

FRIDAY HARBOR TOWN COUNCIL

In the Application of:) For:
)
Todd Nicholson, Director) Shoreline Substantial Development Permit
Port of Friday Harbor) Application No. 104
P.O. Box 889)
Friday Harbor, WA 98250) A proposal to construct a boardwalk, trash
) compactor site, and two customer
) service/event/food service areas on the Port
) of Friday Harbor's waterfront parcel in Town.
)
)

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

After a hearing on the merits and deliberation by the Town of Friday Harbor Planning Commission on April 9, 2020, and after presenting the Planning Commission's recommendation to Town Council on May 21, 2020, the Council makes the following findings of facts and conclusions of law for Shoreline Substantial Development Permit Application No. 104 (Application).

A. PROCEDURE

The Town Planning Commission heard presentations from staff and Applicant during the April 9, 2020, public hearing. Applicant proposed to a construct a boardwalk, trash compactor site, and two customer service/even/food service areas on the Port of Friday Harbor's waterfront parcel in Town.

The Planning Commission considered such testimony and evidence and recommend approval of SSDP No. 104 to Town Council for final approval.

Land Use Administrator, Mike Bertrand, presented the Planning Commission's recommendation to Town Council during the May 21, 2020, afternoon session. After hearing the Planning Commission's recommendation to Town Council, Council directed staff to prepare Findings of Fact and Conclusions of Law approving the subject Application.

B. FINDINGS OF FACT

Pursuant to Town of Friday Harbor Municipal Code, Titles 18, 19, and 20, Council makes the following Findings of Fact. Any finding of fact that are conclusions of law shall be considered conclusions of law:

1. Application.

The Application for Revision to Shoreline Permit was filed with the Town of Friday Harbor Community Development Department on January 31, 2020 and was deemed complete on March 4, 2020.

2. Subject Property.

The subject parcel is identified as Tax Parcel Number 351353001 located at 10 Front Street North, Friday Harbor, Washington. The property is located within the designated shoreline as defined by the Shoreline Master Program (SMP) of the Town of Friday Harbor. According to the San Juan County Assessor's Office, this parcel is described as *TOWN OF FRIDAY HARBOR – LOTS 1, 2, 3, 4 BLKS A, B, & C TGW VACATED PRS COURT ST & WEST ST Sec 12 & 13, T 35N, R 3W.*

3. Environmental Compliance.

The Town of Friday Harbor, as lead agency, issued a Determination of Nonsignificance for SEPA Checklist No. 310 associated with Shoreline Substantial Development Permit No. 104, on April 8, 2020.

4. Shoreline Master Program Compliance.

The proposed changes in use are in compliance with the Town of Friday Harbor Shoreline Master Program, FHMC 19.04.170 Public Access and Public Shoreline Views.

5. Public Participation.

As required by law, notice of the public hearing scheduled for April 9, 2020, at 5:30 p.m. was published in the newspaper of record on April 1 and 8, 2020, and notice was mailed to all property owners of record located within 300 feet of the subject property on March 27, 2020.

Also as required, the public hearing notice was posted at the subject property, on bulletin boards at Town Hall, on the Town's official website, and at a prominent public location.

The Washington State Department of Ecology submitted a letter, received on April 8, 2020, with instruction to report any discovered release of petroleum during construction activity, should it occur.

C. CONCLUSIONS OF LAW

Pursuant to FHMC Title 19 and other applicable law, the Council of the Town of Friday Harbor makes the following Conclusions of Law:

1. As set forth above, the Council finds and concludes that granting the Application would be consistent with the Town's Shoreline Master Program.

2. Accordingly, the Council finds and concludes that the public use and interest, and the purposes and goals of the Shoreline Master Program, will be served by granting Applicant's proposal.

3. As presented in the Staff Report dated March 31, 2020, along with the recommendations and conditions therein (see Exhibit A).

D. DECISION

For the reasons set forth above, the Council hereby APPROVES SSDP No. 104 for the proposed change in use as presented in the Staff Report dated March 31, 2020.

This decision shall be effective upon its execution by the Council of the Town of Friday Harbor. Pursuant to RCW 90.58.180, the Applicant shall have 21 days to appeal the Council's Decision, after which time the Decision shall become final and not subject to appeal.

ADOPTED this 21st day of May 2020.

TOWN COUNCIL OF FRIDAY HARBOR

By:

Councilmember Steve Hushebeck

By:

Councilmember Noel Monin

By:

Councilmember Anna Maria de Freitas

By:

Councilmember Tim Daniels

By:

Councilmember Barbara Starr