



Approved as submitted at the August 20, 2021 PC Meeting.

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SAN JUAN COUNTY PLANNING COMMISSION MEETING

MINUTES OF THE JULY 16, 2021 MEETING

The meeting of the San Juan County Planning Commission was called to order by Chair, Camille Uhler, at 8:30 a.m. in the County Council hearing room, Legislative Building, 55 Second Street, Friday Harbor, and San Juan Island.

Planning Commission

Members Present:

By Microsoft Teams: Camille Uhler, David Kane, Steve Rubey (out mid-afternoon), Sheila Gaquin, Dale Roundy (out mid-afternoon), Steve Smith, Matt Ellingson, Nick Knoellinger and Michael Pickett.

Department of Community Development (DCD) Staff

Present:

Present in person: Lynda Guernsey, AS II.

By Microsoft Teams: Erika Shook, Director; Adam Zack, Planner III; and Sophia Cassam, Planner I.

Administrative Items

- Confirm Agenda – There was no change to the agenda.
- Minutes of June 18, 2021

Moved by Steve Rubey, seconded by Sheila Gaquin, to approve the minutes with correction of the adjournment information. Steve Rubey– yes, David Kane–yes, Sheila Gaquin–yes, Steve Smith–yes, Nick Knoellinger–yes, Michael Pickett – abstain, Camille Uhler–yes. Motion passed with six yes votes and one abstention (Pickett).

****Dale Roundy had technical difficulties and was unable to cast a vote. He could listen to the meeting but that was all at this time.****

- DCD Update – Erika Shook, Director
 1. Review of the tentative long-range Planning Commission project calendar.
 2. The County Council has provided guidance regarding vacation rentals; they would like to have caps. This information will be provided during today's briefing.
 3. In person meetings have been okayed with social distancing and masks if unvaccinated. The Planning Commission's meeting in August will still be virtual until the County Council has a chance to work out in person meeting challenges.

Erika then responded to question and comments from the Planning Commission. The Commission asked for a list of Counties that are in compliance with their Comprehensive Plan Updates and those that are not. The also asked for an update on the Open Public Meeting Act regarding the chat feature on Microsoft Teams.

Public Access Time – The following spoke:

Leith Templin, Chair, EPRC Sorrel North, Lopez Island Andrew Fleming, San Juan Island

Brent Lyles, Executive Director, Friends of the San Juans Robin Reid, Lopez Island

Rick Fant, Orcas Island Chom Greacen, Lopez Island Elizabeth Farm, San Juan Island

Jaime Ellsworth, San Juan Island Jack Cory, San Juan Island Cindy Maassen, San Juan Island

Thomas Brumm, San Juan Island Janet Alderton, Orcas Island Sharon Abreu, Orcas Island

Public access time was closed with the option to reopen.

Continued public hearing on the 2021 Annual Docket – Sophia Cassam, Planner I

Sophia Cassam gave a presentation on the 2021 Annual Docket process and how it addresses the remaining docket item Docket Request 21-0003.

Public testimony was opened and the following spoke:

Brent Lyles, Executive Director, Friends of the San Juans Sharon Abreu, Orcas Island

Leith Templin, Chair, EPRC Janet Alderton, Orcas Island

Public testimony was closed with the option to reopen.

The hearing returned to Sophia Cassam for follow up from the public testimony and to respond to questions and comments from the Planning Commission. Erika Shook, DCD Director, and Adam Zack, Planner, responded to questions and comments also.

Deliberations

Request 21-0003 – Build-out Analysis

Moved by Sheila Gaquin, to recommend DCD act on Request 21-0003 and do a full build out analysis. Motion fails due to a lack of second.

Moved by Michael Pickett, seconded by Steve Rubey, to accept DCD's recommendation to not include Request 21-003 in the docket going forward. Motion withdrawn.

Moved by Steve Smith, seconded by Nick Knoellinger, to ask DCD staff to come back to the Planning Commission next month with what a buildout analysis would include and a specific proposal to do that. Motion withdrawn.

Moved by Michael Pickett, seconded by Camille Uhlir, to accept DCD's recommendation on request 21-0003. Matt Ellingson-yes, Sheila Gaquin-no, David Kane-no, Nick Knoellinger-yes, Michael Pickett-yes, Steve Rubey-yes, Steve Smith-yes, and Camille Uhlir-yes. Motion passes with six yes votes and two no votes (Gaquin and Kane).

