

**PLANNING COMMISSION  
 COMMISSIONERS HEARING ROOM, COUPEVILLE, WA  
 TUESDAY AUGUST 12, 2008**

	<i>Members Present</i>	<i>Members Absent</i>
<i>District 1</i>	<i>Val Hillers</i>	
	<i>Ray Gabelein</i>	
	<i>Mike Joselyn</i>	
<i>District 2</i>	<i>Terry Reynolds</i>	
	<i>Bill Massey</i>	
		<i>Alan Schell</i>
<i>District 3</i>		<i>Wayne Havens</i>
		<i>Deb Eidsness</i>
	<i>Scott Yonkman</i>	

**ROLL CALL**

Mike Joselyn, Ray Gabelein, Scott Yonkman, Bill Massey, Val Hillers, Terry Reynolds

Vice Chair Gabelein stated the Special Session at Camp Casey had been cancelled, he then discussed a change in the order of the agenda items.

**APPROVAL OF THE MINUTES**

Minutes from July 8, 2008

*Commissioner Reynolds moved to accept July 8<sup>th</sup> minutes as written, Commissioner Joselyn seconded, motion carried unanimously.*

Minutes from July 22, 2008

*Commission Joselyn moved to approve July 22<sup>nd</sup> minutes as written, Commissioner Hillers seconded, motion carried unanimously.*

Director Tate stated the Planning Commission’s first public hearing on the Affordable Housing Amendments, held July 22<sup>nd</sup> on Camano Island, prompted a number of questions. The Planning Commission expressed a desire to learn more about the Housing Trust and some of the programs that exist and how they operate. The second public hearing on the Affordable Housing Amendments will be heard later in the agenda, the following informational presentation was hoped to address some of these questions regarding Community Land Trusts.

**ITEMS FROM THE PUBLIC**

Bill Massey introduced Sandra Stipe, the Executive Director of Saratoga Community Housing, Community Land Trust for the benefit of affordable housing.

Sandra Stipe provided background for Community Land Trust. Community Land Trust started in the United States in the 1960’s due to land reform. In Georgia where farmers were having difficulty obtaining land or holding on to land to make a living farming,

especially poor farmers and poor black farmers in particular. It wasn't originally about affordable housing it was about making a living. The Community Land Trusts were formed as a way to lease land to the poor farmers so they could grow their crops and make a living to support their families and inevitably they lived upon the land they were leasing. From that original model Community Land Trust grew into a much bigger type of organization that not only provided land for farming purposes but for housing as well.

Today the traditional Community Land Trust model is a non-profit organization formed for the benefit of a community and for those individuals that live within that community. The model is so flexible that it can do anything from leasing land for agricultural purposes to providing housing. You will find Community Land Trusts in all kinds of different areas, in farm areas and in inner cities where housing is an issue. Community Land Trust can take urban areas that have poor housing conditions and rehabilitate that housing and make it livable and affordable for people within that city.

Community Land Trusts also build new housing in areas where there isn't enough structures to house people. The people served are the lower to moderate income residents of any area. Saratoga Community Housing serves people that make 80% or less of the area median income. That 80% mark is what the non-profit status hinges upon, it serves the purpose the Community Land Trust was built on.

The typical Community Land Trust organization is a democratically structured organization with members. The reason for members is because it isn't just about building houses it is about building communities, making them stronger and more sustainable. In order to do that you need to have a cross section of cultures and all economic levels. In order to have the community grow you need people willing to work, you need to serve the wage earning work force, you need to have housing for teachers, police officers, county workers and all of the people. The Community Land Trust works to provide housing for everyone that is being excluded from the current housing market.

The Community Land Trust model for housing is to provide affordable housing over the long term, which means the second time the house is sold, it also needs to be affordable. That is where the Community Land Trust differs from self-help housing or Habitat for Humanity housing in the past. In the past the Habitat House would be affordable for that first time home buyer because the organization has put subsidies into building, there is sweat equity involved, there is donations of products, so the price to build that home is lower, but then after that family has been in that house for some time and sells the house it is typically sold at the market rate. A lower income family couldn't buy that house the second time around, so the subsidies put into that house are lost.

A Community Land Trust model for affordable housing says that house will be income attainable time after time after time. The way that a Community Land Trust does that is when you buy a Community Land Trust home there is a predetermined resale value. Community Land Trusts across the nation have different ways they determine their resale value, here on the island it has an appreciation value added to it. If someone resells a

Community Land Trust house they get an appreciated value, but not the market value, which then keeps that house affordable for the second generation of home buyer.

To own a Community Land Trust house you lease the land the house sits on and buy the structure. Community Land Trust acquires land through donations or through purchasing, the Community Land Trust then holds the land and uses it for affordable housing. The idea is not wealth creation, the idea is to get people in homes, get them involved in their community, put roots down, raise families, age in place, work in the community and be a vital part of the community; they don't get into this to make money, they get into these to get a secure stable home.

There are over 200 Community Land Trusts in the United States today. Washington State has 17, behind Vermont, which has the most then California. Washington State is up on Community Land Trusts because Washington has some very expensive real estate. The most expensive is in the islands with San Juan Island being one of the most expensive communities to buy a home. Their Community Land Trust has 58 homes that go to lower and moderate income people. On San Juan Island, the average 3 bedroom, 2 bath home is in the \$500,000 range and there is no way a teacher can afford that or a health care worker or a senior on a fixed income. If you look at the model in the San Juan's, called Opal Community Land Trust, it is very successful. It is the only way to contain the price of land and to make housing affordable. It is a land reform movement.

Throughout the country if you look at the Community Land Trust model in some cases they were started by a municipality. In the beginning it was grass roots, communities building these together. In places like Chicago and Irvine California, where there land prices were going up or inner city Chicago, where they really needed to work on some urban renovation, the cities got involved and started Community Land Trusts, they are a little different in their organization. Any area that is having affordable housing crisis a Community Land Trust is one of the best models for providing homeownership opportunities.

