




# 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

## MEMO

**MEMO DATE:** March 4, 2021  
**TO:** San Juan County Planning Commission  
**CC:** Erika Shook, AICP, DCD Director  
**FROM:** Adam Zack, Planner III   
**SUBJECT:** San Juan County Comprehensive Plan  
Element B.2 Land Use and Rural  
Land Use Mechanics of the Comprehensive Plan  
**BRIEFING DATE:** March 19, 2021

---

**PURPOSE:** To give the Planning Commission more information on how the Comprehensive Plan (*Plan*) goals, policies, and official maps relate to the development regulations in San Juan County Code (SJCC) and new development.

**PUBLIC COMMENTS:** Please send all public comments to [complancomments@sanjuanco.com](mailto:complancomments@sanjuanco.com). Please do not copy the County Council, Planning Commission members, or County Staff. Written public comments received by March 18<sup>th</sup> will be provided to the Planning Commission. Comments should refer to contents of this memo.

**PREVIOUS LAND USE STAFF MEMOS:** Throughout 2020, staff provided three memos to explain many of the state and local details of the three major land use designation categories. These memos go into extensive detail about these land use categories and the requirements that apply from both State and County law. These three memos are posted online at:

**September 3, 2020 Natural Resource Land Staff Memo**

<https://www.sanjuanco.com/DocumentCenter/View/21090>

**March 4, 2020 Rural Land Staff Report**

<https://www.sanjuanco.com/DocumentCenter/View/19906>

**February 4, 2020 Urban Growth Area Staff Memo**

<https://www.sanjuanco.com/DocumentCenter/View/19788>

**BACKGROUND:** The *Plan* includes goals and policies for a wide array of topics including housing, land use, transportation, and capital facilities. The *Plan* goals and policies are grouped by topics into elements. The focus of this memo is the Land Use and Rural Element, which includes the goals and policies for land uses throughout the County. This element establishes the County positions on topics and land uses related to urban, natural resource, and rural lands.

## Goals

The goals in each element state the purpose behind the policies. They are statements of the County intention behind addressing issues through the *Plan*. For example, Land Use and Rural Element Goal 2.3.A states the goal for urban growth areas (UGAs) as follows:

To recognize and provide for areas of compact urban development which offer diverse employment opportunities, a variety of residential densities and housing types which will eventually achieve urban-level densities in most locations, general commercial, general industrial, institutional, recreational, and community uses in a concentrated, development pattern that includes urban-level and uses and intensities of use.

The goals of the *Plan* are objective statements for the various parts of the *Plan*. The Policies that follow each goal detail the strategies for achieving that goal. In the above example, a key part of the goal for UGAs is to provide compact areas for dense and diverse housing types.

## Policies

The policies of the *Plan* detail the County position on specific topics identified in the goals. For example, Policy 2.3.A.8 states the County position on residential development in UGAs as follows:

New residential development in growth areas should include a full range of single- and multi-family housing types. New areas added to a growth area should permit minimum densities of 4 units per acre in order to support efficient public services and provide a full range of affordable housing opportunities in the future.

This policy statement then informs decisions the County makes regarding how residential uses are regulated in UGAs. Specifically, if the County eventually decides to add new area to the UGAs on the Official Maps, this example policy requires that the minimum density in those additions should be at least four units per acre. In this way, the policies of the *Plan* will lead, in part, to the realization of the stated goal for housing in UGAs shown above. A broad topic like housing will typically have several policies to address each of the various related issues.

## Official Maps

The Official Maps are a component of the *Plan* that make the policies more geographically specific. Areas on the Official Maps are designated for different land uses based on the designation policies established in the Land Use and Rural Element. The Official Maps are a powerful tool for implementing the *Plan* because they link the policy statements and goals in the *Plan* with specific areas and the Unified Development Code (UDC) in Title 18 SJCC. Because they are adopted as part of the *Plan*, the Official Maps require a *Plan* amendment to be altered. This increases the required process for amending land use designations and densities established on the Official Maps because both state law and Title 18 SJCC stipulate that the *Plan* can only be amended once per year through a legislative process. The legislative process includes public hearings before both the Planning Commission and County Council prior to the County Council adopting an amendment by ordinance.

The Official Map land use designations and residential densities can be seen with the Comprehensive Plan layer selected on [the County's online map service, Polaris](#).

