

Adam Zack

From: Andrew Fleming <andrew@saltwaterfarmsji.com>
Sent: Tuesday, June 15, 2021 8:39 AM
To: Lynda Guernsey
Cc: Adam Zack
Subject: Re: Updated map and essential information for request #18-0013 || corrected letter attached
Attachments: 2021-06-14 - Fleming+Waters re-designation request comments.pdf

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Good morning!

We noticed that the attachment sent yesterday omitted page numbers, and included a typo in directional descriptions on page 11.

Please see attached for the correct version of the letter. Thank you once again for your assistance.

Kind regards,
Andrew Fleming & Merriss Waters

On Mon, Jun 14, 2021 at 4:05 PM Andrew Fleming <andrew@saltwaterfarmsji.com> wrote:

Dear Lynda & Adam,

Thank you for all of your efforts on the Comprehensive Plan update. We have been attending Planning Commission meetings for the past several months, and it is clear what a tremendous and important undertaking this is.

As we look forward to discussing our re-designation request, we realized that there are essential updates needed to the application, given the changes that have occurred over the past three years since it was submitted. The attached letter includes those key details, along with an updated map for the area proposed for re-designation to RGU -- now approximately 65 acres in total, rather than the entire 162-acre combined property. We also included an updated code analysis based upon the current information and map.

Would you pass this letter along to the Commission members so that we may refer to the updated information and proposed map during the discussion this Friday?

Much appreciated!

Andrew Fleming & Merriss Waters



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360.317.6339

June 14, 2021

San Juan County Planning Commission
Department of Community Development
135 Rhone St
Friday Harbor, WA 98250

Re: Re-designation request #18-0013

Dear Members, Staff, and Council,

Thank you for your thoughtful attention to this re-designation request, and to the Comprehensive Plan update as a whole.

During the time since this original request was submitted (March 1, 2018), some fundamental factors related to the request have changed. First and foremost, the primary land use of a portion of the subject property has now been under commercial land use designations for over three years. Additionally, for several reasons described below, we believe that re-designating a smaller portion of the subject property—corresponding with a subset of parcels to be created in a pending long plat application—would best align with the Comprehensive Plan definitions and with the goals and needs of the area.

Given the above, we wish to add the following information and clarifications to request #18-0013, and we wish to amend the map of the area proposed for re-designation. It is our hope that this letter and information can be incorporated into the DCD staff evaluation and subsequent planning review. We also look forward to the opportunity to discuss the details of the request at upcoming meetings.

Land Use History

No portion of the 162-acre combined subject property has historically operated under a primarily residential land use. Over the past 60+ years, smaller portions of the property had been used for limited forestry activity and very small-scale livestock grazing activity. The two structures built around 1988-1990 on parcel #351433002 are non-residential. There is no record of residential structures.

Current Land Uses

The large Barn structure on parcel #351433002 has been permitted under commercial building codes and has been used primarily under a commercial land use designation (Event Venue — PCUP000-17-0029, approved March 19, 2018) since completion of construction in August 2018. The small residential portion of the overall building (approx. 11% of the total floor area of the structure) has been used only as transient lodging in conjunction with the Event Venue commercial use.

The structures on parcel #352321001 have been permitted and used primarily under a commercial land use designation (Bed & Breakfast Inn—PCUP00-17-0030, approved March 19, 2018) since completion of construction in May 2019.

Combining these two parcels and the immediate vicinity and road connecting the two parcels, an area of approximately 32 acres (see below) has operated under predominantly commercial land uses for over three years.

Soils

Based on the County records, an area of the northeast corner of the subject property (approx. 26 acres—see below) is not prime farmland.

Additionally, a substantial portion of the existing commercial-use area includes frequent bedrock outcrops and/or highly rocky, gravelly soils that are marginal or unsuitable for intensive commercial or agricultural use. The existing one-acre garden on parcel #351433002 required extensive rock clearing and soil composting/amendment that is not economically feasible for larger-scale agricultural use.

This northeast portion of the subject property is also not appropriate for intensive agricultural or forestry activity due to its location immediately adjacent to the Urban Growth Area.

Rural General Use (RGU) vs. Rural Farm Forest (RFF) evaluation

The Comprehensive Plan policies specify three primary domains for guiding land use determinations between RGU and RFF: existing land uses, parcel size, and soils.

