

**ISLAND COUNTY PLANNING COMMISSION
SUMMARY MINUTES
COMMISSIONERS HEARING ROOM
TUESDAY, DECEMBER 12, 2006**

MEMBERS PRESENT: Ray Gabelein Mike Joselyn
 Val Hillers Deb Eidsness
 Wayne Havens Bill Massey
 Alan Schell

MEMBERS ABSENT: Scott Yonkman Sheilah Crider

APPROVAL OF THE MINUTES

Mike Joselyn moved to approve the minutes of October 24, 2006 as written. The motion was seconded by Bill Massey and carried unanimously.

ITEMS FROM THE PUBLIC

There were no items from the public.

PLANNING DIRECTOR'S REPORT

Phil Bakke, Planning Director, reported that CPA 065/05, approval of amendments to enable Existing Master Planned Resorts in Island County, was appealed by WEAN to the Growth Management Hearings Board. The County asked for a Motion to Dismiss on the grounds that the appeal was not timely. The Growth Board concurred and the case was dismissed.

Ordinance C-150-05/PLG-021-05 which was adopted by the County and approved by the Growth Management Hearings Board has been appealed by WEAN in Thurston County Court. The County is expecting state agencies to intervene on the County's behalf.

The ordinance is currently not being implemented as it states that should the Growth Board decision be appealed that the ordinance will not take effect until 90 days after a final court decision that it complies with the GMA. In light of that the Outreach and Education Program has been put on hold as well as the Interlocal Agreement with the Conservation District.

The piece of it that is being implemented is the funding of a new position at WSU Extension office. That position is the independent education outreach leg of this whole

process and they felt it was important to move that forward because it can help with broader farming issues then just implementation of the ordinance.

NEW BUSINESS – Public Hearing

Update of the Flood Damage Protection Ordinance for the purpose of incorporating the updated FEMA flood insurance study and maps

Jeff Tate, Assistant Planning Director, indicated that in November staff forwarded a memo and proposed amendments to the County’s Flood Damage Prevention Ordinance, Chapter 14.02A ICC (Growth Management Record #9082). The County had received notice from FEMA in August that they were updating the Island County Flood Insurance Study and the Flood Insurance Rate Maps (FIRM).

The Flood Insurance Study and the FIRM maps are the primary resource used by the County when determining whether or not a proposed development activity is located within floodplains.

Staff transmitted a series of amendments to the flood damage prevention ordinance to FEMA who responded with some additional changes. Those changes were forwarded to the Planning Commission on December 8, 2006. (Growth Management Record # 9083) Normally, given the short time for the Planning Commission to review the information, the hearing would be continued, however, in order to meet the February 7, 2006 deadline for BICC adoption this issue needs to be finalized today. Originally there were two meetings built into the schedule but weather conditions caused the last meeting to be cancelled.

FEMA has indicated that if Island County does not make the changes by February 7, 2006 they will be removed from the National Flood Insurance Program meaning that nobody in Island County will be eligible for flood insurance. Such a position does not give the County much discretion in what it does.

PUBLIC COMMENT

Jerry Ptisch, 2527 N West Beach Rd., Oak Harbor, requested a copy of the ordinance to review before making any comments.

Rita Peterson, 1917 Swantown Rd., Oak Harbor, requested that staff make a few comments about the way that the policy is expected to change.

Jeff Tate provided the following proposed amendments:

14.02A.020	Modifying the definition for Substantial Improvement
14.02A050.B.1.b	Adding standards for crawlspaces in residential structures that are in floodplains
14.02A.050.B.5.c	Restructuring the paragraph so that it reads better. No

	substantive change intended.
14.02A.050.C.1	Modify who may certify encroachments into floodways. (There are no floodways in Island County)
14.02A.050.C.2.b.ii	Modify requirements for reconstruction in floodways. (There are no floodways in Island County.)
14.02A.050.E	Remove this reference to development in the AO flood zone.
14.02A.050.E. (was F)	Add the term “reach of the” in front of mean high tide line. Not intended to have a substantive affect. FEMA wants this because it is written this way in the model ordinance.

