

**ISLAND COUNTY PLANNING COMMISSION
SUMMARY MINUTES,
Camano Chapel, 867 S.W. Camano Dr., Camano Island, Washington
Tuesday May 26, 2009**

	Members Present	Members Absent
District 1	Val Hillers	
	Ray Gabelein	
	Mike Joselyn	
District 2	Terry Reynolds	
	Rex Porter	
	Mahmoud Abdem-Monem	
District 3	Wayne Havens	
	Bill Lippens	
		Scott Yonkman

Roll Call

Mike Joselyn, Val Hillers, Terry Reynolds, Wayne Havens, Ray Gabelein, Rex Porter, Bill Lippens, Mahmoud Abdem-Monem.

Staff Present: Anthony Boscolo, Long Range Planner, Brandon Sweeza, Long Range Planner, Long Range Planning Consultant, Jeff Tate, Pam Dill

Personal Storage Facilities

Hand-outs:

- Transmittal and Report Memorandum
- Exhibit A, Proposed Amendments to 17.03.180.C Land Use Standards
- Exhibit B, Law Incident Table
- Exhibit C, Table of 911 calls for current Personal Storage Facilities
- Exhibit D, Property Sales Analysis of Surrounding Properties

Brandon Sweeza provided the briefing, stating that the proposed amendments by staff are to either:

1. Amend the requirements for Personal Storage in the Rural zone to be more stringent and address the public concerns raised in the past.
2. Strike the use in the Rural zone from County Code and the Island County Comprehensive Plan

Personal Storage Facilities are currently a Conditional Use in the Rural zone. Applications for these receive significant public comment and testimony opposing placement in the Rural zone addressing the following concerns:

1. Increased crime.
2. Devaluation of surrounding properties.
3. Increased traffic.
4. A feeling that they are inappropriate for this zone.

An analysis was done and is shown in Exhibits B and C of the Staff Report.

Crime was analyzed from Island County Sherriff's reports for four personal storage facilities and it did not indicate an increase in crime from before the facility was located on a site to after it had been there as a direct correlation to the facility.

The Assessor's properties sales data showed the facilities did not have an effect on the valuation of surrounding properties within a quarter mile over a ten year period. The data showed the properties were consistent with patterns seen throughout the county.

The proposed amendments would provide more screening to reduce the impact on the surroundings.

- ◆ Additional screening would be required for outdoor storage.
- ◆ Addressing the public safety concerns would require a 24 hour a day caretaker residence to be on site, located at the main entrance, designed like a house and may be used as one of the methods to screen the facility.
- ◆ To require exterior video security cameras and an alarm system to be installed on the premises to monitor all the storage lockers.
- ◆ Security fencing would be required.
- ◆ Restricting the hours of operation from to 6 a.m. to 12 a.m. would curb the potential for some of the crime issues.

Commissioner Havens asked about the changes regarding road access and main arterials, using Ell Rd. as an example.

Mr. Tate replied that Ell Rd. was designated as a county collector. The point of striking the standard that currently allows mini-storage to access off a county collector road is to try to keep some of those facilities from encroaching into some of the more residential areas of the county.

Items from the Public

Chair Gabelein stated he needed to back up a little on the agenda as he had missed Items from the Public, stating if there were any items from the public; items not on the agenda that anyone wanted to bring to the Planning Commission, now was the time.

Gary Mickelsen, 792 Ell Rd., Camano Island

Stated he thought he could clear something up for a number of those in the audience who are involved in a current mini-storage debate. He said it was his understanding that anything the Planning Commission does on this issue is not retroactive and therefore would not apply to the problems they are having.

Ginette Danielson, 1303 Ranch Rd., Camano Island

Stated that through the whole process of the appeal of a storage facility currently being processed they have not had a voice. They did get to send emails and write letters, but every time there was a meeting they weren't allowed to speak, stating this isn't America this is Germany.

