

## Adam Zack

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**From:** Michael Durland <michaeld@rockisland.com>  
**Sent:** Monday, August 16, 2021 9:24 PM  
**To:** Comp Plan Update  
**Subject:** DHPR comments

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I am submitting these questions and comments fo your review. I will attend the virtual meeting if possible with my work load.

Let me know if you have any questions.

Michael Durland Deer harbor Boatworks — HI-A

Questions:

Page 4 — Map 2 Deer Harbor Land Use Map (proposed)

I see that the Urban designation does not show up on the Deer harbor Boatworks property. Has this Urban designation been changed?

Page 6. — “A. In order to prevent future random, unplanned and scattered mixed land uses in the hamlet, and to preserve the rural character while providing these services, all new commercial development must take place in the Hamlet Commercial land use designation unless otherwise allowed.”

A stated goal of the DHPRC is to make it easier for commercial businesses to sprout and survive in the Hamlet. The designation of Industrial for Deer Harbor Boatworks was initially a catch all and commercial and residential uses were to be allowed if comparable. With the Industrial Development Tables there are very few Industrial uses available to me which would be compatible with the increasingly gentrified neighborhood. I am a permitted Boatyard and Marina and should have the same acceptable uses as the other permitted marinas in the Hamlet. I had permitted industrial, commercial, and residential uses before the Hamlet Plan locked me in to only Industrial uses. I need some leeway with development. If I propose a use that is not compatible with the neighborhood this discussion will take place before numerous bodies, DHPRC, DCD planners, and the Hearing Examiner if it goes that far. I should not be restricted in commercial uses any more than other Commercial Marinas areas of the Hamlet are.

The DHPRC did not address the Industrial Properties even though I sat in at meetings and asked to have an individual meeting to discuss my concerns. Commercial activities that I went through long permitting processes to achieve are allowed without commercial permits - ie. Auto repair facilities are allowed with a Yes designation without any talk of visual impact, or stormwater draining, or noise.

Please review the below comments which were provided September 8 2020.

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I have made some comments on the wording of the Plan and some corrections as I see it. Most of my focus is on the Use Tables as regards to the Boatyard property designated HI-A. In offering changes I have considered the impact of the changes to the community and to the other uses currently at the site. The opportunity for development of businesses and employment should not be curtailed by a “N” in the Tables. The key factor here is compatibility to other uses and

the community. Any changes will go through a process to determine if they are comparable with existing uses and the surrounding area.

The restriction to only Industrial Uses severely limits opportunities for future growth and development for using this property for community business and employment options.

## Comments:

### **2. Remove the Community Center Overlay District from the *Plan* Official Maps and the development code.**

I am in favor of removing the Overlay but not redesignation of residential properties to commercial along DH Road.

This large a change from residential to commercial is not in keeping with the intent of the public during the planing process. A change of this magnitude, which would change the rural flavor of the Hamlet, without more public meetings and input should require more public meetings. As it is now all residential properties have the option of Home Occupation and Cottage Industry which is a commercial endeavor.

### **3. Make various changes to the Deer Harbor subarea land use tables in SJCC 18.30.310.**

The DHPRC did not address the Industrial Use Tables. I would like to propose the following changes to HI-A. I have spoken to owners of HI-B and they also have proposed changes they would like to see considered.

According to goals on page 27 the Plan recognizes the uses of HI-A and allows expansion to similar and comparable uses. The key here is comparable. According to the Land Use Tables as they are now there are very few permitted uses that would be considered comparable by other residents of the Hamlet. The character of the Hamlet is changing to more gentrified use and other industrial uses besides what is there now as a boatyard may not be looked upon favorable. In 1987 I received permits for industrial uses, commercial uses, and residential uses. The property was designated Industrial as I had industrial uses. In the beginning of the Plan formation I was told that the property would be looked at under a pyramid scheme and lesser intensive uses would be allowed, more or less a multi-use designation in which all less intense uses would be allowed. In the race to classify and name all property and hold them to specific uses the tables were formed. The DHPRC states that — "Overall, the proposed changes are meant to encourage the development of small businesses, provide opportunities for affordable housing, and to protect and preserve both the sense of community and the Hamlet"

I am respecting the wishes of the DHPRC - to encourage the development of small businesses - in proposing the changes to the Land Use Tables for HI-A.