Evan Reese, 2585 West Beach Rd., Oak Harbor, asked if any of the existing flood area boundaries had been changed on the flood map.

Jeff Tate indicated that staff has taken the time to go though the maps boundary by boundary and they did not find any changes either in the boundaries or the designations.

Evan Reese inquired as to how much, if any, additional expense there would be for an individual wishing to build in one of the flood zones from these new regulations.

Jeff Tate noted that staff’s review of the changes found nothing substantive that is going to cause a landowner to start doing something that they are not currently doing.

Public Comment was closed.

Alan Schell moved to recommend to the BICC that they accept the amendments to the Island County Flood Damage Prevention Ordinance, 14.02A. The motion was seconded by Mike Joselyn and carried unanimously.

UNFINISHED BUSINESS – Public Meeting

County wide population projections & Allocations/Urban Growth Areas

Handouts:

2025 Island County Population Projection and UGA Update – Power Point Presentation (Growth Management Record # 9084)

Ltr dated 12/9/05 from Leonard Bauer, to Patty Cohen, Mayor of Oak Harbor (Growth Management Record #9085)

Ltr dated 8/25/06 from Steve Powers, City of Oak Harbor, to Jeff Tate, Assistant Director (Growth Management Record # 9086)

Determination of Non-Significance – expansion of the Oak Harbor UGA (Growth Management Record #9087)

Notice of Action – City of Oak Harbor – expansion of the Oak Harbor UGA (Growth Management Record #9088)

Jeff Tate provided the following Power Point presentation:

2025 Update Tasks

- ✓ Determine a 2025 countywide population projection
- ✓ Determine regional projections for North Whidbey, Central Whidbey, South Whidbey and Camano Island County
- Determine city projections and modifications to Urban Growth Areas (UGAs)

Goals of Today’s Deliberations

- Review of Langley population projections and UGA analysis – Vote on a recommendation
- Review of Coupeville population projections and UGA analysis – Vote on a recommendation
- Review of Oak Harbor population projections and UGA analysis – Vote on a recommendation
- Review of remaining countywide amendments – Vote on a recommendation

Protocols of Today’s Deliberations

- This matter was scheduled as a public meeting, not a public hearing
- Accepting public testimony is not allowed since it was not noticed in the paper as a hearing and the public comment period ended on November 17, 2006.
- This meeting provides an opportunity for the Commission to publicly discuss the merits of the proposals, question staff, and question each other.
- The Planning Commission may make decisions today or may continue their deliberations to another date for matters that are unresolved or for additional time to contemplate.

What happens when Deliberations are done?

- Once the Planning Commission concludes its deliberations it will vote on the various issues and forward a recommendation to the Board of Island County Commissioners.
- The Board may accept the Planning Commission’s recommendation without any further public hearings.
- The Board may hold their own public hearings if they want to change the Planning Commission’s recommendation.
- The Board may remand the matter back to the Planning Commission if they believe additional facts need to be considered.

- Ultimately, the Board makes the final decision.

GMA Requirements for designating UGAs (RCW 36.70A.110)

- Island County must designate UGAs.
- Must base UGA designations on population projections provided by State OFM.
- UGA must allow for areas and densities sufficient to permit the projected urban growth for the succeeding 20 year period. GMA and UGAs are not a tool to be used for stopping growth – their purpose is to manage growth.
- UGA determination may include a reasonable land market supply factor (Growth Boards have determined reasonable to be 125%)
- “In determining this market factor, cities and counties may consider local circumstance.”
- “Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.”
- Counties are the unit of government responsible for designation UGAs. Counties are required to work with cities in making this designation.
- The county shall attempt to reach agreement with the city.
- If there is disagreement, CTED may intervene.

GMA Requirements for updating Comprehensive Plans (RCW 36.70A.110)

- UGA shall be reviewed at least every 10 years.
- The county comprehensive plan designating urban growth areas shall be revised to accommodate the projected urban growth for the succeeding 20 year period.