Moved by Steve Smith, seconded by Steve Rubey, that staff return to the commission with a proposal as to what the impact on vital island services might be if the County population and seasonal visitors were to double in the next twenty years. Matt Ellingson-yes, Sheila Gaquin-yes, David Kane-no, Nick Knoellinger-yes, Michael Pickett-yes, Steve Rubey-yes, Steve Smith-yes, and Camille Uhlir-yes. Motion passes with seven yes votes and one no vote (Kane).

Discussion with staff of adding items to the upcoming agendas. Michael Pickett requested a link to the most current draft of the Comprehensive Plan. Staff let the Planning Commission know there are links on the website to the different elements of the Comprehensive Plan.

****Note: Dale Roundy had a technology issue and was only able to listen to the meeting previously and at this point is back up and running.****

Briefings about the San Juan County Comprehensive Plan 2036 Update Project:

Element B.2 Land Use and Rural: Continued Land Use Review Requests – Adam Zack, Planner III

Adam Zack gave a presentation updating the Planning Commission on where they are in their preliminary land use request recommendations. Adam then responded to questions and comments from the Planning Commission.

****Note:** Camille Uhlir was away from the meeting for a few minutes.**

Preliminary Recommendations – ****Note** – A link to the presentation is attached as Attachment A to these minutes.**

Request 16-0001 – Moved by David Kane, seconded by Camille Uhlir, to redesignate RGU and split-zone, the one portion RGU and the other portion remain in RFF. Matt Ellingson-no, Sheila Gaquin-no, David Kane-yes, Nick Knoellinger-yes, Michael Pickett-no, Dale Roundy-yes, Steve Rubey-no, Steve Smith-no, and Camille Uhlir-yes. Motion failed with four yes votes and five no votes (Ellingson, Gaquin, Pickett, Rubey, and Smith).

Moved by Steve Rubey, seconded by Sheila Gaquin, to accept option C., the staff recommendation of no change. Matt Ellingson-yes, Sheila Gaquin-yes, David Kane-no, Nick Knoellinger-no, Michael Pickett-yes, Dale Roundy- yes, Steve Rubey-yes, Steve Smith-yes, and Camille Uhlir-no. Motion passes with six yes votes and three no votes (Kane, Knoellinger, and Uhlir).

Request-16-0003 - Public access time was reopened and the following spoke:

Leith Templin, Chair, EPRC

Public access was closed with the option to reopen.

Moved by Sheila Gaquin, seconded by Camille Uhlir, to accept the staff and EPRC (Eastsound Plan Review Committee) recommendation to not remove the split designation. Matt Ellingson-yes, Sheila Gaquin-yes, David Kane-yes, Nick Knoellinger-yes, Michael Pickett-yes, Dale Roundy- yes, Steve Rubey-yes, Steve Smith-yes, and Camille Uhlir-yes. Motion passed unanimously.

Request-18-0010 - Public access time was reopened and the following spoke:

Myrna Fant, Orcas Island Leith Templin, Chair, EPRC

Public access was closed with the option to reopen.

Moved by Steve Smith, seconded by Camille Uhlir, to recommend that the County Council adopts the EPRC recommendation to not modify the Service Light Industrial designation on this parcel or on all parcels. Matt Ellingson-yes, Sheila Gaquin-yes, David Kane-yes, Nick Knoellinger-yes, Michael Pickett-yes, Dale Roundy- yes, Steve Rubey-yes, Steve Smith-yes, and Camille Uhlir-yes. Motion passed unanimously.

Request-18-0013 - Public access time was reopened and the following spoke:

Andrew Fleming, San Juan Island

Public access was closed with the option to reopen.

Moved by Sheila Gaquin, seconded by Camille Uhlir, to recommend the staff recommendation of option C. Matt Ellingson-yes, Sheila Gaquin-yes, David Kane-yes, Nick Knoellinger-yes, Michael Pickett-yes, Dale Roundy- yes, Steve Rubey-yes, Steve Smith-yes, and Camille Uhlir-yes. Motion passed unanimously.

Request-18-0015 - Moved by Dale Roundy, seconded by Michael Pickett, to accept the staff recommendation. Matt Ellingson-yes, Sheila Gaquin-yes, David Kane-yes, Nick Knoellinger-yes, Michael Pickett-yes, Dale Roundy- yes, Steve Rubey-yes, Steve Smith-yes, and Camille Uhlir-yes. Motion passed unanimously.

Request-18-0018 - Public access time was reopened and the following spoke:

Leith Templin, Chair, EPRC

Public access was closed with the option to reopen.

Moved by Steve Smith, seconded by Camille Uhlir, to recommend option C., VRI for what is highlighted in blue in the staff report. Matt Ellingson-yes, Sheila Gaquin-yes, David Kane-yes, Nick Knoellinger-yes, Michael Pickett-yes, Dale Roundy- yes, Steve Rubey-yes, Steve Smith-yes, and Camille Uhlir-yes. Motion passed unanimously.

