ISLAND COUNTY PLANNING COMMISSION
COMMISSIONERS HEARING ROOM, COUPEVILLE, WA
February 13, 2012

<table>
<thead>
<tr>
<th>District 1</th>
<th>Members Present</th>
<th>Members Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>District 2</td>
<td>Val Hillers</td>
<td></td>
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<tr>
<td></td>
<td>Dean Enell</td>
<td></td>
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<tr>
<td></td>
<td>Mike Joselyn</td>
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<tr>
<td>District 2</td>
<td>Mitchell Howard – Chair</td>
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<tr>
<td></td>
<td>Anna-Marie Sibon</td>
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<tr>
<td>District 3</td>
<td>Wayne Havens – 2nd Vice Chair</td>
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<tr>
<td></td>
<td>William Lippens – Vice Chair</td>
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<td></td>
<td>Scott Yonkman</td>
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Public Workshop – 2012 Annual Joint meeting
Island County Board of Commissioners; Island County Planning Commission;
Island County Hearing Examiner; Island County Planning & Community Development

Commissioner Helen Price Johnson reconvened the Board of Island County Commissioners
meeting from the morning session.

Planning Commission Chair Mitchell Howard called the Planning Commission meeting to
order with Roll Call.
Val Hillers, Wayne Hillers, Mike Joselyn, Scott Yonkman, Mitchell Howard, William Lippens,
Anna-Marie Sibon

Board of Island County Commissioner Chair Price Johnson reconvened the Board from
the morning session.
Present: Helen Price Johnson – Member, Kelly Emerson – Member, Angie Homola – Member

Island County Hearing Examiner – Michael Bobbink

Planning and Community Development
Staff Present: Robert Pederson – Planning Director, Troy Davis – Long Range Planner, Andrew
Hicks – Long Range Planner.

Planning Director Robert Pederson discussed the afternoon’s agenda

- Review of 2011 Work Plan
- An Overview of the 2012 Planning Work Plan
- Establishing the 2012 Annual Review Docket
- Hearing Examiner’s Report
Review of the 2011 Work Plan

Planner Andrew Hicks provided a slide presentation, beginning with a slide showing the current staff organization in the Department.

<table>
<thead>
<tr>
<th><strong>Administration</strong></th>
<th><strong>Building</strong></th>
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<tbody>
<tr>
<td>Planning Director – Robert H. Pederson, AICP</td>
<td>Building Official – Andy Griffin</td>
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<tr>
<td>Office Manager – Paula Bradshaw</td>
<td>Assistant – Andreana Richardson</td>
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<td>Administrative Assistant – Virginia Shaddy</td>
<td><strong>Camano:</strong></td>
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<td><strong>Long Range</strong></td>
<td>Permit Mgr. – Terri Jorgenson</td>
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<tr>
<td>Planner – Andrew Hicks</td>
<td>Permit Tech. – Jesse Johnson</td>
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<td>Planner – Troy Davis</td>
<td>Inspector – Ron Slechta</td>
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<td>SMP Coordinator – Karen Stewart</td>
<td><strong>Whidbey:</strong></td>
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<td>Critical Areas Planner – Jamie Hartley</td>
<td>Plan Reviewer – Tamra Patterson</td>
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<td><strong>Current Planning</strong></td>
<td>Plan Reviewer – Cody West</td>
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<td>Code Enforcement – Jason Johnson</td>
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<td>Planner – Kyla Walters</td>
<td>Commercial – Kelly Whitney</td>
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<td>Permit Tech. – Anne Nysether (PT)</td>
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- **Building**

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<tr>
<th>Building Permits</th>
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<td>SFR's</td>
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### Current Planning

#### Land Use Permits

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<th>Year</th>
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<th>Subdivision (Avg. 49)</th>
<th>Shoreline (Avg. 89)</th>
<th>Reasonable Use (Avg. 2)</th>
<th>Rezone (Avg. 1)</th>
<th>Other (Avg. 211)</th>
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#### Final Plats Recorded (Lots Created)

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<th>Year</th>
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<td>2011</td>
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Long Range Planning

