

ISLAND COUNTY HEARING EXAMINER

RE: SPR 031/07) File No. SPR 031/07
Applicant: COUPEVILLE) FINDINGS OF FACT
SCHOOL DISTRICT # 204) CONCLUSIONS OF LAW
) AND DECISION
)
_____)

SUMMARY OF APPLICATION AND DECISION

APPLICATION: Proposal is for a Site Plan Approval for an athletic facility to be located on a 21 acre parcel zoned Commercial Agriculture. The facility would include a baseball field, a softball field, 2 soccer fields, a parking area, and a trail and sidewalk system. The proposed source of water is the Town of Coupeville.

DECISION: Site Plan Approval is granted subject to conditions.

FINDINGS OF FACT

INTRODUCTION

The following Findings of Fact and Conclusions of Law are based upon consideration of the exhibits admitted herein and evidence presented at the public hearing on October 18, 2007.

I.

PRELIMINARY INFORMATION

Applicant: Coupeville School District # 204

Property Location: 204 S. Main St., Coupeville, WA

Applicable Ordinances, Statutes and Regulations: Chapter 17.03, Zoning Ordinance; Chapter 17.02, Critical Areas, Chapter 16.15, Site Plan Review Ordinance; Chapter 16.19, Land Use Review Process, and Chapter 16.14C, County Environmental Policy.

SEPA: A Determination of Non-Significance was issued on August 31, 2007 pursuant to WAC 197-11-355 and ICC 16.19.150.D.

Publication: October 3, 2007

Mailing of Notice to Applicant: September 25, 2007

Sign Posted: February 7, 2007

Mailing of Staff Report: October 8, 2007

Date of Application: February 2, 2007

Hearing Date: October 18, 2007

Exhibit Log:

1. Staff Report
2. PRE 023/06 Pre-Application Conference Application, Part A & B, dated 6/27/06
3. Letter from Dan Sorenson, GeoTest Services, Inc. to Bill Myhr Coupeville School District # 204, dated February 5, 2004, received June 27, 2006
4. Island County Community Development Department Request for Comment, dated 6/30/06
5. Account Summary Snapshot
6. Permits Snapshot
7. Screen Print of permit detail
8. Set of 9 pictures of subject area
9. Quarter Section Map of subject area
10. Quarter Section Map of adjoining area
11. Letter from Monica Felicia, Planning & Community Development to Donna Keeler; Notification of Pre-Application Conference, dated 6/30/06
12. Correspondence from Central Whidbey Island Historical Preservation District Review Committee, review date 7/28/06 to Donna Keeler, for the Coupeville School District
13. Pre-Application Meeting Sign-in Sheet, dated 7/27/06
14. Pre-Application # 921-/07 Staff Comments from Andrew Hicks, to Donna Keeler, Coupeville School District, dated 7/27/06
15. Letter from Aneta Hupfauer, Island County Health Department to Coupeville School District, dated 7/27/06
16. Three Screen Prints of Coupeville High School from Microsoft Internet Explorer
17. Preliminary Site Grading Plan Map from DAHogan, dated 6/13/06
18. Preliminary Site Layout Plan Map from DAHogan, dated 6/13/06
19. Letter from Coupeville School District No. 204 from Bill Myhr to Island County Planning Department accompanying Land Development Application with 15 attachments.
20. SPR 031/07, Land Development Permit Application, dated 1/26/07
21. Form C Application for Site Plan Review, 12/1/04, received 1/26/07
22. Drawings for the project, prepared by DAHogan, F-1 through F-15
23. Directions to Site and accompanying map
24. Six pictures of the site on 3 pages
25. Environmental Checklist for the project
26. Letter from Connie Bowers, P.E., Public Works to Coupeville School District #204, George Paris for Donna Keeler, dated 1/8/07
27. Certificate of Transportation Concurrency, received 1/26/07

