

ORDINANCE NO. ___-2016

A 2016 DOCKET ORDINANCE AMENDING THE DEER HARBOR HAMLET PLAN, A
COMPONENT OF THE LAND USE ELEMENT OF THE SAN JUAN COUNTY COMPREHENSIVE
PLAN

BACKGROUND

- A.** Pursuant to the Growth Management Act ((GMA); Chapter 36.70A (RCW), San Juan County (County) adopted the San Juan County Comprehensive Plan (Comprehensive Plan), official maps, and implementing development regulations in the Unified Development Code; Title 18 San Juan County Code (SJCC).
- B.** This ordinance is being considered as part of the County's 2016 annual docket of amendments to the Comprehensive Plan. Consistent with RCW 36.70A.130(2)(b) all docket proposals are considered concurrently so that the cumulative effects of the various proposals can be ascertained.
- C.** The Deer Harbor Hamlet Plan, (Hamlet Plan) an activity center plan identified in the Land Use Element of the Comprehensive Plan (Section B, Element 2, subsection 2.3.B (8)), was adopted by Ordinance 26-2007. It identifies and characterizes the different land use districts in the Hamlet, contains a vision articulating the community's preferred character, and goals and policies supporting the regulations which implement the community's vision.
- D.** As part of the Deer Harbor Hamlet Plan Review Committee's (DHHPRC) regular duties, the DHHPRC submitted proposed amendments to the Plan in June, 2013 to the Department of Community Development (DCD). County staff has been working with the DHHPRC to update, streamline, clarify and reorganize the Plan.
- E.** Public participation was early and continuous throughout this amendment process. Many opportunities for community input were provided. Multiple methods of public engagement were used to obtain input on the update including a public meeting to present the updated plan to the residents in Deer Harbor. Information about the proposed amendments was disseminated through the media in public notices and through a County listserve. It was also provided in an electronically accessible format on the County's web site. Efforts to inform and involve the public in the update included the following activities:
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| I. | July 13, 2016 | DHHPRC public meeting |
| II. | August 10, 2016 | DHHPRC public meeting |
| III. | August 30, 2016 | 60-day Commerce notification of intent to adopt |
| IV. | August 31, 2016 | Deer Harbor Community Club public meeting, |
| V. | September 14, 2016 | DHHPRC public meeting |
| VI. | September 16, 2016 | Planning Commission briefing |
| VII. | September 28, 2016 | State Environmental Policy Act DNS review published |
| VIII. | September 28, 2016 | Planning Commission public hearing notice published |
| IX. | October 18, 2016 | County Council briefing (1 st touch) |
| X. | October 21, 2016 | Public hearing with the Planning Commission |
| XI. | October 25, 2016 | County Council briefing (2 nd touch) |
| XII. | November 8, 2016 | County Council public hearing |
| XIII. | November 29, 2016 | County Council docket deliberations |

- F.** In compliance with the State Environmental Policy Act (SEPA), the environmental and nonproject action SEPA checklists were completed and evaluated for the project. It was determined that the proposals would be unlikely to create any significant adverse environmental impacts. A Determination of Non-significance (DNS) was published on September 28, 2016, in the Journal of the San Juan Islands and The Islands' Sounder. The DNS and checklists were provided to federal, state and local agencies in accordance with SJCC 18.80.050 and WAC 197-11-340. The Washington State Department of Ecology also published notice of the SEPA determination on their SEPA register under item No. 201605300.
- G.** As required by RCW 36.70A.106, a 60-day notice regarding the potential adoption of amendments to the Comprehensive Plan was provided to the Washington State Department of Commerce on August 30, 2016. Commerce acknowledged receipt of the notice indicating that the notice was processed by the State under Material ID No. 22789 on August 31, 2016.
- H.** The Planning Commission was briefed on the amendments on September 16, 2016 prior to holding a duly advertised public hearing on October 21, 2016. Notices of the Planning Commission's public hearing were published in the Journal of the San Juan Islands and the Islands' Sounder on September 28, 2016. The Planning Commission recommendation was forwarded to the County Council in October 2016. All documents were placed on the County's website.
- I.** The County Council was briefed on the amendments on October 18 and October 25, 2016 prior to holding a duly advertised public hearing on November 8, 2016. The hearing notice was published in The Journal of the San Juan Islands and Islands' Sounder. Following the hearing, County Council considered the recommendations of the Planning Commission and staff, and written and oral testimony from the public.
- J.** The County Council makes the following findings:
1. The Comprehensive Plan is the official policy statement of the County, and provides a long-range framework to guide decisions about growth, land uses, transportation systems, conservation of natural resources, capital expenditures, and procedures and programs. The public has been provided notice and opportunity to review and comment on the draft amendments to the Comprehensive Plan, its supportive documents, and the environmental impacts of their adoption. This meets the requirements of RCW 36.70A.035 and 36.70A.140.
 2. The Hamlet Plan as amended by this action, was prepared as required in RCW 36.70A.040(1), meets the requirements of, and is consistent with, the GMA.
 3. The Hamlet Plan amendments provide updated policy guidance, as shown in Exhibit A, and is consistent with the overall goals of the Comprehensive Plan and Vision Statement.
 4. The overall impact of the amendments to the Hamlet Plan is that it will be easier to use and understand because it is streamlined, better organized, and outdated, repetitive, or superfluous sections are deleted.

NOW, THEREFORE, BE IT ORDAINED by the County Council of San Juan County, Washington, as follows:

Section 1. Adoption of Amendments to the Comprehensive Plan:

The Deer Harbor Hamlet Plan and Ordinance 26-2007 § 3 are amended as Appendix 12 of the Comprehensive Plan as shown in Exhibit A.

Section 2. Savings Clause:

This ordinance shall not affect any pending suit or proceeding; or any rights acquired; or liability or obligation incurred under the sections amended or repealed; nor shall it affect any proceeding instituted under those sections. All rights and obligations existing prior to adoption of this ordinance shall continue in full force and effect.

Section 3. Severability:

If any provision of this ordinance or its application to any person is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected. Remaining sections of the ordinance shall be interpreted to give effect to the spirit of the ordinance prior to removal of the portions declared invalid.

Section 4. Effective Date:

This ordinance shall take effect on the tenth working day after adoption.

ADOPTED this _____ day of _____ 2016.

ATTEST: Clerk of the Council

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**

Ingrid Gabriel, Clerk Date

Jamie Stephens, Chair
District 3

REVIEWED BY COUNTY MANAGER

Michael J. Thomas Date

Rick Hughes, Vice-Chair
District 2

RANDALL K. GAYLORD
APPROVED AS TO FORM ONLY

By: RGV _____ 10-21-2016
Date

Bob Jarman, Member
District 1

Exhibit A: The Deer Harbor Hamlet Plan