

ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING

SPECIAL SESSION - NOVEMBER 21, 1997

The Board of Island County Commissioners met in Special Session on Friday, November 21, 1997, beginning at 9:30 a.m. , scheduled to last until Noon, held at the Main Street Conference Room, 400 N. Main, Suite B, Coupeville, Wa. Upcoming similar Special Sessions will be held on the following Fridays, from 9:30 a.m. to Noon, will be held as follows: **November 26, 1997; December 5; December 12 and December 19**, all to be held Island County Courthouse Annex, Hearing Room I, Coupeville, Wa. [See adopted Island County GMA Compliance Schedule for specific topics- copies are available]

The purpose of these special sessions is to provide an opportunity in joint workshop for the Board to meet with the Planning Director and staff, Island County Planning Commission, and Keith Dearborn, to discuss planing issues and review the schedule for completion of the comprehensive plan. The specific agenda for today being a joint workshop on Residential Areas of More Intensive Rural Development.

Attending today's workshop were:

Board of County Commissioners: Mike Shelton, Chairman; Wm. L. McDowell, Member and Tom Shaughnessy, Member

Planning Commission: Tom Olsen; Ann Pringle; Linda Moore, Rufus Rose; Bill Vincent;

Consultant: Keith Dearborn; Bogle and Gates; Emil King, McConnell/Burke

Staff: Vince Moore, Director, Planning & Community Development; Donna Keeler,

Manager, Comprehensive Planning; E. Meyer, Adm. Asst. - BOCC

Others Present: Members of the press and audience consisted of approximately 10 people

[Attendance list on file].

Keith Dearborn had some opening comments before getting into the actual workshop topic to

clarify comments he heard with respect to how to handle matters between the Planning Commission hearing and the Board's hearing on workshop subjects. There will be lots of discussion on the Planning Commission recommendation, which is appropriate, but the Planning Commission should not feel the need to modify the recommendation they made between the time they make the recommendation and the time it comes to the Board. The Planning Commission time ends with their hearing and their recommendation. Members of the Planning Commission may have other ideas and relate those to the Board, but the Planning Commission should not feel they have to go back and rethink their recommendation, because there will be a number of other future times to revisit the issue. For example, the hearing before the Board on Monday: anyone who wants to bring up issues should do so before the Board, and administrative staff and Planning Commission members and those subcommittee Planning Commission members responsible for making the report should also feel free to comment; however, the Planning Commission should not reconvene and reconsider those recommendations. Each issue is before the Planning Commission in hearing; the second hearing is before the Board and all those comments can be brought to the Board.

Mr. Rose was concerned about a mistake having been made with regard to the Planning Commission recommendation the Board will hear on Monday, and wanted to provide written comments, and have someone here today, a water district commissioner, to speak on the same subject.

Mr. Dearborn explained that this was not the appropriate time, that subject not on today's agenda. This is a workshop and there has to be a discipline set to proceed so people know

what is going to be heard. No matter what mistake it is, that can be brought before the Board on Monday. The issue today is a workshop on the topic "Limited Residential Areas of More Intensive Rural Development", and the purpose is to make tentative (not final) decision. There is the possibility in the future for advertising in the notice something such as "...and to consider such other subjects as may be appropriate to discuss between the Planning Commission and Board" on the subject the Board would be considering the following Monday to allow for these kinds of things to be heard.

Mr. Vincent suggested considering the idea of having a planned period for issues like this to come up, i.e. establish a 15 minute period at the beginning of the meeting to allow reconsideration or comments on any issue brought up in Tuesday's Planning Commission meeting.

Mr. Rose has a concern about the Planning Commission recommendation that will be before the Board on Monday and sent an e-mail to members of the Planning Commission, but he did not identify it for the Planning Commission Chairman or the record.

Mr. Dearborn pointed out that in some way or another, the secretary for the Planning Commission or Board must know that the document submitted needs to be part of the Planning Commission record or Board record. A document cannot be placed in the Planning Commission record after the Planning Commission meeting and recommendation has been made. For example, Mr. Rose's e-mail communication needs to be in the Board's record Monday, and not the Planning Commission record because the Planning Commission finished the subject. Mr. Dearborn will provide a one paragraph statement for Chairman Shelton and Chairman Olsen to read at the beginning of each Planning Commission hearing and Board hearing.

