign¹⁹](#)

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.

 X Mackenzie Sims
Digitally signed by Mackenzie Sims
DN: C=US,
E=mackenzies@sanjuancountywa.gov,
O=San Juan County, OU=Public Works,
CN=Mackenzie Sims
Date: 2024.07.25 15:38:56 -0700

Type name of signee: Mackenzie Sims

Position and agency/organization: Senior Project Engineer, San Juan County Public Works

Date submitted: 7/25/2024

D. Supplemental sheet for nonproject actions

[Find help for the nonproject actions worksheet²⁰](#)

Do not use this section 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.

¹⁸ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-16-utilities>

¹⁹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-C-Signature>

²⁰ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-d-non-project-actions>

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?

Redesignating Land Use from RFF to RI will not impact discharges or emissions.

- **Proposed measures to avoid or reduce such increases are:**

None proposed

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

No impact from Land Use Redesignation.

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

None proposed

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

No impact from Land Use Redesignation.

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

None proposed

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?

No impact from Land Use Redesignation.

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

None proposed

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?

This Land Use Redesignation proposal aligns the Land Use designation with the use of the property. There is no impact on shoreline use.

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

None proposed

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

Land Use Redesignation from RFF to RI would not change transportation needs or utilities.

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

None proposed.

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

No conflicts are known to the applicant.



**MEETING MINUTES
SAN JUAN COUNTY (SJC), WASHINGTON
COUNTY COUNCIL, REGULAR MEETING
TUESDAY, JULY 9, 2024**

Legislative Hearing Room, 55 Second Street, Friday Harbor, WA

9:00 AM CALL TO ORDER & FLAG SALUTE.

Council Chair Fuller called the meeting to order at 9:00 AM. Present: Council Members Jane Fuller, Christine Minney and Cindy Wolf, Interim County Manager Mark Tompkins, Interim Assistant County Manager Brandon Andrews, Administrative Coordinator Aiden Haines, and Clerk to the Council Sally Rogers (via video conference).

Approval of Agenda:

Approval of Consent Agenda:

MOVED by Ms. Minney seconded by Ms. Wolf, to approve the Consent Agenda of Tuesday, July 9, 2024, as presented. ALL AYES; MOTION CARRIED.

Public Comments: Present for comment: Roger Ellison, Steve Ulvi, Amanda Lynn, Marilyn O'Conner, comments via telephone: Tom Cowan (at the Lopez Island Library with 22 citizens), Sandi Friel, provided comments to Council.

9:20 AM Discussion/Action: First Touch Budget Amendment, and set a public hearing date, Molly Foote – Budget Analyst.

Ms. Foote gave a presentation to Council and answered their questions. Auditor Natasha Warmenhoven was present and answered questions from Council. After discussion, Council took the following action:

MOVED by Ms. Minney seconded by Ms. Wolf, to set a public hearing date for August 27, 2024 at 9:15 a.m. to consider two ordinances to amend the 2024 Budget for Emergency Appropriations and Supplemental Appropriations. ALL AYES; MOTION CARRIED.

10:15 AM Discussion/Action: Conservation Real Estate Excise Tax (REET) Reauthorization Resolution and Ballot Language, Lincoln Bormann, Land Bank Director.

Mr. Bormann presented the resolution to Council. After discussion a review of the resolution with Mr. Bormann and Prosecutor Amy Vira, Council took the following action:

MOVED by Ms. Minney seconded by Ms. Wolf, to accept a resolution regarding extending the duration of the Real Estate Excise Tax (REET) for acquiring and maintaining conservation areas and approving placing the proposition of the November 5, 2024, General Election Ballot. ALL AYES; MOTION CARRIED.

48 **10:45 AM** **Discussion/ Presentation:** Mid-year review of Council Retreat, Mark Tompkins –
49 Interim County Manager.
50

51 Mr. Tompkins gave a presentation to Council and answered their questions.
52

53 **11:25 AM** **Discussion/Action:** Land Use designation for TPN 262932006000 on Shaw
54 Island Colin Huntemer – Public Works Director
55

56 Mr. Huntemer gave a presentation to Council and answered their questions. Sophia Casam,
57 Planner III • Department of Community Development joined the discussion to answer Council's
58 questions. After discussion, Council took the following action:
59

