The Board of Island County Commissioners met in Special Session on Friday, December 12, 1997, beginning at 9:30 a.m., scheduled to last until Noon, held in the Courthouse Annex Basement Hearing Room, Coupeville, WA. The next workshop session will be held December 19, 1997, in the 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 Island County Planning Director and staff, Island County Planning Commission, and Keith Dearborn, legal counsel, to discuss planning issues and review the schedule for completion of the comprehensive plan. The specific agenda for today is on Measures to Protect Rural Character.

Attending today’s workshop were:

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

**Planning Commission:** Linda Moore, Anne Pringle, Sheilah Crider, Rufus Rose, Bill Vincent.

**Consultant:** Keith Dearborn, Bogle & Gates; Emil King, McConnell/Burke.

**Staff:** Vince Moore, Director, Planning & Community Development; Donna Keeler, Manager, Comprehensive Planning; Stacy Tucker, Assistant Planner; Jeff Tate, Assistant Planner.

**Others Present:** Members of the press and audience consisted of approximately 9 people [Attendance list on file].

Vince Moore prefaced the meeting by emphasizing that Measures to Protect Rural Character, Resource Lands and the Rural Densities are probably the three most difficult issues facing the county. He also said that Keith Dearborn has commented that the issue of Rural Density and Measures to Protect Rural Character are especially intertwined and if the county wishes to provide higher densities in the rural areas, Mr. Moore said from Mr. Dearborn’s perspective is that Measures to Protect Rural Character, that regulatory framework, will have to be much more stringent. And, finally, the Planning Director said, if densities are held down in the rural areas, then possibly we can release the regulatory pressure in terms of the measures to protect.

At the request of Bill Vincent, Emil King of McConnell/Burke read the entirety of Workshop Draft Issue Paper (dated 12/10/97, 9:13 a.m.) "Measures to Protect Rural Character" line-by-line of 9 pages (attached).

The **ISSUES** are:

- A. How is rural character defined in Island County?
- B. What qualities of the existing rural character should be preserved and what qualities should
The Board of Island County Commissioners met in Special Session on Friday, December 12, 1997, beginning at 9:30 a.m.

change?

- C. What measure should be developed to shape rural area development patterns in the future?
- D. How does the protection of rural character relate to the overall vision for the County?

To begin, refer to Amendments to Growth Management Act by way of background, with excerpt from RCW 36.70A.030. Vince Moore drew attention to Page 2, Lines 5 – 8, (5)(a) – Growth Management act goals and local circumstances. Because circumstances vary from county to county, in establishing patterns of rural densities and uses, a county may consider local circumstances, but shall develop a written record explaining how the rural element harmonizes the planning goals in RCW 36.70A.020 and meets the requirements of this chapter.

Mr. Vincent noted he reserved the right to leave everything in the Issue Paper as well as having it read so that everyone could hear the language as well as read it and asked that comments be reserved until Emil King finished reading the Issue Paper in its entirety, with discussion and comments to follow; from time to time, however, comments were interjected.

Mr. King pointed out, as the Planning Director previously said, "The newly amended Growth Management Act now defines Rural character and provides latitude to Counties to consider local circumstances (existing development patterns and densities) when completing the Rural Element, but a written record explaining how the rural element harmonizes the planning goals in RCW 36.70A.020 must be provided."

Page 4, B. Desirable/undesirable aspects of existing Rural Character – "Many people have expressed their view of rural character as relating to private property rights, expressing their desire to ‘be left alone and not subject to development regulations’. This included a strong belief that people should have the right to do what they wish on their property (e.g. testimony included the desire to live in recreational vehicles and to have ‘junk yards’)." Rufus emphasized that ‘not subject to development regulations’ is not attributable to him and he asked that the statement ‘desire to live in recreational vehicles and to have junk yards’ be deleted. Anne Pringle and Linda Moore, likewise could not remember anyone asking such questions. Rufus believes junk yard in the sense of the word means a commercial operation. Commissioner Shelton agreed saying clearly there is a difference between what is generally referred to as a junk yard and someone having junk in their yard, and he, as well as Rufus, does not believe it should be included; Rufus also believes "not subject to development regulations" should be deleted as well. The Planning Director confirmed he can furnish the record to substantiate the quotes. Linda Moore reiterated that Vince will show in the record testimony or written submissions that support what they have tried to capture in this paper. Rufus repeated he would like the quotes deleted. Mr. Vincent said as he read over the Issue Paper, he purposely left it in the paper so that it could be brought to the table and discussed; therefore at this point in time he reserves the right to allow it to stay until proven. Mr. Vincent also thought he had heard the quotes and that is why he allowed them to stay.