Vince Moore advised that in February of 1991 the Board adopted Rules and Procedures about the GMA public participation process; staff is looking that up and will provide copies.

Issue Paper - Workshop Draft

Limited Residential Areas of More Intensive Rural Development

Planning Commission Chairman Tom Olsen read the following portions of the Issue paper for today's workshop:

I ISSUES

A. Which lands, if any, should be designated s limited residential areas of more intensive rural development pursuant to RCW 36.70A(5)(d)? Non-residential lands will be covered in a separate issue paper.

B. Should criteria in addition to the statutory language in RCW 36.70A.070(5)(d) be developed for designation?

II BACKGROUND

Amendments to Growth Management Act. In 1997, the Washington State Legislature passed changes to the State's Growth Management Act with ESB 6094. Among those changes to the Act were new definitions for "rural character", and "rural governmental services", which had previously not been specifically defined. A new designation was also added for lands within the "Rural Element" referred to as "limited areas of more intensive rural development" (RAIDS). The amended Growth Management Act now contains specific conditions for the designation of RAIDS as follows:

B. WGMHB Third Compliance Order for Island County. The Third Compliance Order from the Western Growth Management Hearing Board contains language regarding "limited areas of more intensive rural development". Their discussion of RCW 36.70A.070(5) is as follows:

"Thus, 'existing areas or uses' that may have 'more intensive rural development' must be actual areas or uses capable of having a 'logical outer boundary' based on characteristics of the surrounding area, and not simply undeveloped land which was zoned for intensive use at the time the County became subject to GMA's requirements. While undeveloped land may be part of such an area, it cannot in and of itself constitute the area of more intensive development under these sections of GMA."

"Conclusions: The new amendments to GMA contained in RCW 36.70A.070(5) allow limited exceptions where more intensive development is allowed in rural areas. These exceptions are generally limited to areas with some significant development in place, not merely lightly developed areas with historically higher density zoning. The new amendments simply reiterate GMA's goals of reducing sprawl and containing urban growth to areas where services can be provided effectively. Their use to permit master planned resorts or

major industrial developments is specifically prohibited. They continue GMA's general principle of locating intensive development first in or next to areas of already existing intensive development."

C. CGMHB Decision. The Findings of Noncompliance and Determination of Invalidity in Bremerton and Order Dismissing Port Gamble discusses limited areas of more intensive rural development, but does not go into as much depth with regard to interpretation as the Western Board has done in the Island County Third Compliance Order.

D. Boundary Review Board Factors for Consideration. The following is a summary of applicable factors taken from RCW 36.93.170 regarding what boundary review boards in the state of Washington use for consideration in determining appropriate boundaries. Island County is not bound to use the criteria

Factors for Boundary Consideration. Population and territory; population density; land area and land uses; topography, natural boundaries and drainage basins, proximity to other populated areas; the existence and preservation of prime agricultural soils and productive agricultural uses; location and most desirable future location of community facilities.

PRC/PRD Inventory. The County compiled an inventory of PRCs/PRDs in a 1995 report entitled Island County Land Use Inventory. The attributes identified in the report for each PRC/PRD include the following: name of plat; plat number; year subdivided; total acreage; number of lots; unimproved lots; percent lots unimproved; number of septic denials; presence/absence of a water moratorium; available lots; and average lot size.

F. Preliminary Criteria. The County Planning Staff has compiled preliminary criteria for designation of RAIDs as follows:

1. Preliminary criteria for designation

a. All Private Residential Communities (i.e. long plat, subdivision) that were

created prior to 1990 (January).

a. Adjacent parcels that have been subdivided into lots that are smaller than 2.5 acres.

© Lots that are adjacent to PRCs which are larger than 2.5 acres but are surrounded by higher density development.

2. Anomalies and Exceptions

a. Private Residential Communities and Long Plats created prior to 1990 with an average lot size larger than 2.5 acres.

b. Larger parcels that are within the water and sewer service boundaries but may not be adjacent to a subdivision.