## What is a land use designation?

Land use designations are a part of the *Plan* that establish where future uses and development can be located, which helps to link the *Plan* goals and policies with new development as it occurs. This connection is established because the land use designation indicates which regulations from Title 18 SJCC apply in a given area on the Official Maps. For example, the goal and policy for UGAs provided above state that the *Plan* aims to focus higher residential density and diverse housing types in UGAs. To connect this policy to new development, the land use designations and corresponding regulations in Title 18 SJCC for the Eastsound and Lopez Village UGAs allow for the higher density and more diverse housing types than areas outside the UGAs.

The Rural Farm Forest (RFF) land use designation will help illustrate how the Official Maps connect the *Plan* goal and policies with development regulations. Goal 2.3.C.10.b states the goal for the RFF land use designation as, “To provide for rural living opportunities which are compatible with small-scale farming and forestry activities.” Then, Policy 2.3.C.10.b.1 establishes the criteria for designating RFF on the Official Maps:

(1) Areas which are characterized by the following criteria may be designated as Rural Farm-Forest lands on the Comprehensive Plan Official Maps:

- i. The predominant land use is farming and forestry mixed with residential development;
- ii. Parcels are generally five or more acres in size; and
- iii. Soils are suitable for small-scale agricultural or forestry uses

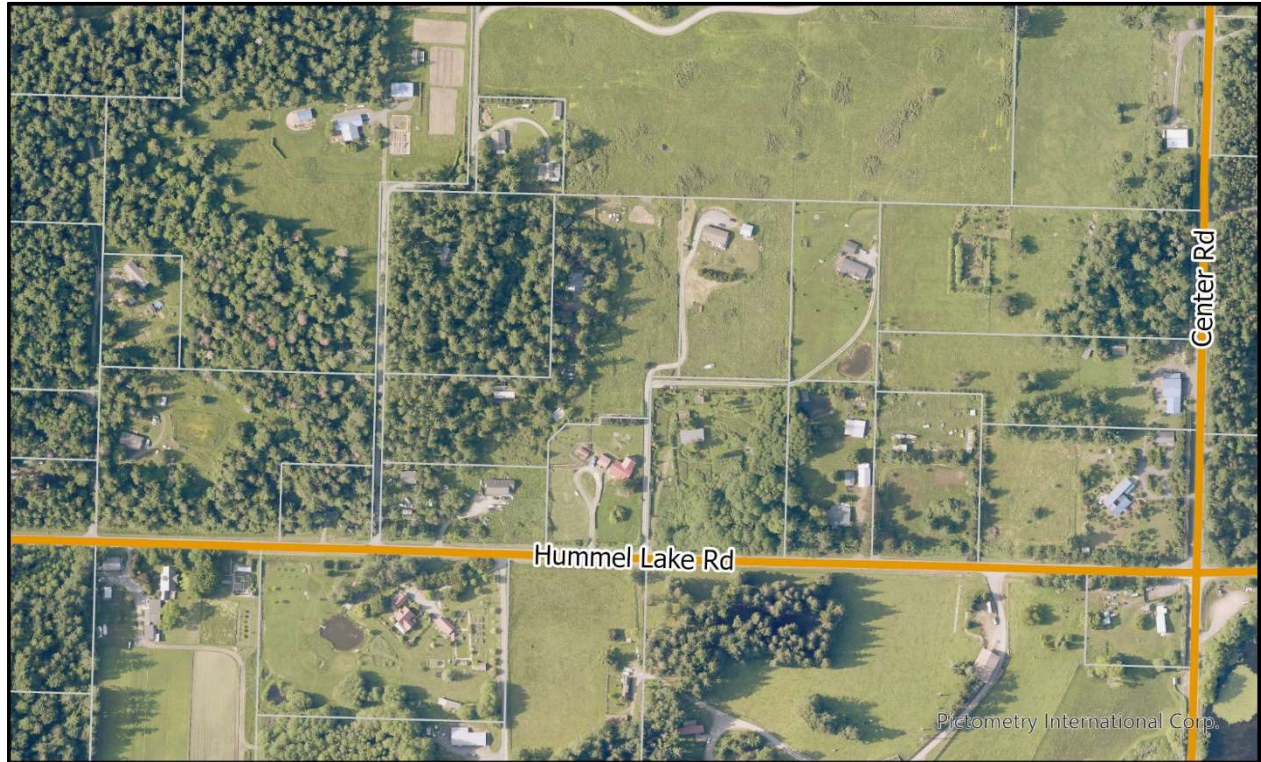
Areas are then analyzed to determine whether they meet these criteria. If an area meets the criteria, it may be designated RFF on the Official Maps. An example of an area that meets these criteria is north of Hummel Lake Road, between Center Road and the Lopez Village UGA on Lopez Island. Map 1 shows an aerial photograph of this area. Map 2 shows how this area appears on the Official Maps.