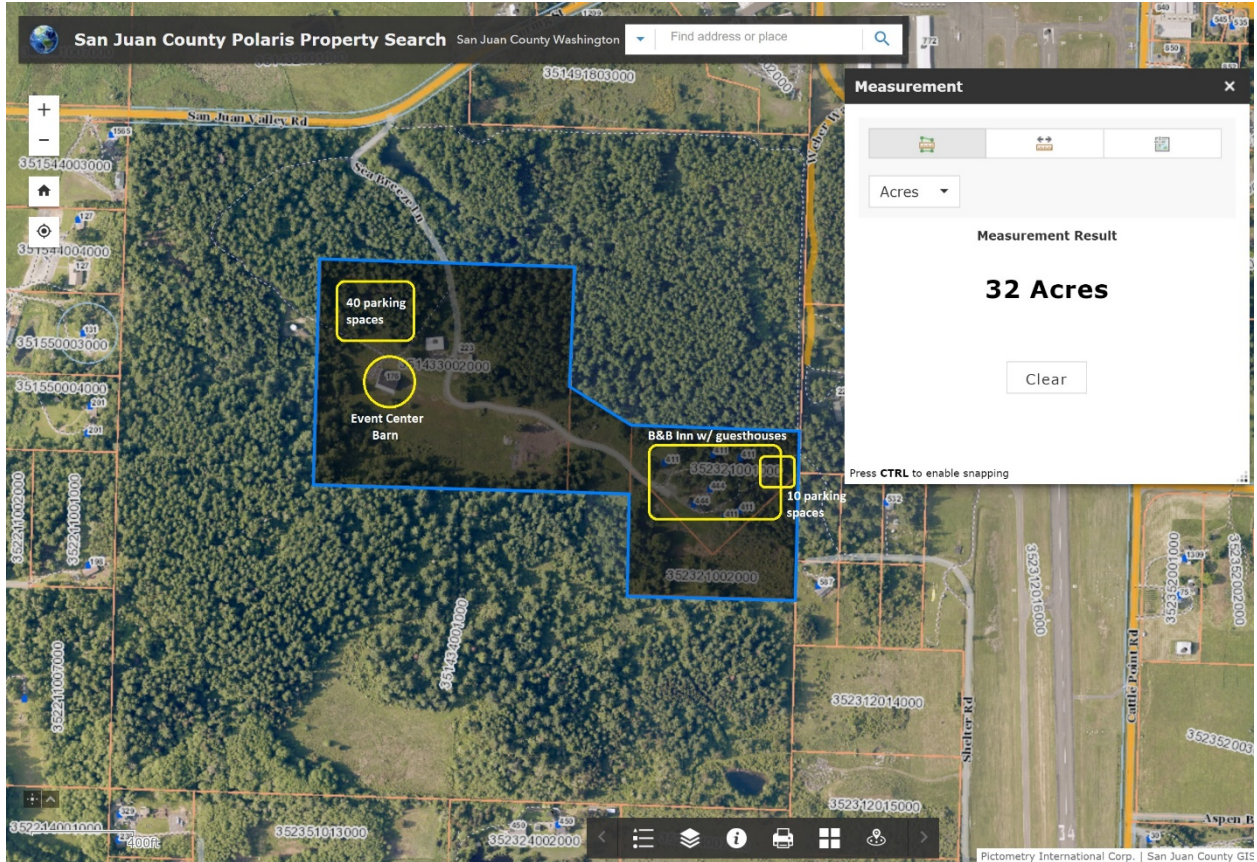
A comparison of the updated area proposed for re-designation is detailed below under each domain. The proposed area more closely matches the policy definitions for RGU on all three criteria.