GMA Requirements for coordinating with cities (Chapter 365-195 WAC)

- When designating UGAs the county shall consult with each city.
- Each city shall propose the location of the UGA.
- “...the urban growth area should be represent the physical area within which that jurisdiction’s vision of urban development can be realized over the next twenty years. The urban growth area should be base don densities selected to promote the goals of the act – densities which accommodate urban growth served by adequate public facilities and discourage sprawl.”

GMA Requirements for designating a UGA (Chapter 365-195 WAC)

City Responsibilities:

- Determine the amount of land necessary to accommodate likely growth. This includes forecasting growth using the 20 year population projection and evaluating recent trends in population.

- Inventory lands that are vacant, partially used and where redevelopment is likely. If the lands within the municipal boundaries are not sufficient then inventory those lands adjacent to the city.
- Perform a check on realism of the area proposed by evaluating the ability to finance public facilities and services, the effects that confining urban growth will have on housing and land prices, and whether or not the level of population growth can be achieved within the capacity of available land and water resources.

GMA Requirements for designating a UGA (Chapter 365.195 WAC)

County Responsibilities:

- County must determine how much of the 20 years population projection is to be allocated to rural and urban areas.
- “The county should attempt to define urban growth areas so as to accommodate the growth plans of the cities...”
- “The total area designated as urban growth area in any county should be sufficient to permit the urban growth that is projected to occur in the county the succeeding twenty-year period...”

Langley

- 1998 Comprehensive Plan provides for a 2020 population projection of 2,200.
- 2006 amendment would result in the following:
 - Extend the population projection horizon from 2020 to 2025;
 - Maintain the population projection of 2,200 but extend it out to the 2025 horizon;
 - Because the UGA was sized to accommodate 2,200 people there are no changes proposed to the UGA boundary since the population projection isn't changing.

Coupeville

- 1998 Comprehensive Plan provides for a 2020 population projection of 2,068.
- 2006 amendment would result in the following:
 - Extend the population projection horizon from 2020 to 2025;
 - Establish a 2025 population projection of 2,165;
 - Pursuant to RCW 36.70A.110(1) urban growth areas contained within a national historic reserve are not required to establish areas sufficient to permit the urban growth that is anticipated for the next 20 years. As a result, Coupeville has not proposed, nor are they required to, expand the urban growth area beyond the municipal boundary.

Oak Harbor

- 1998 Comprehensive Plan provides for a 2020 population projection of 31,000.

- 2006 amendment would result in the following:
- Extend the population projection horizon from 2020 to 2025;
- Establish a 2025 population projection of 30,419;
- Expand the UGA in 7 different locations for a total of 180 acres.
- Existing UGA can accommodate 2025 population plus an additional 6%.
- Addition of 180 acres would accommodate 2025 population plus an additional 26%.

Oak Harbor UGA Recommendation

- City process:
 - City staff conducts land use capacity analysis.
 - Oak Harbor Comprehensive Plan Task Force conducts a number of meetings in which this issue was discussed.
 - City solicits landowners adjacent to current UGA boundary to determine interest in being added.
 - Deliberates on numerous alternatives for sizing the UGA (e.g. 106%, 115% and 126% scenario)
 - Task force determines that 126% scenario is the preferred alternative.
 - Oak Harbor Planning Commission approves recommendation.
 - Mayor forwards recommendation to Island County.
- Fakkema Portion:
 - 105 acres (88 acres dedicated to residential at 4 dwelling units per acre).
 - 7 acres to be set aside for maintaining the historic farm building cluster.
 - 10 acres to be set aside for public open space or active public recreational facilities.
 - Dedicate a public trail easement along the drainage ditch from Freeway Lane to Swantown Lake.
 - Develop policies that encourage the transfer of development rights from remaining agricultural land to upland areas on the southern edge of the Fakkema property.

