



Friends *of the* San Juans

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By Email

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San Juan County Planning Commission
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Dear Planning Commissioners,

Thank you for the opportunity to comment on the County's 2021 Annual Docket ("Docket"). As set forth proficiently by the May 6th staff report, the Docket offers an excellent opportunity to plan for suitable Comprehensive Plan and development code amendments, and the proposals before you warrant careful review. We offer the concise comments below to address the proposals for commercial composting on agricultural lands, indoor recreational facilities, resource capacity analysis, floodplain development, tree conservation, and stormwater code updates.

A. Request 21-0001—Commercial composting on farmlands

This request seeks to revise the County Code to authorize the installation of commercial composting facilities on designated agricultural resource lands through a provisional use or conditional use permit. At present, the Code authorizes commercial composting facilities on thousands of acres countywide in the following designations: Rural General use, Rural Industrial, Rural Commercial, and Forest Resource. County staff recommend opening up farmlands to commercial composting after completion of the Comprehensive Plan update.

While we ardently support increased opportunities for both commercial and non-commercial composting in the San Juans, we also vigorously support the use of agricultural resource lands for agriculture, rather than for industrial activities like commercial composting. We thus recommend that the County decline the invitation to open up farmlands to commercial-scale composting and that it continue to allow non-commercial composting consistent with the agricultural activities on those lands. While local commercial composting can provide benefits like keeping compostables out of the waste stream and returning material to local soils, those benefits do not require that commercial composting occur on farmlands. Indeed, due to the incompatibility of commercial-scale composting with agricultural activities,

neighboring Whatcom and Skagit Counties both prohibit commercial composting on agricultural resource lands, while authorizing composting associated with farming.

We encourage the County to investigate local commercial composting infrastructure that could be constructed and operated on the thousands of acres already zoned for it. We understand that the Port of Friday Harbor and the Exchange on Orcas have expressed interest in such facilities. In addition to serving people who don't have the ability to compost at home, commercial-scale composting could help our community transition away from single-use plastics and toward materials that can break down and provide a valuable natural feedstock. Many communities have already chosen this path, and we encourage you to begin planning for our community to join them.

B. Request 21-0002—Indoor recreational facilities on rural farm forest lands

This request seeks to amend the Code to permit indoor tennis facilities on Rural Farm Forest lands throughout the county. At present, the Code authorizes indoor recreational facilities on lands designated village and hamlet commercial and industrial, rural general use, and rural commercial. In the event that the County wishes to amend the code per the request, staff recommend that a conditional use permit apply to the development of new indoor recreational facilities or indoor tennis facilities.

We support the staff recommendation, and believe that the conditional use permit process could guide the development of indoor recreational facilities to prevent impacts on their surrounding neighborhoods. Given the potential aesthetic impacts associated with large new structures, it would also be reasonable to include a screening criterion or direction to construct such facilities at a significant distance from neighboring properties.

C. Request 21-0003—Resource capacity analysis

We support the request to prepare a resource capacity analysis that takes the results of the County's 2018 Land Capacity Analysis and evaluates the impacts of that buildout on our community's quality of life. Such analysis would include a review of water availability to serve both the legal amount of water that can be withdrawn and the amount of water likely to be used based on current use patterns and trends indicating increased use. It would also identify transportation needs within and to the San Juans, projected energy needs, the soils' capacity to handle septic waste, emergency evacuation needs, health care needs, waste management, food supply, and housing needs for local employees and whether the high level of temporary housing use (we understand it to be approximately 40%) could accommodate the housing needs at full buildout.

D. Request 21-0004—Floodplain development proposal

This request seeks a Code revision so that agricultural and accessory structures could be built in Special Flood Hazard Areas without a variance if they were constructed of flood damage resistant materials and/or built to allow water to flow through them. Currently, such structures must be elevated to avoid flooding impacts unless an applicant obtains a variance to construct them in flood zones. Staff recommend against this revision in large part because the option is available with a variance. We strongly support the staff recommendation and believe that the variance process will continue to allow such construction where appropriate while protecting important flood zones from impacts of that development.

E. Request 21-0005—Tree conservation code provisions

This request seeks to: (1) to consolidate all Code provisions regarding trees in one location; and (2) add general tree retention and protection standards to the Code. The new tree standards would: (a) protect trees from unintentional destruction during construction; (b) maintain tree canopy; (c) establish general tree retention standards; and (d) protect significant and exceptional trees and groves. Staff recommend against consolidating all tree protections into one code location and did not provide a recommendation on whether to take up the new tree standard proposal.

To avoid confusion, we agree with staff that the tree protection standards installed in the Shoreline Master Program and Critical Areas Ordinance should not be consolidated into a single section. We also recommend that the County enact tree standards similar to those provided by the proponent. Unlike many jurisdictions, our Code does not currently provide general tree protection language. Friends of the San Juans regularly fields calls from community members who are concerned about non-forestry clear-cutting of lots and who then become distressed to learn that much of the extensive tree cover we enjoy in the islands is not protected and has been retained more by accident than intent. Because those trees provide many benefits beyond beautiful landscapes and rural character – from essential habitat to carbon sequestration and more – we strongly support the adoption of general tree standards. The sample language from Mr. Becker provides an excellent starting point.

F. Request 21-0008—Stormwater code updates

This proposal would amend the Comprehensive Plan and update the County Code with language consistent with current stormwater standards to improve environmental protection, address stormwater runoff, control erosion and sedimentation, and promote aquifer recharge. Staff have already identified the need to update the stormwater code and propose adding the Comprehensive Plan language during the current update and to take up the stormwater

regulation update in 2022-23.

We heartily support the staff recommendation. We understand that the County's Environmental Resources unit is actively involved in this effort to modernize stormwater provisions, and we are confident that they will be able to play a valuable role in this update. We look forward to this legislative update.

Thank you for your consideration. We welcome any questions you have.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Brent Lyles", with a long horizontal stroke extending to the right.

R. Brent Lyles, Executive Director