	Rural General Use (RGU)	Rural Farm Forest (RFF)
(i) Existing land uses	There is an existing mix of residential development, <u>scattered single family residences</u> , <u>small farms</u> , <u>forestry activities</u> , resource-based commercial and industrial uses, cottage enterprises, <u>rural commercial</u> and rural industrial uses;	The <u>predominant</u> land use is <u>farming and forestry</u> mixed with <u>residential development</u> ;
	<p>Notes: The updated area proposed for re-designation to RGU includes primarily rural commercial uses (Event Venue and B&B Inn), a small farm/garden, very small-scale forestry for on-site use only, and one single-family residence which serves primarily as a B&B Inn.</p> <p>No residential development has occurred in the proposed area, with the exception of one single-family dwelling which was expressly designed, constructed, and permitted from the outset as a B&B Inn.</p> <p>This mix of existing land uses represents a closer match to the RGU than to the RFF criterion. Additionally, the land uses in the immediately adjacent parcels are higher-intensity commercial/institutional uses (e.g., Peace Health hospital, Friday Harbor Airport, Skagit Valley College, etc.), and illustrates a closer match to RGU than to RFF in the surrounding area.</p>	
(ii) Parcel sizes	Parcels are generally <u>five to twenty</u> acres in size; and	Parcels are generally <u>five or more</u> acres in size; and
	<p>Notes: Under the pending long plat, the smallest parcel is the updated area proposed for re-designation is 5 acres, and the largest is 20 acres, representing an exact match to the RGU criterion. The RFF criterion would be a closer match for areas with parcel sizes larger than 20 acres as well, which is not the case for the proposed area.</p>	
(iii) Soils	Soils are <u>marginal or unsuitable</u> for <u>intensive</u> commercial agriculture or forestry uses.	Soils are suitable for small-scale agricultural or forestry uses.
	<p>Notes: As detailed below, soils in the updated area proposed for re-designation to RGU are generally marginal or unsuitable for intensive commercial agricultural or forestry use, and/or such a use is poorly suited given the close proximity of the UGA and of existing on-site commercial activities. Thus, the proposed area more closely matches the RGU criterion.</p>	

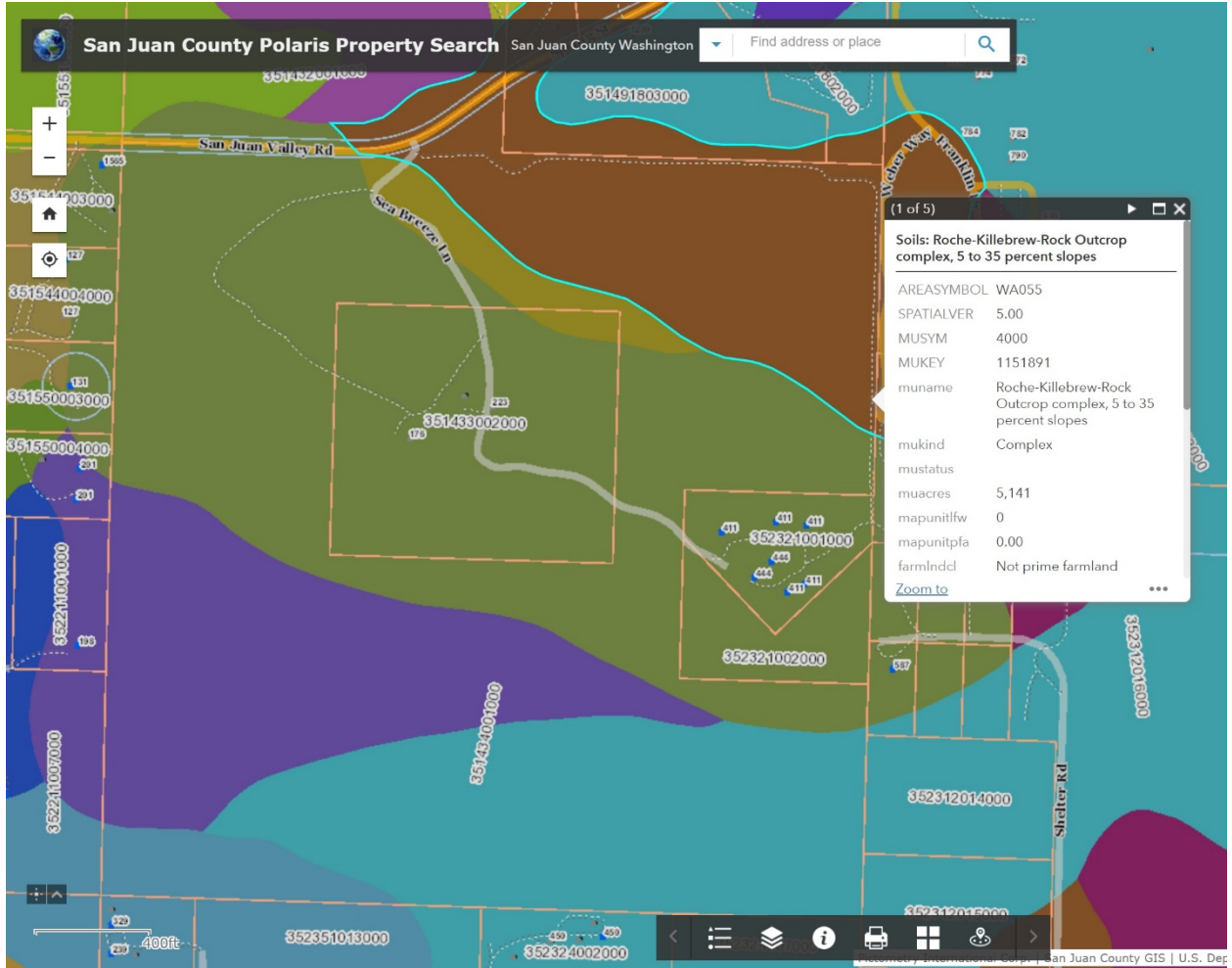
(all underlines added for clarity of distinction)