Page 5, c) – Rufus asked what is the meaning of "locational criteria". Donna Keeler explained it means how it fits on the site for a commercial venture. Vince Moore said it was a major concern in the floating zone. Consensus to change lines 36 – 38 – to Implementation may have been hampered by lack of a clear overall vision for development as well as precise guidelines and lack of stringent locational criteria within the county.
The Board of Island County Commissioners met in Special Session on Friday, December 12, 1997, beginning at 9:30 a

Page 6, h) – change use of term tax "breaks" to tax deferment. Donna Keeler said one may never have to pay if one stays in the program. Linda Moore suggested citing the legal provision for a tax deferment.

i. iv) add another bullet to include roadside stands that promote agriculture and wood products.
General consensus to add this but Anne does not believe it belongs in this section, that it could go elsewhere.

j) (2) Rufus noted that that the Planning Commission only has authority to recommend, not require.

j) iv) Density Penalties. Vince Moore noted that if a community is reluctant to require clustering, it might consider the approach taken by Clallam County, Washington (refer to Clallam case).

Page 7, a) What is the meaning of cultural landscape? Emil King indicated he would have to research it further. Mr. Vincent defined what he understands cultural landscape to be. He believes it has to do with driving down one of our roads with the madrona trees overlooking the water or it may be part of Ebey’s Prairie. Those types of things are defined as cultural landscapes, something protected and maintained. On Camano there is nothing designated as cultural landscapes other than Triangle Cove, a nice area to look down upon. The Cultural environment is the people living in it, the housing, the structures, and how it is maintained. Vince Moore said, for instance, in the Ebeys National Historic Reserve, it is defined as a cultural landscape. The question remained whether to leave the words "cultural landscape". Mr. Dearborn advised everyone to focus on the concept, instead of wordsmithing, unless it’s a value question. Mr. Dearborn suggested deleting the rest of the sentence after landscape…”that deserve to be spared from clearing, grading, and development as a first step in subdivision planning (lines 4 & 5). Commissioner Shaughnessy suggested that the area should be well defined instead of leaving it to subjective interpretation.

Page 7, Line 8 – delete the word enjoying.

Basically, Mr. Vincent said, as much as possible was put into the Issue Paper; and for purposes of discussion, the object is to take those things out that do not need to be there. For instance, the TDRs were purposely left in only as a standpoint for clustering and maintaining affordable housing in certain areas.

Commissioner Shelton said, in the case of Ebeys, it is not only a historic landscape, it is covered by a historic designation and there is a provision in place to maintain the cultural identity that now exists. Commissioner McDowell suggested using a description such as a long established, well defined landscape. Linda Moore suggested deleting "and cultural", leaving it "natural landscape"; evaluate later whether anything is missed by that deletion.

Page 7, k) Design Review. Donna Keeler pointed out that Design Review is just one measure to protect rural character and these are simply ideas and options and are only meant only to provide direction.

Page 8, line 27 – Streetlamps. Anne Pringle questioned whether streetlights are rural. She believes streetlamps are not part of the rural environment; dark is rural. She would like to prohibit any kind of streetlighting in a cluster development or anything else in the rural area because it creates light. With rural, dark is desirable. Mr. Dearborn believes lighting for public safety can be addressed; and b), Line 27 of Page 8 can be changed to deal with public safety lighting, for instance at intersections. Rufus Rose
The Board of Island County Commissioners met in Special Session on Friday, December 12, 1997, beginning at 9:30 a.m.

agreed, at a minimum, what is required for public safety. Clarify whether this is for individual houses or within PRD’s. Sheilah Crider noted they only agreed to have design review for commercial facilities only.

Keith Dearborn pointed out Friday workshops are not to agree or decide what a course of action is but to agree on the different options for consideration. For instance, in workshop, it is perfectly appropriate to say our vision does not include individual home residential design review. But note the county has been using it in ways for 13 years for commercial and again for PRDs and how they relate to adjacent properties. It should be clearly noted this is the subject area being discussed. Keith said it does not hurt to have things in here now that perhaps may not stay after the Planning Commission finished its review. The job of the Planning Commission is to whittle it down to a set of recommendations with which to go forward. Discussion for instance on cultural landscapes is good because it helps better define what is rural character. Clearly it is more than just the natural landscape.