(c) Parcels that are 2.5 acres and larger but show a bluff or shoreline that greatly reduces its capacity to be built upon.

(d) PRCs that are currently zoned Rural Residential (RR).

(e) PRCs with parcels zoned non-residential (NR).

3. Information that has yet to be applied

a. Water and Sewer service boundaries

b. Actual density/level of existing development

c. Rate of infillage

d. Densities that exist within areas surrounding PRCs

e. Physical and environmental constraints, i.e. wetlands, slopes, noise zones, etc.

f. Land use plan policies and objectives

III ISSUE DISCUSSION

A. County Interpretation. The amended Growth Management Act now contains specific conditions for the designations of RAIDs [36.70A.070(5)(d)-(e)]. Though there is still a need for interpretation by the County. Since these are new changes and other counties have not gone through the process of designation in their plan updates, the specific language contained in the Act and a general discussion of the topic by the WGMHB and CGMHB is what the County has to guide the designation of these lands.

The County needs to carefully examine the designation criteria contained in the Act and

compare it to what available information the County currently has, or can obtain, for designation of residential RAIDs.

B. Analysis of GMA Criteria. The following is an analysis of GMA criteria as stated in RCW 36.70A.070(5)(d)

1. Scale of RAID Designation. The GMA states that *"a county shall adopt measures to minimize and contain the existing areas or uses of more intensive rural development, as appropriate"*. The County needs to be somewhat strict in its interpretation of the GMA changes because of the goal to minimize and contain the existing areas of development. A too liberal set of criteria may not meet the guidelines of the GMA as determined by the GMHB.

- How strictly should the County interpret the term "minimize and contain"?
- How much surrounding lands may be included in such a designation?

2. Logical Outer Boundary. *"Lands included in such existing areas or uses shall not extend beyond the logical outer boundary of the existing area or use, thereby allowing a new pattern of low-density sprawl."* The logical outer boundary is delineated by the built environment, but that may also include undeveloped lands if limited.

- How much undeveloped lands should be allowed within RAIDs?

The criteria stated in the GMA for RAID logical outer boundary designation shall address:

A. "The need to preserve the character of existing natural neighborhoods and communities";

- What are the components that make up neighborhood or community character?

A. "Physical boundaries such as bodies of water, streets and highways, and land forms and contours";

- What other physical boundaries should be considered for determining local outer boundaries?
- Should streets be considered a physical boundary? Streets often provide a valuable area for the provision of water and electrical services.

A. "The prevention of abnormally irregular boundaries"; and

- How should an "abnormally irregular" boundary be interpreted? There is a need to make sure that the RAID designation applies to an entire parcel so that there will not be an opportunity for split zoned parcels.
- A. "The ability to provide public facilities and public services in a manner that does not permit low-density sprawl".
- How should the ability to provide public facilities and services be demonstrated when designating RAIDs?
 - What density threshold should be established as low-density sprawl?

1. **Age of Area/Use.** A restriction of the RAID designation criteria contained in the

GMA is that an "existing area or existing use is one that was in existence...on July 1, 1990, in a county that was initially required to plan under all of the provisions of this chapter (GMA)".

- What constitutes vesting of a property or use with regard to the July 1, 1990 date? Date of complete application for subdivision, short subdivision or use approval?
1. **Additional Items for Consideration.** If the County is to proceed with RAID designation, the following items must be decided upon. The method of analysis that the County has available is to first examine long plats and short plats for a basis of RAID designation and then look at surrounding unplatted lands that might fit the designation criteria.
- Should there be a minimum size for the gross area of a RAID?
 - What is the density threshold for designation? As determined by age of plat versus percent unimproved?
 - Should the total number of unimproved lots, in existing PRCs, include those lots with septic denials? How should septic denials in short plats be handled?
 - Should plats that have a water moratorium be included within a RAID boundary?
 - What will be the allowed density within the RAID? Will the average density of the RAID simply be applied to the overall RAID as the prevailing density, thus each RAID would have a unique maximum density?
 - If there is a cluster of subdivisions in which some exceed the rate of infill threshold and some are below it should the RAID boundary include all of the subdivisions or just the ones that meet the criteria?
 - Should a subdivision that does not meet the rate of infill threshold be included within a RAID boundary if it now is within the service boundaries of approved sewer and water systems?
 - Should a plat that is below a determined density threshold not be included in a RAID? I.e. perhaps lower than 1 unit per 5 acres for example.
 - What are the legal implications for those parcel(s) that may not meet the criteria of RAIDs but have already been granted some type of development approval (i.e. subdivision, permit, water rights, etc.) Should they become non-conforming lots?