Community Land Trust can also provide rentals, you can provide just about anything within a Community Land Trust. Some of them have mixed use developments where they have retail, work and live space houses, condos, senior housing, the model is pretty flexible. Some models have used the Community Land Trust to strictly provide teacher housing. Companies have become involved in Community Land Trust. In Minneapolis a drug company needed more housing for people to work at that company, they helped create the Community Land Trust and provided the land so that workers could have homes. There are all kinds of applications.

On the island it was developed because people realized the problem and decided a Community Land Trust was the one way to get people to be able to buy a house and to stay on the island, for the young to be able to stay here and for the older people to be able to age in place and provide housing for the workforce.

Habitat for Humanity has teamed up with Community Land Trust across the country in at least 24 instances in order to have that house remain affordable when resold.

Commissioner Yonkman asked how available the land is.

Ms. Stipe stated she did not know the answer to that. She stated they would like to have some idea of what the available vacant land inventory is in Island County. In some jurisdictions counties and municipalities donate land to Community Land Trust because it is to benefit the greater community. She stated it was a relationship they would like to establish and explore the possibilities of surplus land being donated to Saratoga Community Housing, which serves all of Island County. Otherwise you need to come up with public donations or money from the Housing Trust Fund or from Federal sources in order to purchase the land.

Commissioner Hillers asked as a relatively new organization what did Ms. Stipe see as the biggest barriers.

Ms. Stipe replied that cost of land is the biggest issue with zoning being the second issue. When they look at where land is located, they can find the land but it doesn't have the proper density. It would be more cost effective to build six to ten homes, building one home at a time will not work to serve the number of people they are attempting to serve. Habitat can build one or two homes at time, but Saratoga Community Housing needed something that allows the density for six to ten homes. The demand is huge for affordable housing; they need to accelerate what they are trying to do. Closer to the urban areas would be ideal, but that is where the most expensive land is.

Commissioner Hillers asked about the demand, wanting to know if it was 500 homes or 1000 homes.

Ms. Stipe stated in relation to the demand, 1,000 homes would be fantastic throughout the islands, but they are hoping to start with 6 -10 homes.

Commissioner Gabelein asked what the appreciation of the home was tied to.

Ms. Stipe said it is a fixed formula, the home increases 1.5 percent for the first ten years and that is compounded annually, the next ten year is 2 percent, everything after that is 2.5 percent, all compounded annually. Looking at inflation, the consumer price index it was determined this was a fair return. When it comes time to sell, the price is the lesser of the appraisal price or the appreciated amount using this formula.

Commissioner Gabelein asked about maintenance on the home.

Ms. Stipe said you have to maintain your home. If there is any deferred maintenance or damage identified in an inspection it would come off the sale price

Commissioner Reynolds asked what would happen if that home was foreclosed on.

Ms. Stipe stated the beauty of the Community Land Trust model is that less than 1% of Community Land Trust homes have ever been foreclosed on. Community Land Trust doesn't just build the homes; they are there to help homebuyers become successful homeowners. As a group we help them with whatever they need. They are provided with education along the way, home maintenance, credit counseling, and home ownership classes. They are paying a very nominal fee to lease this land, from twenty to thirty dollars a month and as soon as someone doesn't pay that twenty dollars it becomes an indicator there might be a problem and they are contacted and the Community Land Trust staff tries to help them through any problems along the way, trying to intervene before it gets to a point of foreclosure. It is there to help and make these homeowners successful.

Commissioner Hillers asked about improvements that may need to be made to the land that would be an expense and who would be responsible for those expenses.

Ms. Stipe stated the homeowner is responsible, for upkeep.

Commissioner Gabelein asked about taxed value on these homes.

Ms. Stipe replied that currently there is the value on the structure and value on the land and it is based on the assessed value, which is sometimes close to market value. Two houses next door to each other; one a market rate house and one a Community Land Trust house, with the same floor plan, The Community Land Trust house would sell for \$125,000 and the other would sell for \$350,000. She stated they would like to see the Community Land Trust house valued at the \$125,000 amount because they can never sell it for \$350,000.

The revenue income on the lease part of the land is twenty to thirty dollars a month, so there is a revenue stream; the land could be taxed based upon that use and the revenue stream. Throughout Washington State each county has looked at their Community Land Trust and some give this type of tax valuation, where they actually take the resale value and that is what they use for their tax basis. Not all counties do that, so right now the Department of Revenue and the Washington State Finance Commission and the Coalition of Community Land Trusts are working together to come up with a uniform way for Washington State to value Community Land Trust houses.

Commissioner Gabelein stated the Assessors have stated over the years that they are bound by State Law and can't arbitrarily make exceptions.

Ms. Stipe replied there is a way to do this, The Department of Revenue, The Washington State Lands Commission and the Coalition have determined a way to work within the current laws and give a proper value to a Community Land Trust house. She said Saratoga Community Housing belongs to a Coalition of Community Land Trusts in the northwest so that one voice works together with these other entities to come up with a uniform application for taxing in the State of Washington.

Commissioner Yonkman asked about Island County income levels regarding lower and moderate incomes in respect to qualifying for this type of program.

Ms. Stipe stated 80% of the area median income for Island County for a three family household would be \$55,000 or less. That area median income is determined by HUD and it is done county by county. The \$55,000 would be the upper limit on income. The sad thing is the people between \$55,000 and \$100,000 are having a hard time buying a house, but within the Saratoga model they are serving 80% or less, so they are serving the working class, but not all of the working class. There are a large group of people in Island County that cannot afford a home.

Mr. Tate stated an early question discussed land improvements, but he stated he would like to know about some of the community improvements that may be on the property; such as a road that serves the development or a waterline that serves the community.