Keith Dearborn emphasized this is certainly one of the toughest and most important subject areas. Next week’s subject will be density and he knows the major challenge in the county will be dealing with the densities that are less than one unit per five acres and how to allow that to happen. Mr. Dearborn believes there is a definite housing issue in terms of the vast majority of the residents of the county not ever going to be able to afford, for long, the one unit to five acre kind of density. If one talks about higher densities and rural character, one must talk about what kind of measures to protect. The higher the density, more measures will have to be agreed upon to protect and to preserve rural character. Commissioner Shelton agreed the density issue will be the most critical one; but even harder than less than one to five, is the greater than one to five. If the county is to end with different densities, because of existing zoning regulations, in many cases, the five acre density is accepted, but when there are five acre densities and if one has to tell somebody they don’t have that density anymore, that is going to be the bigger problem than trying to accommodate some smaller densities. Everyone likes an up-zone, but no one likes a downzone, Commissioner Shelton said.

From a Growth Board point of view, according to Keith Dearborn, the easier task is the downzoning; the harder task is upzoning. From a logic standpoint, the Planning Commission, and for the Board of Commissioners, it is easier to talk about greater density, than it is to give less density. The point is, not what that answer should be, but the work discussed here has a big part to play in which way the county slides on the density scale. Clearly, if densities are at one to five or higher, there’s far less need for measures to protect rural character. As one moves to the higher density, there’s more reason and need. It’s not an argument for downzoning; in fact, this is a path to not lead to having downzoning, potentially. The bigger problem is going to find housing opportunities for that great middle class group of people who are relied upon to support the county. It is going to be harder legally to convince the Growth Board it can be done and still preserve rural character. That will be the harder challenge according to Mr. Dearborn.

Linda Moore believes with discussion and consideration of the Issue Papers, it will point to the fact that everything was considered and that will help when we are defending ourselves in front of the Growth Hearings Board. It can be said we contemplated doing "street trees" and rejected it. Maybe it makes sense but maybe not. At a workshop, everything is discussed. Mr. Dearborn said, the Planning Commission is tasked with taking the subject area and in their best judgment and opinion, will make a recommendation to the Board. From that, they will go to work on the development regulations. The Board will then suggest if there is an area for more work. That is the task at this point, Keith Dearborn
The Board of Island County Commissioners met in Special Session on Friday, December 12, 1997, beginning at 9:30 a.

Linda Moore asked that two areas be addressed. One the balancing relationship between rural densities, measures to protect rural character, critical areas and resource lands. Also the issues regarding impact on aquifers, i.e. the proliferation of septic systems, and protecting ground water – those issues that need to be discussed in the context of rural density.

Emil King pointed out there is an element of it on Page 2 of one of the five mandated things for critical areas; c) (iv), Lines 23 & 24. Keith said when the Planning Commission is done with its deliberation on this, refer to the five measures on Page 2, Lines 18 – 26, he will urge them to go back to these measures and talk about the subject and what category it fits in. Eventually we will need an inventory of measures classified by category on Page 2. He believes Linda’s question is right on these points. The last one is Resources, for example. In terms of rural efforts, there’s no specification on how much Resource Land is needed. That’s a function of what we have. It’s an inherent capability question, Keith believes. In terms of soils, and other features that allow a community, by good fortune or bad, end with lands with long term commercial significance. This will essentially require to make sure that in the rural side adjacent to those resource lands, that the county is not doing things that foreclose the use of those lands as resource lands. The Resource Land designation is very limited, it is all the lands that are used in the county for forestry and agriculture. There are a good share of those lands that are really rural lands that are not, the activity that is ongoing, is not because of the soil, or any particular inherent natural characteristic, but because of the people and the commitment they’ve made and the energy they are putting into their business or their hobby or their activity. Those are also factors that need to be taken into account, in terms of protecting rural character. Again, when looking at Critical Areas (iv), Line 23, 24, Page 2, surface and ground water are listed, both new terms to the GMA.

The Workshop on surface water and ground water will be held mid-January where it will be discussed with all the critical areas, according to Keith. Mr. Dearborn believes GMA sees these as regulatory overlays; in some cases will limit development potential and in some cases, will simply specify how development is to occur. They are not necessarily determinors of density. Some may in effect function that way, such as ability to dispose of waste and abilities to get water. But how those relate to densities and density decisions to a great extent, Mr. Dearborn said we have been holding off for critical areas discussions.

