

**ISLAND COUNTY PLANNING COMMISSION
 COMMISSIONERS HEARING ROOM, COUPEVILLE, WA
 February 7, 2011**

	Members Present	Members Absent
District 1		<i>Val Hillers</i>
	<i>Dean Enell – Chair</i>	
		<i>Mike Joselyn</i>
District 2	<i>Mitchell Howard</i>	
	<i>Anna-Marie Sibon</i>	
		<i>Mahmoud Abdel-Monem</i>
District 3	<i>Wayne Havens</i>	
	<i>William Lippens</i>	
	<i>Scott Yonkman – Vice Chair</i>	

Vice Chair Havens called the meeting to order.

ROLL CALL

Mitchell Howard, Wayne Haven, Scott Yonkman, Anna-Marie Sibon, Dean Enell, William Lippens

ELECTION OF OFFICERS

Commissioner Enell nominated Commissioner Lippens for the 2011 Chair. Commissioner Lippens declined due to conflicts with his work schedule.

Commissioner Howard nominated Commissioner Enell, Commissioner Lippens seconded; motion carried unanimously.

Commissioner Havens nominated Commissioner Yonkman for the 2011 Vice Chair, Commissioner Enell seconded, motion carried unanimously.

ITEMS FROM THE PUBLIC

None

Commissioner Howard brought up a suggestion for an informal procedure for getting items on the Planning Commission agenda. His suggestion included anyone who has an item to discuss sending an email out to the Planning Commission to give the members time to think over the topic before it appears at the meeting.

Commissioner Sibon asked about the public notification requirements. Director Pederson referred to the Adopted Rules and Procedures for the Planning Commission; the adopted rules did not specify a requirement for Public Notification.

The group was reminded that Planning Commission business cannot be discussed through email, or it is considered a meeting, but rather they could email Ms. Bradshaw and the Chair to suggest an item be placed on the first available agenda. It was also stated that a month lead time would typically be adequate notice for an item to be appropriately advertised and added to the agenda.

Clarification was provided that emails may still be sent to the entire Commission regarding an issue, but there is to be no back and forth exchange of opinions.

Director Pederson stated that he would further research the subject.

Recess

Public Workshop – 2011 Annual Joint meeting

Island County Board of Commissioners; Island County Planning Commission;

Island County Hearing Examiner; Island County Planning & Community Development

Present: Angie Homola – Chair, Helen Price Johnson – Member, Kelly Emerson – Member, Michael Bobbink – Hearing Examiner.

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

Planning Commissioner Chair Enell reconvened the Planning Commission from recess.

Staff Present: Robert Pederson – Planning Director, Troy Davis – Long Range Planner, Anthony Boscolo – Long Range Planner.

Planning Director Robert Pederson discussed the afternoon’s agenda

- Review of 2010 Work Plan
- An Overview of the 2011 Planning Work Plan
- Establishing the 2011 Annual Review Docket
- Hearing Examiner’s Report

Review of the 2010 Work Plan

Director Pederson discussed the handout listing the multi-year items from the 2010 Docket that rolled into 2011; Items include the Shoreline Master Plan update and the Fish & Wildlife update.

An Overview of the 2011 Work Plan

Director Pederson discussed the two page hand-out for the Planning Work Program – 2011 The process is broken down 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.

- SMP Update – consultant work and 1FTE (grant funded)
- Fish & Wildlife – coordinate with SMP
- Freeland Subarea Plan
- Buildable Lands Analysis
- Oak Harbor UGA
- Parks Plan – coordinate with Public Works (carry over from 2009 & 2010)

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 – Comp Plan and Public Outreach
- Low Impact Design Regulations (EPA Grant & PW coordination)
- Sign Ordinance
- Oak Harbor Comprehensive Plan
- 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. Also discussed, which items can be removed from the Planning Work Program in order to reduce the number of hours spent.

Commissioner Emerson brought up items that were on previous dockets, but were not included in the 2011 Work Plan Spreadsheet, such as the sign ordinance. She stated that she would just like to make the Planning Commission aware that there are additional items and to bring that to the Director's attention.

Commissioner Homola requested that Director Pederson briefly explain the difference between docket items and items that are not looked at for the docket.

Director Pederson referred to the handout of Code 16.26 of the Comp Plan. He stated that according to the Annual Review Docket process the docket was created to consider big ticket items as a batch; certain items can be completed off the Annual Docket. He referred to the Ault Field Rezone, Essential Public Facilities, and Mini Storage Code, from the 2009 Docket, as examples of items that could have been completed off the Docket.

Establishing the 2011 Planning Commission Docket

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.

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

The Buildable Lands Analysis was discussed: there is a need to come to a common agreement with the County's other jurisdictions to determine methodology and processes.

The Critical SMP Update, which is grant funded through Dept. of Ecology was discussed as was the long overdue required update of the fish and wildlife habitat conservation element of the critical areas.

The Freeland Subarea Plan 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 will be coming to the board shortly for adoption.

The Oak Harbor UGA work for 2011 is the remaining work to complete the 2005 Comp Plan Update. Legislative action is approaching in April of 2011.

The Parks Plan was discussed as being do-able in 2011 and resources are available to help that get done.

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

A Unified Code and Design Manual for Development at Ebey's Landing National Historical Reserve were discussed as being near completion. The Design Manual is close to final; anticipating the meeting scheduled for March 2011, which will be followed by the item going to the Board.

Code Amendments were briefly mentioned and will be discussed at the March 22, 2011 meeting

The Planning Commission discussed the possibility of removing items from the 2011 Planning Work Program to reduce the number of required man hours and make better use of staff.

Commissioner Homola commented on the need to move ahead and make progress on certain items on the docket such as the GMA required Affordable Housing, Fish & Wildlife, & Parks Plans, which must be completed or legal actions may follow.

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 2011 Docket.

The Final Docket decision was set to be made in a regular session.

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 that 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 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.

Findings of Fact for Freeland Sub Area Plan

Chair Enell called for a motion on the Findings of Fact for CPA 244/10 – Freeland Sub Area Plan, Commissioner Howard moved to accept the Findings of Fact as reported, Commissioner Joselyn seconded the motion; the motion carried with Commissioner Sibon abstaining as she was not present when this item was discussed. Motion carried.

Chair Enell stated this would be a good time to discuss policy. When there are reservations on a vote it would be important for the dissenting vote on a motion for that Commissioner to put on the record the reasons for their reservations. This would then be reflected in the minutes.

He stated his comments relate to a dissenting vote in the recent past on a rezone and at the time there didn't seem to be a formal way for the reporting of that dissenting vote and its reasons to be made known. He felt this would be important for the record.

Chair Enell adjourned the meeting at 3:40 p.m.

Respectfully submitted,

By Paula Bradshaw