Ms. Stipe stated if there is a community drainfield, a road, or anything with an association type of fee such as a homeowners association, those types of improvements would be considered a stewardship fee. Each household would pay into it, but it would stay with the community.

Mr. Massey stated he would like to clarify if there was a major element like a Local Improvement District that would have a major expense the land trust would step in and assist to avoid having a homeowner forced out of a home due to an unusual circumstance.

Ms. Stipe stated the land trust is an organization there to support the people. It is about us building communities for us, for our children and it is a great model.

Mr. Yonkman asked about staff doing the work.

Ms. Stipe replied that the board oversees the organization, as they grow, there will be a project management team, the homeowner support team, then an educational team. The board does a whole lot of work. There are a lot of volunteers, with over 120 members. She said they just started their membership drive in December. They are a member based organization. One of the major issues is funding, when looking for operational support.

## **NEW BUSINESS**

### **Transportation Improvement Program 2009 - 2014**

Public Works Director, Bill Oakes began by discussing the fact that they are required by the State to do a six year transportation plan, in his department they also do a twenty year projection and provide an annual plan to the State.

Looking at the revenue trends, the gas tax distribution, a statewide distribution of road funds based on the amount of gasoline consumed statewide, is down from 4% to 2%, property tax is down slightly, the RATA fund, the other state fund is actually negative or

a shrinkage of that tax, and the Capron gas tax, which is a refund of gas taxes consumed within Island County is also down.

Federal funding prospective has several obstacles, it is a set fund amount, it doesn't grow with inflation, and according to the Feds the future of those funds doesn't look good either. On a national level the Highway Trust Fund is operating in a negative, there will be less and less distributed.

Prior to the petroleum cost run up the Transportation Improvement Program was a stable program, but with the oil prices the real effect is in the materials cost. The volatility in the construction cost is unprecedented. Price increases are reflected in steel, concrete, petroleum, petrochemical based items and things most people don't think of as petrochemical based such as gravel barrow and rock; it is not just the cost of the material, it is the cost of loading, moving and delivering the material and they are all reflected in the petroleum cost.

Revenues are dropping off, material costs are rising very rapidly, in the end the trend analysis says the curve is going up 8% each year for costs. If that is projected as an unending situation, the \$5,000,000 plan is eaten up. The cost per mile is going up and the cost of maintenance is also going up. The available money for capital is depleted somewhere in the 8-9 year range unless something changes. There is about a 4% difference between revenue and cost escalation.

The Code says the priority is maintenance; there is a 1.5 billion dollar asset in the county road system. It is by far the largest capital asset the County is responsible for and it needs to be maintained. If it is allowed to deteriorate there will never be sufficient funds to bring it back into shape.

When the County's best needs are projected, as stated in the Code, the safety of the motoring public is protected and the traffic is permitted to move uninhibited. Once those needs are met, then permanent improvements can be made.

The problem has been growing over the last three years. Mr. Oakes stated he has looked at reducing costs by outsourcing what they can anything non-mission critical, they have extended the equipment replacement lifespan to the absolute maximum to reduce the overhead cost of maintaining equipment and made cuts to non-Essential overhead. His Department continues to review ways to improve efficiency while reducing costs. He stated both Code and common sense indicate the focus should be on maintenance.

He further stated the Capital Improvement Program must have two things

1. A Safety program to identify and fix safety concerns.
2. Meet GMA capacity concurrency requirements.

He then discussed the pavement lifecycle curve.

Pavement conditions start out at 100% the day it is paved then drops off to zero twenty years later. Some pavements can go up to 30 years, depending on the type of

pavement and the load. The ideal is to keep the pavement in a good condition, the sooner you get to the repair, the less it costs to do. If you wait too long you actually end up essentially redoing the road.

Paving and oiling miles have gone from 60 miles per year in 2001 which represents about ten years into the pavement lifecycle curve to less than half that amount of paving due to costs, which then takes it to 20 years in the pavement lifecycle. The right revisit time to maintain roads at the top of the curve is not exactly known, but 20 years is too long. Some of the capital money needs to be shifted in the present budget to maintenance to bring it closer to that 10 year revisit time.

A pavement management consultant has been hired to rate all the roads, evaluate the system, putting each growth segment into a deterioration curve and determine what type of budget needs to be allocated to maintain the roads in the optimum portion of the curve.

Mr. Oakes stated that last year he advised the Planning Commission and the Board that major projects cannot be done alone; the County must have funding partners. As a result of the current impacts to the budget, the County must cut some of the major projects. Without the transfer to the maintenance side, Mr. Oakes must cut 7.6 million dollars in 2007 dollars. In the 2014 timeframe today's dollar will only buy about 60 cents worth of road in 2014 and that requires more drastic cuts in gross dollars, to make this all work the model of transferring to the maintenance side for pavement would require cutting 13.6 million dollars out of the plan.

Therefore there will be no new projects; it is squeezing to the point where there is no capital program at the end of six years if these trends don't change.

#### Long term

The future lies in the stability of world oil prices; perhaps technology will find some alternatives to using as much petroleum as is now used in road maintenance and construction.

#### Short term

There is still a capital program; Frostad Road is a major improvement. They are approaching the State for a re-look at Frostad Rd. which has State funding and they will be asking the State for even more money for Frostad Rd. in the next funding cycle. The road needs to be rebuilt. He stated they are looking at changing the whole capital program away from the long linear multi million dollar projects to intersection improvements to address safety issues, which provides a better cost benefit in a 1-2 year budget cycle. The concurrency projects are still funded in the plan.