28. Bald Eagle Management Plan, signed by the district and the Washington Department of Fish and Wildlife, dated 1/22/07
29. Letter from Dan Sorenson, GeoTest Services, Inc. to Bill Myhr Coupeville School District # 204, dated February 5, 2004, received 2/5/04, received 1/26/07 re: Proposed Parking Lot Infiltration Coupeville School District Ebey and Terry Road Ball Fields Coupeville, Washington
30. Traffic Impact Analysis prepared by Gibson Traffic Consultants, dated 12/5/06, received 1/26/07
31. Coupeville Sport Fields Project Narrative and attachments:
 - a. Documentation from the Central Whidbey Island Historical Preservation District Review Committee noting “no objection to issuance of the requested permit.”
 - b. Letter from Town of Coupeville Mayor Nancy Conrad, and draft Interruptible Water service Connection agreement.
 - c. Minutes of the 9/14/06 special meeting of the board of directors of Coupeville School District.
 - d. Videotape of public meeting held in January 22, 07 documenting the public comment regarding the proposed field development.
32. Island County Assessors Office Parcel Summary Report
33. Deed of Trust, received 1/26/07
34. Promissory Note, dated 12/28/00, received 1/26/07
35. List of property owners within 300 feet of parcel
36. Copy of the letter sent to property owners within 300 feet of parcel
37. Coupeville School District No. 204 Resolution no. 07-04, dated 1/22/07, received 1/26/07; drawings of Engle Field at Kettle Park, prepared by DAHogan
38. Public Notice, Coupeville School District Board of Directors Notice of Meeting
39. Newspaper articles of Public Meeting on 1/22/07, received 1/26/07
40. Island County Community Development Request for Comment, dated 2/2/07
41. Account Summary Snapshot
42. Account Land Snapshot
43. Quarter Section Map
44. Parcel Summary Report
45. Notice of Complete Application, dated 2/2/07
46. Affidavit of Mailing to Gary Goltz, Coupeville School District, dated 2/9/07
47. Affidavit of Mailing to Property Owners within 300 feet of parcel
48. Affidavit of Publication in the February 14th issue of The Whidbey News Times/ South Whidbey Record, attached copy of the Notice of Application with SEPA
49. Island County Public Health Comments by Aneta Hupfauer to Andrew Hicks, dated 2/20/07
50. Letter from Gregory Griffith, Department of Archaeology & Historical Preservation Comments to Andrew Hicks, dated 2/23/07
51. Letter from Marshall Bronson, Chairman Trust Board of Ebey’s Landing NHR to Andrew Hicks, dated 2/27/07
52. Letter from John Bertrand, Island County Public Works Roads Division to Andrew Hicks, dated 2/27/07
53. Letter from Roxallanne Kelly Medley to Island County Community Development Division, dated 2/27/07

54. Island County Planning & Community Development Review Comments by Andrew Hicks to Gary Goltz, dated 3/6/07
55. Central Whidbey Island Historical Preservation District Review Committee recommendation, dated 3/6/07
56. Email from Dianne and Gary Piazzon to Andrew Hicks, dated 3/21/07
57. Summary of 4/3/07 Meeting re Engle Field
58. Letter from Bill Myhr, Coupeville School District #204 to Andrew Hicks, dated 4/24/07 – Revised drawings
59. Letter from Bill Myhr, Coupeville School District #204 to Andrew Hicks, dated 4/24/07 – Request for Conditional Approval
60. Memo from Aneta Hupfauer, Island County Public Health to Andrew Hicks, dated 4/27/07
61. Letter from Bill Myhr, Coupeville School District #204 to Andrew Hicks, dated 5/21/07
62. Island County Planning & Community Development Review Comments by Andrew Hicks to Gary Goltz, dated 6/4/07
63. Response to Review Comments by Patty Page to Andrew Hicks Island County Community Development, dated 7/27/07
64. Island County Public Health Comments by Aneta Hupfauer to Coupeville School District, dated 7/27/07
65. Island County Public Health Additional Comments by Aneta Hupfauer to Andrew Hicks, dated 8/1/07
66. Memo from John Bertrand, Island County Public Works to Andrew Hicks, dated 8/1/07
67. Overall Site Plan Map, dated 4/3/07
68. Final SEPA Threshold Determination, dated 8/31/07, mailed 9/24/07
69. Affidavit of Mailing SEPA Threshold Determination, dated 9/24/07
70. Notice of Hearing with Island County Hearing Examiner from Paula Bradshaw to Superintendent, Coupeville School District, dated 9/25/07, Cc POR, Roxallanne Kelly Medley
71. Affidavit of Mailing Notice of Hearing, dated 9/25/07
72. Coupeville School District, Engle Field at Kettle Park Sports Field Improvements Map, with Vicinity Map, Site Map and Index of Drawings, dated 4/16/07
73. Map F-0.1 Overall Site Plan
74. Map F-0.2 Existing Conditions / Survey – South
75. Map F-0.3 Existing Conditions / Survey – North
76. Map F-0.4 Demolition & T.E.S.C. Plan – South
77. Map F-0.5 Demolition & T.E.S.C. Plan – North
78. Map F-1.1 Layout Plan – South
79. Map F-1.2 Layout Plan – North
80. Map F-1.3 Grading Plan – South
81. Map F-1.4 Grading Plan – North
82. Map F-1.5 Drainage Plan – South
83. Map F-1.6 Drainage Plan – North
84. Map F-1.7 Landscape Plan – Southeast
85. Map F-1.8 Landscape Plan – Southwest
86. Affidavit of Posting of Public Notice Sign, dated 2/7/07
87. Letter from Paula Bradshaw to Coupeville School District # 204, dated 10/8/07
88. Affidavit of Mailing of Staff Report, dated 10/8/07