Maps & Additional Detail

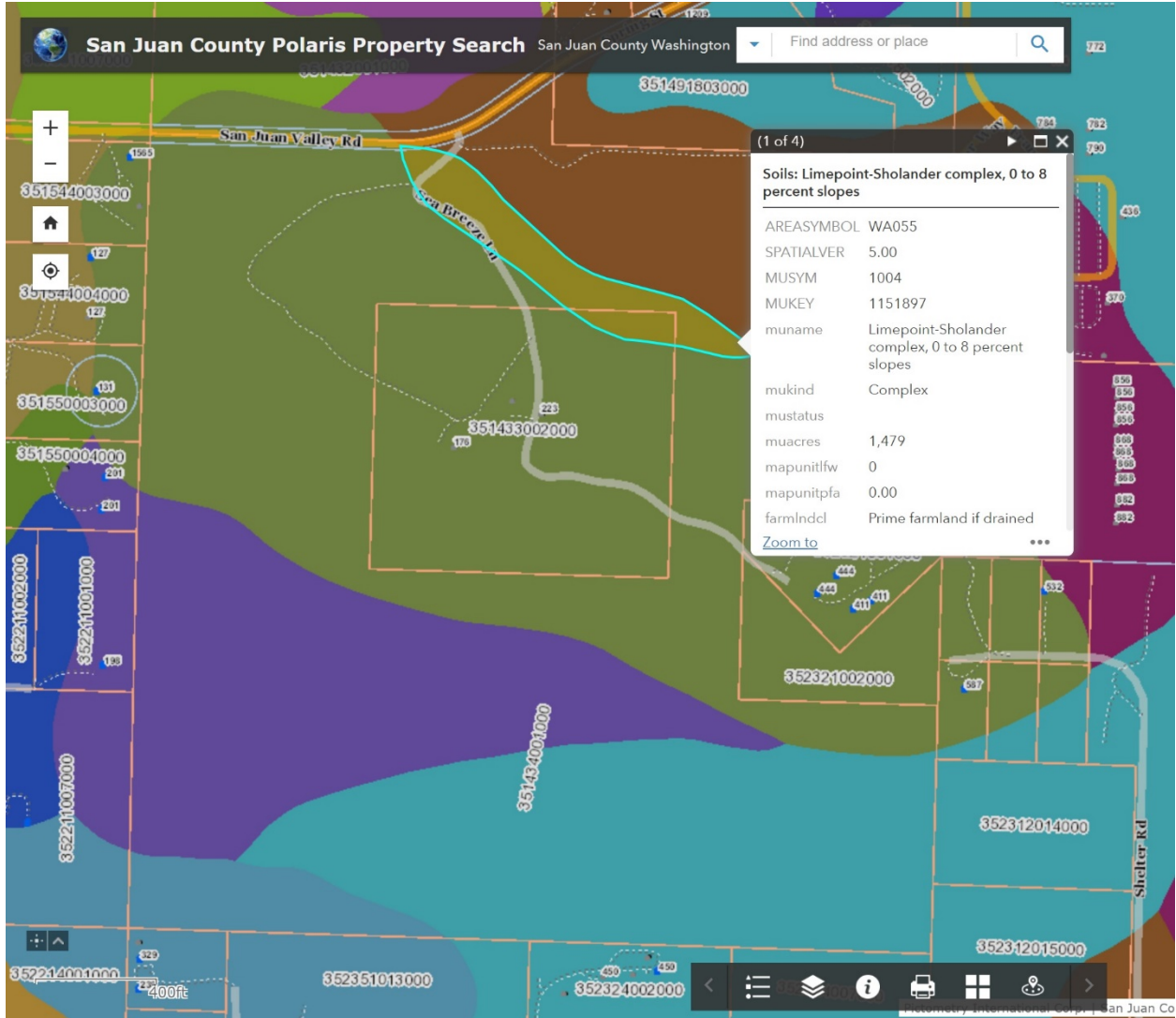
Highlighted below (32 acres in total) are the areas operating primarily under commercial land use designations since 2018, along with the immediate vicinity of the frequently traveled road connecting the two areas.