The only good news is Island County is not alone; many jurisdictions are facing the same dilemma. Some are in worse shape. One indicator of that are bills in the legislature to mandate bridge repair and maintenance. The County Road Administration Board (CRAB) sets day-labor limits, the amount of work the County can do on its own to construct projects. Some counties on the east side have exceeded this because they don't

have enough money to keep a maintenance crew on the line all year so they build the summer gap by violating the day-labor limit. Several counties have cancelled paving maintenance because of the oil price.

At a State level there is a lot of talk about:

Congestion pricing

User fees

Both of which essentially amount to tolling.

Local options available:

Car registration fee at \$20.00

A potential extra 40 cents on property taxes

Impact fees

But none of these are solutions. He stated he would like to see some movement in the Legislature for an index tax; some form of tax that is indexed to the price of a gallon of gas, without that it will be a constant losing battle.

Right now he is proposing to keep a Capital Program at least for the next two years; his budget doesn't propose any increase in fees or taxes, but this is the second or third year in a row he has had to report these rampant increases in costs.

Several years ago the Board approved establishing Geotechnical Peer Review and part of that approval requested a report on how often it was used. In the last 2.5 years there were no occasions where it was used. This year there were two sites where it was required.

- LedgeWood Beach  
It contains an active slide that has grown every year from inches to two feet. During the past seven years the road has been straightened three times and it now needs to be straightened again.
- Bob Galbreath Road  
Slide material comes down a gully and there is a ground water outcropping 60 feet up the slope that aggravates the problem. The Geotechnical Peer Review at this site actually found some answers that may help that single family development.

### **Capital Improvement Program**

This is funding for the majority of the major maintenance on the buildings, Parks and Recreation, capital maintenance projects and capital projects.

Table seven provides the overall view for all the projects and the dollars associated to it.

The main project is the Camano Annex building and the Community Health Center on Camano. The Community Health Center is primarily funded by Skagit Valley Hospital.

The County is committed to providing the land and the Camano Annex site and then project management of the project.

The Camano Annex building is a large project, 4.5 million for the building alone; to fund that project with the present financial scope it had to be moved to 2010. The projected turn around in the real estate markets is essential to be able to fund borrowing the money to build that building and project that the turn around will occur in 2010 to make the bond issue viable.

The remainder of the projects are small.

- Building an additional tennis court facility on Camano.
- The Island County Fairgrounds would like to site an RV dump station and restroom on their property and Public Works is committed to provide materials.
- A parking project on Kinny Street and Haller Street to build some additional parking spaces
- The Nursing Building remodel, which is primarily cosmetic. There are some wet crawl space issues and the heating and air conditioning system needs replaced.

The remainder are on-going projects.

- Fairground Improvements
- Flood Control / Diking Facilities; money allocated to support miscellaneous projects
- Parks - Open Space Acquisitions
- Parks Development & Improvements
- Parks Maintenance & Operations
- Repairs / Maintenance / Miscellaneous / Emergency; represents maintenance of buildings
- 6 Year Road Program Including Trails
- 6 Year Capital Drainage Program; continue to fund 600K for drainage capital improvement projects; which is approximately 50/50 from real estate excise tax and from the road fund.
- Solid Waste Facility / Improvement / Land; the largest being the expansion of the Coupeville Transfer Station to up its capacity to be able to handle the volume that is going through it.

Commissioner Massey asked if any of these Capital Improvement Projects funds that could be moved to road maintenance programs, or does the funding source lock them to these specific projects.

Mr. Oakes stated it is primarily an allocation of the two real estate excise taxes sources; the first half percent can be allocated to roads, so can the second half, the major difference between the two funds is that the second cannot be used to fund general administration buildings. The intent of both taxes was to build Public Works projects to support concurrency. Storm water, roads, utility infrastructure, water, sewer are all

allowable capital projects under those two funds. They could be transferred to roads, but not ongoing maintenance.

Commissioner Massey asked when a maintenance project becomes a capital projects.

Mr. Oakes stated that has been determined primarily by Torte action; if you overlay more than an inch and a half of pavement it becomes a capital improvement project. If you are replacing in kind (a twelve inch culvert with a twelve inch culvert) it is generally considered maintenance. If you replace a twelve inch culvert with a thirty-six inch culvert it is generally considered a capital improvement; improving the capacity.

Commissioner Yonkman stated the majority of funding comes from real estate excise tax.

Mr. Oakes confirmed that was correct, it funds the majority of the Public Works Capital Projects.

Commissioner Yonkman stated that in a slow market that revenue stream is down.

Mr. Oakes stated that it was down quite a bit this year. The cost model used to build this plan continues that down trend until 2010 and then it is turned around. It was the only way to come up with a model to fund the Camano Annex Project. He stated they were still proposing to bond for that building.

Commissioner Gabelein stated the biggest problem he sees, related to the State Highway intersections. He stated he would only speak to the problems he is aware of on the south end; he believes there should be more political pressure brought to bear on the State to fix the problems in regards to Coles Rd., Scott Rd where they intersect with the highway. They need turn lanes and improvements, he stated he realizes it is a State DOT issue and doesn't understand the States' attitude. He said he sees money being spent on planting vegetation where it could be spent on improving intersections. He said it was very disappointing to him to see these other things getting attention when there are some very serious safety issues that need addressing.

Mr. Oakes stated if it is on State Highway it is under their control, the legislature budgets the State by projects now and there isn't any general money they can apply to their safety projects. He stated they are working with the State on the Honeymoon Bay Road /Bush Point Road intersection because it is both a concurrency project and a safety issue. DOT has not allocated funding to that project yet, but he stated they are hopeful that they will. It is a combination of State funds Island County was granted, Island County funds and developer mitigation fees that are being applied to that project.

Houston Road to Race Road is in the plan; Arrowhead Road and Boon Road remain in the plan. In order to negotiate for grant funds the project needs to be in the plan. A primary grant fund given by the State to local counties is through the Regional Transportation Planning Board and he continues to work to get them to fund up to 2.5

million, hoping to direct it at a single project in order to be able to adequately fund a major project.