2011 Planning Commission:
- CPA 155/04: Population Projections and Urban Growth Areas
- Freeland Sub Area Plan
- County Wide Planning Policies
- Status reports on SMP update
- Parks and Recreation Plan
- SEPA Appeal Process
- Impervious Surface definition
- Land Use Permit Review Timeframes
- Temporary Uses in Rural Service Zones
- Amendment to APZ ordinance

Staff Projects (2011):
- Webpage Development
- GIS Support
- Support to PW for Transportation Plan Update
- Ebey’s Reserve and Town of Coupeville Coord.
- Coordination with PW on Parks and Recreation Plan
- Development Regulation Amendments
  - Accident Potential Zone
  - Permit Review Timeframes
  - Temp Uses in RS zone
  - Impervious Surface Definition
- Annual Review Docket Items
  - Freeland Subarea Plan
  - Population Projections and Urban Growth Areas
  - County Wide Planning Policies
  - SMP Update
2012 – Moving Forward

Current Planning – 2012

- 3 current planners reviewing land use applications
- 1 code enforcement officer
- Enhanced public notice (webpage postings and improved notice information)

Building - 2012

- Enhanced Historic Review Process
- 1.5 Plans Examiners
- 2.5 Inspectors

Long Range Planning - 2012

- Anticipated Annual Review Docket items
  - 2016 Periodic Comp Plan Update
  - County Wide Planning Policies
  - Buildable Lands Analysis (multi year)
  - Fish and Wildlife CAO – coordinate with SMP
  - 2012 Population Projections – coordinate with OFM
- Freeland Subarea Plan (carryover item)
- SMP Update

- Other Long Range Modifications
  - Tree Retention/Land Cover
  - Affordable Housing – Comp Plan
  - APZ
  - Temporary Uses in RS zones
  - Zoning Code Amendments (signs, land use intensity & wetland buffers, priority species & habitats in critical areas ordinance)
  - LID Ordinance
  - Land Use Permit Fees

Round table discussion of the challenges that face the Planning & Community Development Department:

Commissioner Lippens commented on the web page development, stating that navigating the Island County web pages is very difficult when trying to determine which permits are needed for a project.

The revamping of the County website is currently going through discussions with IT, looking for ways to devote resources to address the problems.
Commissioner Yonkman: expressed concern regarding the time it takes to get a permit processed and whether there is anything planned in 2012 to address what happens when permits increase in light of the dismal staffing resources.

Permits are currently being processed quickly, the only current constriction relates to permits with critical area review.

Follow-up discussions addressed the possibility of a .5 FTE planner mid-year to help with Long Range Planning and the implementation of the web portion of the Paladin Permit Tracking Software to help the public determine where their permit is within the process.

Commissioners Lippens and Sibon both commented on having pre-apps on Camano.

The limiting factor of diminished resources and the complexity of the coordination of a meeting on Camano with all three departments makes Pre-Apps on Camano very difficult. The possibility of utilizing the video conference for small projects would be looked into.

Commissioner Enell commented on the need for long term planning for infrastructure and impact fees to fund that infrastructure.

Hearing Examiner’s Report

The Island County Hearing Examiner, Michael Bobbink stated there hasn’t been many of the large projects in 2011 that go to the Hearing Examiner and 2011 didn’t see many appeals either.

Summary of 2011 files reviewed
3 Appeals
4 Site Plan Reviews
1 Critical Area Alteration
1 Preliminary Long Plat
1 Shoreline Development Permit

There was a discussion regarding the biggest appeal, APP 266/10 the Maple Grove Community appeal of the SEPA determination on a preliminary long plat on the northern end of Camano. It took many hearings and had a complexity of issues. The project was located on a sensitive site at the bottom of a steep slope that had already experienced slide activity. The project had a specialized class A water reclamation system and the community was concerned. Many problems were solved, and the project was finally approved.

Mr. Bobbink stated this project had a lot of creative alternatives using new technology that would most likely be a big part of future development, especially in Island County, where sewer service is not available to most locations.

