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September 12, 2022

San Juan County Planning Commissioners
San Juan County Department of Community Development
PO Box 947
Friday Harbor, WA 98250

RE: Proposed FHUGA Jensen Marine

Dear Commissioners:

I represent Greg and Kimberly Stein who own property located at 929 Turn Point Road, San Juan Island (TPN 351313004000). Their property is within the proposed unincorporated Town of Friday Harbor Urban Growth Area (UGA) that will also encompass Jensen Marine. The Steins are concerned about how this action is being presented to the Planning Commission and would like to point out a few of the deficiencies and impacts of the proposal.

Mapping Deficiency

The map attached to the staff report for this action shows the boundary of the proposed UGA and identifies Jensen Marine as being "industrial" while the Stein property is identified as being "single-family residential." (See attachment.) This is potentially how the property will be zoned by the Town once it is annexed into the Town of Friday Harbor according to the September 8, 2022 Department of Community Development staff report.

However, the "single-family" and "industrial" designations apply to upland areas. My clients' property and the Jensen Marine property are almost entirely located within the 200-foot shoreline jurisdictional area and will be regulated by the Town of Friday Harbor Shoreline Master Program (SMP) once annexed. The Town's SMP does not have any "single-family residential" or "industrial" shoreline designations. They have only four which include Urban, Urban Residential, Natural and Aquatic. According to the criteria in the Town's SMP and the attached Shoreline Land Use Table, the proposed UGA should be entirely designated "Urban" because residential use, ports and marinas are allowed according to the September 8, 2022 Department of Community Development staff report in this designation. This has not been presented to the Planning Commission and is a very important aspect of the proposal that needs to be included in the discussion.

Town of Friday Harbor SMP Regulations

Boating Facilities: Section 19.04.430(D.1.a) of the Town's SMP requires marinas (piers, ramps, floats, slips, ramps, etc.) to be setback a minimum of 30 feet from the preferential rights line.

The existing marina is located on the preferential rights line which projects seaward of my clients' east property line. (See attached map.) If the Town annexes the Port property, it will make the marina non-conforming with regard this setback.

The attached Jensen's/Shipyard Cove Master Plan Map shows the conceptual design for expanding the marina. The proposed expansion shows the marina crossing over the preferential rights line to the west. This will not be allowed as per Section 19.04.430(D.1.a).

Landscaping: Section 19.04.430(D.10) requires a 25-foot wide strip of landscaping along the perimeter of parking areas, dry moorage and other storage areas. It appears there is a storage area next the Steins' east property line. They would like to see that the required landscaping will be installed once the property is annexed.

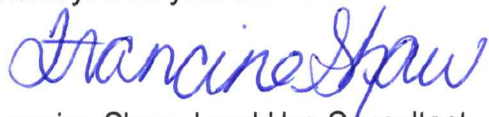
Noise

The annexation of the Port property into the Town of Friday Harbor may increase development and activity on the property that could create noise levels that exceed the allowances of WAC 173-60, Maximum Environmental Noise Levels, and Section 9.08 of Town of Friday Municipal Code, Situation Noise Limitations. Although, the simple act of creating an unincorporated UGA followed by annexation will not create a new noise source, the Steins would like to bring this to your attention now so that if there is a new noise source introduced on the property, the Port will be aware of this issue and can plan according to reduce any noise nuisance well in advance of the permitting process.

Conclusion

The Steins want assurances that the inclusion of this property in the Town of Friday Harbor UGA and, ultimately, within then Town boundaries will not create an increased adverse impact to their property. They urge the Planning Commission to consider during their deliberations, the need to place a recommendation on the proposal requiring that any new marinas or additions to them meet the required 30-foot setback from their preferential rights line so that the non-conformity that will arise from this action will not be increased and install landscaping along the Port's west property adjacent to the Stein property.

