


TOWN OF FRIDAY HARBOR
Post Office Box 219 • Friday Harbor, Washington 98250
(360) 378-2810 • FAX: (360) 378-5339 • www.fridayharbor.org

STAFF REPORT

TO: Friday Harbor Town Council

FROM: Mike Bertrand, Land Use Administrator 

RE: Rezone Application No. 61
A Request for a Zone Change from
Multi-family Residential to Utility

DATE: April 1, 2011

**APPLICANTS /
LANDOWNERS:** Town of Friday Harbor
P O Box 219 / 60 Second Street
Friday Harbor, WA 98250

1. SUBJECT PROPERTY:

The subject property is identified as Tax Parcel No. 351458041 and is located at 425 Marguerite Place. The property currently has a one-story, two bedroom, one bath house located on it, and is approximately .73 acres in size. The San Juan County Assessor's Office describes this parcel as *PRICE'S HARBOR VIEW ADDN TO FH, LTE EX N25*.

2. PROPOSAL & ZONING:

The applicant is requesting a zone redesignation (rezone) to Utility as applied for on March 23, 2011, and shown on Attachment No. 1. The subject property is currently zoned Multi-family residential as the 2010 Zoning Designation Map shows on Attachment No. 2. The Comprehensive Plan Land Use Classification of this property is Utility as shown on Attachment No. 3.

3. ADMINISTRATION AUTHORITY:

The zoning designation and the land use classification of the subject property allows the Town Council, if they deem it in the best interest of the Town, the authority to grant the rezone that has been requested per Friday Harbor Municipal Code Section 17.04.040 which states:

The Town Council has the overall authority to adopt reasonable rules and regulations, in addition to those set forth in this title, for the implementation and enforcement of the land use ordinance. Applications for conditional use permits, variances, zoning redesignations, amendments to the ordinance, and amendments to the comprehensive plan shall be filed with the land use administrator on forms provided by town.

4. SITE AND AREA CHARACTERISTICS:

The subject property is located across the street from the ball field owned by St. Francis Parish which is zoned Commercial. The subject parcel abuts property to the south that is zoned Utility and is owned by the Town of Friday Harbor; a north abutting property is zoned Multi-family residential. West abutting properties are zoned Multi-family and Single-family residential.

The subject property is moderately treed and slopes up steeply to the west. Properties are zoned Single-family and Multi-family residential above the slope to the west and should be considered protected from the proposed zone due to the natural topographic barrier.

All utilities are available from the Marguerite Place right-of-way. There is a fire hydrant located on the corner of Spring and Marguerite Place that is approximately 150 feet from the south corner of the subject property.

5. FRIDAY HARBOR MUNICIPAL CODE (FHMC):

The portions of the FHMC that are most applicable to this proposal are:

CHAPTER 17.24 MULTI-FAMILY RESIDENTIAL ZONE:

17.24.010 Purpose.

The purpose of the multi-family residential zone is to provide for multi-family residential development allowing a maximum density of 14 units per acre and such other uses as may be compatible.

17.24.020 Permitted uses.

Permitted uses in a multi-family residential zone shall be as follows:

- A. Single-family dwellings;
- B. Accessory uses and buildings normally incidental to the above permitted residential uses;
- C. Multi-family dwellings;
- D. Home occupations;
- E. Community or public park and recreation facilities;
- F. Cultural and religious facilities; and
- G. Planned residential development.

17.24.030 Conditional uses.

Conditional uses in a multi-family residential zone shall be as follows:

- A. Public and private utility structures; and
- B. Mobile home parks.

17.24.040 Density.

The maximum permitted density in a multi-family residential zone is 14 units per acre, except that, where a multi-family lot does not have enough area to accommodate more than one dwelling unit, two dwelling units shall be allowed.

17.24.050 Lot coverage.

The maximum lot area covered by structures in a multi-family residential zone shall not exceed 30 percent.

17.24.060 Yards.

Yards in a multi-family residential zone shall be as follows:

- A. Front yards shall extend a minimum of 20 feet from the right-of-way;
- B. Side yards shall total not less than 15 feet with no one side yard less than five; and
- C. Rear yards shall extend a minimum of five feet from the rear property line.

17.24.070 Access requirements.

Access requirements for a multi-family residential zone shall be as defined in the street and storm drainage standards as defined in Chapter 12.02 FHMC.