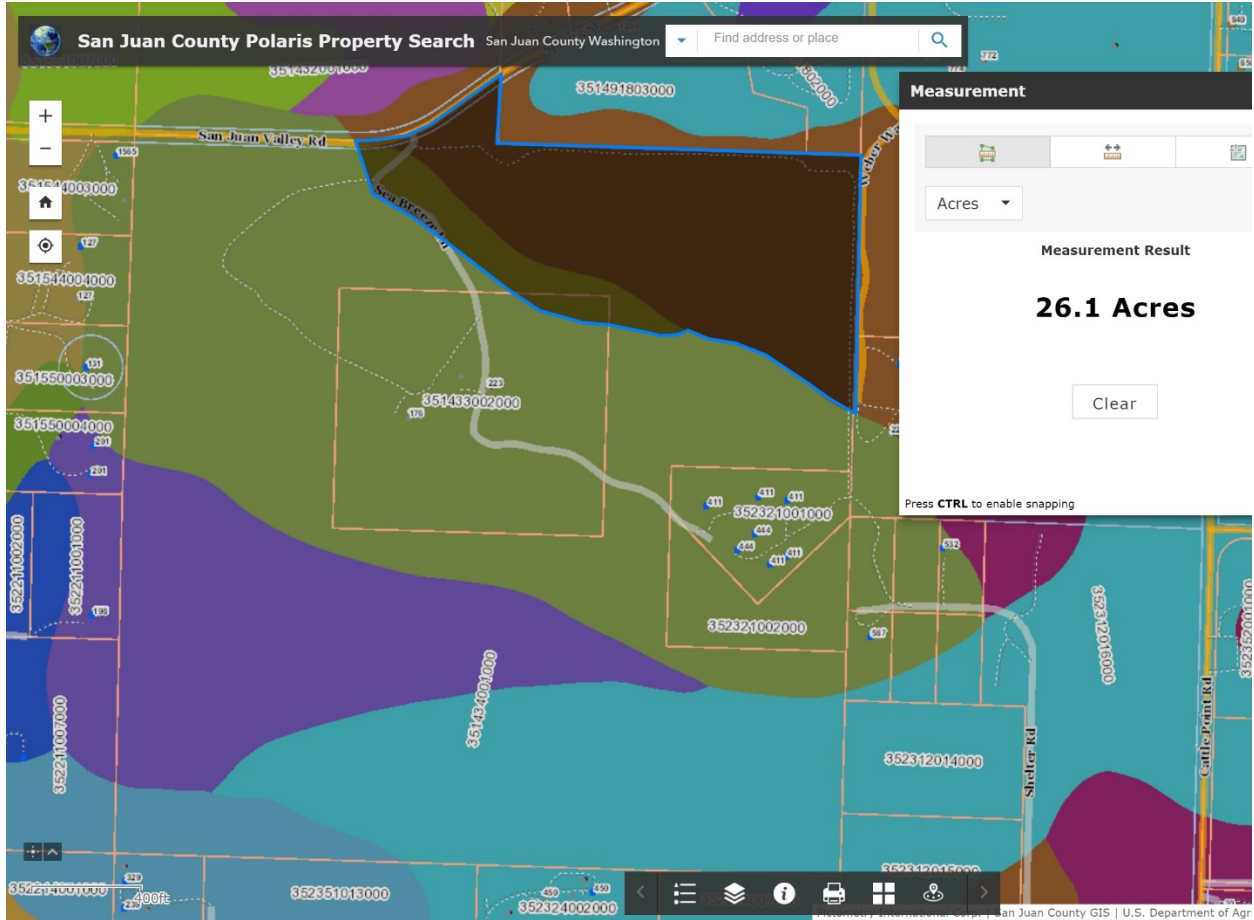
A large portion of the north and northeast areas of the subject property has soils that are designated as “not prime farmland” (approximately 21.6 acres— Roche-Killebrew-Rock Outcrop complex, 5 to 35 percent slopes).