60 **MOVED by Ms. Minney seconded by Ms. Wolf, to accept the land use designation**
61 **change requested for TPN 262932006000 on Shaw Island as requested by the Director of**
62 **Public Works. Amended motion to include direction the Department of Community**
63 **Development (DCD) to add this to the 2024 work plan. ALL AYES; MOTION CARRIED.**
64

65 **11:40 AM** **Council Member, County Manager & Clerk Updates:**
66

67 **Ms. Wolf:** Announced that Eastsound has elected a new Mayor (Alfie a large fluffy white dog.)
68 Attended the following: The Opportunity Council meeting, Veterans Advisory Board meeting,
69 Washington State Association of Counties (WSAC) roundtable, Salmon Recovery Council
70 meeting, July Fourth parade, festivals, fireworks, celebrations on Orcas Island, and met
71 Representative Larsen on Orcas Island and arranged a meeting with the Port of Orcas to
72 share the preliminary results of the Sea Level Rise Study results.
73

74 **Ms. Minney:** Attended the following: Washington State Association of Counties (WSAC)
75 general membership meeting, met with San Juan Island Visitor's Bureau staff and board,
76 and Noxious Weed Board meeting.
77

78 Future meetings: Public Works and State local programs for funding parameters for the federal
79 earmark, Northwest Regional Council Governing Board meeting, and Washington State
80 Auditor's entrance meeting (County's annual audit),
81

82 Shared with Council that Skagit County is acting on their seismic study to remove the 3rd floor
83 of their courthouse. They received a grant from the Washington State Historic Preservation
84 Office and forwarded the information to Facilities Director Greg Sawyer.
85

86 **Ms. Fuller:** Attended the following: met with Aiden, Mark and Sally regarding fine tuning the
87 application process for Public Facilities Financing Assistance Program (PFFAP), participated in
88 a follow WSF task force meeting, ongoing meetings with Grant Carlton on transportation,
89 broadband and passenger ferries, and participated in a signature verification training.
90

91 **Mr. Tompkins:** Briefed Council of a schedule and plans for the incoming County Manager
92 Jessica Hudson. Spoke to Council that the July Board of Health meeting is canceled.
93
94
95

96 **Committee Appointments/Reappointments:**

97
98 Ms. Haines presented advisory board and committee appointments and reappointments.
99

100 **MOVED by Ms. Minney seconded by Ms. Wolf, appoint Gail Leschine-Seitz to the**
101 **Northwest Regional Council Senior Advisory Board for a 3-year term from 7/9/2024 –**
102 **12/31/2027. ALL AYES; MOTION CARRIED.**

103
104 **MOVED by Ms. Wolf seconded by Ms. Minney, to nominate for reappointment Kailey**
105 **Genther, Lovel Pratt and Beth Tate to the Marine Resources Committee each for 4-year**
106 **terms from 7/9/2024- 12/31/2028. ALL AYES; MOTION CARRIED.**

107
108 **Recess 12:20 – 1:30 PM**

109
110 **1: 30 PM Executive Sessions:**

- 111
- 112 • To discuss with legal counsel litigation or potential litigation pursuant to RCW
113 42.30.110(1)(i);
 - 114
 - 115 • To consider site selection or the acquisition of real estate by lease or purchase pursuant
116 to RCW 42.30.110(1)(b),
 - 117
 - 118 • To evaluate the Performance of a Public Employee pursuant to RCW 42.30.110 (1)(g)
 - 119

120 Council Chair Fuller announced that the Council would be holding an Executive Session,
121 to consider site selection or the acquisition of real estate by lease or purchase pursuant to
122 RCW 42.30.110(1)(b), to discuss with legal counsel litigation or potential litigation pursuant to
123 RCW 42.30.110(1)(i), and to evaluate the performance of a public employee pursuant to RCW
124 42.30.110 (1)(g) estimated to last 1 hour and 30 minutes in total to begin at 1:30 PM and end
125 at x. 3:00 PM

126
127 [Present: Full Council], Interim County Manager Mark Tompkins, Interim Assistant County
128 Manager Brandon Andrews, Prosecuting Attorney Amy Vira, Deputy, and Senior Deputy
129 Prosecuting Attorney Jon Cain, Facilities Director Greg Sawyer, Director of Human Resources
130 Angie Baird.