CHAPTER 17.36 UTILITY ZONE:

17.36.010 Purposes and uses.

A. Purpose.

The purpose of the utility zone is to provide areas for development and for regulations of both land located within the corporate limits and noncontiguous land annexed into the town that are used for municipal utility purposes. Such uses shall be compatible with the uses of adjoining zones, and shall protect the natural environment from potential air, water, noise, visual, or other forms of pollution.

B. Permitted Uses.

Permitted uses within a utility zone shall be as follows:

1. Watersheds and reservoirs to supply potable water;
2. Water treatment facilities;
3. Water storage tanks;
4. Wastewater treatment and solids handling facilities;
5. Town public works yards and offices;
6. Solid waste transfer facilities;
7. Town maintenance facilities, including repairs performed outdoors and outdoor storage; and
8. Accessory buildings associated with the above uses.

C. Conditional Uses.

Conditional uses in a utility zone shall be as follows:

1. Any municipal use not expressly permitted in subsection B of this section.

17.36.020 Development standards.

A. Lot Coverage. The maximum lot area covered by structures in a utility zone shall not exceed 60 percent.

B. Yards. Yard requirements in a utility zone shall be as follows:

1. Front yards and side yards abutting rights-of-way and road easements shall be not less than five feet, exclusive of parking areas;
2. Side yards shall total not less than 15 feet. Exterior walls of buildings shall be constructed in accordance with the fire resistive requirements of the most recently adopted town building codes;
3. No rear yard shall be required; providing, that the rear wall is of fire resistant construction, pursuant to the most recently adopted town building codes, and has no windows or other openings; and
4. In addition to the above yard requirements, whenever a property which is zoned utility directly abuts a property which is zoned by the town for residential use, there shall be installed along all property lines which abut property zoned for residential use a barrier designed to substantially mitigate sights and sounds.

C. Access Requirements. Access requirements for a utility zone shall be as defined in the street and storm drainage standards as defined in Chapter 12.02 FHMC.

D. Height Limitation. Structures that are associated with essential public facilities, as defined in Appendix B (San Juan County and Town of Friday Harbor Joint Planning Policy) to the Town of Friday Harbor 2002 Comprehensive Plan, as amended from time to time, shall not be subject to any specific height limitation; provided, however, that any such structure which

exceeds 27 feet in height shall not exceed the minimum height that is reasonably necessary for the structure to function efficiently for its intended purpose

6. PUBLIC PARTICIPATION:

This proposal is being reviewed under the mandates of ESHB 1724 which restricts review to one open record public hearing. The public hearing regarding this proposal is scheduled to come before the Town Council on April 21, 2011 at 5:35 pm. The public hearing notice for this rezone request has been duly posted on the subject property as well as posted in two prominent public locations as required by FHMC Chapter 20.20. The public hearing notice was also advertised twice in the newspaper of record on April 6th and April 13th, 2011, as required. The neighboring property owners that are located within 300' of the subject property have been notified of the public hearing by certified mail as required.

7. EVALUATION:

1. This request for rezone is consistent with the Comprehensive Plan of the Town of Friday Harbor.
2. The requested rezone to Utility is consistent with the Utility Classification as noted on the Amended 2002 Comprehensive Plan Land Use Map.
3. The Town Council has the authority under Section 20.08.030 – C of the Friday Harbor Municipal Code to review and act on land use rezones.
4. How does the proposed rezone relate to existing land uses and zoning of the surrounding or nearby properties? Due to the steep terrain to the west of this property the Staff feels that there is a sufficient barrier to protect the residential properties. However, there is a residential use on the parcel just north of the proposed zone change and a barrier would need to be placed to mitigate sights and sounds, as required under this zone.
5. How does the rezone serve the general public health, safety and welfare? As in all development within the Town of Friday Harbor, they must meet the regulations that have been established. These include zoning, building, parking/site improvements and infrastructure, such as curb cuts & driveways. All of these requirements are in place to ensure that the public's safety and welfare are met. Any future development of this subject property will have to meet all of these requirements.

8. RECOMMENDATION:

Based on the above analysis, Staff recommends that the Friday Harbor Town Council approve Rezone Application No. 61 and that they direct Staff to prepare Facts and Findings and Conclusions of Law.