Request-19-0003 - Moved by Steve Rubey, seconded by Camille Uhlir, to not amend the density boundary line. Matt Ellingson-no, Sheila Gaquin – yes, David Kane –yes, Nick Knoellinger-yes, Michael Pickett-yes, Dale Roundy – yes, Steve Rubey – yes, Steve Smith – no, and Camille Uhlir –yes. Motion passed with seven yes votes and two no votes (Ellingson and Smith).

Request-21-0002 - Moved by David Kane, seconded by Michael Pickett, to not redesignate the parcel to RI, option B. Matt Ellingson-yes, Sheila Gaquin-yes, David Kane-yes, Nick Knoellinger-yes, Michael Pickett-yes, Dale Roundy- yes, Steve Rubey-yes, Steve Smith-yes, and Camille Uhlir-yes. Motion passed unanimously.

****Note: Dale Roundy and Steve Rubey left the meeting.****

Element B.2 Land Use and Rural: Mineral Resource Land Overlay - Adam Zack, Planner III

Adam Zack gave a presentation on the Mineral Resource Land Overlay (MRLO) process and requests for preliminary recommendations. Adam then responded to questions and comments from the Planning Commission.

Public access was reopened and the following spoke:

Jack Cory, San Juan Island Thomas Brumm, San Juan Island

Public access was closed with the option to reopen.

Discussion was held in regard to Washington Department of Natural Resources (WDNR) monitoring of mining operations and how they do their permitting and how the nuisance laws work and do they cover non-mining activities. Adam was asked to bring back to the Planning Commission information about those items.

Moved by Michael Pickett, seconded by David Kane, to table the MRLO to a future meeting with information from WDNR. Matt Ellingson-yes, Sheila Gaquin-yes, David Kane-yes, Nick Knoellinger-yes, Michael Pickett-yes, Steve Smith-yes, and Camille Uhlir-yes. Motion passed unanimously.

Vacation Rental Code Amendment Project Briefing –Erika Shook, AICP, DCD Director

Erika Shook gave a presentation on the background of the vacation rental process through to the moratorium hearings with the County Council. The outcome of the hearings is that the County Council would like fixed caps on vacation rental numbers and the Council is looking for a recommendation from the Planning Commission on those cap numbers.

Discussion was held about the idea of caps, housing units, active permits, and compliance issues of vacation rentals.

It was agreed upon to take the opportunity to think about the issue of caps, look at the vacation rental report, and come back to this at the August meeting.

Adjournment

Moved by David Kane, seconded by Nick Knoellinger, to adjourn the meeting at 4:11 p.m. Motion was unanimously agreed upon by the Planning Commission. The next meeting of the Planning Commission is scheduled for Friday, August 20, 2021, at 8:30 a.m. in the County Council hearing room, Legislative Building, 55 Second Street, Friday Harbor, San Juan Island.

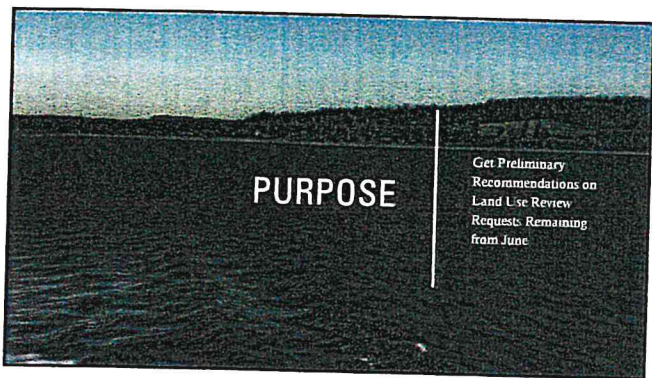
Respectfully submitted,


Lynda Guernsey

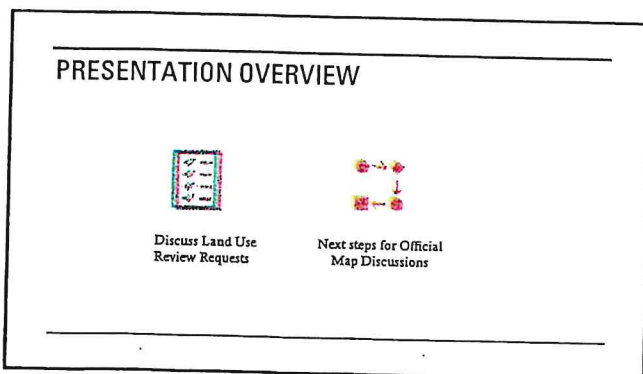
Attachment A – Land Use Review Requests Presentation 7-1-2021