IV OPTIONS

A. The following are the three preliminary options for the designation of residential RAIDs:

1. Apply GMA Criteria to the Built Environment as of July 1, 1990. The County may designate lands as RAIDs pursuant to the language contained in RCW 36.70A.070(5)(d).
2. Apply GMA Criteria to the Built Environment as of July 1, 1990 and Other Lands Determined to be Appropriate. The County may designate lands as RAIDs pursuant to the language contained in RCW 36.70A.070(5)(d) while incorporating additional interpretations made by the County. The issues and questions stated in the previous section will need to be answered with regard to the criteria for designation. The additional interpretations may be more restrictive than the strict use of the statutory requirements. Once a set of criteria is formed, the process of analyzing the County's lands will be done. It is difficult to assess the acreage and parcel totals for each separate combination of individual criteria components, because of the amount of time needed for the detailed analysis.
3. No action/designation. The GMA states that the County may designate areas as RAIDs. An option is for the County to not proceed with the designation, and go on with the comprehensive planning process without utilizing the GMA Amendments.

Mr. Moore confirmed staff would collect additional information in each one of these areas. In terms of preliminary determinations, he noted that on the map posted the salmon colored areas had been designated by staff as meeting criteria contained in the statute. Much of the shoreline already is developed and included on the maps. Brentwood PRD on Camano Island is not shown because it was approved subsequent to July , 1990 and would not qualify as a RAID . What happens to something after the July 1 date is that building permits will be granted; this will not affect the ability to obtain building permits s but could potentially class them as non-conforming building lots. The vast majority of the lots are inside these RAIDs. The Act says that limited areas of more intensive rural development cannot be expanded.

Mr. Olsen asked if the property is located next door or adjacent to a PRD development, whether that could be encompassed in a RAID. Mr. Dearborn answered affirmatively and referred to page 2 and 3 for guidance as far as what the rules are. When designating these RAIDs, it is to allow for expansion of those areas because of commitments that have been made. The July 1 date is in Statute; how property like Brentwood is treated is something that has to be looked at very carefully.

Linda Moore was concerned about lands currently undeveloped - if an area has existing infrastructure but it was not built can that be a RAID? [might be adjacent to areas that have been developed but might be out there all by itself] And Mr. Olsen added to that question "or adjacent to an to an already built area". Mrs. Moore would like to see addressed available water shares, sewer capacity extension and the like as criteria to use in evaluation.

Mr. Dearborn said that infrastructure, water, sewer, waste disposal systems, roads, all were factors to be taken into account when establishing the area for the expansion area. Today's meeting is not to agree on criteria as that will be part of the discussion before the Planning Commission on Tuesday.

As to the questions from Commissioners Shaughnessy and McDowell concerning once RAIDs have been established, is that forever, Mr. Dearborn indicated that for Residential it was, but yes, could come back and revisit those [i.e. common sense law because there is nothing in GMA that says that]. What cannot be done is 5 years from now someone buys 100 acres next to a RAID; zoned RR 5 acre lots and wants a rezone to be the density of those next door - that is not possible with a RAID and that is forever under GMA. As far as questions about creating non-conforming lots, that is something that the County should not create if they do not have to. Converting a RAID to UGA is a different issue. The County is not prohibited under GMA from allowing commercial development in rural areas for the purpose of serving that rural area i.e. someone who wants to propose and build a service station in the vicinity, there is nothing in GMA that prevents that from occurring; commercial development serving rural area needs to be near where those people are, and has to be small scale.