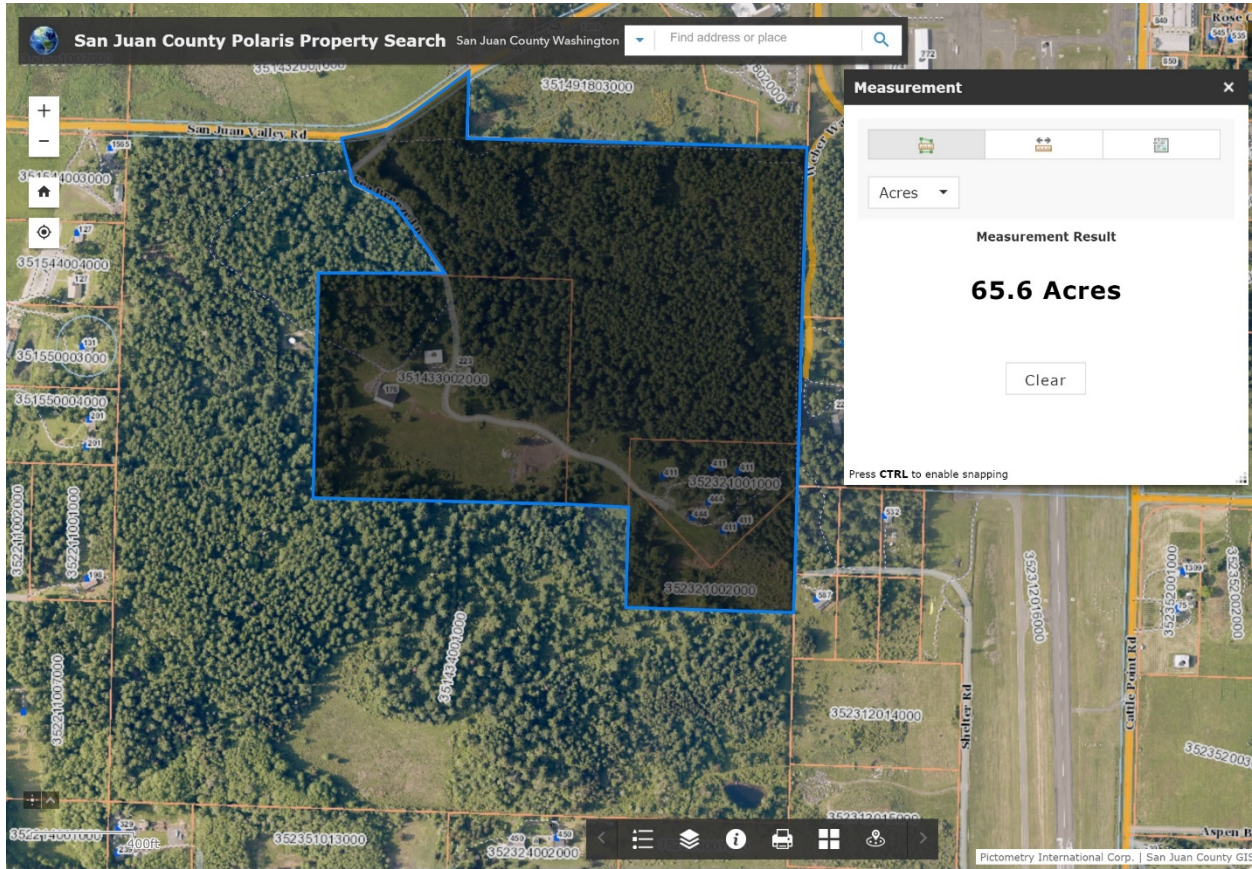
An additional adjacent portion of the subject property has soils listed as “prime farmland if drained” (4.5 acres— Limepoint-Sholander complex, 0 to 8 percent slopes); however, this area is situated within protected buffers of a Category III wetland and a natural pond. Therefore, these soils cannot be drained and may never be used as farmland.



