



## STAFF REPORT

**REPORT DATE:** July 2, 2025

**TO:** San Juan County Planning Commission

**FROM:** Colin Maycock, AICP, Planner IV *cm*

**SUBJECT:** Public hearing to review and take action on the single docket request received between January 1 and March 1, 2025.

**MEETING DATE:** July 18, 2025

---

**PURPOSE:** To provide the Planning Commission an opportunity to discuss and take action on the proposed code amendment that makes up the 2025 Annual Docket (Docket), by making findings and recommendations on the draft ordinance for the consideration of the County Council.

The annual docket is the collected text and official map amendment change applications received between January 1 and March 1 of 2024.

The Department of Community Development's (DCD) docket workplan is a list of projects, derived from previous dockets, that the County Council has directed DCD to work on in the future alongside DCD's other duties.

This year DCD received one (1) docket request.

### 2025 DOCKET APPLICATIONS:

1. Request 25-0001: Shaw Island Subarea Plan (**Exhibit 1**)

The docket request is to change the word 'shall' to 'may' in SJCC 16.45.160. This change will allow flexibility in the appointment of the Shaw Island Subarea Plan standing committee.

**EMAIL LIST:** **Exhibit 1** provides the single email address of the applicant as required by SJCC 18.90.020 (E).

**PUBLIC COMMENTS:** Please send all public comments to [colinm@sanjuancountywa.gov](mailto:colinm@sanjuancountywa.gov).

Please do not copy the County Council, Planning Commission members, or other County Staff. Written public comments received by noon on July 16<sup>th</sup>, 2025, will be provided to the planning commission and/or posted online. Comments should refer directly to the Docket request number.

Comments received after the July 16<sup>th</sup>, 2025, deadline will be distributed to the Planning Commission during the scheduled public hearing.

The public hearing notice was published on July 2, 2025.

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

- ~~May 16, 2025:~~ ~~Planning Commission initial briefing and setting a public hearing.~~
- ~~June 20, 2025:~~ ~~Proposed Planning Commission public hearing date (postponed due to notice issues).~~
- **July 18, 2025:** Properly noticed Planning Commission public hearing to consider adding the proposed code amendment to the Department's annual work plan.
- **August 5, 2025:** Council '2<sup>nd</sup> touch' briefing on recommendation and set a public hearing.
- **October 7, 2025:** Proposed Council public hearing, final deliberations, and adoption.

**BACKGROUND:** The Growth Management Act (RCW 36.70A.470(2)) and San Juan County Code (SJCC) 18.90.020 allow any interested party to propose amendments to the San Juan County Comprehensive Plan (*Plan*), Official Maps, and SJCC Title 18 Unified Development Code (UDC).

RCW 36.70A.130(2) allows the County to make amendments to the *Plan* text and official maps once per year except as provided in RCW 36.70A.130 and the *Plan*.

Amendments to the UDC may be adopted at any time. The community proposes amendments through the Annual Docket process. The process includes public briefings and hearings with the Planning Commission and County Council.

Council considers the applications, recommendations and finally decides whether to add them to future DCD work programs by resolution or to adopt Official Map amendments by ordinance.

**LOCAL CHOICE:** The change requested in the 2025 Annual Docket is not required. Adding this request to future DCD work plans would be a local choice. New requests are submitted every year and can quickly accumulate. If the Council chooses to pursue the docket request proposed this year, the project must be balanced with other projects already on the DCD work plan.

Many docket requests for code amendments that the Council added to the DCD work plan in the past six years have been postponed until after the Comprehensive Plan update process is completed.

Past requests in the docket queue have not been addressed yet due to a lack of staffing capacity and because other mandatory planning projects have taken priority.

Once initiated, most proposed amendments are resolved as stand-alone code amendment projects, which typically take 6-18 months to complete, depending on complexity.

**IMPLEMENTATION:** The Growth Management Act (RCW [36.70A.470\(2\)](#)) allows any interested person to request amendments to the UDC or *Plan* policies or Official Maps. Amendments to the *Plan* text and Official Maps may not be considered more frequently than once per year except as provided in RCW

[36.70A.130](#)(2) and the County's *Plan*. Procedures for amendments to the SJCC, *Plan* text and *Plan* Official Maps are provided in Chapter 18.90 SJCC.

Annual Docket requests are received between January 1 and March 1 of each year. They may be received as text amendments to the *Plan* and development code sections (SJCC Title 16 or Title 18) or as Official Map amendment requests.