He further stated the community presented a very well prepared appeal as did various staff from the Planning and Health Departments, which made handling such a complex issue much easier.
2012 Work Plan – Planning Work Program Timeline

Director Pederson discussed the one page hand-out as outlined below:

Planning Work Program – 2012

**Required items for 2010 Periodic Update**
- Countywide Planning Policies
- Buildable Lands Analysis
- OFM Population Projections

**Incomplete Items from 2005 Periodic Update**
- Fish & Wildlife CAO
- CPA 155/04
- Agriculture & CAO
- Freeland Subarea Plan
  - *RTP Update*
  - *CFP*
  - *Companion Amendment to Island County Comprehensive Plan*

**Shoreline Management Plan** – SMP Update (Grant funded 1 FTE)

**Optional Docket Items**
- Affordable Housing Incentives
- Temporary Uses in the Rural Service Zone
- Accident Potential Zone (APZ) Ordinance

Mr. Pederson mentioned that recently staff met with personnel at the Navy. As a result staff is considering hosting a public meeting sometime in early March for the Navy, staff, and the public to hear the public’s concerns, provide information, and hopefully refocus on items where there may be some common ground.

**Other items**
- Public Benefit Rating System (PBRS) Applications
- Old Open Space
- CPA 155/04 – Parcel 1 rezone
- Tree Retention /Land Cover
- Zoning Code Amendments:
  - Sign Code
  - Land Use Intensity & Buffers
  - Priority Species & Habitats
- Low Impact Development
- GIS Support
**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.

Below is a list of each item on the approved 2011 Annual Review Docket.

1. **CPA 155/04 (Carryover from 2010)**

   On April 11, 2011 the Board of Island County Commissioners (Board) approved CPA 155/04 as previously amended by the Board. Oak Harbor had originally proposed that 180 acres be added to their Urban Growth Area. In 2007 the County planning commission recommended approval of Oak Harbor’s proposal. In fall of 2010 the Board rejected the 2007 planning commission recommendation and revised the proposal to include only 18 contiguous acres to Oak Harbor’s Urban Growth Area (UGA). The original recommendation was rejected because it was found by the Board that Oak Harbor’s existing UGA has sufficient capacity to meet expected population growth over the succeeding 20 year period. The City of Oak Harbor has appealed the County’s decision in Thurston County Superior Court.

2. **Freeland Subarea Plan (Carryover from 2010)**

   On March 21, 2011 the Board of Island County Commissioners approved the 2010 Freeland Subarea Plan update. The next step in the process is to create development regulations that will implement the goals, principles, and policies of the subarea plan. Development regulations include establishing formal zoning districts along with setting requirements for land-use, building setbacks, lighting, signs, etc. Development regulations for Freeland’s commercial core will hopefully take a form-based approach in contrast to the more commonly used Euclidean approach to zoning used throughout the county. Two items remain before the Freeland Subarea Plan can be fully implemented: 1) The Capital Facilities Element, and 2) The Transportation Element.

3. **Countywide Planning Policies**

   The Growth Management Act requires periodic updates of Comprehensive Plans. Before Comprehensive Plans can be updated, the existing Countywide Planning Policies should be evaluated because these policies provide direction for all comprehensive plans in the County (including the cities) and are a key basis for the Interlocal agreements with Coupeville, Langley, and Oak Harbor. Island County has yet to formally adopt a schedule for the next update but we do anticipate using the extension. Our Countywide Planning Policies were last amended in 1999 and subsequently include language that is no longer relevant. Staff has begun conducting meetings with local jurisdictions and the Planning Commission for input on new policy directions. No formal action was taken on the Countywide Planning Policies in 2011. Additional work will continue as preparation for the 2016 Periodic Comprehensive Plan update.
4. Shoreline Master Plan (SMP) / Fish and Wildlife Habitat Conservation Areas (FWHCA) Combined Update

In 2001 Island County adopted its current Shoreline Master Program as an element of the Island County Comprehensive Plan. Unlike other Comprehensive Plan Elements and Development Regulations, the SMP contains both the policy language and the regulatory language in a single document. The Island County SMP regulates lands which fall under the jurisdiction of the Washington State Shoreline Management Act (SMA) of 1971 including:

- All marine waters;
- Lakes 20 acres or larger;
- Upland areas, called shorelands, that extend 200 ft. landward from the edge of these waters; and
- Wetlands and floodplains associated with one of the above

The SMA requires Island County to amend its SMP on or before December 1, 2012. Island County began this three year process in the fall of 2010. The Island County Planning Commission will continue to receive periodic updates on the status of the amendments, which are planned for Planning Commission review and formal public hearings in 2012.