New Business Public Hearings:

Chairman Gabelein reminded the audience the close of written public comments on these 5 docket items was June 19th. He indicated the comments should be addressed to the Planning Commission in care of the Planning Department or to send them by email, whichever is preferred. He wanted to assure the public every comment is read.

Chair Gabelein then opened the floor for public comment on the mini-storage issue.

Margret Van Dean, Ell Rd. Camano Island

Stated the staff report says there is an option to amend the Use, but it goes on to say it is Staff's opinion that as long as they are allowed in the Rural zone they will continue to generate controversy wherever they are proposed to be located and she said that is exactly how they feel. They are a residential area and this mini-storage that is being plopped down, and even though they are trying to make it look pretty, it will be right in the middle of them and they don't want it. She stated she didn't think there was anyone in the room who would want a mini-storage facility in their neighborhood and have to look at it every day.

She feels the amended version was even worse, with a house on the property and fencing all around it. She said she didn't think anyone wants that. She further stated they were allowed in 1999 in the Rural zone because there was less than 1% of the property on Camano that was commercial and thought if mini-storage was allowed in the Rural zone it would leave more room in the 1% commercial area to put businesses, but they would love it taken out. It doesn't belong in their area, which is zoned Rural but is actually residential.

Mr. Tate provided some background; the County went through a major process in 1998 to update its' Comprehensive Plan and Development Regulations. All of the rules that govern land use on every single piece of property in Island County were adopted in 1998. Lots of the rules were appealed; the group that appealed sat down with the County and tried to negotiate some of the issues. This is one of those issues. In order to restrict the amount of property that exists in the County and restrict the amount of commercial development that could occur in the County outside of cities, there were a few types of commercial uses, like personal storage and country inns that were added to the Code in 1999 and allowed in areas that are not zoned commercial. Since 1999 there have been a handful of these proposals permitted on Whidbey and Camano Island. If a landowner meets the Code requirements in law at the time, recommendations or decisions are made to approve those permits.

Earlier this year the Board of Commissioners directed staff and the Planning Commission to reevaluate mini-storage as it had raised concern or controversy in the community. Right, wrong or indifferent those rules don't apply retroactively to projects that have already been permitted. It wouldn't be legal.

Gary Mickelsen, 792 Ell Rd., Camano Island

He said he would like to make the recommendation to just not allow them in the Rural zone at all. It says the Planning Commission can prohibit personal storage units from the Rural zone by striking their use, this option should be considered. He stated he would recommend the Planning Commission go with this option.

Kevin Brown, 1463 Arrowhead Rd., Camano Island

Asked what was the purpose of the amendments being proposed?

Brandon Sweeza replied they were based on the comments received in past applications. Staff has prepared these amendments to address those issues.

Barbara Williams, 1875 Ft. Nugent Rd., Oak Harbor

She stated she thought at the last public hearing there was something about making sure there was a public restroom facility and wanted to know if this was going to be added.

Mr. Sweeza stated that was suggested in a public comment and amendments to the proposal based on public comments have not been addressed yet. They would be considered after all public comments are in.

Jim Shields, 637 Beach View Lane, Camano Island

Stated he had a few questions on the discussion. He wanted to know what the result of the public discussion on Whidbey.

Mr. Tate replied there was no result. The first hearing had a brief overview of the proposed amendments and public testimony was accepted. The Planning Commission agreed to keep the public record open until June 19th on all agenda items for people to submit written comments on the proposals.

Jim Shields

Asked for a quick summarization of the public comments received at the Whidbey hearing.

Mr. Sweeza stated that generally they were against mini-storage, concerns about crime with the main issue being inappropriateness and incompatibility for the Rural zone and especially adjacent to Rural Residential zoned areas. The need for public restrooms was mentioned as well as there being bad fire control at these facilities.

Jim Shields

Stated he would like to go on record that this should be off the table and shouldn't be allowed in the Rural zone period.