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CRITERIA FOR MAKING CHANGES

San Juan County Code (SJCC)
18.90.030(F)

benefit or public health, safety or welfare

Change is warranted because of changed circumstances, need for additional land in the proposed designation, to correct an error, or new information is available

Consistent with land use designation criteria in the Plan

Will not create an enclave of property owners enjoying greater privileges than those in the vicinity and

Benefits outweigh significant adverse impacts

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LAND USE REVIEW REQUESTS

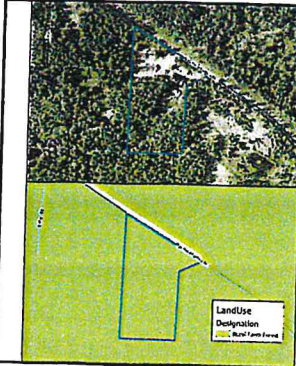
Overview of requests, staff analysis, and recommendations

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PRELIMINARY RECOMMENDATION

- Today, Planning Commission preliminary recommendation.
- The public will provide comments on your preliminary recommendation at the Official Map public workshops
- Planning Commission can refine the recommendation after getting public input

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16-0001 TPN 361943002000 Report pg. 8

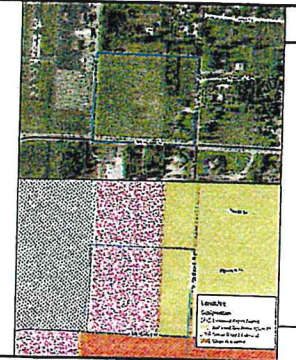
Request: re-designate a parcel from Rural Farm Forest (RFF) to Rural General Use (RGU). Parcel is the site of an existing nonconforming use: Community Treasures Consignment

Options:

- A. Designate parcel RGU
- B. Designate parcel Rural Commercial (RC)
- C. No change

Staff Recommendation: Option C: Do not re-designate this parcel because it meets the RFF designation criteria. Re-designating a single parcel is a spot designation. The existing nonconforming use can continue to operate under SJCC 18.40.310

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16-0003 TPN 271143016000 Report pg. 10

Request: Remove the split designation on this 8.5-acre parcel and designate it exclusively Service and Light Industrial (SLI). The property is designated both SLI and Eastsound Residential 4 units per acre (ER4P) designations. Approximately 2.7 acres are designated ER4P.

EPRC Recommendation: Do not remove the split designation to ensure that a buffer between the airport and the neighborhood remains. See EPRC recommendation staff memo dated June 4, 2021.

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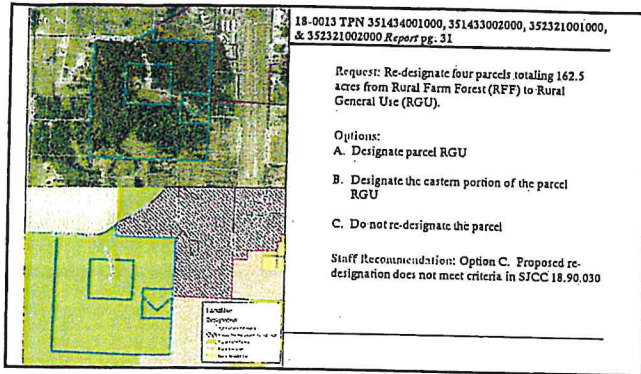


18-0010 TPN 271143012000 Report pg. 21

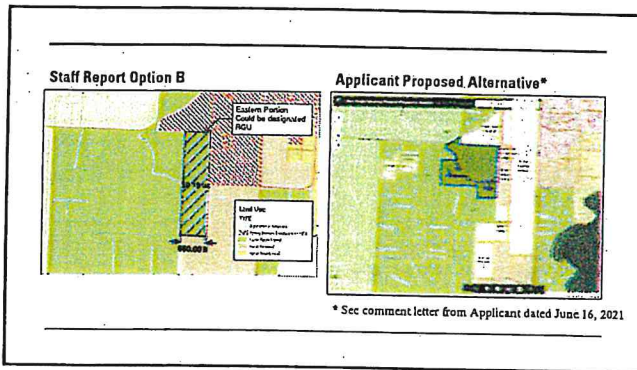
Request: Allow residential uses and 'eating establishments' (restaurants) in Service Light Industrial (SLI) and/or airport overlay.