Commissioner Gabelein stated he is very concerned with safety issues at intersections being ignored. Without turn lanes these areas will continue to be a problem. When he sees the State Highway dollars spent on plantings and weeding rather than on safety it makes him question their thinking.

Commissioner Joselyn asked about the Woodard Rd. section, SR 525 to church access where there is an obvious problem in that intersection.

Mr. Oakes stated the intent is to alleviate the vertical curve to improve the sight distance problem to avoid rear end collisions.

Commissioner Yonkman stated he supported shifting focus and money from Capital Improvement to Transportation Improvement to protect what we have.

Mr. Oakes stated his focus is on maintaining the billion dollar asset in the current system. He stated he thinks his department does a very good job and Island County is in a lot better shape than many other counties. He stressed again that the focus is to maintain the system, both by law and practical engineering.

Commissioner Massey asked about the Houston connector, asking if those funds were available wouldn't it make more sense to divert those funds to safety improvements.

Those funds remain in the Plan in order to be able to apply for grants. If the project has any hope it must remain on the plan to ask for grant money. It is currently all Federal money and can't be used anywhere else, unless there is a significant amount of Federal or State money that can be obtained for that project it probably won't stay in the plan. The entire program has a philosophy shift away from the long linear projects which tended to be prioritized because of severe high speed accident history to smaller projects, which may be lower speed accidents but higher cost benefits.

The focus with local road money is on intersection safety. Accident history is reviewed every year and that provides the priority. The long large projects are too expensive to be supported.

Frostad has geotechnical issues; several parts are of it are on fairly poor soil that needs to be reinforced, it is one of the projects that has to be done, for safety reasons and many other reasons.

Many of the projects must be looked at closely as time goes by, yet to have any hope of getting support from State or Federal grants, the project must remain in the plan.

## Public Comment

Marianne Edain on behalf of Whidbey Environmental Action Network

On the question of the vegetation management going on along the roadside, there are a whole lot of volunteers working and most of them are connected with South Whidbey Tilth. In order to avoid the use of toxic chemical on the roadside, there are a whole lot of people out cutting thistles and things like that. Tilth asked DOT for a turn lane at Thompson Rd starting around 2000 – 2001 and every year they keep saying it is on the schedule and it doesn't happen.

Angie Homola

Asked about possibly looking at reduces the speed limit in regards to the safety issues, stating it was cheap.

Mr. Oakes replied that lowering the speed limit signs, doesn't reduce the speed of the cars. There is a plethora of engineering data that says lowering the speed limit doesn't reduce the accidents. People tend to drive at what they feel is a safe speed, no matter what the posted speed limit is. Unfortunately it is not the answer; you must make physical changes to the road to alter people's behavior.

Ms. Homola stated we got ourselves into our road system based on the technology that we had, stating Mr. Oakes had mentioned new technology, she wondered how feasible is it to look into some alternatives for our roads, maybe not using so much asphalt, using products that don't require asphalt and using drainage methods that would reduce the need for culverts.

Mr. Oakes replied they are always looking at options and stay abreast of new technology. They constantly work with the State; for example he worked closely with the State in developing their hydraulics manual which allows dispersion as oppose to building storm water ponds, collecting water and then discharging it somewhere. If it is five acre zoning they view that as rural land and it can be dispersed so that it infiltrates.

In regard to alternatives for asphalt, there is a huge pressure to find alternatives. Asphalt was a waste product in the oil refining process that was fairly cheap. It isn't anymore, the industry will be looking at alternative and look at technology to address that.

Even though they are looking at dispersion for low level storms, there is still storm water and when there is a flood there have to be provisions to get that water safely to salt water. Although they look at everything possible to try to reduce storm water costs, there must be a storm water system to be able to handle storm water.

Marianne Edain

Asked what Island County can do with Island Transit to improve bus service to reduce the need for some of the road enlargements or improvements. In regards to reducing the speed of cars, traffic calming options are available.

She stated crushed glass is incredible strong component. She asked if there was a way to use recycled materials in the repair of roads. She stated she thinks creative methods need to be used to get around the fact that petroleum products are expensive and are not going to be available.

Mr. Massey stated that in Mexico and some of the other Central American at every congested area there are a series of signs warning of upcoming speed bumps and a sign at the speed bump itself and it definitely slows traffic.

Mr. Oakes stated they look at traffic calming, the eternal dilemma in traffic calming is that it is directly opposed to moving goods and people around efficiently. He stated there is an entire system and policy that the traffic engineer has regarding traffic calming. It is finding the right engineering fix for the situation. He stated they try to remain on top of the industry and remain as creative as they can. He stated he feels the industry will find alternatives to asphalt because this is occurring across the country. The industry will be looking very hard with their research dollars to stretch the asphalt and eliminate it where they can.

*Commissioner Hillers moved to recommend approval to the Board of County Commissioners of the Transportation Improvement Plan and the Capital Improvement Plan, Commissioner Reynolds seconded, the motion carried unanimously.*

## **DIRECTOR'S REPORT**

Mr. Tate provided an update briefing, regarding the SPU site. The Special Session announced did not work out, should anyone care to arrange this at a later time, there is still time. At least one of the Commissioners arranged this on their own.

Commissioner Gabelein stated most of the Commissioner's are very familiar with the site already.

Mr. Tate stated that SPU would be willing to show any of the Commissioner's around at any time, should the Commissioner's need the Department's help to facilitate this they would only need to call to arrange it.

The SEPA appeal hearing is going to be held Friday of next week. A decision should be out around the first part of September.

Materials for the Parks Plan phase will be coming in late August or early September.