Commissioner Rex Porter stated that on the bottom of page 5, under the last paragraph on aesthetics there's a portion that should be part of the conclusion as it is a general comment, not a comment on aesthetics. "*Personal storage facilities are included in the Comp Plan however they are not required in GMA to be allowed in Rural.*" It is not just

aesthetics it is a broad general comment and should be part of the conclusion. *“Although staff has provided proposed amendments it is also noted that the Planning Commission can also prohibit storage units by striking their use.”* The conclusion itself sounds like the recommendation is to make amendments when the reality is the Planning Commission has two options to consider.

The other item regarding controversy for future reference and future staff packages, he would assume rules aren't changed just because they are controversial, but there is some proportionality to the issue. It may bring it to the Commissioners to bring before the Planning Commission. It is not clear to him from the staff package what the definition of controversial was. Based on the testimony at this hearing he would define it as a lot of appeals. The staff report would be more complete if controversial was defined. As public policy if more often than not every action gets appealed to the Hearing Examiner than that is a bench mark that can be used for studies down the road. To really make it complete it could state that everyone in the last three years has been appealed and none have been successful upheld. Then anyone who reads this would know the context of this and then the vote to come. He stated he would move to add these elements to this in addition to moving the paragraph.

Mr. Tate stated for clarity he would like to discuss the process. The public comment period ends on June 19th and the Planning Commission is anticipated to hold a public meeting on July 14th to begin discussion of their thoughts, asking questions of staff and deliberating on the issues.

Essential Public Facilities

Hand-outs:

- Transmittal and Report Memorandum
- Proposed Amendments to 17.03.060 Rural (R) Zone
- Proposed Amendments to 17.03.070 Rural Residential (RR) Zone
- Proposed Amendments to 17.03.090 Rural Agriculture (RA) Zone
- Proposed Amendments to 17.03.100 Commercial Agriculture (CA) Zone
- Proposed Amendments to 17.03.110 Rural Forest (RF) Zone
- Proposed Amendments to 16.06.030 Applicability

Brandon Sweeza provided a briefing on the amendments to Essential Public Facilities. To allow essential public facilities to be conditionally permitted in the Rural Forest and the Rural Agricultural zones.

The staff report lays out the definition of essential public facilities. They are broken down into two classifications in Island County Code.

- Class A facility that serves a large region or state, such as regional transportation facility, state correction and state education and require a large size because of the impacts they have on the site and surroundings.
- Class B facilities serve the county or smaller regions or neighborhoods that need to be located near the areas they serve, such as solid waste handling, public schools, group homes and larger in-patient uses.

The amendment being proposed is necessary to bring Island County Code into consistency with the Island County Comprehensive Plan. Under section IV, the Goals and Policies Section of the Island County Comprehensive Plan, has explicit language that Essential Public Facilities shall be allowed in the Rural Agricultural and Rural Forest zones.

Island County Code however, does not include Essential Public Facilities as being allowed in these zones.

Mr. Tate added that Essential Public Facilities was a term defined in State Law. The Growth Management Act sets forth that definition of Class A and Class B and the proposed amendments adopt that definition verbatim from State Law and already exist in County Code. There are provisions in the Comprehensive Plan and the Zoning Ordinance that says that if there is an inconsistency between the Comprehensive Plan and the Zoning Ordinance, then the Comprehensive Plan is the one that would prevail. These amendments are attempting to make the two documents consistent.

Chair Gabelein opened the floor to public comment on the Essential Public Facilities amendments.

Kevin Brown, 1463 Arrowhead Rd., Camano Island

Asked regarding number 15 what was meant by a group home, was it a nursing home?

Mr. Tate stated that it was like a nursing home.

Jim Shields, 637 Beach View Lane, Camano Island

Asked if the Planning Commission or staff been in touch with the Stanwood Camano School District or the Camano Fire District on this matter?

Mr. Tate replied that staff had not done any outreach to either of those groups. For the most part the schools and the fire districts are under their own separate set of standards. The exception would be that a university was considered an Essential Public Facility.

