ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING

REGULAR SESSION - JUNE 1, 1998

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on June 1, 1998, at 9:30 a.m., in the Island County Courthouse Annex, Hearing Room, Coupeville, Wa. Wm. L. McDowell, Chairman, Tom Shaughnessy, Member, and Mike Shelton, Member, were present. Also in attendance were Margaret Rosenkranz, Clerk of the Board, and Ellen Meyer, Administrative Assistant to the Board.

By unanimous motion, the Board approved the following minutes of previous meetings:

March 20 Special Session April 6 Regular Session

April 6 Special Session April 13 Regular Session

April 20 Regular Session April 27 Regular Session

April 28 Special Session May 4 Regular Session

VOUCHERS AND PAYMENT OF BILLS

The Board approved May's payroll, along with the following vouchers/warrants were approved for payment by unanimous motion of the Board:

Voucher (War.) No. 27062 – 27430..... $544,708.41.

Hiring Requests & Personnel Actions

Dick Toft, Human Resources Director, presented five personnel actions for the Board's consideration.

GSA Department

PAA #039/98 Risk Mgt. Adm. Asst. Position 1508, Replacement – allow recruitment of individual to fill this position, effective date PAA 6/1/98

PAA #040/98 Bd. of Equal. Clerk/Secy. Position 1507, Personnel Action [the individual who for 90 days filled position 1508 goes back in this position] PAA effective date 6/1/98

By unanimous motion, the Board approved PAAs #039/98 and 040/98 effective 6/1/98.

Health Department

PAA 041/98 Env. Health Asst. Position 2419, Replacement, based on letter of resignation received effective 7/31/98. Health Department asks for two-week overlap in replacement, starting on July 20. Maximum worst case medical cost determined to be equal to $1200 and should that come about, the Health Department has agreed to make up that cost on the next Health Department hire.

Tim McDonald, Health Services Director, reported from information received just this morning

that the incumbent will be leaving before July 31st, probably between June 20 to June 30, and he asked permission to hire as soon as possible which will be at least two weeks. Mr. McDonald committed to the Board that he would not overspend the budget and would not try to create a new position here.

PAA 042/98 Environmental Health [student] Intern, a temporary position for 10 weeks, with the PAA proposed effective date 6/1/98. Mr. McDonald verified that the total amount for this position for the full ten week period is

$1500.

By unanimous motion, the Board approved PAA 041/98 effective 6/1/98, and PAA 042/98 for temporary environmental health intern position with the understanding that the total cost is $1500 for the ten week period, the PAA effective date today.

Planning Department

PAA 043/98 Senior Planner – Temp. – increase in hours, PAA effective date 6/1/98. As discussed at the last staff session with the Board, the Planning Department requested an extension of the Senior Planner temp position for a period of three months.

By unanimous motion, the Board approved PAA 043/98 effective 6/1/98.

APPOINTMENTS NAMED TO BOARD OF EQUALIZATION

AND CIVIL SERVICE COMMISSION

On unanimous motion, the Board made the following appointments to serve on the Board of Equalization and Civil Service Commission:

Civil Service Commission: Patricia Ann Sandberg, Camano Island, term to Feb. 2, 2000

Board of Equalization: Dick Horgan, Freeland, term to May 31, 2001.

Claim for Damages R98-08CD, Spencer

Betty Kemp, Director, General Services Administration/Risk Management, presented the matter of Claim for Damages R98-07CD by Dennis and Viana Spencer, and summarized from her May 27, 1998 memo to the Board. The Claim describes an accident that occurred on 10/3/97 on State Route 525 and Maxwelton Road and involved a South Whidbey School district Bus at the intersection. The claim is in excess of ten million dollars and the Risk Pool was notified immediately. Claimants have filed claims against South Whidbey School District and the State of Washington. Ms. Kemp recommended the claim be denied at this time.

The Board, by unanimous motion, denied Claim for Damages R98-08CD.