The aerial shows an area designated RFF with a mix of residences, forestland, and farmland as established uses. The parcels in this area north of Hummel Lake Road average about 5.9 acres. The Natural Resources Conservation Service (NRCS) farmland soils and the WA Department of Natural Resource (DNR) Private Forest Land Grade (PFLG) soil data indicate that this area has soils suitable for small-scale farm and forestry uses. Note, if the County were considering amending land use designations here, much more extensive analysis than the three sentences above would be required. Land use designation changes require very thorough analysis to ensure they meet state and local *Plan* criteria.

Two criteria that also apply but are not stated in our *Plan* come from the statewide Growth Management Act (GMA). GMA requires that rural lands not be characterized by urban growth and not be commercially significant natural resource lands. These two factors would be analyzed during a larger review process and do not need to be considered here for the sake of the example. Extensive explanations for natural resource lands, urban lands, and rural lands, including GMA requirements, are provided in the staff reports at the links included earlier in this memo.

Figure 1 following the maps, illustrates the relationship between *Plan* goals, policies, Official Maps, regulations, and new development.

**Map 1. Aerial Photograph of Study Area.**



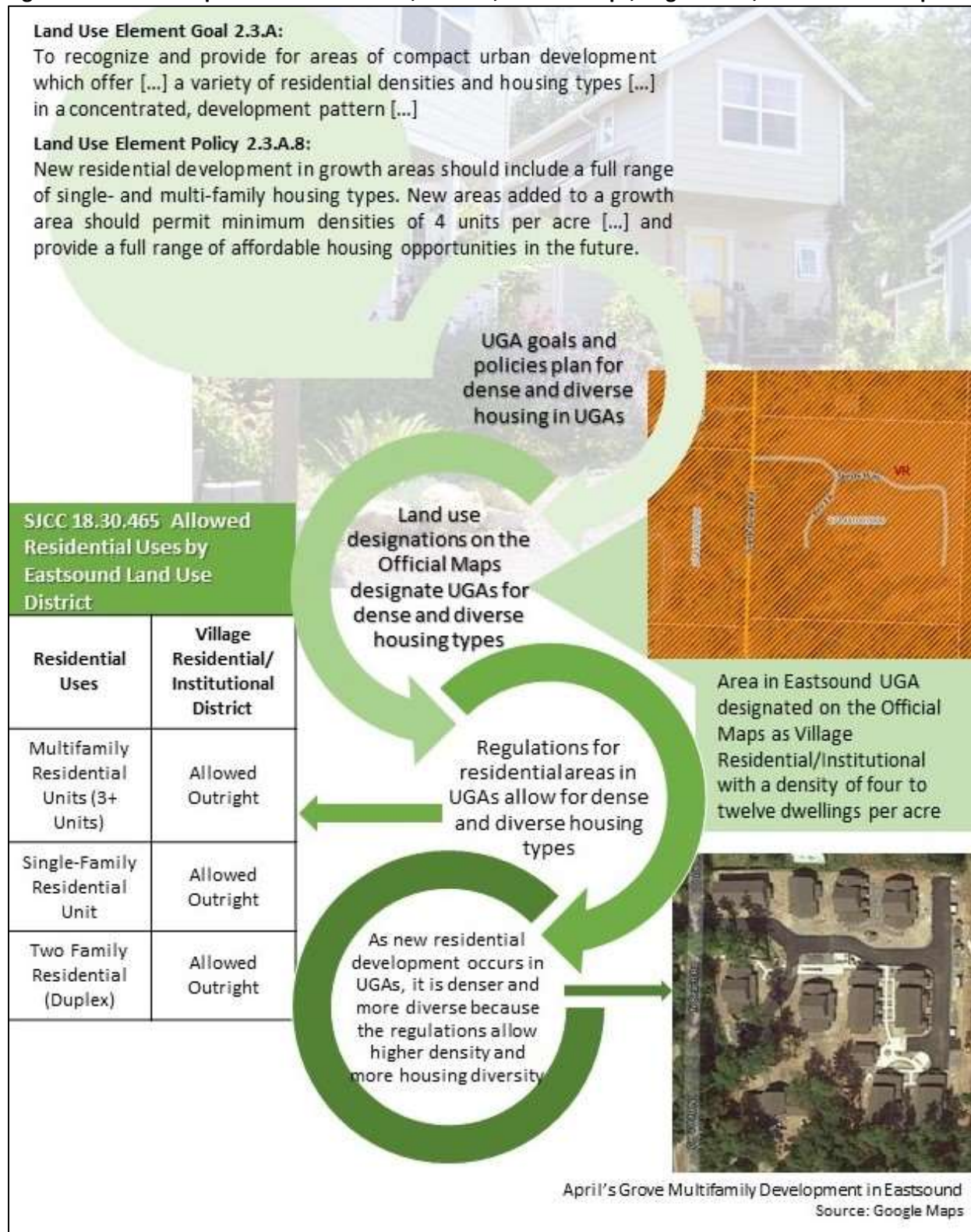
Source: SJC GIS.