Per SJCC 18.90.020(C) the Planning Commission must hold properly noticed public hearings on the Docket. After the public hearing, the Planning Commission must make a recommendation to the Council regarding the disposition of the proposed amendment to SJCC 16.45.160.

**DOCKET REQUEST 25-0001:**

On January 9, 2025, Lynn Bahrych submitted a code amendment application to change the word 'shall' to 'may' in SJCC 16.45.160. SJCC 16.45.160 pertains to the appointment and constitution of the Shaw Island Standing Committee. The proposed code change is presented below.

**SJCC 16.45.160 Standing Committee – Updating the subarea plan**

A standing committee of seven members ~~shall~~may be appointed by the board of County commissioners, with members to serve staggered three-year terms. The standing committee shall fulfill the responsibilities of SJCC [18.90.050](#)(G) and other responsibilities assigned in this code or by the board of County commissioners.

A. The standing committee shall:

1. Conduct a public meeting annually or more often if deemed necessary to accept comments on the subarea plan; and
2. At least once every five years initiate a review and updating of the subarea plan, and conduct one or more public meetings to accept public comments; and
3. Forward specific concerns and proposals to the planning director and planning commission for inclusion in the Comprehensive Plan review process.

B. The planning department will review the subarea plan and the proposals of the standing committee and prepare a report and recommendations for amendments for the planning commission. Following this review, the planning commission and planning department may recommend to the board of County commissioners amendments designed to achieve more effectively and equitably the purposes and policies of the subarea plan. (Ord. 7-2001 § 1; Ord. 6-1994 Exh. A)

**Analysis:**

The proposed change removes the compulsion for the County Council to appoint standing committee members on a timetable when there may be no one available to take up the duties of a committee member. The proposed change provides leeway for Shaw Island residents to determine when the Standing Committee needs to be invoked to review or comment on projects or long-range plans impacting the island.

Staff recommends approving changing 'shall' to 'may' in the first sentence of SJCC 16.45.160. Furthermore staff recommends changing the 'shall' in SJCC 16.45.160(A) to 'may' and changing the obsolete term "County Commissioner" for "County Council" where it appears in the text.

*Colin Maycock, AICP*  
Colin Maycock, AICP, Planner IV  
Department of Community Development

July 2, 2025  
Date



SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

135 Rhone Street, PO Box 947, Friday Harbor, WA 98250  
 (360) 378-2354 | (360) 378-2116  
 dcd@sanjuanco.com | www.sanjuanco.com


DATE RECEIVED
---------------

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

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

<b>APPLICANT INFORMATION:</b>	
Name of Applicant: <u>Lynn Bahrych</u>	Name of Agent: _____
Address <u>P.O. Box 336, 80 Old MacDonald Lane</u>	Address _____
City, State, Zip <u>Shaw Island WA 98286</u>	City, State, Zip _____
Phone <u>360-468-2396</u>	Phone _____
Email <u>bahrych@rockisland.com</u>	E-mail _____

This request is for a text amendment to the Comprehensive Plan or development regulations, not a comprehensive plan map amendment. I understand that this request will be reviewed according to the County's annual docket process.

	<u>Lynn Bahrych</u>	<u>1/09/25</u>
<i>Signature</i>	<i>Printed Name</i>	<i>Date</i>
_____	_____	_____
<i>Signature</i>	<i>Printed Name</i>	<i>Date</i>

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

<p>1. Comprehensive Plan amendments (if applicable). Describe proposed amendment and/or attach proposed text changes. List Comprehensive plan section, page numbers, title and policies proposed for amendment.</p> <p><b>SJCC 16.45.160, Shaw Island Subarea Plan, Standing committee; Updating the subarea plan. In the first sentence, change the word "shall" to "may" as follows: "A standing committee of seven members may be appointed by the board of County commissioners, with members to serve staggered three-year terms."</b></p>
---



## SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

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

(360) 378-2354 | (360) 378-2116

dcd@sanjuanco.com | www.sanjuanco.com

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

**SJCC 16.45.160, Shaw Island Subarea Plan, Standing committee; Updating the subarea plan. In the first sentence, change the word "shall" to "may" as follows: "A standing committee of seven members may be appointed by the board of County commissioners, with members to serve staggered three-year terms."**

3. Why is the amendment being proposed?

**This word change will reflect actual practice for the last 30 years, so will correct the code. It will leave the formation of a committee as an option. With fewer than 200 residents, there is no need for a mandatory standing committee. The original SubArea Planning committee did not include a standing committee. It was added by a county commissioner, but has never been implemented. In addition to these practical reasons, the word “shall” is being replaced by the legal profession in statutes and codes due to its lack of precision. Hundreds of cases have been litigated about its meaning in particular cases. It can function as a mandatory term or a discretionary one, depending on the context. Changing the code in this case to “may” avoids any such confusion.**

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

**This amendment reflects the intentions of the Shaw community when the Subarea Plan was adopted. As such, it is consistent with GMA’s emphasis on grassroots planning.**

5. Does this proposal impact an Urban Growth Area (UGA)? Lopez Village, Eastsound and the Town of Friday Harbor are the only UGAs in the County.

