

**MEETING MINUTES  
SAN JUAN COUNTY (SJC), WASHINGTON  
COUNTY COUNCIL  
TUESDAY, FEBRUARY 25, 2014**

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

**09:01 AM CALL TO ORDER**

Council Chair Hughes called the meeting to order at 09:01 AM. Present: Council Members Bob Jarman, Rick Hughes and Jamie Stephens; County Manager Mike Thomas, Clerk to the Council Ingrid Gabriel and interested members of the public.

**Flag Salute**

**New Employee Introductions:** Emma Scanlon, Deputy Prosecuting Attorney

**Approval of Minutes:**

Moved by Mr. Stephens, seconded by Mr. Hughes to approve the minutes of February 10, 2014. VOTE: 2:0:1 (Jarman abstained); MOTION CARRIED.

Moved by Mr. Stephens, seconded by Mr. Hughes to approve the minutes of February 11, 2014. VOTE: 2:0:1 (Jarman abstained); MOTION CARRIED.

**Review and Approve Consent Agenda:**

Moved by Mr. Stephens, seconded by Mr. Jarman to approve the Consent Agenda of February 25, 2014, as follows:

A. **Budget Items:**

The Auditor's office requests approval for the following warrants issued the week of February 3, 2014:

- Warrant #136524 – 136576 county claims in the amount of \$19,849.04
- Warrant #136577 – 136602 Public Works claims in the amount of \$25,734.27

The Auditor's office requests approval for the following warrants issued the week of February 10, 2014:

- Warrant #136663 – 136666 Veteran's Assistance claims in the amount of \$6,865.24
- EFT# 02122014 Public Works EFT in the amount of \$2,147.25
- EFT #021220142 Parks EFT in the amount of \$1,399.22
- Warrant #136838 – 136931 County claims in the amount of \$135,857.22
- Warrant #136932 – 136973 Public Works claims in the amount of \$58,085.34

B. **Correspondence:**

Letter of thanks to Catholic Archdiocese of Seattle for easement donation  
Letter of thanks to John Mount for easement donation

**ALL AYES: MOTION CARRIED**

**Citizens Access:** The following citizens submitted comments: Dave Cable,

**09:15 AM PUBLIC HEARING(S):**

1. To Consider an Emergency Ordinance Regarding the Effective Date of Critical Area Ordinances: Amending Ordinance 3-2013 – Linda Kuller, Senior Planner; Amy Vira, Deputy Prosecuting Attorney  
**Present:** Full Council, County Manager Mike Thomas, Clerk to the Council Ingrid Gabriel

Chair Hughes opened the public hearing to adopt an Ordinance Regarding the Effective Date of Critical Area Ordinances. Chair Hughes opened public testimony. The following citizens offered testimony: none.

Chair Hughes closed public testimony with the right to reopen. Ms. Kuller and Ms. Vira presented the Ordinance and answered Council's questions. After discussion, the Council took the following action:

**Moved by Mr. Stephens, seconded by Mr. Jarman to adopt an Emergency Ordinance Regarding the Effective Date of Critical Area Ordinances: Amending Ordinance 3-2013. ALL AYES; MOTION CARRIED.**

2. To Consider an Ordinance Regarding Critical Areas; Amending Ordinance Nos. 26-2013 (General Regulations), 28-2012 (Wetlands) and 29-2012 (Fish and Wildlife Habitat Conservation Areas); and San Juan County Code Sections 18.20.040, 18.20.090, 18.20.140, 18.30.110, 18.80.020, 18.80.070, 18.30.150, and 18.30.160 (Continued from February 11) – Linda Kuller, Senior Planner; Amy Vira, Deputy Prosecuting Attorney  
**Present:** Full Council, County Manager Mike Thomas, Clerk to the Council Ingrid Gabriel

Chair Hughes opened the public hearing to adopt an Ordinance Regarding Critical Areas. Chair Hughes opened public testimony. The following citizens offered testimony: Tim Blanchard, Jane Cable, Ken Sinibaldi.

Chair Hughes closed public testimony with the right to reopen. Ms. Kuller and Ms. Vira presented the Ordinance and answered Council's questions.