89. Letter from Roxallanne Kelly Medley, dated 10/8/07 to Hearing Examiner
90. Proposed storage shed description, with email addressing same
91. Letter from Aneta Hupfauer, Island County Public Health to Andrew Hicks, dated 10/17/07
92. Email from John Bertrand, Island County Public Works Roads Division to Andrew Hicks, dated 10/18/07
93. Affidavit of Publication of hearing in 10/3/07 publication of WNT / SWR

HEARING TESTIMONY

Andrew Hicks, Island County Planning & Community Development
P.O. Box 5000
Coupeville, WA 98239

Patty Page
2 South Main St.
Coupeville, WA 98239

II.

There was no public testimony on this application. There was written public comment expressing concern about this development within Ebey's Landing Historical Reserve. The site is now an open field with some scrub trees. It is owned by and adjacent to Coupeville Schools. The proposed development will maintain an open space field on this site and since it is owned by the School District and adjacent to the schools the proposed use is probably the most compatible use the School District could find for the site, considering its location within the Historic Preservation District.

III.

Staff indicated that in addition to the few structures proposed the School District was asking for an additional 8 x 12 foot storage shed for soccer supplies.

The School Superintendent testified that the facts set forth in the Staff report were accurate and that the School District had no objection to any of the conditions requested by the Planning Department.

The Planning Department's Findings of Fact and Conclusions of Law are set forth in the Staff Report, Exhibit # 1 in the Hearing Examiner file. The factual matters set forth in the staff report are supported by the record as a whole and are adopted as Findings of Fact herein by this reference. A copy of the staff report is attached hereto and incorporated herein.

Any Conclusion of Law which is deemed a Finding of Fact is hereby adopted as such. Based on the foregoing Findings of Fact, now are entered the following:

CONCLUSIONS OF LAW

I.

Subject to the conditions of approval recommended by the Planning Department, the proposal is consistent with the criteria for site plan review for conditional uses in the Commercial Agriculture zone as set forth in ICC 16.15.080. The proposal is consistent with the applicable land use standards of ICC 17.03.180. No county agency objected to Site Plan Approval.

II.

School athletic fields are not listed as either a permitted or conditional use in the Commercial Agriculture zone. The Planning Department determined based on a review pursuant to ICC 17.03.180.L ICC, schools are listed as an institutional use that is both permitted and conditional in the Commercial Agriculture zone. Staff concluded, based on its review of applicable sections of the Zoning Ordinance that schools are either permitted or conditional uses within both Rural Agriculture and Commercial Agriculture zone. The Hearing Examiner concurs with this analysis.

The proposed athletic facility should be granted Site Plan Approval subject to the conditions set forth in the staff report.

Any Finding of Fact deemed to be a Conclusion of Law is hereby adopted as such. Based on the foregoing Findings of Fact and Conclusions of Law, now is entered the following:

DECISION

The Island County Hearing Examiner hereby grants preliminary Site Plan Approval SPR 031/07, proposing an athletic facility on a 21 acre parcel zoned Commercial Agriculture and owned by the Coupeville School District, Assessors Parcel Number R13104-510-2820, subject to the following conditions:

1. The uses on the site shall be limited to those uses described in this staff report and shown on the site plan submitted on July 27 2007.
2. All development shall be in conformance with the approved Site Plan Review and conditions of approval unless they are amended in conformance with Section 16.15.130 ICC. Any changes or expansions to the use of the site shall require the review of a site plan amendment that will include but not be limited to a new traffic analysis and parking plan.
3. Compliance with all conditions of the Island County Engineering Division as specified in the memorandum dated February 27, 2007 from John Bertrand.
4. Compliance with all conditions of the Island County Health Department as specified in the memorandum dated August 1, 2007 from Aneta Hupfauer.