When I applied for and received permits for a Boatyard and Marina there were underling uses of the property that did not change. The property was used as an outdoor storage facility and a construction yard when I purchased. The property had a caretakers cabin in the southeastern corner which is still there.

The Conditional Use and Shoreline Development Permits I received were for a **Boatyard and Marina**. The other two Marinas in the Hamlet are classified as Commercial. **The Boatyard property should be allowed the same commercial uses as the other two permitted Marinas in the Hamlet along with the current uses for HI-A.**

Under the Industrial Land Use Table I would like to see the following changes.

**Construction Yard** — The Boatyard property was in use as a construction yard during the time of the sawmill operation and later when I purchased the property. This is a vested use which is still in operation and should be noted as allowable.

**Light Industrial and Light Manufacturing** — This should be noted as Provisional Use rather than a Conditional Use in keeping with the DHPRC intention to encourage more development and provide more opportunities for employment.

**Outdoor Storage Yard** — The Boatyard property was in use as an outdoor storage yard during the time of the sawmill operation and later when I purchased the property. This is a vested use which is still in operation and should be noted as allowable.

**Recycling Center** — A Recycling Collection Point is allowed with a Conditional Use Permit and a Recycling Center should have same designation.

**Wrecking and Salvage Yard (Boats)** — Deer Harbor Boatworks has been in the business of wrecking and salvage of boats since permitted in 1987 (as have all boatyards for centuries) and this should be noted as allowable. I have had numerous contracts with San Juan County and DNR over the last decades and there is currently a contract between Deer Harbor Boatworks and San Juan County for demo and salvage of a seized derelict vessel.

42. 42. Page 27 — Light industrial land use designations:

43. 43. There are two light industrial land use designations in the Hamlet:

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1. The 1.422 acre Deer Harbor Boat Works site east of the Deer Harbor bridge on Channel Road.

This site combines both industrial and commercial activities and is designated DHHI-A; and

The 6.6 acre Connor/Cookston light industrial use site south of Cormorant Road in the northwest corner of the Hamlet is designated DHHI-B.

The goal of DHHI-A and DHHI-B is to recognize and regulate the light industrial land uses occurring within the Hamlet and allow limited expansion to provide services for the community and for employment opportunities. Expansion shall be limited to similar and compatible activities that do not significantly affect water, sewerage, surface water drainage and traffic.

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Page 11 — 6 The water-related businesses presently located in Deer Harbor Hamlet include:

One fuel dock;

One mail/freight boat serving Waldron Island;

Three inter-island freight barge services which use the boat ramp located at the Cayou Quay Marina;

The Deer Harbor Boatworks which includes a single ramp and a boat repair facility with space for approximately thirty boats in dry storage and a work dock with space for two to three boats.

One mobile marine emergency service; — not currently in Hamlet

Two marinas which, combined, have over 200 slips serving both transient and local boat owners.

Overwater development of Deer Harbor includes:

Twenty-eight mooring buoys; and

Ten docks, three of which are commercial and one owned by the non-profit Deer Harbor Yacht Club.

The docks range in size from six feet by thirty feet to 600 feet by 250 feet for the total area covered by the largest marina.

## **Page 12, — Map 2. Deer Harbor Current Use Map.**

This map does not seem to be accurate as HI-B is not designated as Industrial.

## **Page 13 — Map 3. Deer Harbor Hamlet Existing Land Use by San Juan County Assessor's Use Codes, 2020.**

This map does not show HI-A as Industrial even though I have industrial uses.

## **Page 18 — Table 2. Water Systems in Deer Harbor Hamlet.**

Deer Harbor Boatworks has a Class B system. I have 30,000 gallons for fire protection and 25,000 gallons for commercial and domestic use. The public water system was granted in 1986/1987 when I received my permits and confirmed in 2011 with an e-mail from Mark Tompkins to County Manager Pete Rose.

Trumbell and Gibbs has a storage capacity of 10,000 gallons.

Heinmiller/Stameisen/ Irwin serves three properties - H/S, Irwin, and Mark Browman. Irwin has a rental on his property along with his residence and H/S have a guest house and bunkhouse on their property. There is no storage capacity.