The Overlays that staff presented earlier, Linda Moore said, still remain a good concept and the whole overlay concept could be viewed as a measure to protect rural character because it allows one to evaluate these different factors. She believes perhaps the Overlay concept could be added as a measure to protect rural character because it gives one a process to evaluate things on a side by side basis. Secondly, the issue is density, and whether clustering will be required. There is need to look at the population figures, at density and then at the public policy and how to allocate that density to the rural areas. It seems that consideration of ground water, surface water and cost relative to affordable housing, in her view, is going to push her vote to more clustering development in rural areas. Otherwise, middle class people, she believes, will not be able to afford living on the island.

Commissioner McDowell said that clustering is only one tool, because rural lifestyle also means the person who wants to live on a 2-1/2 acre parcel and have their large garden, maybe they’re retired or not, maybe they can afford that lifestyle; maybe they have another source of income, and still want a 2-1/2 acre lot or five acre lot. They don’t have neighbors that live close by and they don’t want to live in a
The Board of Island County Commissioners met in Special Session on Friday, December 12, 1997, beginning at 9:30 a.m. to discuss the clustering of development. His opinion is that clustering is more prevalent than being scattered. The Planning Director, Vince Moore, said in a regulatory system, it is to provide options.

Under the current PRD ordinance, development is clustered and certainly there are some cost savings by clustering, Commissioner Shelton said, like water lines and so forth. Certain development costs are saved in the clustering. For instance in the short platting process, which is restricted by number of lots created, but one does not necessarily have to provide a water system for a 4-lot short plat. If it’s a five acre piece, the criteria on how they’re going to get water, remains theirs. Linda Moore agrees, but believes there’s significant savings in development costs. Mike Shelton said in terms of those areas that are considered Resource Lands, we end up with that 100 acres of someone growing trees is offset by the fact that person, in exchange for leaving that large tract open, will somehow have some development possibilities on a small portion of that, in exchange for leaving the balance in some kind of open space designation.

Keith Dearborn continued by saying, for the most part, discussion has centered on compatibility questions. Critical Area questions will be discussed later. We’re dealing with Resource Lands now. At this time, we’re looking at measures for compatibility. In this Issue Paper, it clusters around that subject. What compatibility means depends in part on what the vision is for rural character. Keith said the question to be answered today is whether there are ideas here to be thought about when dealing with measures to protect rural character that are not in the issue paper. Or if the ideas are poorly described that they need to be described better. Focus should be on the compatibility side on this paper. Look at those measures that help to define how to manage development activity to insure that it is compatible with "rural character."

Referring to c) (ii), Lines 19 & 20, Page 2, Rufus Rose said it probably does not carry much of an aesthetic component. But many people cannot afford to live in suburbia, so they go to somewhere where it’s less expensive. That is not a popular idea about what rural character is about, according to Rufus. But Anne Pringle said that’s a variety of housing types. Keith Dearborn stressed judgment calls are going to have to be made. But Anne said we have to avoid the gentrification aspect in this design review so that we can allow for a variety of housing types; not all of them are going to be liked by their neighbors, but that is rural and there has to be a place in rural for people to be able to live in buildings that one would not find in suburbia, or not in a RAID, or in a UGA. Linda Moore believes when we talk about visual compatibility, we’re talking about diversity. In a design review process in a rural area, it has the result of creating uniformity which is at odds with the diversity we have in rural. Vince Moore said this is an attribute of a variety of zones of density in a rural area. He agrees there needs to be a place for different things but at the same time, we don’t want to create problems where somebody comes in, buys a nice piece of land and puts in a modest home and somebody moves in next door and starts a pig farm. There are certain uses that belong in certain areas which may be more compatible in lower densities, than in higher densities. The problem is, Mr. Moore said, we have a rural area that is going to range in density from fairly high density to low density.

In the housing affordability issue, Rufus Rose says one gets into not saying to people they can’t make structures out of salvage materials, for example. Then one says one cannot be an owner-builder. Housing is not the connection here. The problem, Rufus said, is professional planners seem to want to have a list of things that are permitted, and everything else isn’t. Rufus would like to say these are the things one can’t do, and everything else one can do. Mr. Rose would like to get away from government control in rural areas as much as possible.
Keith said all these things are components of rural character that the Planning Commission needs to better articulate because if the ideas are blended, then the decision can be made on the measures needed to protect rural character. There is no formal place for discussion of "vision" to occur because it has to occur in virtually every component. Keith said this is the one probably where it has to be confronted most directly.