5. The phasing schedule shall be followed as set forth in this staff report. If it is anticipated that a phase cannot be completed on time, then a formal request for a time extension shall be required. This request would need to include a detailed schedule for completion.
6. The landscaping shall be planted as shown on the site plan submitted to Island County on July 27, 2007. The species of vegetation to be used in the parking area are to be consistent with the Landscape Plan (Sheet F-7 of the application materials). The row of trees planted along the eastern property line can be either Leyland Cypress or Emerald Green Arborvitae. The trees to be planted around the detention pond are to be Western Red Cedar and Douglas fir. All other species to be planted must be approved by Island County Planning and Community Development.
7. The hours of operation for the athletic fields shall be between 8:00 am and 9:00 pm.
8. The lights in the parking lot shall be controlled so that they are not lit outside of the hours of operation. Additionally, these lights shall be turned off completely during a season when the fields are not being used.
9. Prior to any clearing, filling, excavating, or grading in any quantities on steep slopes, and any accumulative filling and/or excavation exceeding five hundred (500) cubic yards, the applicant shall obtain a Clearing and Grading Permit from Island County.
10. Future installation and extension of power to the site shall be underground.
11. Prior to installation of any signs, a detailed Sign Plan and building permit application for the sign shall be submitted for review. Colors should be made to match colors in the proposed building.
12. Prior to installation of any additional lighting not included in this proposal, a detailed Lighting Plan shall be submitted with a Site Plan Amendment application to the Planning and Community Development Department.

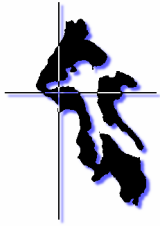
Entered this 1st day of November, 2007, pursuant to authority granted under the laws of the State of Washington and Island County.

MICHAEL BOBBINK
Island County Hearing Examiner

APPEAL PROCESS:

SPR

This decision of the Hearing Examiner shall be a final and conclusive decision unless within fourteen (14) days following the mailing of such decision a written statement of appeal is filed with the Island County Board of Commissioners by the applicant, a Department of the County, or Party of Record, who is also an Aggrieved Person. Said statement shall set forth any alleged errors and/or the basis for appeal and shall be accompanied by a fee pursuant to the fee schedule adopted by the Board; provided that such appeal fee shall not be charged to a department of the County or to other than the first appellant ICC 16.13.100.b; ICC 16.19.190.



ISLAND COUNTY PLANNING & COMMUNITY DEVELOPMENT

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ISLAND COUNTY COMMUNITY DEVELOPMENT DIVISION STAFF REPORT

Site Plan Review Proposal, Findings, Analysis, Conclusions and Recommendations

SUMMARY

Application No: SPR #031/07
Applicant: Coupeville School District
Assessor's Parcel Number: R13104-510-2820

Abbreviated Application Description: Proposal is for a Site Plan Approval for an athletic facility to be located on a 21 acre parcel zoned Commercial Agriculture. The facility would include a baseball field, a softball field, 2 soccer fields, a parking area, and a trail and sidewalk system. The proposed source of water is the Town of Coupeville.

Recommendation. Approve the requested use with conditions.

Property Owner: Coupeville School District, 2 South Main St., Coupeville, WA 98239.

Property Location: Located at the intersection of Ebey Road and Terry Road, in the NE 1/4 of Section 4, Township, 31 North, Range 1 East, W.M. Assessor's Parcel # R13104-510-2820.

Applicable Island County Ordinances: Chapter 17.03, Zoning Ordinance; Chapter 17.02, Critical Areas, Chapter 16.15, Site Plan Review Ordinance; Chapter 16.19, Land Use Review Process, and Chapter 16.14C, County Environmental Policy.

SEPA: A Determination of Non-Significance was issued on August 31, 2007 pursuant to WAC 197-11-355 and ICC 16.19.150.D.

Procedural Requirements:

Decision Type: Type III (Site Plan)

Community Meeting Date: January 22, 2006

Pre-Application Conference Date: July 27, 2006

Notice of Complete Application: February 2, 2007

Notice of Application:

 Sign Posted: February 7, 2007

 Whidbey News Times/Record: February 14, 2007

 Mailed Notice: February 9, 2007

Public Comment Period: February 14 to 28, 2007

Notice of Hearing in Whidbey News Times: October 3, 2007

Hearing Date: October 18, 2007

ISLAND COUNTY COMMUNITY DEVELOPMENT DIVISION

STAFF REPORT

Site Plan Review

**Proposal, Findings, Analysis, Conclusions
and Recommendations**

Application No: SPR #031/07

Applicant: Coupeville School District

Assessor's Parcel Number: R13104-510-2820

Date of Report: October 5, 2007

Proposal: Proposal is for a Site Plan approval for an athletic facility to be located on a 21 acre parcel zoned Commercial Agriculture. The proposal includes a baseball field, a softball field, 2 soccer fields, a parking area, and a trail and sidewalk system. The construction of the sports fields will occur over three phases. The proposed source of water is the Town of Coupeville. The proposed sources for sewage disposal are temporary porta-potties and restrooms located on an adjacent lot. Permanent restrooms will be constructed on the parcel within a year of Site Plan approval. A description of each phase is listed below:

Phase 1: To be completed by January 1, 2008

- I. Completion of the baseball field, including painted dugouts and fencing. Portable toilets to be provided in accordance with Island County Health Department requirements. Ongoing use for practice and games beginning spring 2008.
- II. Installation of temporary gravel parking area in the footprint of the area designed on the submitted plans, to accommodate use of the fields. Installation and maintenance of sufficient gravel to avoid tracking mud onto Terry Road. No lighting to be provided at this time as use will be for daylight hours only. Installation of a stop sign at the exit from the parking area onto Terry Road.
- III. Completion of the south soccer practice field. Movable soccer goals to be on site and secured during practice. Ongoing use for practice beginning spring 2008.
- IV. Completion of all permitting for and installation to operate an on-site well for irrigation purposes only. The well will be metered to track and ensure does not exceed 5,000 gallons per day. Note that once the well is operational, no access to Town of Coupeville water for irrigation will be necessary.
- V. Painting of a crosswalk on Terry Road in conjunction with the Town of Coupeville over the roadway within Town limits.

- VI. Installation of no parking signs along the north side of Terry Road along the district's property line, if required in addition to the existing sign installed by Island County.

Phase 2: To be completed by September 1, 2008

Completion of engineering for and installation of a crushed gravel walking trail across the property, in accordance with plans to be developed by County staff Joantha Guthrie. The walking path will be integrated into the paths to be developed by the district in accordance with the planning documents.

Phase 3: To be completed by March 1, 2012

Completion of the entire project in accordance with plans as approved by the County.

Findings of Fact

1. Project and Parcel History. On March 11, 2004 a Pre-Application conference was held (PRE 907/04). The proposal for this Pre-Application was for two baseball fields and two soccer fields to be placed on the subject parcel.

On May 26, 2005 the Coupeville School District received approval for a Temporary Use application to use the subject parcel for baseball and soccer practice. The Temporary Use approval expired on November 30, 2005.

On July 18, 2005 the Coupeville School District requested that the Temporary Use application be amended to allow portable bleachers, portable toilets, a temporary backstop, and irrigation. The request also included extending the Use until May of 2007.

On November 8, 2005, Jeff Tate – Assistant Director, sent the Superintendent of the Coupeville School District a letter to address the ongoing Use of the subject parcel. The letter re-iterated the conclusions of the Pre-Application (PRE 907/04) and stated that in order to have permanent athletic fields on the parcel a Site Plan Review application must first be approved.

On July 27, 2006 a Pre-Application conference was held (PRE 923/06). The proposal for this Pre-Application was for one baseball field, one softball field, two soccer fields, six tennis courts, a 62 stall parking lot, a retention pond, and gravel walking trails.

On January 26, 2007 the Coupeville School District submitted Site Plan Review application SPR 031/07. The application was determined to be complete on February 2, 2007 and a 14 day public comment period began on February 14, 2007.

On March 15, 2007 the Coupeville School District applied for a temporary use (TEM 098/07)

On April 3, 2007 a meeting was held between the Superintendent of the Coupeville School District and the Director of Planning and Community Development to discuss the site plan application and the temporary use application.

On April 26, 2007 a temporary use application (TEM 098/07) was approved to allow the baseball field and soccer field to be used for practice and some games. This permit expires October 30, 2007.

2. Public Comments: One public comment was received during the 14 day public comment period. This comment stressed concerns over: 1) The loss of agricultural land. 2) The effect that this development will have on surrounding wildlife. 3) The visual impact that sports fields will have on the Historical District.
3. Site Description.
 - a. Location. Located at the intersection of Ebey Road and Terry Road, in the NE 1/4 of Section 4, Township, 31 North, Range 1 East, W.M. Assessor's Parcel # R13104-510-2820.
 - b. Access. The parcel will access onto Terry Road through access permit number APW06-0506.
 - c. Size and Condition. The site is rectangular in shape with a length of approximately 1,300 ft. by 633 feet in width. The northeast portion of the site is forested by Douglas firs and hemlocks. The area also contains a mixed understory comprised of young sapling Douglas fir trees, and salal, with lesser amounts of creeping black berry, sea foam, native rose, and evergreen huckleberry. A hedgerow comprised primarily of snowberry follows the south and west perimeter of the property. The remainder of the parcel is grass.
 - d. Surrounding Development. The parcels to the east of the subject parcel are within the Town of Coupeville. All other surrounding parcels are zoned Commercial Agriculture except to the west where there is a small parcel zoned Rural and a Small Parcel zoned Rural Agriculture. Development surrounding the parcel is primarily residential and agricultural. Adjacent to the subject parcel to the east is a neighborhood of manufactured homes. Additionally, there are several homes adjacent to the property to the southwest. The Coupeville Elementary School is adjacent to the northeast and the Coupeville High School is adjacent to the southeast.
 - e. Natural Features. There does not appear to be any wetlands and or an associated wetland buffer located on the subject parcel. According to maps provided by the Washington State Department of Fish and Wildlife, there is Bald Eagle habitat located on the subject parcel. An Eagle Management Plan was approved by the Washington State Department of Fish and Wildlife and submitted with the SPR application. According to the USDA Soil Survey for Island County - 1958, the predominant soil types found on this parcel are Coupeville loam (Ck) with 0 to