EPRC Recommendation: Do not amend the allowed uses in the SLI designation as requested. More information about EPRC recommendation is provided in the Eastsound Issues Staff Memo dated June 4, 2021.

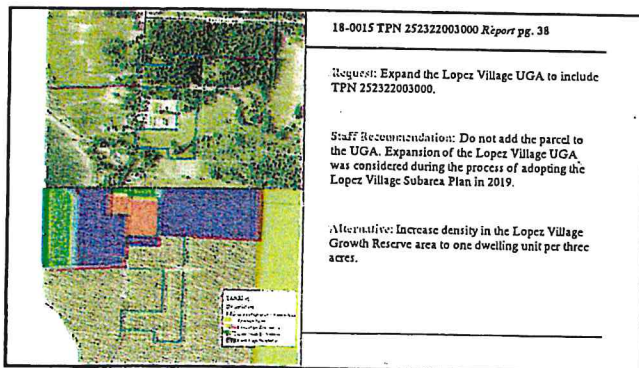
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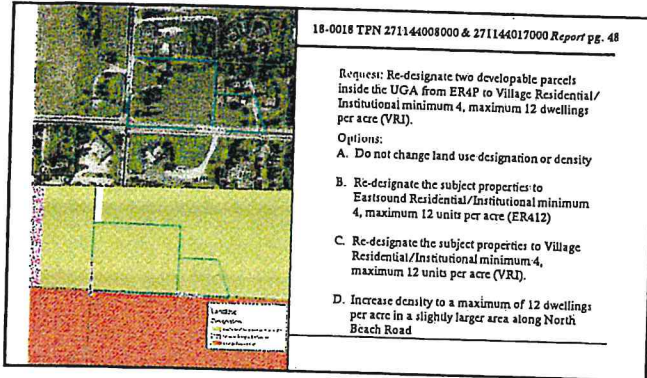
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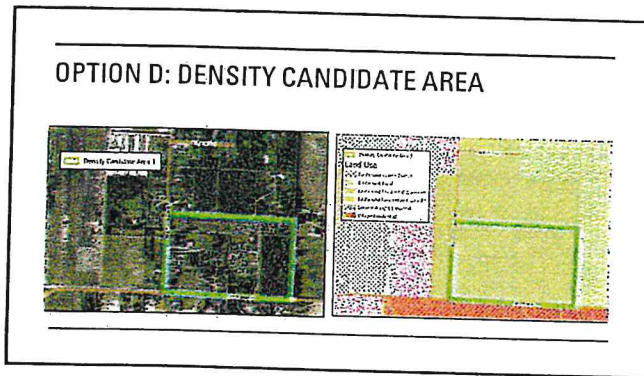
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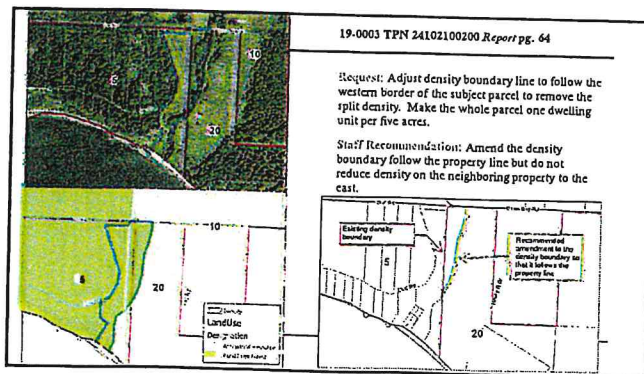
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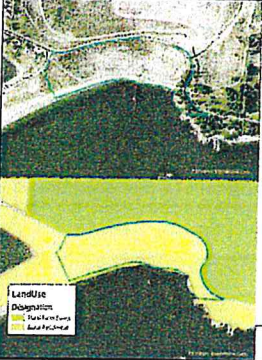
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21-0002 TPN 352412001000 Report pg. 48

Request: Change land use designation from Rural Residential (RR) to Rural Industrial (RI).

Options:

- A. Re-designate the parcel RI
- B. Do not re-designate the parcel RI

Staff Analysis: Under either option, Public Works can develop the parcel with an outdoor storage yard either by Provisional Use Permit (Option A) or by Essential Public Facility Conditional Use Permit (Option B).

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NEXT STEPS

- Incorporate preliminary recommendations with other Official Map changes
- Get public comment during Official Map public workshops and work sessions
- Planning Commission makes recommendation to Council after a public hearing

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PUBLIC COMMENTS

Please send public comments to
complancomments@sanjuanico.com



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QUESTIONS?

Adam Zack, Planner III
Department of Community
Development
(360) 370-7580
adamz@sanjuanco.com