Overview of Capacity Determination

- 126 % Capacity – Policy decision by Oak Harbor based on the following factors:
 - Providing a larger cushion will help maintain affordability of housing;
 - It is prudent to have a supply of residential land that can respond to unforeseen conditions;
 - The larger cushion will promote more housing choices;
 - It will encourage development of certain properties to occur under urban standards rather than rural ones;
 - Expansion of the UGA into the Fakkema farm helps meet other Comprehensive Plan and GMA goals of open space planning, historic preservation and recreational trail development;
 - The public is best served by more choices rather than fewer choices.

Overview of Capacity Determination

- City followed RCW and WAC guidance for sizing a UGA.
- City conducted SEPA environmental review.
- In addition to conducting a number of meetings and hearings the City noticed the proposal in the newspaper. Notice describes 180 acre addition to UGA, includes a comment period and an appeal period. No comments or appeals on this issue.
- City made a policy determination regarding the vision and future of Oak Harbor.
- GMA requires that a UGA be able to accommodate the 20 year projection.
- But also allows UGAs to include a reasonable land market supply factor.
- Growth Boards say that 125% is the limit which requires little justification, but have allowed some jurisdictions to go up to 175% provided it can be rationalized.

Island County Staff Review of Oak Harbor Proposal:

The following have been reviewed:

- The City's capacity analysis – meets GMA
- The City's public process – meets GMA
- The State Department of Community, Trade and Economic Development praises Oak Harbor's work.
- The City's ability to provide urban services – confirmed
- The City's policy decisions – meets GMA
- The City conducted SEPA review – county must still conduct own SEPA review

Conclusion: There are no factors that would cause the Department to recommend denial of the City's recommendation.

Mr. Tate indicated that the department received 30 comment letters, 25 of which came in prior to the comment deadline. Of the 25 received, 13 were in support and 12 were opposed. Keep in mind that 3 of the letters in support came from organizations. No new issues were raised in the 5 letters that came in after the November 17th comment deadline.

Two of the broader issues that were raised in the comment letters deal with downstream impacts to Swantown Lake and expanding the UGA into an area that is zoned Rural Agriculture.

The ditch that is located on the Fakkema Farm is an unregulated man-made ditch. Swantown Lake is owned by the County. It is a feature that is separated from the marine environment by West Beach Road and there is a tide gate that regulates how marine water would interface with Swantown Lake itself. Swantown Lake is designated as a Habitat of Local Significance due to its migratory bird and water fowl habitat significance. In order for it to have a role in salmon recovery it would require some on the ground physical improvement primarily because the tide gate keeps that interface from occurring.

The downstream impacts need to be addressed through a phased environmental review. The first phase is a general look at the issues and the potential environmental impacts and the second phase is the more specific impacts based on the proposal.

The City of Oak Harbor conducted a SEPA review; provided a checklist, notice, comment and appeal period and the County will go through a similar review once the Planning Commission makes their recommendation.

The second issue that has been brought up is with respect to agriculture. This expansion would bring in 105 acres of the Fakkema property, 20 of those acres are zoned Rural and the remaining 85 are zoned Rural Agriculture (RA). The GMA clearly includes goals for protecting agriculture in any jurisdiction and it also includes goals for dealing with urban growth and making sure that growth is directed into urban areas. The GMA goes on to say that it is the county's obligation is to balance those goals.

The GMA requires that lands of long term agricultural significance be designated and protected and while a portion of the Fakkema Farm is designated as Commercial Agriculture (CA), the portion where the UGA is expanding is not, it is zoned RA. The GMA precludes including CA lands in the UGA.

Bill Massey asked for clarification on the County's SEPA review process and the density allowed in the RA zone.

Jeff Tate noted that the SEPA review and the environmental threshold determination will be a review of the Planning Commission's recommendation, before it is forwarded to the Board of Commissioners. He also noted that 20 acres of the Fakkema property is zoned Rural, 5 acre minimum, the remaining portion is zoned RA which is a 10 acre minimum lot size.