After discussion, the Council took the following actions:

**1 Moved by Mr. Jarman, seconded by Mr. Stephens to remove the phrase "no practical alternative" on pages 19 through 21 and replace it with "mitigation". ALL AYES; MOTION CARRIED.**

**2 Moved by Mr. Stephens, seconded by Mr. Jarman to approve on page 11 starting at line 12, "Option B" as the definition of development to be used throughout the document. ALL AYES; MOTION CARRIED**

**3 Moved by Mr. Stephens, seconded by Mr. Jarman to adopt on page 15 under C General Exceptions that we adopt the recommended changes and additions as shown for all of #3 including the discussed items from the chart under #2, which states “not previously covered in San Juan County Code 18.30.110(c)2 and (c)3a above. ALL AYES; MOTION CARRIED.**

**4 Moved by Mr. Jarman, seconded by Mr. Stephens to delete on page 18, Option “E” out of section 18.30.110(e). ALL AYES; MOTION CARRIED.**

**5 Moved by Mr. Stephens, seconded by Mr. Jarman to add on page 29, line 7 subsection title San Juan County Code 18.80.070 ”procedures for ‘yes’ uses allowed outright.” ALL AYES; MOTION CARRIED.**

**6 Moved by Mr. Stephens, seconded by Mr. Jarman to adopt on page 31, beginning on line 39 and continuing to page 32, the wetlands rating system as presented and delete the previous wetland rating system on page 33, 34 and line 1 on page 35. ALL AYES; MOTION CARRIED.**

**7 Moved by Mr. Stephens, seconded by Mr. Jarman to adopt for consistency the changes on page 35, item C “minimum size thresholds for regulated wetlands” beginning on line 5 through line 15. ALL AYES; MOTION CARRIED.**

**8 Moved by Mr. Stephens, seconded by Mr. Jarman to delete the items as shown on page 35, beginning on line 19 with the words “tree protection zones” to the bottom of the page and add a period after the word “buffers”. ALL AYES; MOTION CARRIED.**

**9 Moved by Mr. Stephens, seconded by Mr. Hughes to change on page 37, line 21 the percent of the buffer of category three or four wetland to not be reduced to less than 50%. ALL AYES; MOTION CARRIED.**

**10 Moved by Mr. Stephens, seconded by Mr. Hughes to change on page 38 on Table 3.3A under high intensity land uses that we move under types “hobby farms” from high intensity land use to medium intensity, and under medium intensity we move “moderate intensity agriculture” to low land use intensity. ALL AYES; MOTION CARRIED.**

**11 Moved by Mr. Stephens, seconded by Mr. Jarman to accept changes beginning on page 36, line 8, #1 Site Specific Buffer Sizing Procedure, which includes deletions and some additions and continuing through pages 37 and 38 as amended. ALL AYES; MOTION CARRIED.**

**12 Moved by Mr. Jarman, seconded by Mr. Stephens to eliminate the wording starting on page 38 line 4 with the “composite discharge factor”, continuing through page 42, Table 3.6 Line 1. ALL AYES; MOTION CARRIED.**

**13 Moved by Mr. Stephens, seconded by Mr. Jarman to accept on page 42, line 4 the changes, both additions and deletions, on that page and pages 43 and 44 ending on line 22. ALL AYES; MOTION CARRIED.**

At 11:45 PM, Chair Hughes reopened public testimony. The following citizens offered comments: Courtney Cox, Ken Sinibaldi.

Chair Hughes closed public testimony with the right to reopen. Chair Hughes recessed the public hearing until 1:30 in the afternoon.

**11:52 AM RECESS**

**01:00 PM DISCUSSION:** Economic Development Element – Victoria Compton, Director Economic Development Council; Gary Franklin, Board Vice President.

Ms. Compton and Mr. Franklin presented the Element and answered Council's questions.

**01:30 PM PUBLIC HEARING CONTINUED:** Ordinance Regarding Critical Areas

**14 Moved by Mr. Jarman, seconded by Mr. Stephens to remove on page 45, Section F in its entirety. ALL AYES; MOTION CARRIED.**

**15 Moved by Mr. Jarman, seconded by Mr. Stephens to apply the application and guidelines of the master programs to agricultural activities under RCW 90.58.065. ALL AYES; MOTION CARRIED.**

**16 Moved by Mr. Stephens, seconded by Mr. Jarman approval of the changes on page 46 on "H" and "I" to reflect the change on wetlands buffer procedures. ALL AYES; MOTION CARRIED.**

**17 Moved by Mr. Stephens, seconded by Mr. Jarman to strike on page 47 under activity "m", "outside of tree protection zones" and add the word "limited", and eliminate all of activity "n". ALL AYES; MOTION CARRIED.**

**18 Moved by Mr. Jarman, seconded by Mr. Hughes to make corrections to section "P" on page 47 to add the words "tree protection" and add "provide that reasonable efforts are made to avoid impacts to wetland functions and values and any adverse impacts are mitigated in accordance with San Juan County Code 18.30.110(f)." ALL AYES; MOTION CARRIED.**