Public Utility Segregation

Hand-outs:

Transmittal and Report Memorandum

Proposed Amendments to 17.03.090 Rural Agriculture (RA) Zone

Proposed Amendments to 17.03.110 Rural Forest (RF) Zone

Planner Brandon Sweeza provided an introductory presentation on the amendment to exempt electric utility facilities from property segregation review pursuant to State Code. He explained RCW 58.17.040 would be incorporated into the County Code to make the County's rules more consistent with Washington State Law.

Essentially this Code is being taken from State Law and being inserted into the County's Ordinance as an exemption from the subdivision chapter. The ultimate goal is to bring Island County Code into better consistency with Washington State Law.

The facility and site must meet the following requirements:

1. The lot or tract created must be less than three acres.
2. It has to be an unstaffed facility, with the exception of security.
3. The facility must be used for transmission, distribution, sale or furnishing of electricity
4. The facility must provide service to existing and new customers.

Mr. Tate stated that right now one of the challenges utility purveyors face when they want to site one of these utility substations on the islands, using Camano as an example, which is served by Snohomish PUD, the minimum lot size is either five, ten or twenty acres for the vast majority of property on Camano Island.

Commissioner Lippens asked if under State law this is allowed to be done or required.

Mr. Tate replied that it was not mandatory to be included, but typically the County tried to align exemptions rooted in State Law to be carried forward into the County Code.

Mr. Sweeza added that these facilities would still require Site Plan Review even though they are exempt from the Subdivision Review.

Mr. Tate said it was important to note that the exemption was not an exemption from all land use laws, but only from the minimum lot size and the procedural requirements of the subdivision.

Commissioner Lippens asked what happens with this substandard parcel when it is no longer needed by the utility.

Mr. Tate stated the Department wanted to ensure that density requirements are not violated. One house per five acres, even if it is on a substandard lot would be maintained. A four acre lot with a house next to a one acre lot with a substation still meets the density requirements. They want to preserve that principle and stated the next iteration of this draft proposal would include something to address that.

Additionally there were comments about critical area requirements and again the Department does not want to create a situation where a utility purveyor can come in and get the one acre they need, but have it be wetland and then have the Department facing a Reasonable Use application. There are things needing to be added to provide safety nets to address these.

Chair Gabelein opened the floor to public comments.

Chris Knapp, 2707 Colby Ave. Everett, WA

Stated he was one of the lawyers that does work for Snohomish PUD and with him is John Lewis who is the manager and substation engineer for the PUD. The PUD's service territory does include Camano and for a number of years there has been a need to provide additional distribution infrastructure on Camano to help improve outages and reliability of the system. As staff has indicated one of the real conundrums when dealing with a County or a service area that's principally rural is finding the property. It can be difficult because they are five, ten or twenty acres and only a fraction of that is needed to install a contemporary substation.

He stated other counties allow these types of utility segregations and although he believes the State Law already authorizes this, these amendments will clarify the requirements and allow the PUD to acquire smaller acreage to make it cost effective to build the needed additional substation that Camano currently requires.

There currently is a north substation and a south substation and there needs to be a central one to provide a more robust and reliable distribution system. He further stated it was their interpretation and understanding that the amendment would only be changing the acreage limitation and that all other Site Plan requirements and thorough staff review prior to issuance of the appropriate permits would be required.

Commissioner Hillers asked what size of acreage a typical new substation would require.

John Lewis, substation engineer for the PUD

The type that is needed in the central Camano area is somewhere between 1 – 1 ½ acres of total land area. Within that a secure guard area would probably be ½ acre with the remainder allocated to screening and driveways.

Jim Shields, 637 Beach View Lane, Camano Island

Wanted to share a thought regarding a trend in more progressive communities of the Public Works power districts, like the City of Chicago developing excess land around facilities and developing park areas, rest stops and such turning them over to local jurisdiction for management. With that in mind he asked if there was possibly a way for a community construction for a bus stop or rest stop along the frontage of the property.