Alan Schell asked if the Planning Commission had to accept the Oak Harbor UGA expansion recommendations in total or can the capacity rate be changed.

Jeff Tate said he did not believe there was any statute or growth board guidance on whether or not the county has jurisdiction to establish the capacity rate. He felt that the City of Oak Harbor should have a leading role in establishing their vision and direction for how they grow.

Alan Schell asked if the County's SEPA review would be predicated on the present or future density of the property.

Jeff Tate indicated that the SEPA review would be predicated on what could happen on the property, not what can.

Alan Schell asked staff for a rough time line for the city to provide the infrastructure needed.

Jeff Tate noted that the way that GMA is designed is that the infrastructure needs to be provided over the next 20 years and the time frame in which that happens can play out a couple of different ways. It can be initiated by the landowner, if the landowner is willing to pay to have those services extended out to the property. The city can initiate the process by establishing facility plans that provide the map for the development and infrastructure to be placed on the ground. Rarely does the city initiate the infrastructure if there is not a development proposal. It would be based more on a demand.

Alan Schell said if the Planning Commission were to vote against the Oak Harbor UGA expansion and there was a sudden spike in growth how long would it take to modify the proposal.

Jeff Tate indicated that the process itself to get through both the city and the county would probably run a year to a year and a half. If the city went through the process of updating and modifying the UGA and readdressing the capacity consideration they would then have to update their Capital Facilities Plan, Transportation Plan, and sewer and water plans.

Phil Bakke added that after that process is complete the applicant would then have to petition the city for annexation and go through the permit process and a second environmental review.

Alan Schell said currently the City of Oak Harbor has 106% capacity for the next 20 years and he felt that rather than expanding the UGA now if the city finds there is increased growth then the UGA can be expanded within a 5 year period to accommodate that growth.

Jeff Tate said if the Planning Commission made that kind of recommendation they would need to provide findings that show why the policy decision to have a 106% capacity outweighs the work the City of Oak Harbor has done in coming up with their 126% capacity.

Phil Bakke added that part of the reason for the GMA requiring UGA's was to avoid expansion problems like Portland has had. Portland has had great difficulty in expanding because years ago its outer fringe turned into mini estates of 5, 10 and 20 acres which has hampered their ability to spread and caused more leap frog urban sprawl.

The interlocal agreements between the County and Oak Harbor, Langley and Coupeville contain provisions that help prevent future development of land in the UGA from being done in a manner that precludes urban level development in the future.

For example, if Fakkema Farms wanted to subdivide their rural piece of property into 5 acre pieces they would have to put together a site plan, which is reviewed by both the county and city, showing that the design is not going to preclude some future 4 houses per acre development on the property.

Deb Eidsness asked if the Planning Department decided not to accept the Fakkema Farm would that preclude Area 3 Cohick, (the small triangle on top of the Fakkema parcel) from being included in the UGA.

Steve Powers, Director of Development Services for the City of Oak Harbor, noted that the Cohick property just touches the point of the western edge of the UGA, however the attorney for the City of Oak Harbor is of the opinion that a point is not sufficient. In order for that to be considered contiguous to the UGA you need a line segment. If the Fakkema parcel is left out it calls into question the Cohick parcel.

Bill Massey asked if the task force compared the properties that applied to come into the UGA from a standpoint of efficiency of infrastructure against those properties that are currently in the potential UGA that were not applicants.

Steve Powers noted that there were no specific alternatives reviewed other than those alternatives which had letters of interest.

Bill Massey noted that he is aware of available infrastructure for a couple of the proposed areas, but some of the other areas will require substantial sewer pumping stations because of the topography and therefore are typically less efficient and a more costly management area for the City of Oak Harbor.

Steve Powers noted that in terms of the general sub-basin areas they are dealing with infrastructure planning that is already in place.

Ray Gabelein said he felt that the debate on the capacity belongs with the City of Oak Harbor and not the county. He did not hear any flaws on how the city reached their percentage capacity in Jeff's review. He asked if the current RA zoning could be changed to R to allow 1du/5acres.