131
132 **3:00 PM Regular meeting reconvened.**

133
134 **MOVED by Ms. Minney seconded by Ms. Wolf, to authorize the County Manager to**
135 **pursue a real estate transaction with a \$10,000 in earnest money. VOTE: 2:0 (Council**
136 **Member Wolf abstained). MOTION CARRIED.**

137
138 **MOVED by Ms. Minney seconded by Ms. Wolf in regard to permit processing within**
139 **Department of Community Development (DCD) that we authorize the County Manager to**
140 **move forward with the plan as presented. ALL AYES; MOTION CARRIED.**

141
142 **Chair Fuller adjourned the meeting, ADJOURN 3:05 PM**

143

Table 18.30.040. Allowable and Prohibited Uses in Rural, Resource, and Special Land Use Designations
(1, 2, 3)

Land Uses	Classification of Uses by Land Use Designation									
	Rural Designations					Resource Lands		Special Lands ⁽⁴⁾		
	RGU	RR	RFF	RI	RC	AG	FOR	C	N	
Outdoor storage yards	C	N	N	P	N	N	N	N	N	N
Reclamation of mineral extraction sites	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C
Recycling collection/processing	C	N	N ⁽¹²⁾	C	C	N	N	N	N	N
Recycling collection	P	N	N	Y	Y	N	N	N	N	N
Industrial Uses										
Resource processing accessory to extraction operations	C	N	N	N (C if existing) ⁽⁶⁾	N	N	N	N	N	N
Mining and mineral extraction activities	C	N	N	N (C if existing) ⁽⁶⁾	N	N	N	N	N	N
Wholesale distribution outlet	C	N	N	N	N	N	N	N	N	N
Wrecking and salvage yards	C	N	N	P/C	N	N	N	N	N	N
Storage and treatment of sewerage, sludge and septage – lagoon systems	C	N	N	P	N	N	N	N	N	N
Unnamed industrial uses	C	N	N	C	N	N	N	N	N	N
Institutional Uses										
College or technical school/adult education facility	C	N	N	C	C	N	N	N (P/C at UW FHL)	N	N
Community club or community organization assembly facility	C	C	N	N	P/C	N (P/C at Port Stanley School) ⁽¹¹⁾	N	N	N	N
Emergency services	Y	C	C	Y	Y	C	C	C	N	N
Government offices	Y ⁽¹⁹⁾ /C	C	C	Y ⁽¹⁹⁾ /C	Y ⁽¹⁹⁾ /C	C	C	C	N	N
Institutional camps	N	N	N (P/C if historic) ⁽⁵⁾	N	N	N	N	N (P/C if historic) ⁽⁵⁾	N	N
Library	C	C	N	N	N	N	N	N	N	N
Museum	C	C	N	N	C	N (C at Port Stanley School) ⁽¹¹⁾	N	N	N	N
Post office	N	N	N	N	N	N	N	N	N	N
Religious assembly facility	P/C	P/C	P/C	P/C	P/C	C	C	N	N	N
School, primary and secondary	C	N	N	N	C	N	N	N	N	N
Existing school, primary and secondary	N	N	Y	N	N	N	N	N	Y	N
Unnamed institutional uses	C	N	N	C	C	N	N	N	N	N
Recreational Uses										
Camping facilities in public parks	C	N	N	N	N	N	N	C	N	N
Indoor recreation facilities	C	N	N	N	C	N	N	N	N	N

Table 18.30.040. Allowable and Prohibited Uses in Rural, Resource, and Special Land Use Designations
(1, 2, 3)