Ann Pringle brought up the cottage industry question, and Mr. Dearborn stated that was another exception in GMA; it is not a RAID; 6094 had two other exemptions. Existing industrial use can expand; new ones have to be, under the

6094 Amendments, classified as small scale business or cottage industry; those terms are not defined. In addition, tourism and recreation use expansions are allowed in the rural areas but there has to be protective measures in place for those. The GMHB is not prohibiting master planned resorts or major industrial development; all 6094 amendments say is you cannot take a small scale tourism or recreational use and grow it into a master planned resort.

Commissioner McDowell referred to Page 3 Line #106 - suggested adding an item (d) as a criteria: "not create non-conforming lots in the vicinity of a RAID" , as non conforming lots cause problems for homeowners.

Mr. Dearborn saw no reason why the County could not revisit non conforming rules and consider two ways of looking at the problem, for example: (1) do not have to include everything in RAIDS; and (2) can deal with non conforming use rules and make a distinction between existing use and a non conforming use as well. In talking about specific properties, he stated that he did not think people today should assume any property is necessarily in or out; these areas will be identified based on criteria of the Planning Commission, which the Board will go through.

When looking at criteria, Mrs. Moore thought that the notion of roads and infrastructure should be part of the evaluation of RAIDS, but was nervous about redefining what non conforming means because there are problems with title issues and financing above the jurisdiction of Island County. Just changing what Island County calls non conforming does not necessarily solve the problem; a better approach would be to change the criteria and include them in RAIDS.

Vince Moore and Mr. Dearborn agreed that the certificate of zoning compliance was intended to remove non-conformance. The language at the bottom of page 2 and top of page 3 deals with residential in that subject.

Rufus Rose suggested that the County seems to always take the position that unless something is specifically stated as permitted, it is prohibited, and he suggested changing that notion.

Mr. Dearborn had not thought of that question before but believed it had a logical answer to it. He noted there would be situations where existing areas have commercial and recreational uses associated with them, and also have permitted uses for commercial activities serving the rural area - nothing prevents that if they serve that area.

Mr. Rose wondered about any risk by creating a RAID with a PRD or long plat with CC&R's.

Mr. Dearborn noted two layers of regulation: County and community - CC&R's . Community CC&R's can be more restrictive, not more permissive, than the County.

Chairman Shelton asked if those lands developed after 7/1/90 to the present could be designated as appropriate lands even if they are not adjacent to a RAID [cannot deny what is on the ground]. Mr. Dearborn recalled a continuing debate in legislative session on that; it leaves the County with having to address those as non-conforming uses.

On page 4 line #145, Logical Outer Boundary, Mr. Rose brought up the matter of Saratoga Water District for example, that has a capacity of 350 hookups approved by state. This District anticipated the State's desire to have fewer single family wells and more water systems. The District has a significant number of parcels under their Comp Plan Service Area - how can we address the government's encouragement of them to spend money and make plans?

Mr. Dearborn stated that would have to be taken into consideration. One of the things to remember in looking at this subject is that the more expansion potential created means less need for remaining lands in the County to do that, and there is potential to run into an accounting problem - if you have liberal RAIDS, you have to be more conservative in the rural areas; have to balance these two things. Mr. Dearborn did not think that PRDs were ruled out in any GHB decision as a general concept. There needs to be more careful work done on land supply and capacity. This issue of having too many lots was an issue in 1984-85, but the price of land between 1985 and 1997 has gone up. There was an abundant supply in 1985 then compared to demand, so something has happened in the last 15 years.

Mr. Rose observed the need to try to address reasonable housing. His conclusion was that a lot of unincorporated Island County is focused on waterfront or water/mountain view property, which equals approximately one-third of the annual property taxes received. If the potential available is reduced, is this not harming the County? Mr. Dearborn was

not sure that was a fact to consider under GMA for Residential, and not a justification to continue allowing what occurred in the past to continue in the future.

Mr. Rose felt it was critically important to recognize the financial aspect, however. Mr. Moore questioned how to address this tax issue. Chairman Shelton noted those types of questions may need to be answered in a particular setting; but was not sure those answers were needed now. The real issue is that residential development does not pay its own way [tax revenue].