Claim for Damages R98-07CD, MITCHELL

Ms. Kemp presented recommendation on Claim for Damages R98-07CD by Mike Mitchell, again summarizing from her May 27, 1998 memo to the Board. The Claim was filed on March 31, 1998, and there has been communication between the Claimant and the Public Works Department since 1994 about this matter. Risk Management and Public Works continue to communicate with Mr. Mitchell through the County's Washington Counties Risk Pool representative and the attorney retained by the Risk Pool. At this time, Ms. Kemp recommended that the Board deny the claim at the county level and advise Mr. Mitchell that the County's liability insurer will proceed with further review.

By unanimous motion, the Board denied the claim.

Puget Sound Energy – Greenbank Farm Property Easement

The next item brought forward by Ms. Kemp was a Greenbank Farm Property Easement to Puget Sound Energy. The Port of Coupeville owns the parcel, and the County is the title holder. She verified that the Easement had been reviewed and approved by the Deputy Prosecuting Attorney and Attorney and Risk Manager.

Board Action: No action taken at this time; to come back before the Board next week. The Board had no objection to granting the easement but inasmuch as the Port of Coupeville owns the property, the Board wants to see something in writing from the Port, either granting the easement or a letter requesting the Board of County Commissioners take this action.

Public Input or Comments.

Linda Barley, Director, Oak Harbor Chamber of Commerce, came to say introduce herself and meet the Commissioners to understand how the meetings run and how it is that the Chamber may be of service. She also represented the Island County Chamber Coalition, a group of all six chambers in Island County that come together on a monthly basis to share what is going on Island wide, particularly focused around tourism and issues related to the business community. The group will try to have a representative attend County Commissioner meetings to hear what concerns there may be related to those two areas.

DISCUSSION: PUBLIC Disturbance Noise Control ORDINANCE

The Board received a proposed public disturbance noise control ordinance, a revision of formerly proposed Ordinance #C-36-98 which the board considered at a public hearing on May 4, 1998, and took no action upon.

Separately, the Board and Sheriff received a memorandum from William H. Hawkins, Prosecuting Attorney, providing policy input as the head of a department which would be impacted by adoption of the proposed ordinance. Proposed section 9.60.030(A)(4) prohibiting a single incident of "shouting, hooting, whistling or singing, between the hours of 10 p.m. and 7 a.m." while at the same time 9.60.030(A) requires proof of a "public disturbance which unreasonably disturbs or interferes with the peace, comfort and repose of property owners or possessors."

(A)(5) prohibits only frequent repetitive or continuous audio, band, or party-type noises audible greater than 50’ from the source. Without any further restricting language, (A)(4) appears overly broad on its face, and more consistent with the basic thrust of the ordinance would be to limit (A) (4) to the creation of frequent, repetitive or continuous sounds of yelling, shouting, hooting, whistling or singing between the hours of 10 p.m. and 7 a.m. A second concern was whether the proposed ordinance tasks the Prosecutor’s Office with prosecuting violations since the ordinance is silent on that issue.

Chairman McDowell thought the Prosecutor brought up some good points for consideration, and further noted that the memo, received May 28, 1998, needs to be reviewed and answered by the Sheriff as well. As to Section (A) (6) and (7), talking about sounds audible greater than 50’ from the source, the Chair did some testing on his own and found:

- just a fan in the hood over the oven with the kitchen window open could be heard a distance of 150’; therefore to say that sounds audible greater than 50’ from the source is the wrong distance or criteria;
- from the perspective of an adult age 50+music thought to be just on the verge of being too loud, could be heard at 260’.

Commissioner Shelton agreed with the need to review that section relating to "audible greater than 50’ from the source". When he read that he was impressed at how small the distance was because that could take in the distance of a radio at one end of the house being heard at the other end, at a normal volume.

Commissioner Shaughnessy’s thought was that, however, would have to be based on "public disturbance which unreasonably disturbs or interferes with the peace, comfort and repose of property owners or possessors". And Commissioner Shelton agreed that just because someone can hear a particular sound or music did not necessarily mean it would fall under the noise ordinance, but would have to unreasonable or interfering.

The Board took no action at this time to schedule a public hearing which had been proposed for June 22, 1998 at 6:00 p.m. , the delay in scheduling being for the purpose of reviewing those items brought out in Mr. Hawkins memorandum. In terms of scheduling this matter for public hearing, the Board committed to reviewing the ordinance this week and bringing it back up on next week’s agenda for scheduling.