In late 2009, the Washington State Department of Ecology and the Department of Fish and Wildlife authorized Island County to review and update its FWHCA regulations concurrently with SMP update, allowing the County to see the efficiencies of combined review. As such, the Planning Commission will also receive updates on the status of these amendments.

Concurrent review and update of these two regulatory tools is encouraged by the State because of their close jurisdictional proximity. The FWHCA regulations are apply to the following areas:

- Areas with which endangered, threatened, and sensitive species has a primary association;
- Streams;
- Commercial and recreational shellfish beds;
- Kelp and eelgrass beds;
- Herring and smelt spawning areas;
- State natural area preserves;
- State natural resource conservation areas;
- Species and Habitats of Local Importance;
- Flora included in the Protected Species List; and
- Areas identified by the Washington Natural Heritage Program.

RCW 36.70A.130 mandates that FWHCA regulations be reviewed by December 1, 2005, and every seven years thereafter. From 2005 to 2008, Island County was engaged in an extensive update of its wetland regulations. During this time, the County was granted extensions for its review of FWHCA regulations.
5. Island County Comprehensive Plan: Parks and Recreation Element

On December 19, 2011 the Board of Island County Commissioners approved an update to the Parks and Recreation Element of the Comprehensive Plan. The Parks and Recreation Element of the Comprehensive Plan was first adopted in 1998. The 1998 Plan was a continuation of prior park planning efforts that began in 1969, with the Island County Parks and Recreation Study. This study primarily consisted of an inventory of existing facilities and needs.

As with the other Comprehensive Plan elements, the Parks element needs to be kept up to date to reflect the current conditions and ideals of the community it represents. An effort to update the Parks element began three years ago but was removed from the 2009 Annual Review Docket due to staffing constraints.

In late 2009, additional funding was identified to support the 2010 Parks update, including funding from the Whidbey Camano Land Trust. In 2010 Island County hired the consulting firm Moore Iacofano Goltsman Inc. and began work on the update.

Establishing the 2012 Planning Commission Docket

Items Being Considered for 2012 Docket

Pursuant to Section 16.26.060 ICC, all amendments proposed by a person must be submitted prior to February 1st of the year it is to be considered on an Annual Review Docket. No citizen application was submitted prior to the February 1st deadline. Therefore, all items below are amendments requested by the Board, Planning Commission, or the Planning Director. Pursuant to Section 16.26.060 ICC, a list of all requested amendments must be sent to the Board and Planning Commission by March 1st of each year. The following is a list of items that have been requested for placement on the 2012 Annual Review Docket with a brief description of each.

1. 2016 Periodic Comprehensive Plan Update

The Island County Comprehensive Plan was originally adopted by the Board of Island County Commissioners in 1998. At the time of adoption, State law required periodic updates to comprehensive plans every seven (7) years. Island County was required to complete an update to the Comprehensive Plan in 2005. The next update would have been required by the end of 2012. However, in 2010 and 2011 the Washington State Legislature passed bills SSB 6611 and ESHB 1478, respectively, which pushed the deadline for Island County’s next periodic update to 2016 and every eight (8) years thereafter.

Work needs to begin this year on a buildable lands analysis, fish and wildlife component to the CAO, and new population projections. Additionally, continued work to update the County Wide Planning Policies is essential.

2. Freeland Subarea Plan (carryover)

As stated above, two elements of the Freeland Subarea Plan need to be completed before the FSAP can be fully implemented. Those two elements are the Capital Facilities Element and the Transportation Element.
3. Shoreline Master Program Update

Work on the SMP update will be continued from 2010 and 2011. Planning Commission review and formal public hearings are anticipated for later this year.