9. ATTACHMENTS:

Rezone Application
2010 Zoning Designation Map (Amended 12-29-10)
Amended 2002 Comprehensive Plan Land Use Map
Area Map

Attachment No. 1
Attachment No. 2
Attachment No. 3
Attachment No. 4

Town of Friday Harbor
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(360) 378-2810 / fax (360) 378-5339 / www.fridayharbor.org

MAR 23 2011
RECEIVED

REZONE APPLICATION

RZN #61

Application date: <i>March 18, 2011</i>	Tax Parcel number: <i>351458014</i>
Applicant name: <i>Town of Friday Harbor</i>	Phone number: <i>378-2154</i>
Mailing address: <i>PO Box 219 Friday Harbor, WA 98250</i>	
Area requested for Rezone: (Street address or other description)	
<i>425 Marguerite Place</i>	
<i>Tax Parcel 351458041</i>	
Legal Description:	
<i>Rrice's Harborview Addn to FH LTE EX N25</i>	
Current Zoning: <i>Multi-family residential</i>	
Proposed Zoning: <i>utility</i>	
Please list below or attach a list of names and complete mailing addresses of owners of record of all property adjacent to that for which Rezone is requested.	
<i>Attached</i>	

3/23/11
Date

C. King
Signature of Applicant (or Authorized Agent)

FOR OFFICE USE ONLY	
<i>March 23, 2011</i>	<input checked="" type="checkbox"/> FEE PAID - <i>N/A</i>
DATE RECEIVED AS COMPLETED APPLICATION	SIGNATURE OF LAND USE ADMINISTRATOR

