

**ISLAND COUNTY PLANNING COMMISSION
 COMMISSIONERS HEARING ROOM, COUPEVILLE, WA
 February 8, 2010**

	Members Present	Members Absent
District 1	Val Hillers	
	Dean Enell	
	Mike Joselyn	
District 2	Terry Reynolds	
		Rex Porter
	Mahmoud Abdel-Monem	
District 3	Wayne Havens	
	William Lippens	
	Scott Yonkman	

Vice Chair Terry Reynolds called the meeting to order.

ROLL CALL

Val Hillers, Scott Yonkman, Mike Joselyn, Wayne Havens, Bill Lippens, Mahmoud Abdel-Monem, Dean Enell, Terry Reynolds

APPROVAL OF MINUTES

December 4, 2009

Commissioner Joselyn moved to approve the minutes as written, Commissioner Lippens seconded, motion carried unanimously.

ELECTION OF OFFICERS

Commissioner Scott Yonkman nominated Terry Reynolds for the 2010 Chair, Commissioner Joselyn seconded, motion carried unanimously.

Commissioner Mike Joselyn nominated Wayne Havens for the 2010 Vice Chair, Commissioner Lippens seconded, motion carried unanimously.

ITEMS FROM THE PUBLIC

None

Recess

Public Workshop – 2010 Annual Joint meeting

**Island County Board of Commissioners; Island County Planning Commission;
 Island County Hearing Examiner; Island County Planning & Community Development**

Present: Helen Price Johnson – Member, Angie Homola – Member, John Dean – Member, Michael Bobbink – Hearing Examiner.

Board of Island County Commissioner Chair Price Johnson reconvened the Board from the morning session.

Planning Commissioner Chair Reynolds reconvened the Planning Commission from recess.

Staff Present: Robert Pederson – Planning Director, Justin Craven – Critical Areas Planner, Brandon Sweeza – Long Range Planner.

Planning Director Robert Pederson discussed the afternoon’s agenda

- Review of 2009 Work Plan
- An Overview of the 2010 Work Plan
- Establishing the 2010 Annual Review Docket
- Hearing Examiner’s Report

Review of the 2009 Annual Review Docket

Brandon Sweeza summarized:

- There were eight 2009 docket items
 - Two were withdrawn (Due to staff reductions in December, 2008 and compounded by further reductions in May, 2009. Both items were Comprehensive Plan Element Updates).
 - **Parks Plan Element:** The base work was completed. Outreach and further research needs to be done. Public Works will be continuing the work on the 2010 Docket.
 - **Affordable Housing Element:** It will be up for discussion for inclusion in the 2010 Docket.
 - Four Items were completed
 - **Essential Public Facilities (EPF):** Facilities that provide a service to the public and are required to support the basic social needs in the community, region, and state. Such facilities are typically extremely large and have high impacts on the areas for which they are sited. The amendments proposed by the County and approved by the Board in 2009 expand the allowance of EPF’s into the Rural Agricultural (RA) and Rural Forest (RF) zoning designations. Previously, EPF’s were not allowed in the RA and RF zones under 17.03 ICC Island County Zoning Code which conflicted with the Island County Comprehensive Plan which does allow for these uses in both zones. The amendment served to bring the Island County Zoning code into consistency Island County Comprehensive Plan.
 - **Utility Segregations:** Amendments proposed by the County to exempt divisions of land used for siting electric utility facilities into lots or tracts that are less than three (3) acres in size from the subdivision and short subdivision standards contained in Chapter 16.06 ICC. The amendment was developed in concert with provisions already provided by Washington State (RCW 58.17.040). Before the amendment, an electric purveyor had to purchase acreage and the typical electrical substations only require smaller properties. The purpose of the amendment was to make it less costly for electric utility purveyors to purchase sites used for these facilities, thereby, passing the savings to their customers.

- **Mini Storage:** The amendments proposed to 17.03 ICC and approved by the Board in 2009 modify the standards governing Mini-Storage Facilities within the Rural zone in response to concerns for crime, increased traffic, and aesthetics. Previously termed Personal Storage Facilities, these proposals in the Rural zone have historically received significant public comments and generally generated an appeal of a staff decision to the Hearing Examiner. After considering public comments provided in prior applications staff developed the amended standards which included improved standards for security through requiring cameras, on-site managers, and fencing. Other improvements addressed traffic in limiting access points, aesthetic concerns, requiring full screening and larger vegetated buffers, and requires all proposals be approved by the Hearing Examiner as a Type III decision rather than administratively as a Type II decision
 - **Ault Field Road Zoning Amendment:** Zoning Amendment ZAA 333/08, proposed by Sean Byrne of Ault Field Road L.L.C., brings the Zoning Atlas into consistency with the Comprehensive Plan by rezoning 18 acres of land located at the intersection of Ault Field Road and Old Goldie Road from Rural (R) to Light Manufacturing (LM).
- *Two Items carried forward to 2010*
- **Ebey's Historical Reserve Amendments:** Proposed amendments to the standards and procedures that regulate development within Ebey's Landing National Historic Reserve as contained in 17.04 ICC. These amendments modify permit review procedures, development standards, and incorporate references to a companion design manual. The proposed amendments have been signed by the Island County Planning Commission and are currently undergoing a joint review by the Board of Island County Commissioners, the Coupeville Town Council & Mayor, and the Ebey's Landing National Historic Reserve. Following Public Hearing it is anticipated that the amendments will be adopted in the summer of 2010.
 - **Freeland Development Regulation:** Draft regulations have been undergoing development in response to the adoption of the Freeland Sub Area Plan. Currently an Interim Zoning Ordinance has been in place to regulate development activities within the Freeland Non Municipal Urban Growth Area (NMUGA) boundaries. Ongoing Planning efforts are being undertaken to develop a Comprehensive Plan and permanent Development Regulations for Freeland. When completed, the regulations will address zoning designations, allowed uses and densities, design guidelines, and other development requirements.