PUBLIC WORKS DEPARTMENT - SUPPLEMENTAL AGREEMENTS

Larry Kwarsick, Public Works Director, Roy L. Allen, County Engineer, and Dick Snyder, Construction Engineer, presented for the Board's approval public works supplemental agreements to existing contracts as follows:

> Supplemental Agreement #1 amending Agreement #PW-962025, Materials Testing & Consulting, Inc. (MTC), for on-call materials/compaction testing, a total contract amount being increased from $15,000 to $30,000, and time period extended an additional 12 months
>
> Supplemental Agreement #1 amending Agreement #PW-962029, Geo/Test Services, Inc., for on-call materials/compaction testing, for a total contract amount being increased from $30,000 to $50,000, and time period extended an additional 12 months.

By unanimous motion, the Board approved both supplemental agreements as presented.

ADOPT-A-ROAD LITTER CONTROL AGREEMENT

As presented and recommended by Public Works staff, the Board by unanimous motion, approved and signed Adopt-A-Road Litter Control Agreement with Langley United Methodist Church, for Bayview Road from the Grange Hall to Coles Road.

South Whidbey Family RESOURCE Center: Approve/sign Contract ;

Accept Performance Bond per bid award; INITIATE PROJECT

Per award of bid made to J and L Builders, Langley, for the construction of the South Whidbey Family Resource Center in the amount of $361,735.00, the Board by unanimous motion signed the contract and accepted the performance bond from that company. Further, as presented by Gary Hess, Public works Engineer, the Board initiated Public Works Project #PWP-1-98 under Resolution #C-67-98 [R-28-98] for a total budget appropriation of $550,000.00, noting $50,000.00 to be paid from Fund #308, Construction & Acquisition.

HEARING HELD: Resolution #C-57-98 (PLG-010-98)

Building Permit and Valuation Fees

A Public Hearing was held at 10:45 a.m., as scheduled and advertised, for the purpose of considering Resolution #C57-98 [PLG-010-98) In the Matter of Amending in the matter of amending Building Permit Fees and the Building Permit Valuation Schedule. The 1994 Uniform Building Code included an increase of 40% for building permit fees, but the Board of Island County Commissioners opted to allow only a 5% increase, proposed to be effective June 1, 1998.

Bob McCaughan, Building Official, presented the proposed ordinance, which he stated represented an approximate 5% increase in fees. Valuation fees are being raised to be more reflective with the Valuation Schedule included in the County Code referring to ICO Valuation Schedule. Valuation fees were last changed on February 1, 1995. The lowest fee has not changed at all [i.e. for a $500 permit is $18.00 and $11.00].

PUBLIC COMMENTS

No comments were made by members of the public, either for or against the proposed fee increase.

The Chairman proposed the effective date be June 2nd as opposed to today.

BOARD ACTION

By unanimous motion, the Board approved Resolution #C-57-98 [PLG-010-98] amending the effective date from June 1, 1998 to June 2, 1998.

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF AMENDING BUILDING PERMIT FEES AND THE BUILDING PERMIT VALUATION SCHEDULE	)) RESOLUTION C-57-98) PLG-010-98)

WHEREAS, the State Building Code Council (SBCC) adopted the 1994 Uniform Building Code in July of 1995; and

WHEREAS, the 1994 Uniform Building Code included an increase of 40 percent for building permit fees; and

WHEREAS, the Board of Island County Commissioners was not of the opinion that a 40 percent increase in fees was necessary or appropriate nor did they concur that an increase should be as sudden as proposed by the Uniform Building Code; and

WHEREAS, the Board resolved by PLG-063-93, PLG-029-94, PLG-045-95 and PLG-037-96 to increase fees 5 percent; and

WHEREAS, the Board now intends to add an additional 5% percent as shown on the attached fee schedule, Exhibit "A", dated and effective as of June 2, 1998, and

WHEREAS, the Board of Island County Commissioners also desires to continue the promotion of affordable housing for median income households as represented by a reduction in fees shown in Exhibit "B"; and

WHEREAS, the building valuation schedule has not been adjusted since February 1, 1995, by PLG-037-94, the Board also intends to adopt the schedule attached as Exhibit "C", **NOW, THEREFORE,**

IT IS HEREBY RESOLVED by the Board of Island County Commissioners that the building permit fees be amended as attached hereto in Exhibit "A", the fee reductions be continued as shown in Exhibit "B", and the valuation schedule be adopted as attached hereto in Exhibit "C" all to be effective on June 2, 1998.

