

FRIDAY HARBOR TOWN COUNCIL

In the Application of:)	For:
)	
Todd Nicholson, Director)	Rezone Application No. 73
Port of Friday Harbor)	
P.O. Box 889)	
Friday Harbor, WA 98250)	Description:
)	
)	A request to rezone from PU to IN
)	

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

After hearing the merits and deliberation by the Town of Friday Harbor Planning Commission of April 9, 2020, attended by the Port of Friday Harbor (Applicant), and after presenting the Planning Commission’s recommendation to Town Council on May 21, 2020, the Friday Harbor Town Council makes the following findings of facts, conclusions of law and decision for Rezone Application No. 73.

A. PROCEDURE

Pursuant to Friday Harbor Municipal Code (FHMC) section 20.20.020, the Town published notice of a public hearing for Rezone Application No. 73 in a newspaper of general circulation. The Town of Friday Harbor Planning Commission held a public hearing for the Application on April 9, 2020.

The Town Planning Commission heard presentations from staff and Applicant during the April 9, 2020, public hearing. Applicant proposed to rezone a portion of the airport parcel adjacent to Mullis Street, from Public Service (PU) to Light Industrial (IN). The Planning Commission considered such testimony and evidence and recommend approval of Rezone Application No. 73 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 Rezone Application No. 73 for Tax Parcel Number (TPN) 351491631.

B. FINDINGS OF FACT

Pursuant to Town of Friday Harbor Municipal Code, Chapter 20.20, Council makes the following Findings of Fact. Any findings of fact that are conclusions of law shall be considered conclusions of law:

- i. **Application.** On January 30, 2020, Applicant applied for a zone re-designation (rezone) for a portion of the subject property from PU to IN.
- ii. **Subject Property.**

a. The Subject Property is located within the Town of Friday Harbor limits and located at 27 Airport Circle Drive, TPN 351491631, approximately 11.15 acres in size. The parcel is described by the San Juan County Assessor's Office as: *PR FRIDAY HARBOR AIRPORT INSIDE TOWN OF FRIDAY HARBOR Sec 14, T 35N, R 3W, records of San Juan County, Washington.*

b. Pursuant to FHMC 17.52.020, permitted uses in the light industrial zone include:

A. Ancillary single-family uses. Provided however, any property which has been condominiumized shall be entitled to a separate single-family use for each legal condominium on that parcel not to exceed the allowable density of the multifamily zone.

B. Wholesale and retail commercial uses to include outdoor storage;

C. Light manufacturing uses;

D. Automobile sales, service and repair;

E. Commercial parking lots;

F. Community or public park and recreational facilities;

G. Indoor entertainment and amusement facilities;

H. Outdoor storage;

I. Accessory buildings associated with the above uses;

J. Self-storage rental units;

K. Professional services; and

L. Cultural, religious, and health care facilities. (Ord. 1669 § 1, 2019; Ord. 1172 § 68, 2001)

Lot area covered by structures in the light industrial zone shall not exceed 50 percent (FHMC 17.52.040). Setback (yard) requirements are outlined in FHMC 15.52.050 and proposed development is also subject to access requirements defined in the street and storm drainage standards as defined in Chapter 12.02 FHMC.

iii. **Zoning.** The proposed rezone would not, in staff's opinion, have a negative impact on public health, safety, morals, or general welfare. Curb/gutter/sidewalk/paving improvements are already in place along the respective frontage of Mullis Street.

- iv. **Land Use.** The requested rezone is consistent with the non-residential classification of the subject properties as shown on the 2019 Amendments to the 2018 Comprehensive Plan Land Use Map.
- v. **Neighborhood.** The portion of the subject property proposed for rezone to IN is neighbored by parcels zoned light industrial, light manufacturing, and public service.
- vi. **Public Concern.** No comments from the public were received during the public comment period nor during the public hearing.

C. CONCLUSIONS OF LAW

Pursuant to FHMC Title 20 and other applicable law, the Council of the Town of Friday Harbor makes the following Conclusions of Law:

Comprehensive Plan. The Application request conforms to the Town of Friday Harbor Comprehensive Plan, Land Use Element.

D. DECISION

For the reasons set forth above, the Council hereby APPROVED Rezone Application No. 73.

This decision shall be effective upon its execution by the Council of the Town of Friday Harbor. The Applicant shall have 21 days from the effective date of these Findings of Fact, Conclusions of Law and Decision to appeal the Council’s decision, after which time the decision shall be 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