3% slopes, and Casey loam (Ce) with 0 to 5% slopes. The FEMA flood zone designation is X-Areas of Minimal Flooding.

- f. Noise Zone. The parcel is within an AICUZ noise zone level 2.
- g. Archaeological Sites. According to the maps provided by the State Office of Archaeology and Historic Preservation, the project is not located on an archaeological site.
- h. Historic Sites. The project is within the boundaries of Ebey's National Historic Preservation District. The Central Whidbey Island Historical Preservation District Review Committee and the Ebey's Landing National Historic Reserve Trust Board both provided comments to the Planning and Community Development Department for review.

4. Land Use Controls

a. Chapter 17.03 Island County Code.

- i) Section 17.03.100, Commercial Agriculture Zone. The subject site and the majority of surrounding parcels are zone Commercial Agriculture and subject to the regulations listed in ICC 17.03.100.

Athletic fields are not listed specifically as Permitted or Conditional Uses in this section.

- ii) ICC Section 17.03.180. Land Use Standards.

- (1) Standards for Non-Residential Design, Landscape, and Screening Guidelines. Uses in the Commercial Agriculture zone are subject to specific standards for Building Design, Landscaping and Screening. In the CA zone, the applicant has the option of complying fully with building design standards or totally screening the development from the view of adjacent properties and shoreline and roadway vistas.

- (2) Parking. Pursuant to ICC 17.03.180.Q. Unspecified Uses: *In the case of a Use not specifically mentioned in this section, the Planning Director shall establish the minimum number of spaces for off-street parking facilities.* The plan shows an approximate 21,770 square foot parking area that will have 60 spaces and a 9,520 overflow parking area that will have 30 spaces.

- (3) Signs and Lighting.

- (a) Signs. No signs have been proposed as part of this application. All signs that may be added to the site at a later date must meet the signage requirements of ICC 17.03.180.R.

- (b) Lighting. A lighting plan was provided for the parking area only. This plan includes six (6) twenty-five (25) foot tall light poles that will be shielded, hooded, and facing downward.

(4) Subsection 17.03.180.S, Site Coverage and Setbacks.

- (a) Site Coverage. The maximum building coverage in the Commercial Agriculture zone is ten (10) percent of the gross site area. The proposal includes only two small dugouts which will cover far less than 10% of the gross site area. The maximum Impervious Surface Ratio in the Commercial Agriculture zone is ten (10) percent for parcels greater than five (5) acres in size. The proposal includes 22,190 square feet of impervious surface which is roughly two and a half (2.5) percent of the gross site area. The minimum open space requirement for non-residential Uses in the Commercial Agriculture zone is 50%. According to the site plan, 60% of the site will remain in open space.
- (b) Setbacks. The setbacks for the Commercial Agriculture zone are five (5) feet for side and rear yards. The setback from Terry Road and Ebey Road is twenty (20) feet. All proposed structures meet setback requirements.

- b. ICC Chapter 17.02, Critical Areas. No critical areas were observed on the subject parcel.
- c. ICC Chapter 16.15, Site Plan Review. A site plan for a Conditional Use in the Commercial Agriculture zone must meet the following criteria listed in ICC Section 16.15.080 and discussed in the following list:
 - i) Open Space. Pursuant to ICC 17.03.180.S, fifty (50) percent of the gross site area shall remain open space. The proposal indicates that 566,455 sq. ft. 60.04% of the site will be designated open space.
 - ii) Site Lay-Out. The location of the development and landscape screening and buffers meets the requirements of Chapter 17.03.
 - iii) Lighting. A lighting plan was submitted for the parking area. As proposed this lighting plan is consistent with Island County Code. All lighting must meet the requirements of ICC 17.03.180.R.
 - iv) Building Design. As proposed, all structures included in this proposal meet the requirements of Building Design per ICC 17.03.180.P.
 - v) Surface Water Drainage. The Engineering Department has accepted the drainage information as satisfactory to meet requirements for approval.
 - vi) Utility Services. Utility service should be placed underground.
 - vii) Advertising Features. No signs have been proposed as part of this application. All signs shall meet the requirements of ICC 17.03.180.R. Colors should be made to match colors in the proposed building.
 - vii) Traffic and Circulation. The proposal complies with the traffic and circulation requirements of Chapter 17.03 ICC.