Commissioner McDowell referred to Page 5 at Line #159 "*Should streets be considered a physical boundary? Streets often provide a valuable area for the provision of water and electrical services.*" His answer: Why require utilities if not serve both sides of the street.

Chairman Shelton referenced Page 5 Line #184 "*Should plats that have a water moratorium be included within a RAID boundary?*" and his answer yes, absolutely should do everything we can to encourage a water system be brought up to date.

Mr. Rose relayed from a conversation with the manager of the Sierra Water Company that that company was spending money now to incorporate a new mechanism which would allow now non-buildable lots to be built on. Mr. Dearborn saw this as the kind of information needed in order to make these kinds of determinations.

Commissioner McDowell agreed for RAIDS - the idea of 100 acre piece next door to be included - the issue is what is the density within whatever circle you draw for this RAID?

This issue, Mr. Dearborn stated, first came to the Land Use Commission by people from Island County i.e. Dick Chapin at Bush Point, provided an illustration of small lots surrounding a 5 acre parcel he could not develop at the same density as surrounding lots, that property should be able to be developed and he asked about putting multi-family there instead of residential use. No one was thinking about that when legislation was being passed. The density is not the same for every RAID.

Several people brought up the problem that in a small area there are a number of unbuildable lots - when figuring population, those areas should be taken out. Mr. Vincent was aware of a number of areas on South Camano Island not buildable, although platted.

Chairman Shelton called out an example: - could demonstrate the number of lots at 50, with only 25 built - that would not be an accounting problem and would have some impact? Mr. Dearborn's response was that the housing issue and that has to deal with the affordable issue.

Ann Pringle inquired that once RAIDS are put in the plan, was there a way to add another that may have initially be forgotten? Mr. Dearborn confirmed that in fact there will be an annual amendment process after adopting the Plan and omissions can be rectified through that process.

As for using the name RAIDs, Mrs. Moore suggested staying away from acronyms - RAIDS - i.e. call this "rural communities". Vince Moore had suggested "private residential communities" [as talked about in the staff draft].

PUBLIC INPUT

Bill Thorn, Camano Island, said that if the County proceeds with designating RAIDS, he suggested two classes of RAIDs: one with commercial center and the second, with the more "mom and pop" type activities, and there should be a minimum size for RAIDs, though he did not know what the correct minimum would be, but for example, a short plat would not be an appropriate RAID.

Dave Johnson, Clinton, had some questions about the process and procedure, in that he had a letter to submit today but noted it to be more in the nature of general comments than today's subject [addressed to the Planning Commission

with copy to the Board]. **[BOCC needs a copy for the record]**

He applauded putting the information in the Internet [the schedule put on the Net today according to Mr. Moore]. His other comment was that population projections, concurrency, capital facilities, transportation, etc., all those things get interwoven and as the decisions are made, adds to the population pie, so there should be a score board and at the 9th inning show the score "tied" rather than at the end of the ball game.

Tom Roehl, Freeland Planning Consultant, also talked about the procedural issue and was interested in seeing the process stay on track and not change issues between what is considered at Friday workshop and what the Planning Commission hears on Tuesday. As far as the name "RAIDs", he suggested as a consideration the name AMID - Areas of More Intensive Development. He believes that attention needs to be paid to little islands of property - such as Government Lot 3, he has clients who own property between two subdivisions, and there are other examples in Freeland. For example, between the Highway and Useless Bay there already are plats and subdivisions, and vested plats beyond those densities. He agreed with the need to add to the criteria things such as water systems and infrastructure in the ground regardless of whether the land is developed or undeveloped. Many of the existing subdivisions, especially isolated ones, could be dealt with by addressing non-conforming rules and that could answer the questions Mrs. Moore had. Some plats that are subdivided as far as they can go by IslandCounty standards may not have a need to be RAIDs. Bush Point, for example, would need to be a RAID because there are lots of variable size parcels. As far as the tax issue, the County will not be deprived of revenue; what happens under GMA is that the burden who pays the revenue shifts.