Anne said the term rural, really no longer fits Island County because it is one of the most densely populated counties in the state. With more and more people living closer together, one cannot extend the same freedoms for rural living that can in an area which truly still is rural, for instance, the Yakima Valley. That has to be balanced because she believes we are not rural but we want to look rural. But in a rural area, if someone built a big beautiful house and someone next door puts in a pig farm, in a truly rural area, Anne’s belief is they would have a perfect right to do that; the person with the big house living in the rural area would have to understand this is rural and rural activities take place in a rural area.

Linda Moore emphasized the need to focus on those things that we can agree on that assure visual compatibility of rural development. She nominates first the Overlay concept; one takes the overlays and there is different criteria in the overlays which allows one to be more site specific. It’s not the same as design review but allows one to do a review through an overlay concept for various things taken into consideration. She believes that could be a measure to protect rural character. Sheilah pointed out that that exists under one of the WACs.

Referring to Street Design, Page 7, Lines 20 – 22, Commissioner McDowell believes cul-de-sacs do more to protect rural character than a lot of interconnecting streets. However, Mr. Vincent said they wanted to get away from cul-de-sacs and having a straight through area. However, to Mac McDowell, rural means less traffic, and cul-de-sacs create less traffic; through streets create more traffic. And Sheilah Crider said one can have greater buffer space and green space when you have a cul-de-sac. Linda Moore agreed with Commissioner McDowell. For the rural character of the area, Mr. Vincent said the idea was not to have clustered homes. These are areas outside of a residential RAID. Mr. Vincent said they tried to portray a rural area with a rural road, driving down a rural road; not drive down to the end of a road and then turn back. Mr. Vincent repeated again, that he wanted to get all ideas down for discussion; it is a concept. Everyone agreed nothing should be thrown out at this time; but discussed in more depth at Tuesday Planning Commission meetings; agreeing to meet longer on Tuesdays, if necessary. Obviously, Planning Commission meetings take top priority. Mr. Dearborn noted that Planning Department committee meetings will have to start later.

Emil King returned to reading the last page of the Issue Paper, the Options which start on Page 8, Line 48. Keith indicated that Donna Keeler is getting information from other counties that have done this kind of work. We can get access to their work and it might be helpful. Donna Keeler distributed for reference a report on King County Quality Rural Environment Project, a final study and report, dated December 1995, which notes some interesting things they have done, in particular, dealing with compatibility and what rural character meant to them.

Commissioner McDowell asked if rural character protects a visual something or is it protecting a lifestyle or a variety of lifestyles. Vince Moore referred to Page 1, Line 20, c) discussing visual aspect. It could be a visual or a developmental concept. Keith pointed out the GMA definition of rural character on Page 1, Lines 14 - 26. It embraces both. The county has to decide on the balance and what is most important. It
The Board of Island County Commissioners met in Special Session on Friday, December 12, 1997, beginning at 9:30 a.m. The meeting agenda included discussions on rural character definitions and the implications for decision making.

Mr. Dearborn indicated the Hearings Boards have said so far when they have struck down clustering, it is because there are not sufficient measures to protect rural character. They are not saying one cannot do clustering. They’re saying the measures outlined are not sufficient. If one looks at the Invalidity Determination, repeatedly, in section after section, that the Board looked at, as written, it didn’t say forever under all circumstances. It just said as written, it doesn’t do that. It’s the measures the county uses, Keith said, that may make the difference, rather than the inherent assumption as to what an appropriate density is.

Commissioner McDowell said in protecting rural lifestyles, many people think that farmland is a rural lifestyle, and to also protect a variety of densities and economic abilities for people, say for instance you have the large farm; you retain the one house per five acre overlay, obviously do the clustering on a small clustered lot is available. Then the rest of the property, rather than strictly being left in open space, leave it as farmland. Let the farmer continue to use the property for that lifestyle. That way we’re protecting that style of use and on the same piece of property, we’re providing a mix of cost of living. Keith said that was the use of the 1984 concept. The objective then was not to convert it to open space but to treat it as a working farm. He said McDowell’s concept could work.

Before moving to public comment, Linda Moore asked about the tax implications of the decision making process? Commissioner Shelton said affordable housing is discussed under GMA but he does not recall reading any GHB decision that noted affordable housing was not addressed. In Mike Shelton’s mind, it seems the focus of Growth Management is not affordable housing but all of these other things; but in relation to tax implications, he believes the Hearings Boards do not care about that. GMA, Commissioner McDowell said, is forcing all commercial, industrial type use into the cities, and the state has spoken they don’t care about the tax implications to the counties.