Jeff Tate noted that there is a process in the Island County Code, however, it is not an easy process and only one or two applicants have been successful in the course of the last 7 years. There is another program in place for Commercial Agriculture called Earned Development Units (EDUs) that will allow you to achieve 1 du/ 5 acres without rezoning your property.

Val Hillers noted that the statement "Develop policies that encourage the transfer of development rights from remaining agricultural land to upland areas on the southern edge of the Fakkema property" was in Jeff's presentation and she wondered if that was something that happens at the county or city level.

Steve Powers explained that during the 2005 process when the Fakkema's submitted their letter of interest and staff and initially the task force began working with them the size of their interest varied a little bit as we worked our way through the issues.

At one point very late in the process there was discussion about whether or not it would be possible to think beyond the size of what we were thinking about and look at the entire property and that is really where the idea of the transfer of development rights came from. It was an effort to think about how we might go about collectively preserving and conserving as much of that area as possible the way that you see it today and still putting a portion of it into the UGA for urban densities.

Alan Schell asked Mr. Powers to elaborate on the reasoning behind the recommendation for 126% capacity.

Steve Powers said to a large degree it is reflective of the market both at the local, regional and national level. Within the last 18 months there has been a slow down in single family residences but there still is a strong development of multi-family both in terms of apartments and condominiums. The city is seeing a trend towards lots that are not exceeding the minimum lot size by a large degree.

The 126% capacity provides a cushion for those unforeseen conditions such as the availability of parcels. The fact that a parcel might have the capacity to accommodate additional units or growth doesn't mean that it is ready for that additional growth, whether that is a choice of the owner or a combination of other circumstances. The capacity analysis is not able to assign a time that that would be available to handle that projected growth and so it is looked at as being time neutral and that is where the reasonable market supply is important to the city and to the task force, the commission and the council.

He did not want to leave the impression that they only look to satisfy the market because obviously they have a range of densities in the Comprehensive Plan and zoning code, but the market does take us through various cycles and having lands available in a variety of zoning categories with some capacity to handle growth within each of those zoning capacities was an important part of the consideration.

Val Hillers asked if the Commercial Agriculture zoning would cause a problem when it comes to protecting wetlands.

Jeff Tate said theoretically the regulations that the county is required to update every 7 years regarding CA are required to be developed using Best Available Science and are designed to protect the resource from the land use. Oak Harbor has adopted critical area regulations that protect the environmental feature based on the intensity of the land use.

Mike Joselyn pointed out that the major premise of the GMA is to guide future development into the urban areas to preserve rural areas. He asked if all the areas proposed to be included in the UGA have to be single family as opposed to multi-family.

Jeff Tate said those are decisions that the city clearly makes when they go through their review process. Mr. Powers can go into detail on how they did that. The minimum requirement for urban density is 4du/acre.

Alan Schell asked if there were any known wetlands on the Fakkema property that would preclude the development of 352 houses.

Jeff Tate noted that the County's wetland map shows no wetlands in the area that is proposed for inclusion into the UGA. Ultimately, site specific conditions prevail. If you have a large amount of critical area on your property, but they are not widespread across the entire piece most jurisdictions allow you to still achieve your density by staying out of the critical area.

Bill Massey said if the Planning Commission denied this action by the city of Oak Harbor could they justify their decision by saying these things were reviewed and acted upon in 2005 by the task force and subsequently in the follow on period the market conditions have changed significantly so the growth pattern has changed and Oak Harbor now has a significant amount of vacant lots that are not being built on and that 3 years from now might be a more appropriate time to look at the growth.

Jeff Tate said the Planning Commission could consider that kind of factor but you never really are able to catch up and have perfectly accurate "up to the minute" data. The city has to go through their process which includes public input, the task force, commission and council and that is going to take a long time. By the time the recommendation is forwarded to the County the information is already out of date.