July 23<sup>rd</sup>, the Council of Governments met for the debriefing of the housing symposium. There are some wheels in motion, the next meeting will be on August 27<sup>th</sup>; COG plans to have an affordable housing discussion or briefing as a regular agenda item each month. The task for the next meeting is to bring a draft work plan of how to move forward, how to begin tackling some of the issues that came out of the summit conference and how to

move forward in a more coordinated fashion between the two cities and the Town as well as some of the partners in the world of the non-profits organizations and private industry. Mr. Tate stated that he has drafted a three piece work plan; phase one, the inventory phase is the collection of data, trying to understand the need as it relates to circumstances in Island County, rather than relying on census data and broader pieces of information. Then there will be a planning phase, once you have gathered the data it addresses how you put together a plan with bench marks, milestones and implementation actions. The third phase is implementation. Those three phases carry through to the end of next year and is expected to be in the full blown implementation phase. The work plan and time table will be discussed August 27<sup>th</sup>.

Another briefing issue is on Camano Island. The Board of Island County adopted an Interim Official Control, which has an effect on the Planning Commissions' work program later on. The Interim Official Control applies to commercial development along SR 532 up to Terry's Corner, where the Highway ends and the road splits into North Camano Dr. and East Camano Dr.

The Interim Control was adopted under RCW 36.78.090, which allows cities and counties to adopt or enact an ordinance without first holding a public hearing. The Board held its' public hearing after it was adopted, on August 4<sup>th</sup>, they did not take action, they wanted to take time to consider the comments and will return to a second hearing August 18<sup>th</sup>. The control dramatically reduces the amount and type of commercial development that can occur along that stretch of highway referred to as the Camano Gateway.

To initiate a planning process through the Planning Department, ultimately bringing recommendations to the Planning Commission for what commercial development regulations should look like on Camano Island on this stretch of highway. The hearing was a well attended hearing, there were a lot of public comments and it was very passionate. There were lots of people very angry, lots of people very supportive and not many in between.

The Board has several options, they could throw out the interim control, they could modify it, they could impose an outright development moratorium or they could decide they want interim controls of a different nature. Irrespective of what happens with this temporary ordinance, the Board's direction is to the Planning Department is to initiate a public process engaging the Camano Island community to come up with design and aesthetic regulations that effect development along the Camano Gateway.

Later on there should be some recommendations transmitted to the Planning Commission for that area of the County.

Commissioner Massey asked what created the issue

Mr. Tate replied there was a significant development for Island County's scale that caused a lot of public reaction indicating that is not what they want there. He stated he did not know if that was the sentiment of the majority of Camano Islander's, but it

generated crowds at Hearing Examiner hearings and Board of Commissioner hearings in the 100 - 200 person range, showing up saying they didn't like it.

There was a lot of reaction to this particular development. Looking at that development, it was vested, they went through the process, the Planning Department made some decisions and it went to the Hearing Examiner, the Hearing Examiner upheld those decisions. It moved through the process as it is suppose to, but it did cause there to be some pause to say, is that the kind of development that should be occurring in this location of the County. That is the question that came up. In order to avoid a rush to the counter, when the County announces they are going to be going through a planning exercise that may take six months to a year, the Board enacted this Interim Ordinance to have a dialogue with the community without that threat of pressure.

Commissioner Massey asked if it was a moratorium

Mr. Tate replied that it was not. The restrictions on the properties are very heavy, it limits the size of the buildings, it limits the amount of site coverage, the amount of building coverage, and the setbacks. All of those things as a package make it so that the type of development that could occur in those areas is very limited, very small scale. But it does not declare a moratorium. Further updates will be provided as it moves forward.

The last briefing item is the HOST program, Home Owners Septic Training, program between the Health Department and the Planning Department. New State law requires conventional gravity fed systems be inspected every three years and more advanced alternative systems every year.

After the State enacted that rule the Board of Health put into place a local program to implement those rules. Part of that program is allowing land owners to do self inspection by going through a training procedure with the County. The assignment given to the Planning Department by the Board of Commissioners was to come up with the education program, working with the Health Department.

The program consists of two parts. The first part of the training program is a 40 minute DVD you watch at home or download in segments via the web. It is essentially an open book test; you take a test while watching the DVD. You would then bring it into the County for the second part, a classroom portion. There will be a classroom on Whidbey and a classroom on Camano. You would come with the test taken in the first part of the training and then sit through the classroom instruction portion.

The two hour classroom setting contains two parts, the first of which would be in a classroom setting listening to a sanitarian from the County on the issues related to inspection. The second part of the classroom portion would include going outside to look at an operating septic system and a non-operational system that has been dug up to show the working portions of the system to help people understand what it looks like and how they are connected.

After completing the program, the person would receive a document that shows they are allowed to inspect their own system. The Health Department's records will then reflect who has gone through the class and can inspect their own system.

There are already six hundred people signed up for the program and the list is growing. The first focus will be in South Holmes Harbor Shellfish Protection District as a trial of the program. There will be nine meetings set up for that area. There are 27 classes scheduled between September 1<sup>st</sup> and the end of the year. It will eventually be a countywide program available to all Whidbey and Camano residents.

Commissioner Gabelein asked about the Ag appeal in Thurston County Superior Court.

Mr. Tate stated it is currently moving forward, it is no longer on hold.

### **Wetland Implementation**

The next briefing item, an education piece on Wetlands Implementation; the Board adopted the wetlands ordinance March 17<sup>th</sup>, which went into effect July 1<sup>st</sup>. Between those two dates a lot of work was done; 2,072 estimated hours were put into get ready to implement the ordinance.