5. Shoreline Designation. Not applicable to this parcel.
6. SEPA. A Determination of Non-Significance was issued on August 31, 2007 pursuant to WAC 197-11-355 and ICC 16.19.150.D.
7. Agency Comments.
 - a. Island County Health Department. The Health Department has no objection to site plan approval as stated in a memorandum from Aneta Hupfauer dated August 1, 2007. (attached).
 - b. Island County Engineering Division. Comments and requirements are provided in a memorandum from John Bertrand dated February 27, 2007. (attached).

Analysis

Section 17.03.190 ICC establishes the process for code interpretation. The section states that Code interpretations are used to establish the proper classification of unnamed Uses and allow for the formalization of other interpretations that may be required to effectively administer the Zoning Code. This section also states that Prohibited Uses are identified expressly and there is no presumption that a Use that is not listed is or should be prohibited.

Athletic fields are not specifically spelled out in 17.03.100 ICC as Permitted or Conditional Uses in the CA zone. According to the User Guide of Island County Code, located in 17.03.030 ICC, the next step, in determining if a zone permits a certain Use, is to check the definitions of 17.03.040 ICC. In this section athletic fields are not defined. However, the definition of School is given and it includes playgrounds, stadia and other structures or grounds used in conjunction with a school. Section 17.03.100 ICC does not expressly spell out whether Schools are Permitted or Conditional in the CA zone. The User Guide then refers to the Land Use Standards of 17.03.180 ICC to see if there are any specific standards for a Use. In section 17.03.180.L ICC Schools are listed as an Institutional Use that is both Permitted and Conditional in the CA zone. Schools with more than thirty-five (35) students are considered a Type III Conditional Use. Lastly, the User Guide refers to a summary chart of Permitted and Conditional Uses located in section 17.03.035 ICC. The summary chart for the RA and CA zones is located in 17.03.035A ICC. This chart verifies that Schools are either Permitted or Conditional (II or III) in both zones.

The proposal to create four athletic fields with associated parking constitutes non-residential development and is therefore, required to comply with the Non-Residential Design, Landscape and Screening Guidelines set forth in 17.03.180.P ICC. The only buildings that are included in this proposal are two dugouts to be located at the baseball field and a restroom facility to be located offsite. These dugouts are proposed to be barn red with white trim, which is common to agricultural buildings. Within a year of site plan approval, permanent restroom facilities are to be located on an adjacent property to the northeast which currently contains Coupeville Elementary School. Prior to construction of the restroom facilities, the design will be reviewed by the Planning and Community

Development to ensure that the structure conforms to the requirements of this chapter. The existing backstop and fence that surrounds the baseball field is proposed to be modified in order to reduce its visual effect to surrounding properties. The chain-link fence will be changed from galvanized steel to black. Additionally, all chain-link fencing to be added to the site will also be black. Currently there is an existing hedgerow that will provide screening from properties and roads to the south and east. Additionally, this hedgerow helps the parcel to blend in with the surrounding Ebey's Reserve. The proposal includes keeping the existing hedgerow and to enhance it by filling in the gaps with vegetation that is found in the hedgerow currently.

During the review process, one of the biggest concerns that was considered was the impact that this development would have on the surrounding community and whether the proposed Use would be compatible with the existing development. Staff considered the types of Uses that were expressly Permitted or Conditional pursuant to 17.03.100 ICC and compared those Uses to the proposed Use. The proposed Use includes only two small structures to be located on the subject parcel and the majority of the development will be improvements to the ground to make it suitable for athletic activities. The most obtrusive part of the proposal are the two backstops to the baseball and softball fields. In order to minimize the visual impact of these structures, the applicants have proposed them to be black chain-link. It is believed that from a distance the black chain-link will blend in to the dense forest stand, which is to remain untouched on the property. The light poles to be implemented in the parking lot were also of concern. Originally, these poles were proposed to be 30 feet tall. During the review process, this department asked if they could be reduced in height and the applicant agreed to a height of 25 feet instead. The lights will also be shielded, hooded, and pointed directly toward the ground.