Thank you for your consideration of this information,



Francine Shaw, Land Use Consultant

CC. Greg and Kimberly Stein

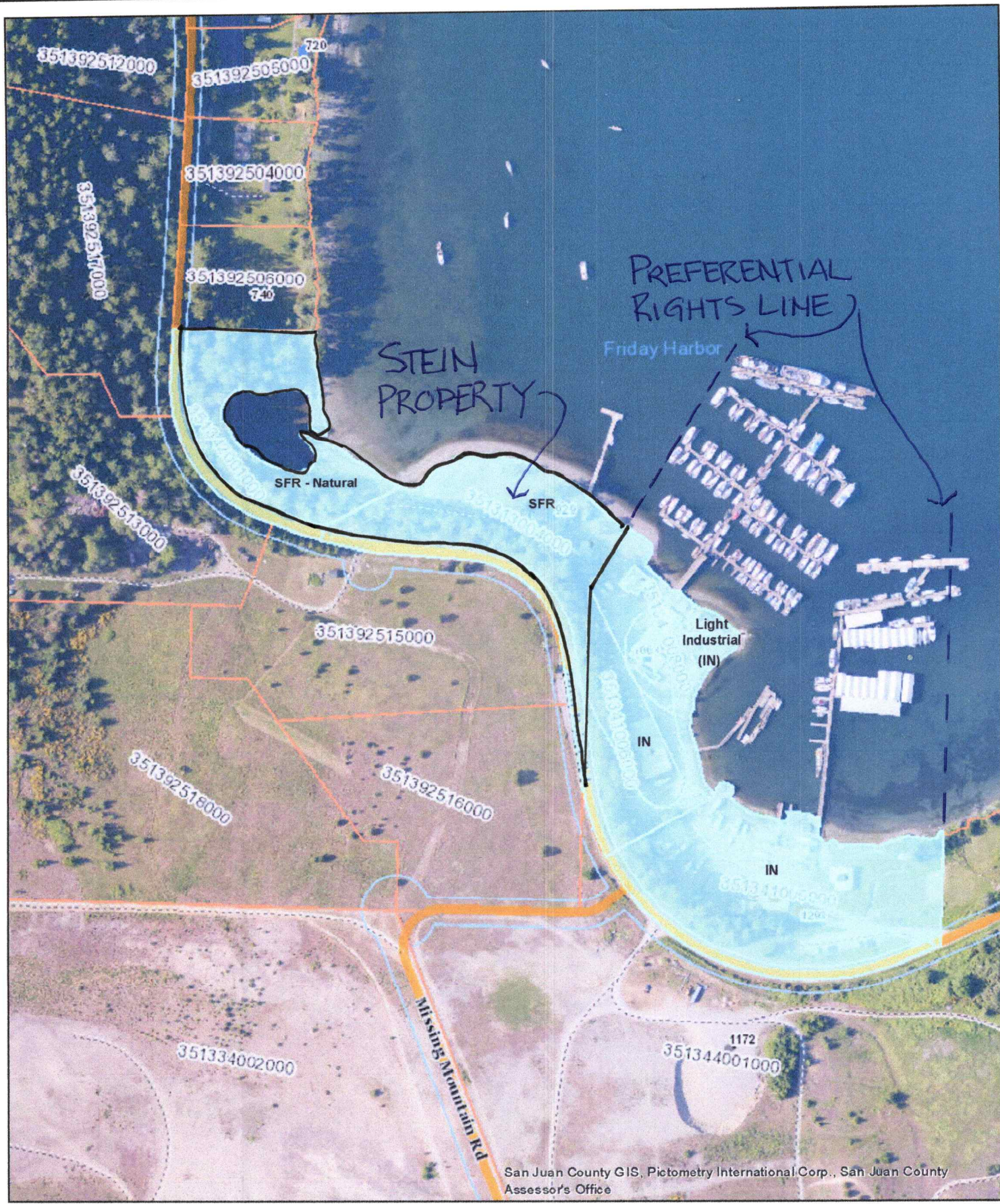
19.04.540 Environment - Uses summary table.

Town of Friday Harbor

Table 4. Uses Summary and Comparison

USES	URBAN	URBAN RESIDENTIAL	NATURAL	AQUATIC
Agriculture	N	Y	N	N
Aquaculture	C	C	N	C
Breakwaters	N/Y	N/Y	N	C/S
Bulkheads	Y	Y	N	N
Commercial Development	Y/S	N	N	Y/S
Dredging	C	C	N	C
Forest Management	C	C	N	N
Jetties and Groins	C	C	N	C/S
Landfills	Y/S	Y/S	N	C/S
Marinas	Y	N	N	Y/S
Mineral Extraction	N	N	N	N
Mooring Buoys	C/S	C/S	N	C/S

USES	URBAN		RESIDENTIAL	NATURAL	AQUATIC
	Y/S	Y/S			
Landfills	Y/S	Y/S	N	N	C/S
Marinas	Y	N	N	N	Y/S
Mineral Extraction	N	N	N	N	N
Mooring Buoys	C/S	C/S	C/S	N	C/S
Piers and Docks	Y	Y/S	Y/S	N	Y/S
Ports	Y	N	N	N	Y
Recreation	Y	Y	Y	Y/S	Y
Residential Development	Y	Y	Y	N	N
Signs	Y	Y	Y	N	Y/S
Transportation Facilities	Y	Y	Y	N	Y/S
Utilities	Y	Y	Y	Y/S	Y/S



This map is derived from San Juan County's Geographic Information System (GIS). It is intended for reference only and is not guaranteed to survey accuracy. The information represented on this map is subject to change without notice.