Clearly, Mike Shelton, said larger counties like King County are suffering the effects today. The Hearings Boards do not even consider it because it’s not in the Act. It may be fairly significant in Island County, but Commissioner Shelton does not see how the issue can be addressed. Tax shifts that will occur as a result of our Comp Plan, we may be concerned about that, Commissioner Shelton said, but the real issue is that we adopt a GMA approvable Comp Plan, not deal with the consequences of that. Linda Moore said if we had a measure of some ability to evaluate the tax impact, perhaps we would make different policy decisions i.e. property tax implications and sales tax revenues and re-evaluations; but perhaps this can be discussed later. Vince Moore pointed out that the Assessor still has to base his assessments on comparable values even after the GMA plan in effect. The tax shift will take place gradually over time, after people adjust to the new plan. This may cause a shift in the county overall but the cost will also shift as well as the benefits.

Page 9, Options: Line 3, in the county code there is an opportunity for review of PRD which hasn’t been done on an on going basis. Commissioner Shaughnessy suggested that the word "experiments" not be used. Donna Keeler said there are already in place some measures to protect and perhaps in the...
The Board of Island County Commissioners met in Special Session on Friday, December 12, 1997, beginning at 9:30 a

development regulations, maybe we need to look at those to see if those things that have worked in the past, are still working. Rufus suggested adding on Line 5, weaker or stronger standards. Maybe some things can be loosened up. Keith said that was an important point; also agreeing to delete the word "experiments" which was something he had actually added. Keith, although not meaning to be critical, did say if the county had with more diligence used the monitoring and evaluation section of the zoning code, probably could have had a much better position to defend the existing code before the Growth Board than they did. When Keith used the term "experiments", many of these ideas were started in 1985, were brand new, meaning Island County was the first one trying them – one of the commitments the Commissioners made was to come back and look at these issues and how they were being implemented and periodically finetuning them better to fit both ways and to a great extent, that has not been done. Keith said it has left us without the ammunition to defend the concepts many are vested in and want to see maintained. He suggested going back to look at examples of what has been approved, what has been good and not so good.

Rufus suggested having for reference the monitoring and evaluation section to think about as we do all these. Keith said it wouldn’t hurt to look back at 17.02 to the monitoring and evaluation section, it covers almost every subject we’re discussing and even lists specific things to be looked at. The point is, he said, is we have a lot to learn about what has happened over the last 14 years. It is appropriate to review and make modifications to a program or make adjustments in order to make it work. Vince Moore reminded under GMA, there is mandatory automatic review now. In the case of the TDR’s that Rufus previously mentioned, say within two years, for instance, to see if there has been any transactions on it, and if not, then need to ask the question why and is there anything one can do to make it work better. If not, then face the reality that maybe it’s not going to work. Keith will recommend in this new code that the monitoring and evaluation function be carried forward. The Growth Board will be hard-pressed to say the county cannot do something, if the county has a carefully thought out program set up and a commitment to monitor what is being done, and see what its effects are. According to Keith, that is as defensible approach on some of the issues that will be otherwise tough for the Board to accept.

However, Commissioner McDowell pointed out that reviews are easy to skip and status quo remains. He suggested having as an action item, sunsets or some action built in to it. That will force the Board or some future Board to act.

Linda Moore made the observation that much of what has been discussed today is that rural character is different on Camano Island, or at the south end or in the central area or other end. She believes in the implementation phase, it require we do an overlay concept and adopt the criteria. We as a county are going to have to bite the bullet relative to the resources we devote to this task so that we can get the result we want. The subjective measure must be found and we have to be able to fund that subjective measure. She said to keep in mind that while trying to deliver to the county the results the citizens have said they want, which is freedom of regulation, the irony of it is that freedom of regulation requires enough resources dedicated to the task so that one can justify the decision making process. She believes that will have to be addressed.

Public Comment:

Reece Causey, Clinton. Ms. Causey called attention to Page 9, Lines 14, 15 d) – No Action – which was not discussed. She believes everyone is operating under the erroneous assumption that we are destroying our rural character, which she does not believe is true. Since 1984, she does not think the people of the
county have been destroying the rural character and believes it odd that now we are in the position of defending it. The Conservation Futures program has not been stressed enough, according to her. The land already set aside should be identified. There is more than 11,000 acres of land in Island County that is Federally owned, which is open space and obviously not available for development. She recommends another Conservation program become available to which people can contribute. That leaves people with some control of their land if they desire to contribute to the program. And it opens it to the free market.