2010 Zoning Designation Map

Effective Date 12-29-10

Exhibit A
Title 17

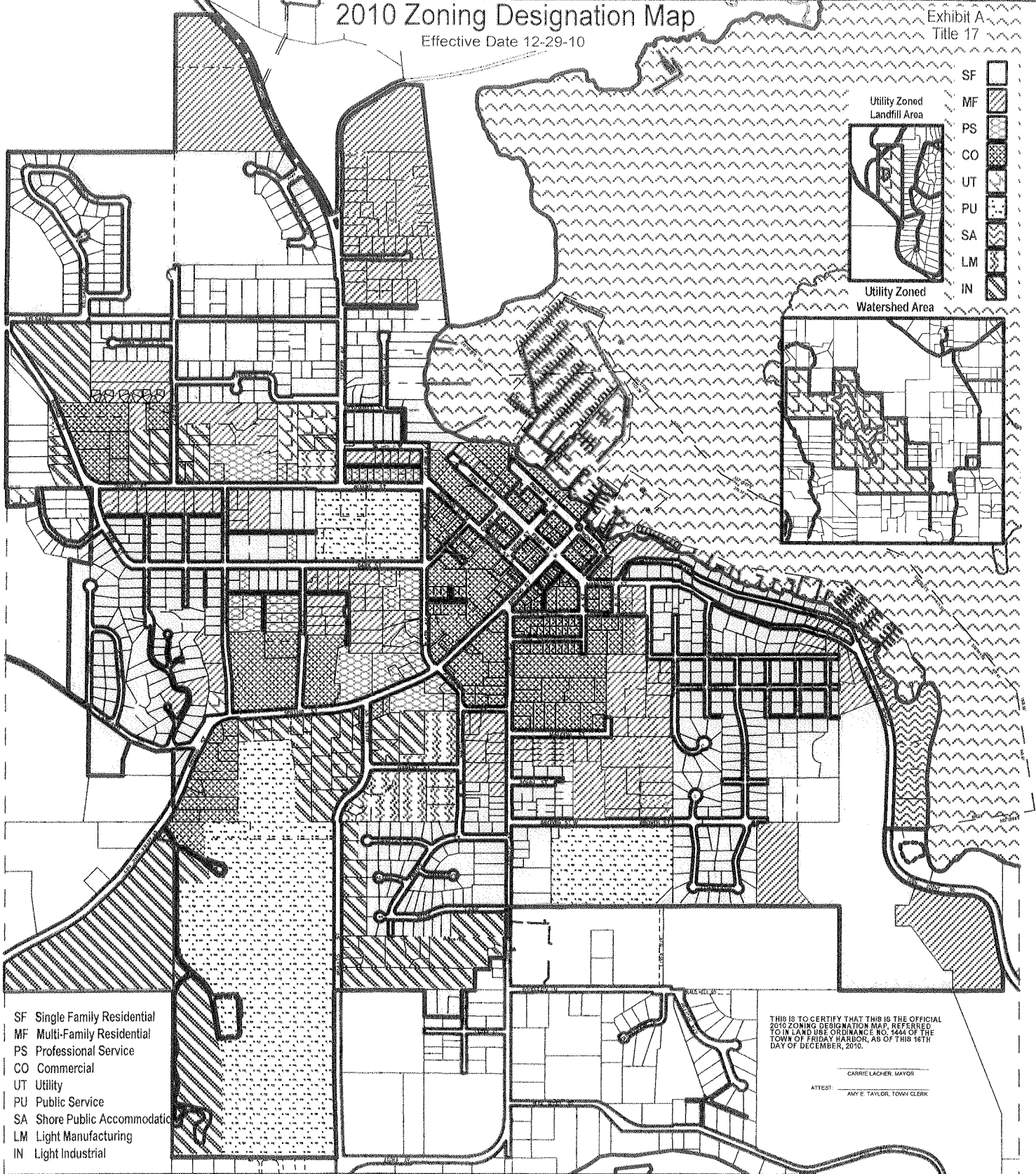
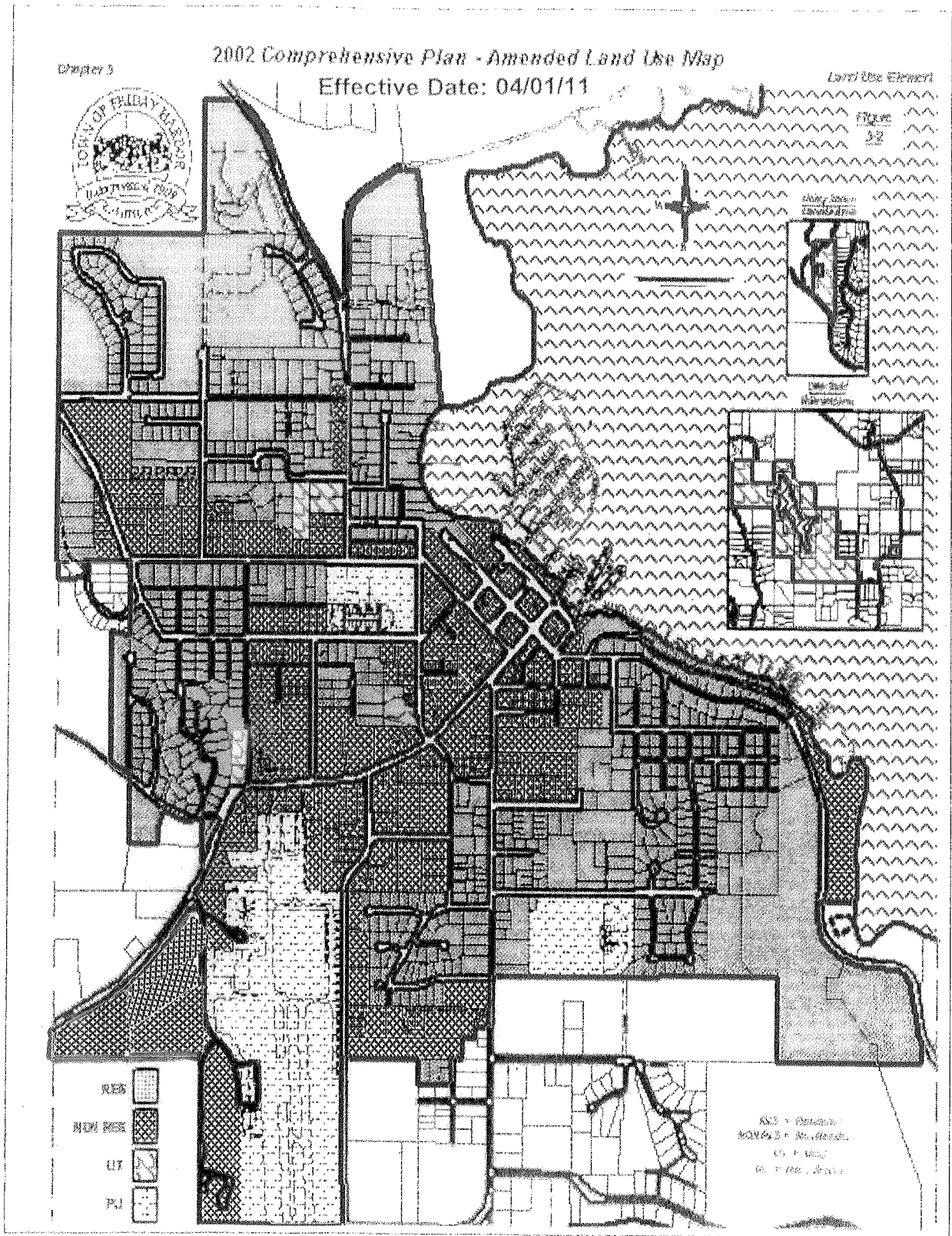
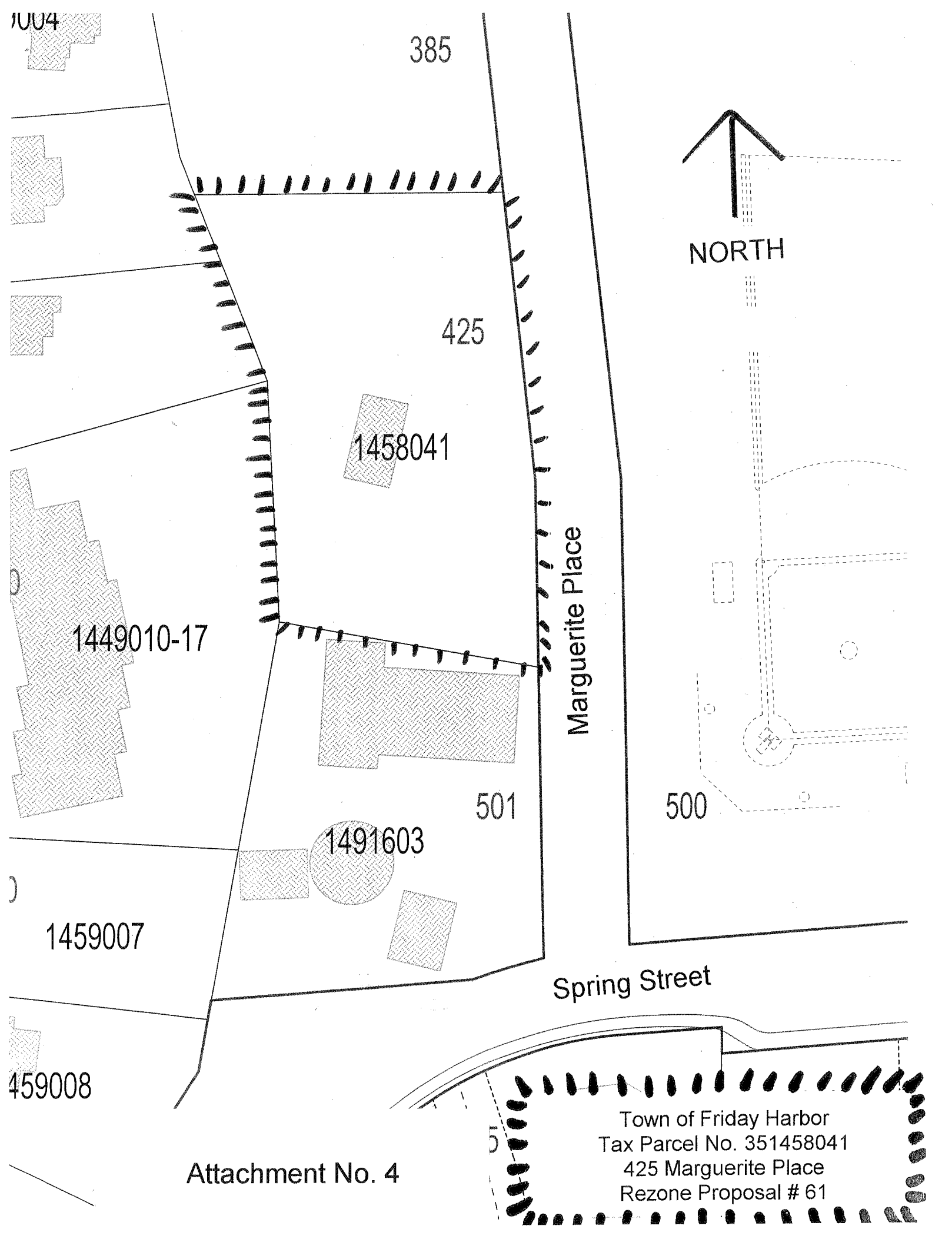
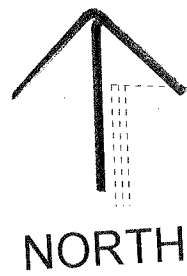


FIGURE 3-2
Comprehensive Plan Land Use Map





385



NORTH

425

1458041

Marguerite Place

1449010-17

501

1491603

500

1459007

Spring Street

1459008

Attachment No. 4

Town of Friday Harbor
Tax Parcel No. 351458041
425 Marguerite Place
Rezone Proposal # 61