Steve Powers responded to Mr. Joselyn's question regarding density. He pointed out that what is shown on the map is the end product and what you don't see is the balance of some of that capacity analysis that the city has done and that the task force, commission and council reviewed. As part of the review the city prepared a technical paper on the capacity analysis and there are a number of things that occurred when the city looked at that. The city has a large percentage of land that is in a multi-family category; R2 (limited multi-family which allows a range of both single family up to 12 units/acre), R3 (medium density) and R4 (high density). The city looked at these on a parcel by parcel basis. R3 contains some of the older mobile home parks that exist in the center of the community some of which are at absolute maximum density. The city looked at those and felt that there was no extra capacity and that use was never going to change so they were not going to add any capacity to that. Others are quite a bit below what their capacity truly could be so capacity was counted on those parcels recognizing that over time someone may come along and say that they want to take higher advantage of that particular property then the density that is there today in terms of those existing mobile homes.

In the downtown area staff actually assigned 120 dwelling units to the central business district. The city is starting to see some interest in mixed use projects and developing residential units within the downtown area. So the capacity that we have been talking about does not set its sites solely on using low density single family at the edges of the community, it takes advantage of those existing high density and medium high density opportunities inside of the city where that zoning is already located.

He added that as part of the 2005 process the city had a site specific request from some property owners who looked to convert a piece of property that had a low density residential designation, along the highway at Haga Road, to high density. They wanted to go from the R1 category to the R4 category and eventually ended being approved with some R2 and R4 on it.

Bill Massey noted that if the Planning Commission decides to vote on the Oak Harbor proposal in total and not individually he would need to recuse himself because he is a business partner with the owner of one of the pieces of property.

Bill Massey moved to recommend to the Board of County Commissioner's approval of the City of Langley's population projections and UGA analysis. The motion was seconded by Ray Gabelein and carried unanimously.

Alan Schell moved to recommend to the Board of County Commissioner's approval of the Town of Coupeville's population projections and UGA analysis. The motion was seconded by Mike Joselyn and carried unanimously.

Ray Gabelein noted that most of the concern seems to be around the Fakkema property and he did not like to see any farm land lost to development in Island County or anywhere else but you need to have farmers to have farms. He felt that the State of Washington and in some cases Island County let the farmers down by trying to create farms using zoning maps and comprehensive plans. Island County needs to look at bringing back the Transfer of Development Rights program and revising the Planned Residential Development program so it is actually utilized to help preserve farm land and open space.

Too many people assume that because a farm is here today it will be here forever and it is theirs to enjoy at the expense of the landowner and that is not always going to be the case. He thought it was ironic that an environmental group that demands and even sues the taxpayers of Island County and the State of Washington for tighter environmental regulations is now complaining when a farmer is forced to quit farming for those reasons. Economics are probably one of the biggest factors for keeping farms in business but each new regulation, rule, ordinance and requirement that is added to the farmer is just another nail in the coffin for farming. The Fakkema Farm because of its location, among other things, is probably going to have a tough time staying in business. This is truly a wake up call to look countywide at the rest of our farms and things that can be done to preserve those farms for the long term, beyond zoning maps.

He did not feel that it was the Planning Commission's job to decide the capacity percentage that debate belongs in front of the city council. He would vote in support of the Oak Harbor proposal. The alternatives could be 5 and 10 acre parcels adjacent to the city in the future. He encouraged those people who want to see the Fakkema Farm stay that way to come up with ideas so it isn't done solely at the expense of the landowner.

Mike Joselyn agreed with Ray that it takes farmers to make farms. He also encouraged city and county government, as well as private citizens, to find a way to preserve the rest of the farm.

Alan Schell said he differed from Ray a little bit in that he felt it comes down to the 126%. If developers have a right to develop some area they will take an area that is easiest and cheapest to develop. If having a lot of land out there makes it easier to develop they will do that first rather than infilling in the city where it may be more difficult. His concern is allowing all this extra land a little bit too early rather than looking for the more difficult spots to develop they will take the easier spots. He felt it was not a matter of should the farm be included but when it should be included and he was just a little bit concerned that it is too early right now to go from 106% to 126%.