In total, approximately 26.1 acres of the north and northeast corners of the subject property are not prime farmland. These areas are also adjacent to the Urban Growth Area, San Juan Valley Rd, and higher-intensity non-residential uses, as shown on the following pages.

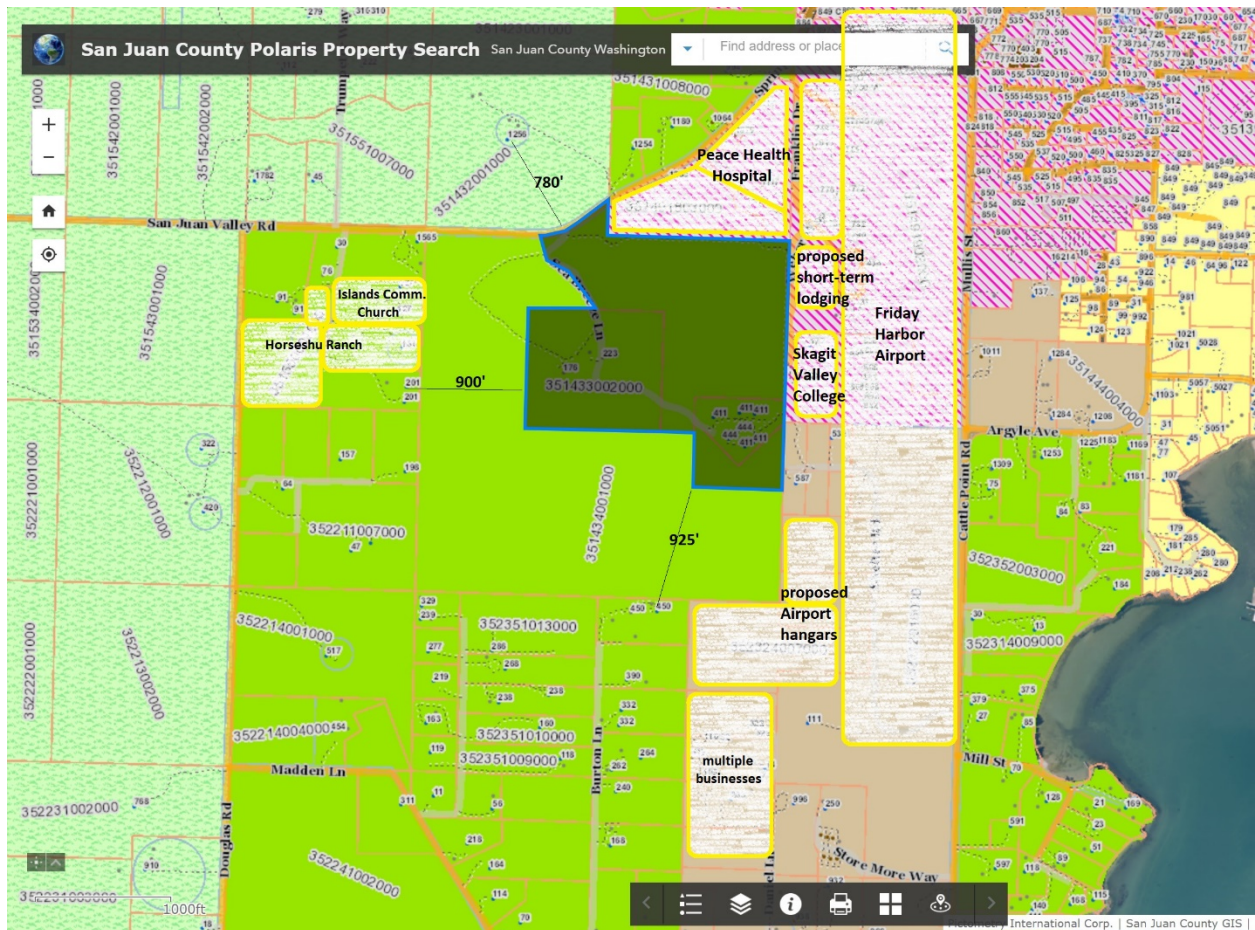


The area highlighted below (approximately 65.6 acres) includes the areas operating under primarily commercial land use designations (approximately 32 acres), those with non-prime soils (25.6 acres), and, for continuity, the adjacent area (approximately 8 acres) situated between the two above areas, and bordering the Skagit Valley College (Port of Friday Harbor property) to the east.



Given the primarily commercial existing land use and/or the lack of usable prime farmland soils, the area proposed for re-designation (shown below in dark green) aligns more closely with the Comprehensive Plan criteria for Rural General Use (RGU) than for Rural Farm Forest (RFF).

Additionally, the proposed area is adjacent to a major collector road (San Juan Valley Rd) to the north, to commercial and institutional land uses within the Urban Growth Area to the northeast, and to the Friday Harbor Airport (RGU) land to the east and southeast. Smaller areas of non-residential use are located to the west of the subject as well. The nearest residences on neighboring parcels are buffered by terrain and distance (approximately 780' to the north, 900' to the west, and 925' to the south) from the nearest border of the area proposed for re-designation.



SJCC re-designation criteria analysis

With the updated information provided above and below, we believe that the updated area proposed for re-designation to RGU meets all five SJCC criteria for Comprehensive Plan official map amendments, as detailed below: (underlines added)

SJCC 18.90.030(F)(1):

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.

Notes: Over the next 20 years, the public health and welfare depends upon developing new opportunities for sustainable economic and employment growth, in a manner that preserves the special rural character of the islands. Although San Juan Island has a substantial supply of existing land designated RGU, most of that RGU land is either occupied by the Friday Harbor Airport or is already developed. The existing supply of available RGU for developing new economic activity and job growth is very limited. The proposed re-designation would add approximately 65 acres to this supply in a nearly ideal location for maximizing community benefit while limiting negative impacts—

1. Adjacent to the UGA, yet retaining a natural, rural character
2. Supplied by self-contained on-site water and septic services