- Yes, indicate UGA \_\_\_\_\_
- 
- No X

6. Does this proposal increase population or employment capacity?

**N/A, no effect on either population or employment. It is difficult to find volunteers for the many volunteer needs on Shaw Island, so this committee would decrease volunteer capacity.**

**RESOLUTION NO. \_\_ - 2025**

**A RESOLUTION ADDING THE 2025 DOCKET OF A PROPOSED TEXT AMENDMENT TO TITLE 18 SAN JUAN COUNTY CODE (SJCC) TO THE DEPARTMENT'S WORK PLAN.**

**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. SJCC 18.90.020 Legislative Procedures establishes procedures for the Annual Docket required by RCW 36.70A.470(2);
- E. Applications for the 2025 Annual Docket requesting Comprehensive Plan or development regulation amendments were accepted by the San Juan County Department of Community Development (DCD) between January 1 and March 1, 2025;
- F. One 2025 Docket text amendment request was received, as shown in Attachment A;
- G. On August XX, staff briefed the County Council on the 2025 Docket application;
- H. Staff evaluated the 2025 Docket request and forwarded a recommendation to the Planning Commission in a staff report dated May 2, 2025;
- I. On May 16, 2024, staff briefed Planning Commission on the 2025 Docket application;
- J. The Planning Commission public hearing on July 18, 2025 was duly advertised in the *Journal of the San Juan Islands* and the *Islands' Sounder* on July 2, 2025;
- K. On June 4, 2025, the applicant was notified via email about the July 2, 2025 Planning Commission public hearing, with an invitation and instructions for providing testimony virtually;

- 1 L. On July 2, 2025, Planning Commission held a public hearing on the 2025 Annual Docket  
2 consisting of one Proposed Text Amendment.  
3
- 4 M. On July 18, 2025, following the public hearing, the Planning Commission deliberated on  
5 public testimony and staff recommendations;  
6
- 7 O. The Planning Commission recommended that request 25-0001 be added to the  
8 Department of Community Development work program;  
9
- 10 P. On Nov XX, staff briefed the County Council on the Planning Commission's  
11 recommendation and the County Council set a public hearing on the Docket of a single  
12 proposed Text Amendment for December XX 2025;  
13
- 14 Q. On November XX, 2025, DCD emailed the applicant notifying them of the County  
15 Council public hearing and inviting them to provide testimony;  
16
- 17 R. On X, 2024, the County Council public hearing was duly advertised in the *Journal of the*  
18 *San Juan Islands* and the *Islands' Sounder*;  
19
- 20 S. On December XX, 2025 the County Council held a public hearing; and  
21
- 22 T. On December XX, 2025, following the public hearing, the County Council deliberated on  
23 the 2025 Docket applications, Planning Commission recommendations, and staff  
24 recommendations.  
25

26 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of San Juan County, state  
27 of Washington, as follows:  
28

- 29 A. The 2025 Docket text amendment request shown in Attachment A shall be addressed as  
30 follows:  
31
  - 32 1. 25-0001: Shall be included in the Department's work plan  
33  
34

35 APPROVED this \_\_ day of \_\_\_\_, 2025.  
36  
37

38  
39 ATTEST: Clerk of the Council  
40  
41

**COUNTY COUNCIL**  
**SAN JUAN COUNTY, WASHINGTON**

42  
43 \_\_\_\_\_  
44 Sally Rogers, Clerk Date

45 \_\_\_\_\_  
46 Jane Fuller, Vice Chair  
District 3, Lopez/Shaw

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19

REVIEWED BY COUNTY MANAGER

\_\_\_\_\_  
Jessica Hudson      Date

\_\_\_\_\_  
Kari McVeigh, Chair  
District 1, San Juan

AMY S. VIRA  
APPROVED AS TO FORM ONLY

By: \_\_\_\_\_

\_\_\_\_\_  
Justin Paulsen, Member  
District 2, Orcas/Waldron

Date

**ATTACHMENTS**

A. 2025 Annual Docket Request