An Overview of the 2010 Work Plan

Director Pederson discussed the two page hand-out for the Planning Work Program – 2010. The process is broken out into two distinct processes.

Planning Commission Docket & Long Range Planning

Items under Chapter 16.26, the Comprehensive Plan; these are the communities' goals and desires for the future of their community. These are the Policy Plans.

- Freeland Subarea Plan
- Business (Outdoor) Storage (carryover from 2005 Docket)
- SMP Update – scope of work and contract / initial public outreach
- Fish & Wildlife – coordinate with SMP
- Parks Plan – coordinate with Public Works
- Oak Harbor UGA
- Ag. Ordinance Implementation
- PBRS and Timber Open Space (10 requests)
- Revise ICC 16.19 – permit processing to conform to RCW
- Public Requests - none

Zoning Code Changes & General Planning

Adoption of Development Regulations or amendments that implement the Comp Plan and for which no amendment to the Comp Plan is required before the adoption of the regulation or amendment to the regulation, these can occur throughout the year and do not need to be part of the Annual Docket process.

- Affordable Housing – zoning incentives
- APZ – zoning ordinance amendments
- Low Impact Design Regulations (EPA Grant & PW coordination)
- Sign Ordinance
- 2010 Census
- FEMA Flood update
- Permit Review Timeframes – Match with RCW
- Ebey's Implementation
 - WEAN Requests:
 - Hearing Examiner & SEPA appeals
 - Definition of Impervious Surfaces
 - Land Use Intensity & Wetland Buffers
 - Priority Species & Habitats in Critical Areas Ordinance
 - New Ag Facilities & BMPs (SMP jurisdiction)

Mr. Pederson discussed the two lists in light of the resources available. In both instances the number of personnel required to accomplish these tasks exceeds the available resources. The discussion of these items needs to include prioritization of where to devote the existing resources and to items which can be accomplished.

Establishing the 2010 Planning Commission Docket

Mr. Pederson provided a copy of a letter from the City of Oak Harbor related to the 2005 Comprehensive Plan Update. The County was required to review the population projections and Urban Growth Area for the municipalities and the county.

The proposal CPA 155/04 came forward, went through the Planning Commission. A SEPA process began, a Mitigated Determination of Non-Significance (MDNS) was

issued, which resulted in four appeals, one of which was the City of Oak Harbor. Ultimately the MDNS was withdrawn by the previous Planning Director. The letter withdrawing the MDNS stated a Determination of Significance would be issued, but nothing has happened since.

Now the City of Oak Harbor wants to know when this item will be scheduled before the Board, however the SEPA process has not been finished.

A lot has changed since 2005, the 2010 Census is coming up and in 2012 the same subjects will be revisited in the Comprehensive Plan Update. It was hoped this would be addressed in the 2012 update. The above discussed letter however does not appear the City is willing to wait until that process and further research is needed.

A discussion of the items and questions of staff ensued, including grant funding sources.

Mr. Bobbink discussed SEPA appeals under GMA that are heard by the Island County Hearing Examiner and could ultimately be overturned by the Western Washington Growth Management Hearings Board as they have been given SEPA authority. Other counties also handle these appeals the same way Island County does.

Mr. Erickson from WEAN also discussed his proposed change.

The Planning Commission provided their thoughts on the Planning Commission Docket and the priorities as well as the staff work plan.

Commissioner Dean Enell asked about the Freeland Community wanting the Freeland Community Commission (FCC) – design review. Potential commercial applications would be reviewed within the Interim Regulations that will most likely be in place for several more years.

The Freeland Subarea Plan, which is being considered for the 2010 Docket is the Policy Plan and is different from the Development Regulations. The Policy Plan is the umbrella that will direct the Development Regulations. The Policy Plan item has been considered as a priority for 2010.

The Parks Plan was discussed as being do-able in 2010 and resources are available to help that get done.

The Business Storage (Outdoor) carry over from the 2005 Docket is possible to be completed in the 2010 docket as much of the work has been done and would only need to be reviewed and updated with another public hearing before the Planning Commission. There may be some parallels to the Mini-Storage just completed.

The APZ, accident potential zone was discussed. Need clarification of the intention.

The FEMA Flood update has implications for every person that has a flood insurance policy in the county. Mr. Pederson stated there is a potential for community discounts moving forward as well as the potential of being dropped by FEMA if a better job isn't done with the ordinance.

LID was again discussed.

Affordable Housing – need inventory to start to define affordable housing. There are some straight forward zoning incentives that could be considered.

Director Bob Pederson stated that based on the discussion today the list will be revised and will be brought back to the Planning Commission to provide a recommendation to the Board to establish the 2010 Docket.

Hearing Examiner's Report

The Island County Hearing Examiner, Michael Bobbink, stated there was nothing new. The work load continues to consist mostly of appeals. He stated he felt it would be that way from here out as regulations tighten up and more people bump heads.

He states he applies the Code the way it is written. The longer it takes for these items to get through the Planning Commission and the Board, the longer he will deal with the Code the way it is written rather than the way they may choose to have it changed.

He said he was willing to answer questions and to review ordinance language for problems that may cause interpretation problems, rather than policy issues. He reiterated his comment from last year regarding legislative history. Language to clarify intent prevents future interpretations problems. If the all the documents are kept together from the Planning Commission process through the Board's adoption of an ordinance it makes it easy to discover the intent.

Chair Price Johnson adjourned the meeting at 4:05 p.m.

Respectfully submitted,

By Paula Bradshaw