Developing new materials:

- Completed a substantial training program, both with other departments and within Planning & Community Development.
- Put into effect a permit fee ordinance in relation to wetlands. It doesn't change the monetary issue much, but reflects what types of decisions and permits are required now and added a preliminary critical area determination. This is a service provided to make determinations regarding critical areas when there is not a current permit involved.
  - A standard determination which has a specific time commitment.
  - An expedited process that has a 5 day turnaround at a higher cost.
- Enacted interlocal agreements or memorandums of understanding between Public Health and Public Works Departments; a formalized protocol.
- A sanitarian was sent to Wetland Training Institute for a week.
- Skilled trade workers and Realtor outreach was done, focusing on professional who deal with these issues, both through mailing of brochures and workshops.
- Updating the consultants list to reflect the new requirements.
- New applications were created.
- New forms were created.
- Hired an additional biologist on staff.
- Re-organized the planners to have planning support on Camano full time.
- Implemented new vegetation monitoring program; it took 4 staff personnel each day for the entire month of July to complete, based on the wetlands surveyed in 2005. 20 reviewed this year and 20 will be done each year

until at the end of 5 years all of those 100 will have been monitored and then it will begin again.

- Updated the maps, installed a terminal at the front counter.
- Updated protocol for our biologists and acquired GPS equipment so at the end of the day the information is turned over to the mapping people who will be plugging it into the GIS. Every three months there is a schedule for updating the maps so they are redistributed countywide to all the different departments.
- Sent out a countywide flyer letting everyone know the ordinance went into effect and thanking everyone for their participation.
- Completed the final Wetland Identification Guide. This is the guide homeowners can use to identify wetlands on their property. There are forms in the back that are part of the application submittal now. The guide walks people through hydrology, soils and plants. The guide includes lots of color photos for clear illustration.
- Created a new Critical Area Web Site.  
Including downloading Google Earth and Island County mapping, which connects into Google Earth, allowing a person to look at aerial photographs to determine what is on their property and answer the landscape questions in the guide.

Mr. Tate provided a demonstration, showing the Commission how you would enter an address into Google Earth, then accessing the County mapping program showed how you could determine the answers to questions in the Wetland ID Guide:

How much woodland is connected to your wetland?

How far is this wetland from the nearest lake or saltwater area?

How many other County-mapped wetlands are within ½ mile of your wetland?

Commissioner Hillers stated this feature was very impressive.

Mr. Tate then provided the final item completed in preparation for implementation.

- The final Guide to Preparing a Rural Stewardship Plan; the site specific critical area plan. This is the option for people who want to work through a site specific plan for protecting critical areas on their property. It is then recorded with the property, passing on from property owner to property owner. The benefit of doing the plan; helps with the flexibility of buffer size or helps make you eligible for enrolling in the Public Benefit Rating System tax program and also gives front of line privilege when applying for permits.

Commissioner Massey stated he felt after all of the work that had gone into this wetland ordinance the end result was indeed very impressive.

Commissioner Gabelein agreed and stated it appears to be homeowner friendly.

## **UNFINISHED BUSINESS**

### **Public Hearing on Comprehensive Plan Amendment 210/08**

Implementation strategies to the Affordable Housing Element. The first public hearing was held July 22, on Camano Island. This is the second public hearing on this issue.

Vice Chairman Gabelein opened the floor to public comment.

Steve Gulliford, 2159 Boulder Meadow Lane, Oak Harbor

He stated the Housing Element of the Comprehensive Plan is sorely outdated. These recommendations will at least in the interim provide some opportunities to improve the Housing Element, realizing that the Housing Element and the data in it needs to be updated at some point in the not too distant future as he felt it is fifteen years out of date from the census data.

The recommendations, if carried forward and the actions laid out implemented will provide much more opportunities for affordable and low income housing in Island County. All of these recommendations would be helpful; currently the existing plan only states we are going to encourage a number of things without any specific actions.

He stated he would like to highlight a few of the items he felt were important. Defining what is meant by low income and affordable housing; setting some kind of goal for each of the jurisdictions covered by this plan and specific targets for affordable housing to create some kind of implementation strategy. He stated he strongly supports the recommendations in the report and supports the Planning Department's recommendation for adoption and implementation of this amendment.

Marianne Edain speaking on behalf of Whidbey Environmental Action Network Stated Ms. GayLynn Beighton was not able to attend, but has submitted comments by email and Ms. Edain strongly recommended the Planning Commission read these comments, stating for the Record that WEAN adopts by reference comments made by Ms. GayLynn Beighton as their comments.

She stated she has a lot of heartburn about this proposal. She said on its' face it violates GMA. It recommends allowing high density development outside of Urban Growth Areas in the Rural zone and that is not allowed or appropriate.

Ms. Edain stated it won't provide for affordable housing, putting people out in the rural area without the infrastructure necessary for supporting things other than sitting in your house. Part of affordable housing is being able to get where you need to go. It is a very narrow approach. Affordable housing is not just developers building cheap apartments; affordable housing has to do with owner built homes. She stated she built her own home with her own hands in 1979, stating if Island County was more supportive of owner builders building their own houses it would be one form of affordable housing.

Ms. Edain asked if the County allowed new single wide mobile homes.

Mr. Tate replied that it did.

Ms. Edain said that was good, in the nineties it did not. She said a single wide mobile home might not be a person's aesthetic choice but rather it was what they could afford. Stating there are lots and lots of options for affordable housing and she felt this was a very narrow approach and she wanted to see much broader approach.

Stating she is very disappointed in the staff report, which talks about consistency with other parts of the Housing Elements, but she felt it should be talking about being consistent with the Land Use Element, consistent with the Transportation Element, consistent with the Environmental Protection Element and it is not. It is asking for exceptions and exemptions from a lot of those and that is just not acceptable. She said she is not sure it will result in genuine affordable housing.

Ms. Edain stated she feels what makes housing affordable is giving people a whole lot of options and she wants to see those options presented. Basically the assumption is that affordable housing is high density housing, she doesn't believe there is an automatic correlation. There are a lot of options that are not covered and the option that is covered focuses on high density housing and tries to put it outside of urban growth areas.