Bill Massey said he has the same reservations that Alan has from the standpoint that the city's stated philosophy over the last 10 or 15 years is that they want to maximize the efficiency of the infrastructure. On one hand the 106% capacity seems adequate but on the other hand he is really concerned about affordable housing in Island County. Affordable housing is becoming more and more limited and if you have larger areas of land available that tends to make the price structure more reasonable. When you tighten up those lands that are available for development the price goes up and therefore a larger majority of those folks who would like to have the same dream as the rest of us have of owning our own home is very restricted and Island County is becoming more and more restrictive everyday from the standpoint of affordability. From that standpoint he supported the work that Oak Harbor has done.

Wayne Havens said if the Fakkema property doesn't get annexed and the family can no longer farm the property will likely be parceled out in the future.

Deb Eidsness said this decision was a really hard call for her. She found it extremely ironic that a lot of the people that were protesting this annexation were the same people that ran a lot of the farmers out of business, especially dairy farmers. There are not a lot of dairy farmers in Western Washington because it is so difficult to adhere to all of the DOE, EPA, and county regulations.

In reading though the comment letters she thought there were a lot of creative ideas and interesting alternatives that have not been explored. There are a lot of different programs that could be implemented for preserving future farm land.

There is no viable agriculture on the portion of the Fakkema farm that is looking to be annexed and it will eventually be subdivided. It is not the Fakkema family's responsibility to try and make a living on that land for everyone else's desires to maintain open space. She was afraid that that the land would turn into "farmettes" which would not be the most efficient use of the land at this point and time.

Val Hillers agreed that the Fakkema parcel was unlikely to remain as farm land and the question will be what happens to it. It could be subdivided into small parcels or preserved as a natural area or a combination of both of those. She was concerned about affordable housing in Island County and also about the environmental cost of people being city dwellers on city services versus living in a rural area and having wells and septic tanks. In general she felt that the environment was better off with city services then everyone having their own septic system and well.

Angie Homola raised a point of order question. She noted that at the last meeting the audience was informed that the written comment period would close on November 17th and Jeff Tate indicated that there would be answers provided to all of the questions within seven days of the close of the written comment period.

Jeff Tate said that he attempted to provide some answers to the general questions today and still intends to provide answers to those specific questions from people who commented both for and against the proposal.

A Member of the Audience stated that she will accept whatever the Commission has to say but was offended by some of the comments made by the body that is supposed to represent her. She resents members of the Planning Commission chastising people who might have a separate opinion from theirs.

Bill Massey asked whether they would be acting on the Oak Harbor UGA expansion proposals individually or collectively.

Wayne Havens recommended they vote on the proposals individually.

Jeff Tate said if the Planning Commission goes through these proposals one by one and they come to a piece of property or an area that the commission as a majority decides to not include or pass on to the Board it doesn't stop there. It doesn't just affect the urban growth boundary location it affects the entire policy framework and decision that the city went through and their recommendation.

Alan Schell noted that his concern remains with setting the capacity at 126% right now.

Wayne Havens withdrew his recommendation.

Bill Massey recused himself from further discussion and vote.

Ray Gabelein moved to forward to the Board of County Commissioner's approval of the Oak HarborUGA expansion. The motion was seconded by Mike Joselyn and carried with a vote of 5 in favor and 1 opposed.

Jeff Tate noted that before forwarding anything on to the BICC staff needs to go through the Comprehensive Plan amendments provided to the Planning Commission at their October 10th meeting and make sure that the text reflects the decisions the Planning Commission made today and also prepare a set of findings. The Planning Commission will need to take action at their next meeting on the Comprehensive Plan amendments and the findings of fact and then staff will go through the environmental review process and then forward the Planning Commissions recommendation to the BICC.

The review of the hazard mitigation plan has been continued to the next meeting.

The meeting adjourned at 11:55 a.m.

Respectfully submitted,

Pam Dill

Pam Dill
Administrative Assistant