

**BEFORE THE WESTERN WASHINGTON GROWTH
MANAGEMENT HEARINGS BOARD**

TOWN OF FRIDAY HARBOR, FRED R. KLEIN,)	
JOHN M. CAMPBELL, LYNN BAHRYCH, et al.,)	No. 99-2-0010c
)	
Petitioners,)	ORDER
)	FINDING
)	COMPLIANCE
)	
	v.) AND
	RESCINDING	
)	INVALIDITY
SAN JUAN COUNTY,)	
)	
Respondent,)	
)	
and)	
)	
JOE SYMONS, FRIENDS OF THE SAN JUANS, and)	
KAREN J. KEY SPECK, et al.,)	
)	
Intervenors.)	
)	
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MICHAEL DURLAND, et al.,)	
)	No. 00-2-0062c
Petitioner,)	
)	ORDER
	v.) FINDING
)	COMPLIANCE
SAN JUAN COUNTY,)	AND RESCINDING
)	INVALIDITY
Respondent,)	
)	
and)	
)	
OPAL COMMUNITY LAND TRUST, et al.,)	
)	
Intervenors.)	
)	
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On April 3, 2002, San Juan County filed a motion to rescind invalidity and find compliance. The genesis of the County's motion was the final decision and order entered in this case July 21, 1999. That order held that any agricultural resource lands that was zoned with more density than 1 d.u. per 10 acres was

subject to a determination of invalidity. The County removed substantial interference for its designated resource areas, except for approximately 3300 acres known as the San Juan Valley, as part of the County's October 2000 amendments. That rescission of invalidity and finding of compliance order was entered November 30, 2000.

The San Juan Valley area is located almost at the exact midpoint of San Juan Island and consists of a special area involving agricultural resource lands. The County determined that a separate planning process "to develop a specific conservation and open space plan to guide development in San Juan Valley" was necessary. A steering committee was formed in March 2001 that included representatives of property owners, San Juan County Land Bank, San Juan County Preservation Trust, Friends of the San Juans, and Planning Commission members. Staff and a specially-funded consultant provided assistance to the steering committee. The "San Juan Valley Heritage Plan" resulted from the work of the steering committee. After public hearings, the Board of County Commissioners adopted Ordinance 2-2002.

A compliance hearing was held telephonically on June 4, 2002. Alan Marriner appeared on behalf of San Juan County. There was no opposition to the County's motion.

Based on our independent review of the record, we find the County has removed substantial interference as to Ordinance 2-2002 and is in compliance with the Growth Management Act. The previous determination of invalidity is rescinded.

This is a Final Order under RCW 36.70A.300(5) for purposes of appeal.

Pursuant to WAC 242-02-832(1), a motion for reconsideration may be filed within ten days of issuance of this final decision.

So ORDERED this 6th day of June, 2002.

WESTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD

William H. Nielsen
Board Member

Les Eldridge
Board Member