**Map 2. Study Area Land Use Designations.**



Source: SJC GIS.

**Figure 1. Relationship Between Plan Goals, Policies, Official Maps, Regulations, and New Development.**



## Residential Density

Another important feature of the Official Maps is the residential density established throughout the County. Residential density is the maximum number of dwelling units per acre allowed in a given area. Residential density is one of the strongest tools available to the County for managing growth through the *Plan* because it modulates how much development can occur in each area. Residential density has implications for other aspects of the built environment beyond controlling how many houses are built. Higher density areas have greater needs for government services such as roads, sewer service, and stormwater infrastructure. Regulating density is a major way the *Plan* can direct growth to the areas that have service capacity for meeting infrastructural needs and ensure that growth does not occur in places that do not have existing services or in places where these services are not feasible.

Density on the Official Maps is not necessarily tied to the land use designation. A good example of this is the RFF designation. There are different places that are designated RFF on the Official Map and have a variety of residential densities ranging between one dwelling per five acres to one dwelling per fifteen acres. The residential density boundaries are established independent from the land use designation. A full explanation of how the *Plan* residential densities are established is provided in Section 2.1.C of the Land Use Element (<https://www.sanjuanco.com/DocumentCenter/View/19222/>).

The County has a wide range of residential densities. The highest density area outside of the Town of Friday Harbor is the core of the Eastsound UGA, which has a maximum density of forty dwelling units per acre in the Village Commercial land use designation. There are other places in the County where the density is much lower. In the San Juan Valley area on San Juan Island for instance, the maximum density is one dwelling unit per forty acres.

## Development Regulations

The San Juan County development regulations are established in Title 18 San Juan County Code (SJCC), the Unified Development Code (UDC). The development regulations in the UDC define land uses, describe what kinds of land use permits are required, and establish standards for allowed uses. A hypothetical situation will help illustrate the relationship between the development code and new development. In this situation, an applicant owns a five-acre parcel on Decatur Island that is designated Rural General Use (RGU). This hypothetical applicant would like to open a drive-through ice cream shop.

**What is the use?** The definitions in Chapter 18.20 describe what is meant by each term, include named uses, in the development code. An ice cream shop is an eating establishment, which is defined in SJCC 18.20.050 “E” definitions as, ““Eating establishment” means a use providing preparation and retail sale of food and beverages.”

**Is the use allowed and what kind of land use permit is required?** The allowed uses and required land use permit type are established in SJCC 18.30.040 Land use table – Rural, resource, and special land use designations. Eating establishment is allowed by conditional use permit in the RGU land use designation. The Conditional use permit process is discussed below.

**What development standards apply?** Development standards regulate the way the use will operate and how development occurs. Development standards are established in Chapters 18.35, 18.40, 18.50, 18.60, and 18.70 SJCC. These standards include such requirements as setbacks, maximum impervious surfaces, adequate water and septic service, shoreline setbacks, land division regulations, critical area protections, and landscaping.