**19 Moved by Mr. Jarman, seconded by Mr. Stephens to revise section "S" on page 47 to remove "a public agency and utility exemption." ALL AYES; MOTION CARRIED.**

**20 Moved by Mr. Stephens, seconded by Mr. Jarman page 47 and 48 under activities item "U" that the changes in the document are accepted including the footnote. ALL AYES; MOTION CARRIED.**

**21 Moved by Mr. Jarman, seconded by Mr. Stephens to add on page 48, Item 4 the words "and field marking of wetlands and wetland buffers" and remove "and tree protection zones"; remove in Item 5 the wording "and tree protection zones"; remove in Item 6 the wording "and tree protection zones"; add the words on line 18 "new roads and driveways may only be constructed across wetlands and their buffers"; remove "or**

their protection zones if reasonable efforts are made to avoid and minimize impacts to wetlands functions and values ”. Add on page 49, line 8(d) “and their buffers” and delete “and tree protection zones.” Add on page 50, line 22.ii “including any tree protection zones.” Strike on page 48, line 19 page 48 “there is no practical alternative” and that language proposed by Mr. Jarman is added beginning with “reasonable efforts.” ALL AYES; MOTION CARRIED.

22 Moved by Mr. Stephens, seconded by Mr. Jarman to accept on page 50 Line 30 through Line 38 the amendments as shown to reflect the category rating system and eliminate the other wetland typing. ALL AYES; MOTION CARRIED.

23 Moved by Mr. Stephens, seconded by Mr. Jarman to eliminate on page 55, Line 2, Step 3 the water quality buffer “for 60% pollutant removal”, accept the addition of Table 3.6 and Step 3 below and delete the rest of the section. ALL AYES; MOTION CARRIED.

24 Moved by Mr. Stephens, seconded by Mr. Jarman to approve on page 56, Line 9, Step 3 the additions and deletions as shown reflecting the new system and the urban growth area all the way down to line 24. ALL AYES; MOTION CARRIED. ALL AYES; MOTION CARRIED.

25 Moved by Mr. Stephens, seconded by Mr. Jarman to change on page 57, Table 3.7 the word to “evaluation” and make other grammatical corrections, and add “marine waters”. ALL AYES; MOTION CARRIED.

26 Moved by Mr. Stephens, seconded by Mr. Jarman to direct staff to make renumbering and typographical corrections as needed throughout the document. ALL AYES; MOTION CARRIED.

27 Moved by Mr. Stephens, seconded Jarman to amend beginning on page 59, Table 3.8 to mirror Table 3.5 specifically in sections G, O, S and T. ALL AYES; MOTION CARRIED.

28 Moved by Mr. Stephens, seconded by Mr. Jarman to amend page 69, Table 3.9 through page 74 to change the water quality ratings system to show consistency with the new rating system, ALL AYES; MOTION CARRIED.

29 Moved by Mr. Stephens, seconded by Jarman to adopt beginning on page 74, Line 5 through page 75, Line 9 that we adopt these changes to reflect consistency with the wetlands rating system. ALL AYES; MOTION CARRIED.

30 Moved by Mr. Stephens, seconded by Mr. Jarman to adopt a new definition called “temporary development activity”, which reads as follows “for the purposes of critical areas, this means the temporary use or activities associated with the development of a permitted, active construction site. Use and activities include mobile contractor offices, equipment storage and storage yards, portable toilets, on-site equipment repair, on-site staging and workshops. And, further, with this definition, staff incorporates the

**temporary development activity into the Use Tables 3.5 and 3.8 as suggested by Mike Thomas. ALL AYES; MOTION CARRIED.**

**03:40 PM COUNCIL MEMBER, COUNTY MANAGER & CLERK UPDATES & DISCUSSION ITEMS:**

**Moved by Mr. Jarman, seconded by Mr. Stephens to appoint Noel Monin to the Town of Friday Harbor Position #7 on the Board of Health. ALL AYES; MOTION CARRIED.**

**Moved by Mr. Stephens, seconded by Mr. Jarman to appoint Barbara Starr to the Law and Justice Council for the Town of Friday Harbor position. ALL AYES; MOTION CARRIED.**

**03:45 PM ADJOURN**

Chair Hughes adjourned the meeting.

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**COUNTY COUNCIL  
SAN JUAN COUNTY, WASHINGTON**

**These Minutes were approved and signed on March 11, 2014. The original document is retained in the Council's permanent proceedings file. Attest: Ingrid Gabriel, Council Clerk**