Peter Remington, Clinton. He believes the whole issue is very difficult. Instead of using the phrase "cultural landscape", he suggested calling it a treasured biological unique area or something that reflects that it is there, instead of something that comes and goes like cultures. About the people’s right to look at something, for example, a neighbor built a $300,000 house nearby and put up three mercury vapor lights in his yard and then this same neighbor complained about Mr. Remington’s piles of recycled materials, claiming it was junk laying around and that it was affecting his property value and he wanted to see if there was a law to make him clean it up. There was no law, and eventually the neighbor agreed to pay Peter to clean up the stuff to which he objected. The neighbor believed the lights enhanced the value of his home and the look of the area and thought Peter should be happy about the fact it was increasing property values. However, higher taxes go with higher property values and Mr. Remington does not consider that a valuation. Mr. Remington suggested the neighbor install shading on the lights, have the lights point down to the ground and light the immediate area, but not the entire woods for miles around. The problem that is happening on the Island is that people are bringing in urban values into a rural area.

Heidi Cope, Coupeville. Refer to Page 4, Line 43 – 47. She shared a situation which has occurred since 1991 where a man has come into a one acre property at the end of the road in her neighborhood, started out with one recreational vehicle which he said he was just going to use for camping. The property is rural residential and the camper was really not suppose to be there. The neighbors tried to work things out with him but he said he would just do it occasionally. The criminal element started moving in; there has been no sewage, no water; the groundwater is being contaminated; the situation is still the same. The Health Dept. tried to do something but couldn’t; under the Planning Dept., it went to the Prosecuting Attorney. To this date, it is still on appeal. Now four recreational vehicles are still on the property. The camping turned into living, turned into undesirables, turned into no responsibility to other neighbors. She asked that this point be brought under consideration. Vince Moore agreed it is an enforcement issue, now the courts are involved; the person has appeal rights, the right to hire an attorney. However, the definition of camping could be better defined under current regulations.

Bill Thorn, Camano Island. He believes this is probably one of the most important pieces in the plan and was delighted to see the recommendations in the back. However, there is no vision statement yet and encourages everyone to address that subject. He said they are addressing it in the Coalition and hope to come forward with some suggestions in this area. He believes it is very important to define what constitutes rural character in the county in keeping with the amendments to the Act on Page 1. He pointed out an error in section between lines 18 – 26 on Page 2, Line 20, where it states .170 - it should be .070. Page 3 at bottom, he suggests looking very hard at how and even if public access is required to define a public benefit for a particular improvement or reservation of a piece of land for open space. He confirmed he speaks against requiring public access. Regarding cluster, he believes cluster size should be addressed; there should be a limit on what is termed a cluster. He believes a number of four or five would constitute a cluster. Anything bigger than that would get into a mini-subdivision. Also clustering should include the concept of co-housing which is not common here but is common elsewhere. For low income, it could be a means to affordable housing. It could supplement the other concepts of affordable housing, an option, not a requirement. On buffering, he suggests looking at the distance between clusters, typically 750 feet between clusters is a minimum requirement. On street design, Mr. Thorn likes the use of "round-about" as opposed to stop signs; they facilitate traffic. He would like to see this concept worked into the plan, believing they’re definitely rural. Also Mr. Thorn has seen remarkable houses constructed out of hay bales. He would like to see untraditional materials be allowed in whatever development rights are written. He believes it would be good
The Board of Island County Commissioners met in Special Session on Friday, December 12, 1997, beginning at 9:30 a.m. to have this in the code for those people who want to live by this lifestyle. With regards to lighting, there should be shading requirements. Security lights need to be shielded. Last comment is on Page 9, and Mr. Thorn recommends doing a, b and c. He stated he represents his own views and is not speaking for the Coalition.

Don Jewett, South Whidbey. Mr. Jewett appreciates that everything is in the Issue Paper for discussion, and appreciates what Mr. Vincent has done. He called attention to the fact the Planning Commission has voted twice to not have TDRs. Vince Moore said what the Planning Commission voted to do was not adopt the new TDR program but they said nothing about the old TDR program. It is still on the books and in effect in a number of ways. Mr. Jewett mentioned it didn’t work then and it doesn’t work now and he hopes the Planning Commission will make a recommendation to remove it. He recalled the 24 month review never worked.