Kevin Brown, 1463 Arrowhead Rd., Camano Island

He hoped that electric utility facilities wouldn't be extended to communications, cell or phone towers. He doesn't want to open the door for that.

Commissioner Gabelein stated it was his understanding that this pertained to only electric distribution facilities.

Mr. Sweeza stated the definition was very narrow.

Island County Parks Plan Update

Hand-outs:

Transmittal and Report Memorandum
Map of County parks on Camano and Whidbey Island
Proposed Amendments to Parks and Recreation Element, Draft May 1, 2009

Brandon Sweeza provided background: The Parks Plan was adopted in 1998; it did not have any specific guidance, only some overarching policies and goals.

Summary of the Update:

- ◆ Updated inventory and descriptions of parks and open spaces within the County. The numbers were updated by talking with the Parks Department and by contacting State organizations like schools, public park districts, and the Department of Natural Resources. Some of the feedback was very comprehensive and others need clarification.
- ◆ Classified County Parks using Washington State Parks Land Classification System. These are a general classification.

Goals and Policies Section:

- ◆ Provides conceptual guidance for the future management of Island County Parks.

Objective Section:

- ◆ Provides specific objectives developed following analysis of County properties and the proposed Goals and Policies section.
 - Develop Park Specific Plans for each County property
 - Conduct a needs assessment for County parks
 - Expand financial opportunities
 - Establish level of service (LOS) standards
 - Maximize volunteer workforce
 - Develop a plant salvage program
 - Incorporate low impact development (LID) techniques into park planning
 - Utilize park properties to support salmon recovery objectives
 - Develop effective domestic pet management strategies
 - Develop an integrated and consistent standard for park signage
 - Increase accessibility of park properties
 - Increase public awareness of park properties
 - Coordinate park planning with non-motorized transportation goals and strategies
 - Reclassify the zoning designation of all park properties to park zone
 - Seek partnership opportunities with other park agencies
 - Develop education outreach program for local schools
 - Identify all conservation lands not suitable for recreation and develop individual management plans

Public Agency Properties:

- Descriptions of all other agency owned properties and managed properties including Federal, Washington State and municipalities.
 - Oak Harbor just finished their Parks Plan and this portion is taken directly from theirs and provides a very accurate list.

Summary of Non-County Park & Recreation and Open Space Properties in Island County.

- ◆ Updated to include the other agencies and jurisdictions.
- ◆ Schools ball fields and public facilities were listed.
- ◆ List of Non-Profit Organizations and private owners facilities.

Summary of Non-County Park & Recreation and Open Space Properties in Island County.

- ◆ Updated to include the other agencies and jurisdictions.
- ◆ Schools ball fields and public facilities were listed.
- ◆ List of Non-Profit Organizations and private owners facilities.

Mr. Tate added, Island County Planning Department is one of fourteen agencies in Island County that manage parks. The Federal government has holdings and management responsibility and State Parks has nine holdings in the County. Other agencies include Fish and Wildlife, DNR, two cities and a town are responsible for managing parks. There are two Port Districts, two Parks & Recreation Districts and schools also provide an active park recreation opportunity. For a small jurisdiction like Island County, that is a large number of managers of open space and park land.

The Interagency for Outdoor Recreations recommends 3 ½ acres of County Park per thousand residents. The preliminary calculation countywide of 7,000 acres and approximately 80,000 people translates into 88 acres per 1,000 people. If you break it down further into the County's share of about 2,100 acres of landholdings for Parks it translates into 22 – 23 acres per 1,000 people, which far exceeds the recommendation.

The reason Island County has so many acres of land is due to the fact that DNR has divested all of its holdings in Island County and Island County has presumed ownership of very large pieces of land, six to seven hundred acres of land per property. One of the areas the County struggles with is management. The real significant changes for management strategy are:

1. Classifying Parks into categories (baseball parks are managed differently than trails)
2. Strategies (page 33 – 37) define staff work programs into the future. The legislative direction from the Planning Commission through public input and ultimately through Board of Commission adoption then becomes the blueprint for other departments to use for park management direction in the future.