1 in = 280 feet

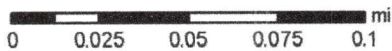
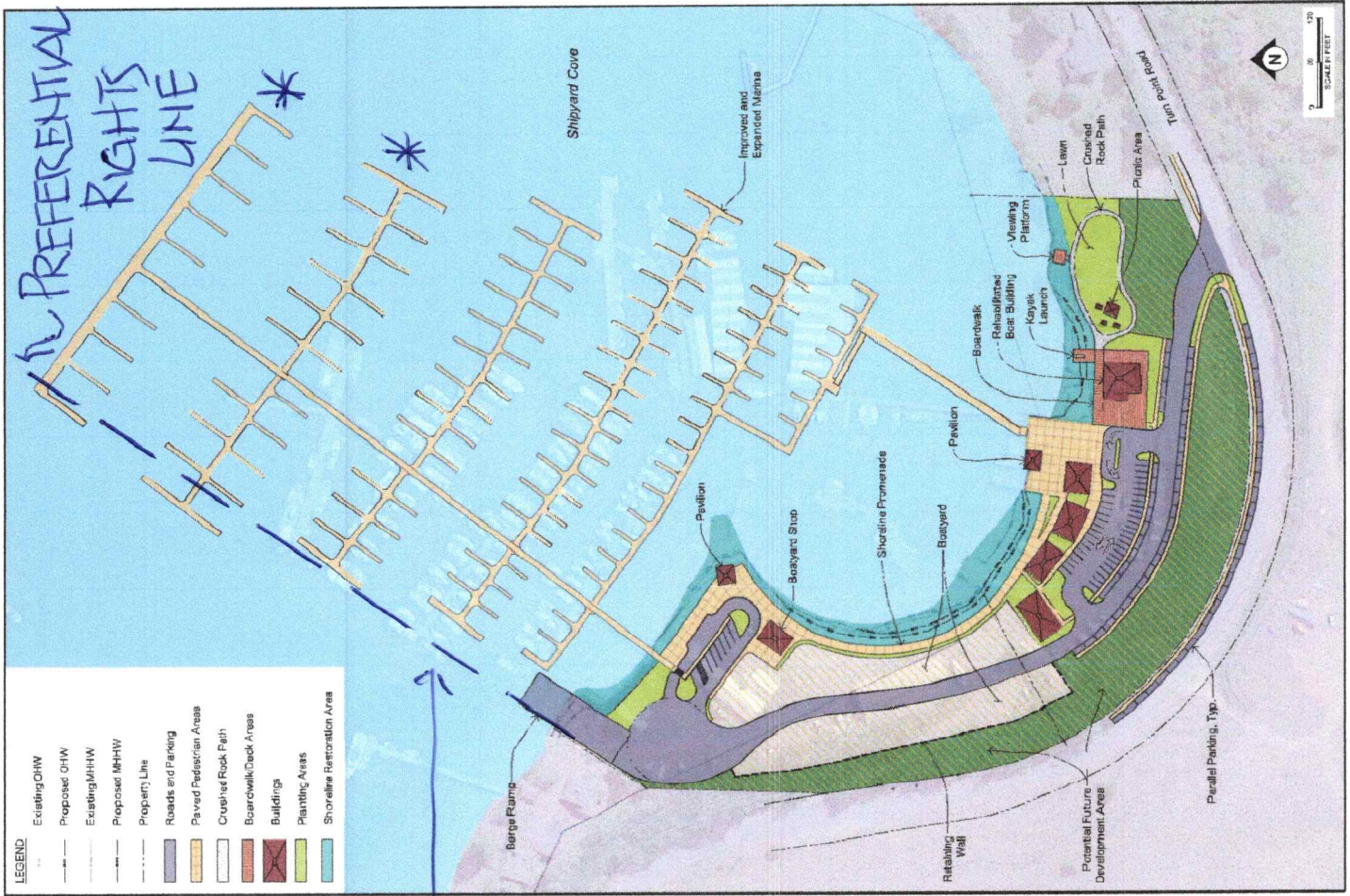


Figure 1

PROPOSED DEVELOPMENT
CONCEPT
2021



Does not meet the required 30-foot setback from Preferential Rights Line

* Proposed marina expansion does not meet 30' setback

Figure 1. Jensen's / Shipyard Cove Master Plan



LEON Environmental, LLC