Conclusions

1. Given the analysis above, this department has concluded that Schools, which include their playgrounds, stadia and other structures or grounds, shall be an allowed Use in the Commercial Agriculture zone. In order to determine what process (Type I, II, or III) is required to review a proposal for a School in the CA zone, section 17.03.180.L ICC shall be used.
2. This department has concluded that the proposed use is of a low intensity so as to be compatible with surrounding properties and Ebey's Landing Historical Reserve. To the extent possible, measures will be taken to reduce the impact that the development will have on the surrounding community.
3. Staff has concluded that the sixty (60) parking spaces provided in the asphalt paved parking area are sufficient to serve the athletic facility. Additionally, Public Works has recommended that the applicant provide an overflow parking area which the School District has agreed to and has shown on the site plan map.
4. With the recommended conditions the proposal will meet the requirements of non-residential design as established in 17.03.180.P. The proposal fully complies with the building design standards. Additionally, the hedgerow will provide screening from the parking facility and a substantial amount of the property.

5. The staff of Island County Health, Engineering, and Community Development evaluated the proposed project for compliance with Titles 11, 8, 13, and 17 and with Chapters 16.15, 16.14C, and 16.19 of the Island County Code according to the Type III Decision Process. Other county and/or state agencies were consulted as appropriate. Each agency issued Determinations of Consistency according to ICC 16.19.120. The use that was evaluated was limited to one (1) baseball field, one (1) softball field, two (2) soccer fields, a detention pond, a sixty (60) space parking lot, and a thirty (30) space overflow parking lot. No other uses or possible future expansions were evaluated for consistency with Island County Codes, plans or policies.
6. The proposed Site Plan will be consistent with the criteria for approval listed in ICC 17.02 (Critical Areas), ICC 17.03 (Zoning), and ICC 16.15 (Site Plan Review) if the conditions described throughout the Recommendation sections of this staff report are adopted as conditions of approval.
7. Compliance with the Health Department and Engineering Division should be made conditions of approval.

Recommendation

Based on the foregoing Findings, Analysis and Conclusions, the Community Development Division recommends that Site Plan Review application number SPR 031/07, submitted by the Coupeville School District on Parcel R13104-510-2820, be approved with the following conditions:

13. The uses on the site shall be limited to those uses described in this staff report and shown on the site plan submitted on July 27 2007.
14. All development shall be in conformance with the approved Site Plan Review and conditions of approval unless they are amended in conformance with Section 16.15.130 ICC. Any changes or expansions to the use of the site shall require the review of a site plan amendment that will include but not be limited to a new traffic analysis and parking plan.
15. Compliance with all conditions of the Island County Engineering Division as specified in the memorandum dated February 27, 2007 from John Bertrand.
16. Compliance with all conditions of the Island County Health Department as specified in the memorandum dated August 1, 2007 from Aneta Hupfauer.
17. The phasing schedule shall be followed as set forth in this staff report. If it is anticipated that a phase cannot be completed on time, then a formal request for a time extension shall be required. This request would need to include a detailed schedule for completion.
18. The landscaping shall be planted as shown on the site plan submitted to Island County on July 27, 2007. The species of vegetation to be used in the parking area are to be consistent with the Landscape Plan (Sheet F-7 of the application materials). The row of trees planted along the eastern property line can be either Leyland Cypress or

Emerald Green Arborvitae. The trees to be planted around the detention pond are to be Western Red Cedar and Douglas fir. All other species to be planted must be approved by Island County Planning and Community Development.

19. The hours of operation for the athletic fields shall be between 8:00 am and 9:00 pm.
20. The lights in the parking lot shall be controlled so that they are not lit outside of the hours of operation. Additionally, these lights shall be turned off completely during a season when the fields are not being used.
21. Prior to any clearing, filling, excavating, or grading in any quantities on steep slopes, and any accumulative filling and/or excavation exceeding five hundred (500) cubic yards, the applicant shall obtain a Clearing and Grading Permit from Island County.
22. Future installation and extension of power to the site shall be underground.
23. Prior to installation of any signs, a detailed Sign Plan and building permit application for the sign shall be submitted for review. Colors should be made to match colors in the proposed building.
24. Prior to installation of any additional lighting not included in this proposal, a detailed Lighting Plan shall be submitted with a Site Plan Amendment application to the Planning and Community Development Department.

Enc: Memorandum from Public Works dated February 27, 2007
Memorandum from Public Works dated August 1, 2007
Memorandum from Health dated August 1, 2007
One (1) public comment

cc: Michael Bobbink, Hearing Examiner
Health and Engineering Department
Parties of Record