Chair Gabelein opened the floor for public comment on the Parks Plan amendments.

Pamela Cooper, 306 Baker Way, Camano Island

Stated the inventory is still missing a park adjacent to the Utsalady Boat Launch Ramp, it is 400' of waterfront and acreage coming up and is jointly owned by the State and County. There is a concern about tall trees falling on the parking area below.

Kevin Brown, 1463 Arrowhead Rd., Camano Island

Would like to commend Brandon and the County for doing this during all of these cut backs, stating Parks are important and Cama Beach has proven that.

Jim Shields, 637 Beach View Lane, Camano Island

He also wanted to compliment staff for the work they've done. It is a beautiful Plan and he appreciates what has been done. He liked the Camano inventory being separated out.

GayLynn Beighton, 2507 West Beach Rd., Whidbey Island

Stated that she had mentioned at the last hearing on Whidbey that she would like to see the habitats of local importance and the properties purchased with Conservation Future Funds to be added to the list. To expand on that as a member of the Swan Lake Watershed Preservation Group they have applied for SRFB funding, which is managed by the RCO to do a feasibility study and design to do a proper connection between Swan Lake and the Strait of Juan de Fuca as was outlined in the application when the County purchased the Swan Lake property in 1999 as a goal for that property. She still doesn't see that property on the list. She felt it would help them get the grant to restore that property. She would also like the Swan Lake Watershed Preservation Group be added to the list of non-profit organizations.

Commissioner Rex Porter asked about objective 17, Identify all conservation lands not suitable for recreation and develop Individual Management Plans. If this is carried out you would have three categories;

1. Parks
2. Conservation Lands with recreational use
3. Conservation Lands without recreational use

Mr. Sweeza stated the park profiles have generated a lot of feedback regarding what that means. Is it a property that is owned by the County, is it a property that is managed by Parks? The classification section at the end was intended to show what uses are permitted conditioned and rated for the area.

Commissioner Porter stated the recommendation might be to start out with a universal list with categories that identify what category a specific park falls under.

Mr. Tate stated the nuance that many are unaware of is that the County owns many properties. Only some properties are designated as Parks, other properties are owned and are Conservation Lands that are open space areas that are in public ownership. It can be defined a little better as strategy 1 and 17 if you're not familiar with the term you might not understand the difference.

Commissioner Porter recommended on page 35, No. 8, both (a) and (b) are mapped most closely to our previously approved Salmon Recovery Plan document (SRP). As much as possible he would think we would want to reference our governing document and therefore somewhere under (a) we would have parenthetically (SRP or Salmon Recovery Plan) so we would know what it maps to. Under (b) it reads as if public education is the only objective, he assumed it really means that we allow ourselves to develop recovery or protection or public education, he feels it should be salmon restoration or protection or public outreach.

On page 33 under 1.f “Emphasize sound environmental stewardship practices”. He would like to know what that means, possibly tying that back to page 32 where it says “To ensure that the environmental quality of the county’s open spaces is maintained.” He wanted to know if there was a standard, stating he could define 1.f in terms of environmental stewardship as never allowing a person in a park because that would be the most pristine. Someone else may say no we need people to use, own and value it.

Mr. Tate stated that in writing that it was meant to be interpreted differently. Under the category Develop Park Specific Plans For Each County Property it would manifest itself in different ways depending on the property.

Amendments to Housing Element

Hand-outs:

Transmittal and Report Memorandum

Current version of the Housing Element.

Housing Element, Planning Commission Draft, May 1, 2009

Anthony Boscolo provided an overview and background. The current Housing Element was adopted in 1998; changes were made to this Element last year, addressing implementation strategies to deal with the widening gap between the average income in the county and the average housing costs. The average income is growing at a 2% rate while the cost of housing is rising at a 5% rate and as the years progress the gap increases. More work was needed on the Housing Element to support the implementation strategies; revisions were needed to the Plan itself to update statistics.