4. Accident Potential Zone

Since the implementation of the Accident Potential Zone regulations in 2008, several citizens have complained that the regulations go too far in restricting property rights. These citizens have stated that they would like to have the restrictions loosened. In 2011, the Planning Department began work on a development regulation amendment that would allow some of the uses that were prohibited by the APZ regulations. However, through the initial work that staff conducted it was determined that a Comprehensive Plan Amendment would be needed in order to make any changes to the APZ. Additionally, the initial impression given by the affected citizens and NAS Whidbey is that the proposed changes would not satisfy either side.

5. Temporary Uses in Rural Service Zone

In 2011, staff began work on a development regulation amendment to allow temporary uses in the Rural Service zone. Currently, the Rural Service zone is one of the only zones in Island County where temporary uses cannot be conducted. A specific proposal on Camano Island prompted the Planning and Community Development Department to begin work on an amendment to allow reasonable temporary uses in this zone. Work on a DRA was halted when a concern was raised by the Prosecuting Attorney’s Office that a Comprehensive Plan Amendment may be needed in order to allow Temporary Uses in the Rural Service zone.

6. Affordable Housing

Director Pederson indicated the Affordable Housing Incentives were on the 2009 docket and then pulled from that docket, it wasn’t touched in 2010, it was again listed in 2011, but limited resources has not allowed further work.

Round table discussion on the docket occurred midpoint of the audio recording.
(Now available on the Planning Commission’s WebPages at http://www.islandcounty.net/planning/planningcomm.htm)

Commissioner Angie Homola commented on the APZ, indicating her frustration of the progress of this particular item.

Commissioner Kelly Emerson commented on the APZ, indicating the number of citizens that rely on the economy of the base in the County should also be considered.

Planning Commissioner Dean Enell indicated the Freeland Subarea Plan was his top priority and expressed concern on the length of time the process has taken.

Commissioner Helen Price Johnson commented on the Freeland Subarea Plan stating at this point in time the Freeland Sewer and Water District, as the designated jurisdiction charged with creating the Capital Facilities Plan, controls the timeline of the current progress on this item. The underlying challenge is the financial implications for the citizens.
Planning Commissioner Scott Yonkman expressed his concern that the Fish and Wildlife update needs to move up in the priority list.

Commissioner Angie Homola commented on tree retention in relation to the Fish & Wildlife update.

Discussion of the options: paring the list down to what can be accomplished with the staff resources available versus prioritizing the list in the hope finding time to address smaller items.

Planning Commissioner Val Hillers commented on the APZ, stating the Planning Commission had already worked hard on this item, any result will not satisfy everyone and she was concerned about expending more time and effort with the same unsatisfactory result of people being disappointed and many hours being expended. If the Planning Commission cannot resolve the concerns it seems futile to put it back on the docket.

Commissioner Helen Price Johnson commented on the APZ, stating she felt having a public information session Director Pederson discussed earlier was a good idea. Getting input from the public, the Navy and staff to help identify the concerns, hopefully clarify some misconceptions could all be accomplished without necessarily agreeing to put the item on the docket.

Planning Commissioner Anna-Marie Sibon commented on the APZ, stating that at the last Planning Commission meeting this was discussed, a major concern of the constituents was whether they were still able to do specific things on their property. She also thought an informational meeting with all those involved would go a long way towards answering those questions and relieving those concerns.

**Action Taken**

Commissioner Emerson moved to remove the APZ from the docket. Motion died for lack of a second.

Planning Commissioner Mitchell Howard commented on the APZ, stating this item has fueled a fair amount of passion during public comment. The cloud of uncertainty and anxiety referred to may be due to misinformation, some of it may not be resolved even with an informational meeting if it is more deeply seated in mistrust of the Navy, the County, or both.

Commissioner Val Hillers commented on Affordable Housing, this item also has had a fair amount of work completed. She thought it was disappointing to have done 80% of the work done and then to have it drop and not be completed.

It was determined the docket would be further discussed at the Board level after the informational meeting.

Board Chair Price Johnson closed the Board of County Commissioners session. Planning Commission Chair Howard adjourned the meeting at 3:15 p.m.

Respectfully submitted,

By Paula Bradshaw