Returning to the hypothetical drive-through ice cream shop on Decatur Island for an example, the drive-through window would be subject to the development standards in SJCC 18.40.220 Drive-through window services, which states:

“The following standards apply to all drive-through window services:

- A. Only the following uses are permitted to have drive-through windows: banking, postal service, and ferry ticketing.
- B. A minimum of 120 feet of vehicle-queuing space shall be provided which is not within the public right-of-way, within on-site vehicular circulation aisles, or between the building and street.”

Though the ‘eating establishment’ use is allowed by SJCC 18.30.040, the drive-through performance standards do not allow drive-through windows for eating establishments. The hypothetical ice cream shop cannot include a drive-through window. The applicant would need to either amend or withdraw their application for a conditional use permit to comply with this development standard.

**What is the conditional use permit process?** The conditional use land use permit process is established in SJCC 18.80.100 Permit procedures for conditional use and variance permits. The conditional use permit process is summarized as follows:

1. Applicant submits a land use permit application and the required fee;
2. Staff reviews the application for whether it is complete. If it is incomplete, the applicant must provide the missing information;
3. Once the application is deemed complete, the notice of application is posted at the site and published in the local newspapers. This begins the 21-day public comment period;
4. After the public comment period, the planner reviewing the application prepares a staff report and makes a recommendation to the Hearing Examiner for consideration during a public hearing;
5. The Hearing Examiner holds a public hearing on the proposal. The Hearing Examiner considers whether the proposal meets the requirements of the development code; and
6. After the public hearing, the Hearing Examiner issues a decision (approval with conditions or denial) for the proposal. If the proposal is approved, it will include conditions of approval that address the specific issues for the proposed development.

The development regulations in the UDC are not building codes. The building code sets standards for how to construct structures so that they are safe for the intended use of the structure. For example, the building code has standards for what kinds of materials and construction techniques are required to make a residential structure able to bear the load of the wind on the roof so it does not blow off the structure in a wind event. The building code is established in Chapter 15 SJCC. To return to our hypothetical drive-through ice cream stand, the building code has standards for how to construct the building and does not regulate the use of the structure for a drive-through whereas the development code has standards that prohibit the use of drive-through windows for eating establishments but does not regulate how the building is physically constructed. The building codes are adopted at the state level and then local jurisdictions have some

discretion in amending the codes to account for local circumstance. The building code is separate from the development code and will not be amended during the *Plan* update.

### Planning for Growth

The land use goals, policies, Official Maps, and development regulations direct new development to be established in appropriate locations. By regulating what kind of new development can take place in different areas in the County, the *Plan* manages growth to ensure that it does not have negative impacts such as outpacing necessary service capacity, preventing the commercial production of natural resource products in resource lands, or infringing on rural character outside of UGAs and natural resource lands. The *Plan* regulates future development to ensure that new development can meet expected demand for housing and economic needs in the County. The *Plan's* primary mechanisms for managing growth are regulating the location of new uses and ensuring that development can keep pace with demand.

The GMA requires the County to regulate growth in a way that prevents new development from outpacing the capacity of services that support development in areas throughout the County. Services that are necessary to support development include water service, sewer service, solid waste disposal, transportation infrastructure and utilities. Other services such as public parks and law enforcement also support development and are impacted by growth but are not necessarily affected by marginal increases in development. The *Plan* takes service capacities into account in the elements and appendices for capital facilities, transportation, and utilities. The principal way service capacity is considered in the *Plan* is through level of service (LOS) analyses. LOS quantifies how much service capacity exists and helps the County understand how demand for services might change given the projected growth. Changes to the Official Maps must account for the affect they will have on service capacities throughout the County.

Another important consideration required by the GMA is that the *Plan* and development regulations must provide sufficient development capacity for the projected growth ([RCW 36.70A.115](#)). Throughout the *Plan* update process, County staff has prepared analyses that address projected growth and development capacity. Appendix 1 Population Forecast and Land Capacity Analysis quantifies the expected population increase and development capacity allowed by the *Plan* and regulations. The Land Capacity Analysis considers development capacity for both housing and employment. More information on both the Population Forecast and Land Capacity Analysis is posted with the following documents:

**April 11, 2017 Staff Report on Population Forecast**

<https://www.sanjuanco.com/DocumentCenter/View/11845/>

**November 4, 2019 Staff Memo and Land Capacity Analysis Report**

<https://www.sanjuanco.com/DocumentCenter/View/19296/>

**January 13, 2020 Staff Memo on Employment Capacity**

<https://www.sanjuanco.com/DocumentCenter/View/19636/>