The Goals and Policies Section of the Plan are the same. The Implementation Strategies were updated last year and have a few minor changes, restructuring to be easier for future changes to occur for the implementation itself. They are broken up into regulatory considerations and a programmatic section on maintaining existing housing stock and new development.

The terms and definitions have been better defined in the proposed document, such as what low income is and what affordable housing means. Terms used by Housing and Urban Development are utilized to define low income, very low income and lower income. It better describes what poverty is and some of the accepted definitions and terms used by State and Federal Government were included.

The Housing Element is housing for all, but when it gets down to the implementation strategies it is how the families that are struggling have options and a stock available. Last year when the strategies were looked at by the Planning Commission, frustration emerged indicating some of the strategies lacked context to better help describe their purpose and what they would do.

Regulatory considerations were grouped to identify what kinds of things can be done or considered to encourage affordable housing. There are regulations related to:

- ◆ Guest houses and accessory dwelling units
- ◆ Density bonuses, already provided but now being looked at to see if there is a way of providing affordable housing incentive
- ◆ Ways to better utilize or focus affordable housing development into areas where there more service and infrastructure available.
- ◆ Using transferable Development Rights
- ◆ To be looking at mixed use Rural Areas of Intensive Development, where transit services and public services are close by.

New Development:

- ◆ What incentives or ideas could be incorporated into new proposals using existing codes to better service the creation of more affordable housing through reduced permit fees or the permit review timeline and process?

Maintaining Existing Housing Stock:

- ◆ Existing inventory, looking at taxation and whether rehabilitation of existing homes could be used.

Relationships with Other Agencies:

- ◆ Address the need for partnering with other agencies or groups who are addressing this issue.

Programmatic Strategies:

- ◆ How does staff support and promote all of these issues.
- ◆ How to become proactive and come up with the next steps

Mr. Boscolo stated that staff had made an effort to make sure these recommendations are born out of the conditions in Island County. The implementation strategies are brought forward from the characteristics and conditions in Island County.

Chairman Gabelein asked regarding page 19, where the EDU program fits.

Mr. Tate stated it was not included but should be added. For those who are not familiar with the term, EDU (Earn Development Unit) is a density bonus program that relates to agricultural land in the county. The more agricultural land that is protected in some form of easement, meaning that under that easement it will be continued to be farmed a landowner can be eligible for some additional development potential. The density bonus

is awarded based on how much land is placed in easement, not in how land is owned. The density bonus essentially equates to:

For every five acres placed in an easement and permanent protection for agriculture, you would be allowed to put a house somewhere. You could buy land somewhere else and add a house above and beyond what would already be allowed. That program has been in place since 1999 or 2000 and only one farm land owner go through and get what is called a Farm Management Plan and actually designate these EDU's. This program would certainly play a mix in the affordable housing issue.

Chairman Gabelein stated he thought it would fit in along with the Transferable Development Right Program that doesn't currently exist but has been talked about being brought back.

Commissioner Lippens stated a problem he has seen with affordable housing in the past is the issue of maintaining affordability. At some point those houses become unaffordable.

Mr. Tate stated some communities have housing stock that remains affordable in perpetuity through title. It is limited to a small increase of resale value. Sometimes it is for a limited time, sometimes the land remains with an agency. There are housing authorities and non profits that have answered that question in different ways by adding restriction on title of property.

Chairman Gabelein stated he felt the answer involves the Island County Housing Authority and what this body might do to help them get there.

Chair Gabelein opened the floor to public comment on the amendments to the Affordable Housing Element.

Al Williams, 1875 Fort Nugent Rd., Oak Harbor

Stated he and his wife Barbara came all the way over to address this body and the good people on Camano Island because they are all in this together. What is done on Whidbey Island will affect Camano and what is done on Camano will affect Whidbey. He further stated affordable housing is where we open up our hearts a little bit for people who aren't as financially well fixed as others.