Sandra Stipe, representing Saratoga Community Housing  
She stated their Board is made up of the three cities, Langley, Coupeville, Oak Harbor and the general public. She stated the amendments do a good job to support the work that should come out of the Council of Governments recommendations to support affordable housing. Ms. Stipe said these amendments are great tools to support that work, which also happens to support the work that Saratoga Community Housing is doing to provide affordable housing. The best place to build affordable housing would be in an urban area or an area that has infrastructure; sewers, water, transportation, educational resources and grocery stores; building in higher density helps lower the cost, providing greater services for people. Many of these amendments do address those needs.

The amendments also address supporting affordable housing by supporting grant applications and that is important to help the Housing Authority, Saratoga Community Housing, Habitat for Humanity and Wish. It addresses the identification and transferring of surplus properties for affordable housing which is also a key issue. It is key to identify the land that has the best resources and is in the best location to be used for housing.

Item number 9, which is to create a staff position is a very key part of the amendments, which also supports what the Council of Government wants to do, which is to identify a person to look at the affordable housing needs overall and to work with the different departments and municipalities. Ms. Stipe stated she has heard it said that the best time to provide affordable housing was twenty years ago, but the second best time is now. Streamlining the permit process would help meet the demands faster and having permit ready house plans makes a lot of sense, for them it is all about moving forward now.

Annexation of land, set asides, density bonuses and transfer of development rights are all tools to make this work for everyone's benefit. Saratoga Community Housing is about building sustainable homes, homes that are environmentally friendly, homes that would last a long period of time, the less people have to travel to get to work the better; it is all about building better communities, not just building homes.

Ms. Stipe stated the proposed amendments are an excellent start to help Saratoga Community Housing, The Housing Authority, Habitat for Humanity and even WISH, because if you provide more opportunities for accessory dwellings units, organizations like WISH can put people in housing, people who cannot afford to buy. There is something here to support all these organizations and their work; helping take a bite out of this affordable housing crisis. It is an excellent first step, it needs to be done now and it can be a progressive work. Speaking for her Board this is an excellent way to start affordable housing now.

Vice Chairman Gabelein closed the public comment period from today's hearing, leaving the written comment period open. Discussion on the written public comment period.

*Commissioner Hillers recommended adopting August 26<sup>th</sup> at 4:30 p.m. as the close of written public comment period, Commissioner Yonkman seconded, the motion carried unanimously.*

Commissioner Hillers stated she was interested in obtaining a clear definition of affordable housing and the difference between the income standards for affordable housing and low income housing.

Mr. Tate stated it was important for the Planning Commission to understand that these were policies that don't enact any regulations. He stated he felt in 2009 The Planning Commission would be looking at some regulation, but most of these strategies and information are program direction. Elevating priorities for the Department's workload, communicating with the Board and the COG about staff positions, talking about permit fee ordinances and these types of things. There are items in the implementation strategies that are very clear and easy conceptually to put into place. They may cost money or take time, but they are easy to understand and move forward on. There are also some items that will require a lot more definition.

There is nothing in these amendments that changes the density, but it is certainly a step to say density is something that should be looked at. Density doesn't necessarily mean urban density in some cases it could be rural density. Density is a very general term. The Department made a recommendation to Commissioner Massey's proposal that one of the implementation strategies related to density can't be enacted without dealing with State legislators and State legislation. It is a perfect example of an implementation strategy, talking with our congressional delegation about what amendments might be appropriate.

Commissioner Massey stated the goal was to lead to an enactment of an ordinance, such as # 9, "[Enacting an ordinance that grants authority to the Island County Commissioners to](#)

transfer title to surplus land holdings to the Island County Housing Authority or nonprofit organizations such as the Island Affordable Housing Trust.” The hope is over a period of time ordinances will be developed expediting opportunity for affordable housing. This gives the Commissioners a tool, and it is important to understand it will have to be pushed forward to the next step. The staff person is a strategy that will be particular important

Commissioner Massey stated that at the Council of Governments presentation accessory dwelling unit was one of the issues that came up and he wondered if it would be appropriate to add some of those items discussed to this proposed Comp Plan change. For example one of the suggestions is to remove the lid on the accessory dwelling units.

Mr. Tate stated the Planning Commission could expand the proposal beyond what was originally advanced, but that if it gets into an area that has not been subject to public hearing the process gets lengthened. September 9<sup>th</sup> would probably turn into a public hearing and deliberations would continue to a different date. It would only have a process implication.

Commissioner Yonkman stated accessory dwellings would be an excellent opportunity to care for and provide housing for the elderly. Families are utilizing those spaces to care for their parents. It is an affordable way to give them quality care. Marianne Edain stressed that there were many options for providing affordable housing and he would be interested in seeing a comprehensive list of those options. He stated he would like to have an element at some point that was a little out of the norm, so that folks that want to be creative and use their own energy have methods providing affordable housing, such as owner builder. It can work well with some guidance; he would like to also maintain some continuity to the quality of neighborhoods and consistency of design.

Commissioner Gabelein stated he would like to reiterate his comments from the July 22<sup>nd</sup> hearing, wanting to be sure this either aligns with the GMA or partner with some State Representatives in amending the GMA so it will work. Several of these have the potential to be challenged as not meeting the goals of the GMA regarding higher densities in the rural area or areas adjacent to RAIDs. In order not to go through this process and have it overturned, perhaps legal advise to see what parts do or don't line up with the GMA. If it is obvious some don't then maybe it's time to have the State Representatives to get onboard or else refine some of these policies.

*Commissioner Hillers moved to adjourn, Commissioner Yonkman seconded, motion carried unanimously.*

Meeting adjourned at 11:56 a.m.

Respectfully submitted,

Paula Bradshaw  
Administrative Assistant