Land Uses	Classification of Uses by Land Use Designation									
	Rural Designations					Resource Lands		Special Lands ⁽⁴⁾		
	RGU	RR	RFF	RI	RC	AG	FOR	C	N	
Indoor swimming pool	C	N	C	N	C	N	N	N	N	N
Recreational Uses										
Outdoor recreation developments	C	C	C	C	C	N	N	P/C	C	
Parks	C	C	C	C	C	N	C	P/C	C	
Playing fields	C	C	C	C	C	N	N	C	N	
Recreational vehicle parks	N	N	N	N	N	N	N	N	N	
Outdoor shooting ranges	C	N	N	C	N	N	N	N	N	
Unnamed recreational uses	C	C	C	C	C	C	C	N	N	
Residential Uses										
Cottage enterprise	P	N	P	P	P	P	P	P	N	
Farm worker accommodations	P	N	P	P	P	P	P	N	N	
Farm stay	P	N	P	N	N	P	P	N	N	
Home occupation	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Mobile home parks ⁽⁷⁾	N	N	N	N	N	N	N	N	N	
Multifamily residential units (3+ units)	N	N	P/C	N	N	N	N	N	N	
Single-family residential (1 unit only) or accessory apartment (1 unit only), accessory to an allowable nonresidential use	P	N	P	P ⁽⁹⁾	P ⁽⁹⁾	P	P	N	N	
Single-family residential unit	Y	Y	Y	N	N	Y	Y	Y	Y	
Two-family residential (duplex)	N	N	Y	N	N	Y	Y	N	N	
Rural residential cluster development	N	P/C	P/C	N	N	N	N	N	N	
Unnamed residential uses	C	C	C	N	N	C	C	N	N	
Vacation rental of residence or accessory dwelling unit	P	C	P	P	P	N	N	N	N	
Transportation Uses										
Airfields	C	N	N	N	N	N	N	N	N	
Airports	C	N	N	N	N	N	N	N	N	
Airstrips	C	N	N	N	N	N	N	N	N	
Hangars	P	P	P	N	N	N	N	N	N	
Helipads	N	N	N	N	N	N	N	N	N	
Ferry terminal	C	N	N	C	C	N	N	N	N	
Parking lots, commercial	N	N	N	N	N	N	N	N	N	
Parking structures	N	N	N	N	N	N	N	N	N	
Streets, public	Y	Y	Y	Y	Y	Y	Y	C	C	
Trails and paths, public	Y	Y	Y	Y	Y	Y	Y	C	C	
Unnamed transportation uses	P/C	P/C	P/C	P/C	P/C	C	C	C	C	
Utilities Uses										

Table 18.30.040. Allowable and Prohibited Uses in Rural, Resource, and Special Land Use Designations
(1, 2, 3)

Land Uses	Classification of Uses by Land Use Designation									
	Rural Designations					Resource Lands		Special Lands ⁽⁴⁾		
	RGU	RR	RFF	RI	RC	AG	FOR	C	N	
Commercial communication facilities	N	N	N	P	N	N	N	N (C at Mt. Con-stitution Sites)	N	
Commercial power-generation facilities	C	N	N	P/C	P/C	C	C	N	N	
Community sewerage treatment facilities	N	N	N	N	N	N	N	N	N	
Category "A" joint use wireless facility ⁽¹⁰⁾	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Category "B" joint use wireless facility	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	
Storage and treatment of sewerage, sludge and septage systems other than lagoons	C	C	C	C	C	C	C	N	N	
Utility distribution lines	P	P	P	P	P	P/C	P/C	P/C	P/C	
Utility facilities	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	
Utility substations	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	
Utility transmission lines	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	
Water storage tanks, community	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	C	
Water treatment facilities	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	C	
Unnamed utility uses	P/C	P/C	P/C	P/C	P/C	P/C	P/C	C	C	
Agricultural and Forestry Uses										
Agricultural activities	Y	Y	Y	Y	Y	Y	Y	Y	N	
Forest practices, no processing ⁽⁸⁾	Y	Y	Y	Y	Y	Y	Y	Y	N	
Lumber mills, portable	Y	Y	Y	Y	Y	Y	Y	P/C	N	
Nurseries	Y	N	Y	Y	Y	Y	Y	N	N	
Small-scale slaughterhouses	P	N	P	Y	Y	P	P	N	N	
Unnamed agricultural and forestry uses	C	C	C	C	C	C	C	N	N	

Notes:

- All uses must be consistent with the goals and policies of the land use designation in which they are proposed to occur; cf. the Land Use Element of the Comprehensive Plan. All land uses in all designations must meet the general regulations in SJCC [18.30.050](#) through [18.30.055](#) unless otherwise stated therein.
- A land use or development proposed to be located entirely or partly within 200 feet of the ordinary high water mark of a regulated shoreline is within the jurisdiction of the Shoreline Master Program, and is subject to the applicable provisions of Section 3 of the Comprehensive Plan and of Chapter [18.50](#) SJCC, as well as the applicable provisions and permit requirements indicated in this table. Please refer to Chapter [18.50](#) SJCC for specific use regulations and regulations by shoreline environment; see also SJCC [18.80.110](#) for shoreline permit requirements.
- Overlay districts provide policies and regulations in addition to those of the underlying land use designations for certain land areas and for uses that warrant specific recognition and management. For any land use or development proposed to be located entirely or partly within an overlay district, the applicable provisions of the overlay district shall prevail over any conflicting provisions of the UDC.
- Special provisions for uses within conservancy and natural land designations are described in SJCC [18.30.070](#).
- "Historic": In several isolated cases, an existing use that would be made nonconforming by this UDC is considered desirable to allow to continue and possibly to expand. Because this might be difficult or prohibited if the use were to become nonconforming, the use is labeled "historic," and the allowable use designation is indicated. See also the definitions in Chapter [18.20](#) SJCC.
- Restriction of mining and mineral extraction and related resource processing in RI shall not preclude consideration of an application for redesignation as a mineral resource lands overlay district. "Existing" means operating at the time of the adoption of this code.
- This row is to be used solely in the instance where a mobile home park will use additional density allotted to it through a transfer-of-development-rights (TDR) program. Otherwise, a mobile home park must proceed through and meet the requirements of the subdivision regulations of Chapter [18.70](#) SJCC; for a platted mobile home park the allowable uses would be indicated by the row "Single-family residential unit."
- Forest practices (including timber harvesting), except for Class IV General (see SJCC [18.40.120](#) through [18.40.180](#)), are regulated by the Washington Department of Natural Resources.

9. One dwelling unit per parcel is allowed which must be an accessory to a commercial or industrial use and located within or attached and subordinate to the commercial or industrial structure. The unit may not include an accessory dwelling unit in addition to the main residence.
10. Though a project permit is not required, these facilities are subject to the requirements for joint use wireless facilities found in Chapter [18.40](#) SJCC.
11. The use of the Port Stanley School for artistic, scientific, historic, museum or educational purposes or community gatherings or meetings (as provided by RCW [84.36.060](#)) is allowed by permit.
12. Properties with existing conditional use permits for recycling centers may apply for a new conditional use permit to expand the allowable uses to include recycling collection and/or processing.
13. To minimize commercial developments in residential neighborhoods, in lands designated RR and RFF with lots of less than five acres in size, wireless facilities other than joint use wireless facilities must be permitted by the use table and accessory to a legal conforming or nonconforming structure and cannot be the primary land use.
14. In AG resource designations wireless facilities shall be located, designed and operated so as to minimize interference with agricultural uses and the open, uninterrupted, pastoral viewscapes.
15. Marijuana production is allowed in:
 - a. Fully enclosed and secure structures such as stick-built buildings or opaque greenhouses with rigid walls, a roof and doors;
 - b. Nonrigid translucent greenhouses or other structures; or
 - c. In ground in an area fully enclosed by a physical barrier.
16. The maximum square footage used for marijuana production cannot exceed the amount licensed by the Washington State Liquor and Cannabis Control Board. Applicants must designate the proposed production tier and amount of square footage of plant canopy on land use and building permit application plans. The marijuana production tiers and canopy limits are:
 - a. Tier 1: Less than 2,000 square feet;
 - b. Tier 2: Two thousand square feet up to 10,000 square feet; and
 - c. Tier 3: Ten thousand square feet up to 30,000 square feet.
17. Marijuana processing is only allowed on a parcel designated RFF or AG resources if it supports a marijuana production operation on the same parcel.
18. The following minimum lot sizes apply to marijuana production and processing operations:
 - a. Tier 1: One acre in the RGU and RI and three acres in the RFF and AG resource designations; and
 - b. Tier 2: Five acres in the RGU and RI and 10 acres in the RFF and AG resource designations.
19. Use allowed by right when in conjunction with a preexisting use.
(Ord. 2-2023 § 2; Ord. 07-2022 § 1; Ord. 11-2020 § 3; Ord. [25-2012](#) § 8; Ord. [10-2012](#) § 18; Ord. 44-2009 § 1; Ord. 15-2005 § 3; Ord. 6-2004 § 1; Ord. 21-2002 § 4; Ord. 12-2001 § 4; Ord. 8-2001 § 1; Ord. 6-2001; Ord. 14-2000 § 7(AAA); Ord. 11-2000 § 4; Ord. 2-1998 Exh. B § 3.2 (Table 3.2))