One of the things they have noticed in the Oak Harbor area is that there is a strategy to get rid of some of their affordable housing, convert it to commercial areas especially out on Goldie Rd., which will then give them leverage to expand their UGA. For instance a trailer park out on Goldie Rd. just recently had the zoning changed to Commercial by the City of Oak Harbor and evicted the residence of the trailer park. It is not the only one. The last issue of the Whidbey News Times indicates there is another park a little further out on Goldie Rd. and this time they want to turn it into a pet crematorium and the people are being evicted. He provided copies of the article (GMA # 10285) and paraphrased what one of the residents who are being evicted had to say. He said it's not

fair, he's a single father of an adorable two year old girl and he states he hasn't been able to find a new home for his tiny family because of his limited income. He indicated this is where she had been her entire life and now they get one month's notice to find a new home.

He indicated his point was that this was disrupting people's lives and he thinks they all need to give some consideration to what they do that affects people this way. In particular if this is sort of a scheme to turn this into something else so that they can say they need more affordable housing and have to expand the UGA. He wanted to present this in a way to make the Commission aware of this. He wanted to make people aware on Camano Island of what is going on.

GayLynn Beighton, 2507 West Beach Rd., Oak Harbor

Stated she was a commercial real estate broker and has been since 1986. She said she had done some consulting work for the Seattle Housing Authority regarding affordable housing strategies. She wanted to mention that in the density bonuses there is a reference at the end on page 4-19 that it should ensure that the housing stays in stock of affordable housing for a defined period of time. She suggests it should be in perpetuity because it's really silly to be enacting laws if on the other end we lose it because the property has a higher potential for more profit if they evict the poor people that live there.

She then submitted for the record (GMA # 10295) the article referenced at the last hearing on the subject of solutions for healthier communities.

Ms. Beighton then read from a written submittal for the record (GMA # 10296) dealing with the following topics:

- ◆ Density in rural areas
- ◆ Affordable housing needs - define
- ◆ Establishing measurable affordable and low income targets relative to those needs
- ◆ Concern for liability and the weakening of existing protections of rural lands

Ms. Beighton further cited from and submitted to the record (GMA # 10297) CTED's comment letter on CPA 210/08, dated October 15, 2008. She then explained what CTED is and what they do.

Commissioner Hillers asked for more information regarding the letter.

Mr. Boscolo indicated it was associated with last years' update to the Housing Element.

Ms. Beighton stated the big thing is that they don't want us sprawling into the rural countryside they want us using our urban areas.

Commissioner Lippens asked how that related to Camano Island where there are no urban areas.

Ms. Beighton stated it related significantly if there were any RAID's.

Chairman Gabelein reminded the public of the June 19th deadline for public comment and urged them to submit their comments.

Commissioner Hillers asked for confirmation from staff relating to the bulk of these comments. The cities are outside of the Planning Commission's purview, the only items the Commission can deal with are the County areas that are not designated as cities.

Mr. Boscolo stated that Oak Harbor's Housing Element along with Coupeville and Langley's were reviewed as part of this process for consistencies as well as determining the direction they are going and how this Plan can support some of the things stated in their Plan, but the jurisdiction of the County's Housing Element doesn't go within the cities boundary. There is mutual management within the UGA.

Mr. Tate stated some of the strategies try to use the County's ability, when land is being annexed to require some affordable housing goals. The number is not defined, but it creates a standard that says if land is annexed some percent of development should be targeted towards affordable housing.

Chair Gabelein closed the public comment portion of the hearing and advised that written public comments would be accepted until 4:30 p.m. June 19th.

Commissioner Hillers moved to adjourn, Commission Reynolds seconded, motion carried unanimously.

Meeting adjourned at 8:10 p.m.

Respectfully submitted,

By Paula Bradshaw
Administrative Assistant