Terry LeDesky, Architect, Oak Harbor. Mr. LeDesky shared the following principles when looking at rural character. Cities grow at the same pace as the rural character does. At a recent meeting he attended, one planner mentioned that in the year 2020, the whole country will be more urban than rural. Terry believes the character of what we have thought of in the past as rural will change; densities will be greater. He believes it’s to our benefit to zone at higher density where we can in the rural areas; the one common threat is the sprawl element that is creeping all over. Diversity of economic zoning and options is very important and he thinks we need to create a sacred zone for our scenic and rural vistas. Zoning in a sense is design review, setting a standard. He also believes we have designed too much for the car already. In the planning phase, one must look at traffic connections and linkages. A network of roads will give us relief from the main artery. It is rural in character to have a network of roads rather than just the cul-de-sac. It’s a matter of scale but in a rural setting, Mr. LeDesky believes a network is a more successful pattern.

In regards to design review, the lighting element needs to be considered. Lighting for security, and otherwise, needs to be screened, downward; keep rural character of darkness rather than glitter. Signage must be considered as rural character is perceived going down the highway. What are signage standards? Tax laws need to be redesigned with GMA so that the burden isn’t given to that person with the less expensive property when the larger property, or larger investment, gets built next to it. Terry believes it needs to be addressed as part of the design solution. With regional development and more and more people coming from Seattle, they have the money to invest and live in the southern part of the island or Camano; there will be more and more people who have the desire and money to be able to have the luxury to own a third home, second homes. Because of sprawl and development of time, we have redefined those elements and there have been conflicts that have grown over time. Lastly, since we’ve designed for the car and the island is linear, and we have pockets of development i.e. from Clinton, Langley, Greenbank, Mr. LeDesky encourages the concept of pocket communities with a main artery; with a great free bus system here, people need to be encouraged to look at that; so they can walk, live, work and die in the same "pocket" instead of having to get in the car to go across the street to buy a loaf of bread. Set up principles of not having large mono zones but more mixed zone pockets.

Bill Smith, Farmer, Coupeville. Mr. Smith stated he has made a living from farming most of his life in Coupeville and he can attest that it is a great way to turn a large fortune into a small fortune. In order to preserve the rural character, he believes strongly in the need to preserve the people that are on the land and trying to make a living on the land. He said he doesn’t know if there is anybody smart enough in the whole world to figure out how to do that. He urged the group not to do anything to make it more difficult for farmers to make a living on their property.

At conclusion of the public input portion of the meeting, Donna Keeler drew attention to newspaper articles and photos of some of the barns of Whidbey, posted on the bulletin board, which represent some of our rural character. Also there are pictures taken by Kris Morrison of what he perceived is rural character i.e. Greenbank Farm, the church by Morris Road, some things to keep in mind when thinking about rural character.

At 12:10 p.m., Chairman Shelton stated the special session was concluded; and that as a part of the meeting, an Executive Session was advertised to begin immediately upon adjournment of Special Session, for the Board of County Commissioners to meet with the Island County Planning Director, as well as the Public Works Director and with legal counsel, Keith Dearborn, to discuss potential or pending litigation, as allowed under R.C.W. 42.30.110(1) (I). No public announcement or decision expected.

Documents for recording:
The Board of Island County Commissioners met in Special Session on Friday, December 12, 1997, beginning at 9:30 a.m.

- Issue Paper – Workshop Draft "Measures to Protect Rural Character";
- Memorandum from Alison Moss to Keith W. Dearborn dated December 10, 1997, "OFM Forecasts and Vacant Rural Lands";
- "Preserving Rural Character", a Report by Fred Heyer;
- "Urban services and rural lifestyle: What’s a government to do?", by County Commissioner Judie Hammerstad, Clackamas County, Oregon, Nov/Dec 1997;
- Commentary by Tom Roehl on the proposed "Measure to Protect Rural Character" dated December 11, 1997;
- "King County Quality Rural Environment Project" Final Report, December 1995.

The next workshop is scheduled to begin at 9:30 a.m., December 19, 1997, Courthouse Annex Basement Hearing Room I, to discuss Undeveloped Shorelines – Rural Density/Clustering.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

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Mike Shelton, Chairman

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Wm. L. McDowell, Member

Attest: Tom Shaughnessy, Member

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Margaret Rosenkranz, Clerk of the Board