Michael Seriphinoff, Greenbank, Chairman, Greenbank Community Council, stated that the Council had been advised by Vince Moore that the vision statement from the Greenbank Community Council, in the draft Comp Plan, had been removed. They are concerned that the Council's attempts at voicing goals and concerns as a community will be ignored in the process because their vision for the large sub-area is not being listened to. The vision statement adopted unanimously by the Council expresses some very important concerns of that rural community and speak to their concerns about intensive rural devilmnt. He is concerned about how and when the County will address this issue of the vision statement. When trying to envision RAIDs in the Greenbank area, he saw perhaps three sub-areas, such as Lagoon point, North Bluff Road, and the existing commercial center of Greenbank. Perhaps an entire sub-area like the Greenbank area might have its own larger designation - and can infill adequately without a new designation.

Mrs. Moore commented that there had been a lot of different iterations of a vision statement. There was a sense of the Planning Commission early on about going through the process of looking at critical decisions, including vision statements. She suggested that Mr. Seriphinoff put those concerns in writing and on record with the Planning Commission when that subject is before the Planning Commission in hearing.

Richard Collins, present due to his position on the Whidbey Shore Association [although not speaking for the Association Board] advised they had had a difficult time with rain, wind and slides, and plats are changing all the time. They cannot get some people to pay dues on their property, let alone build on - there are lots that just cannot be built on. The Association has some land away from the shore they want to plan for some recreation and trails. As far as the process and procedure, he wished it was easier to find out what time the meetings are and where those meetings will be held.

Don Jewett, South Whidbey, has three acquaintances trying to sell homes and he was told there are 600 homes for sale on South Whidbey Island. If that situation exists throughout the County, he suggested there may be quite a lot of places for the new population to come, and wondered if through the realty community the County should obtain some information about those 600 homes on South Whidbey, plus how many of those lots are not buildable, and pull all that information together and match it against the projected population growth. He was concerned that actions the Planning Commission and Board might take could lead to a situation where the County puts in a sewage or water district and Mr. Jewett was not interested in paying for a district for Freeland or Clinton or any RAID.

Dick Jackson, Commissioner, Saratoga Water District, used a map to show workshop participants the area he was addressing - the actual district boundary, 204 acres. In 1990 they signed an agreement with the County regarding an expanded service area boundary, which means only that they have the right of first refusal. Within the district they already have all service lines in, or have plans to replace all the old ones, at a total capital expenditure of about \$1,600,000. The District has 177 hookups, 153 when the District was formed 8 years ago, which means a gain of 24 hookups in 8 years or 3 per year. Some properties within their boundaries are unplatted but desirous pieces of property, and those areas should have the right to develop at the same density there already is in the District. Again, there are 177 customers at this time; the State approved them for 350 based on 800 gallons per residence [their actual average is 120 gallons per residence] If Whidbey KFC Resort were approved he thought the District could serve it, but that probably they would have to put another well in. As far as present hookups if all of the developable property were platted, Mr. Jackson thought the State as far as excess capacity of their District would indicate no, but if the State reduced the criteria to say 500 gallons per house instead of 800 the answer would be yes.

Mr. Dearborn asked that Tuesday staff have a list of all the water system plans the County has that have been approved by the County, for the record. Mr. Moore clarified that with respect to the map posted today, that almost all of the salmon colored areas do have water districts, water plans associated with them.

Tom Roehl, representing the Freeland Water District, advised that water districts were municipal corporations and had to go through the State DOE and other appropriate State agencies. Freeland Water District Comp Plan was approved by the County and is part of the record and comments in November. What Mr. Jackson was talking about he thought was that if a significant amount of land in a water district was down zoned, it would severely constrain the ability to implement comp plans and create a good water system and be able to get fair LID opportunity for possible sewers. Things you want to have happen on the north side of the highway will not happen if you downzone the other half. Mr. Roehl did want to make sure that the Freeland Water District Comp Plan was a part of this on-going record.

The workshop adjourned at noon, to meet next in Regular Session on November 24, 1997 beginning at 9:30 a.m.

BOARD OF COUNTY COMMISSIONERS

OF ISLAND COUNTY, WASHINGTON

Mike Shelton, Chairman

Mac McDowell, Member

Tom Shaughnessy, Member

ATTEST:

Margaret Rosenkranz,

Clerk of the Board