3. Accessed by a major collector road—San Juan Valley Rd
4. Adjacent to the Friday Harbor Airport

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.

Notes: The updated area proposed for re-designation has now been used predominantly for rural commercial land uses for over three years, representing a significant change in circumstances from the previous comprehensive plan update. These established commercial uses, along with the unsuitability of soils in a large portion of the proposed re-designation area, represent information not previously considered indicating the RGU designation is equally or more consistent with the purposes, criteria, and goals outlined in the Comprehensive Plan. Additionally, as described under criterion (a) above, there is a demonstrable need for RGU land available for developing new uses, given that the Friday Harbor Airport occupies a large portion of undeveloped RGU land on San Juan Island.

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

Notes: As described in the table on page 3, the updated area proposed for re-designation more closely matches the policy criteria for RGU than for RFF on all three factors.

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.

Notes: The updated area proposed for re-designation is adjacent to existing RGU land to the east/southeast, and to higher-intensity use land of the UGA to the north/northeast. The RFF land to the west and south is substantially different in terms of topography, parcel size, existing land uses, and proximity to the Urban Growth Area. Further, the area proposed for re-designation is separated from surrounding RFF and AG lands by logical topographical boundaries, including San Juan Valley Rd and a ridgeline. The remaining RFF land under the same ownership (approx. 100 acres) would also serve as a buffer between the new RGU land and RFF lands to the west and south.

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

Notes: The economic benefits to the community of well-placed RGU land available for growth are clear. Given the location of the proposed area for re-designation and its self-sufficiency in terms of utilities, no significant adverse impacts are apparent. Further, potential negative impacts (if any) would be addressed and mitigated as part of a conditional use permitting process for new uses under RGU.

In summary, we propose that the updated area (approx. 66 acres total), meets all SJCC criteria for re-designation, and would be a meaningful addition to the necessary small-scale sustainable growth of our island community in the coming years.

We appreciate your time and energy in reviewing this information, and we look forward to discussing this with you!

Kind regards,

Andrew Fleming & Merriss Waters