REVIEWED this 11th day of May, 1998, and set for Public Hearing on the 1st day of June, 1998, at 10:45 A.M.

BOARD OF COUNTY COMMISSIONERS OF

ISLAND COUNTY, WASHINGTON

Wm. L. McDowell, Chairman

Tom Shaughnessy, Commissioner

Mike Shelton, Commissioner

ATTEST: Margaret Rosenkranz

Clerk of the Board

APPROVED AND ADOPTED this 1st day of June, 1998.

BOARD OF COUNTY COMMISSIONERS OF

ISLAND COUNTY, WASHINGTON

Wm. L. McDowell, Chairman

Tom Shaughnessy, Commissioner

Mike Shelton, Commissioner

ATTEST: Margaret Rosenkranz

Clerk of the Board

Insert Exhibit "A"

Building Permit Fees

Effective June 2, 1998

EXHIBIT "B"

BUILDING PERMIT VALUATION SCHEDULE EFFECTIVE DATE: June 1, 1998

DWELLING - "AVG CONSTRUCTION" $54.00 SF

DWELLING - "GOOD CONSTRUCTION" $74.00 SF

MODULAR DWELLING $47.00 SF with foundation plan check fee

MOVED DWELLING $37.00 SF with foundation plan check fee

ADDITIONS $53.00 SF

SUNROOMS $45.00 SF

BASEMENTS:

- SEMI-FINISHED (insulated) $23.00 SF
- FINISHED $54.00 SF
- CONCRETE (crawl space) $11.00 LF

CARPORTS $14.00 SF

GARAGE & BARN $19.00 SF

POLE BARN $11.00 SF

DECKS $12.00 SF

- Covered decks $16.00 SF

FENCES: 6 - 7 ft. high $11.00 LF

7 ft. and over (per bid)

SWIMMING POOLS $26.00 SF

BULKHEADS:

- Concrete to 4 ft. $60.00 LF
- Concrete over 4 ft. $90.00 LF
- Wood $30.00 LF

WATER STORAGE TANKS $ 0.60 / Gallon

MOBILE HOMES PERMIT FEES

- Mobile Homes in Parks $150.00
- Single-wide / private $200.00
- Double-Triple / private $300.00

OWNER BUILDER PERMIT FEES

- SFR / ADDITION / REMODEL $500.00
- ALTERNATIVE / GROUP M $100.00

  (storage structures)

NOTES:

- Other inspections and fees are determined by Section 107 of the current edition of the Uniform Building Code as adopted by the State of Washington and Island County.
- The building valuation, for purposes of determining permit fees, is taken from the building valuation data published by the International Conference of Building Standards every four months, using the regional modifiers for Washington State. Plan review fees will be added to all applicable structures at the rate of 65% of the building permit fee.
- THERE IS A $4.50 STATE BUILDING CODE FEE CHARGED TO ALL BUILDING PERMITS.

EXHIBIT "C"

SUBJECT: REDUCTION OF BUILDING PERMIT FEES TO PROMOTE AFFORDABLE HOUSING

REDUCTIONS FOR SIZE OF DWELLING (Not including garage):

For 900 sq. ft. to 1,050 sq. ft. = $100.00

For 800 sq. ft. to 900 sq. ft. = $200.00

For 700 sq. ft. to 800 sq. ft. = $250.00

For less than 700 sq. ft. = $300.00

REDUCTION FOR NO GARAGE OR CARPORT = $200.00

REDUCTION FOR A ONE CAR GARAGE OR CARPORT = $100.00

REDUCTION FOR HAVING ONLY ONE BATHROOM = $200.00

- Reductions will be applied to the sum of the building, plan check, plumbing and mechanical permit fees. No permit would have these fees reduced to less than $200.00.
- These reductions would only be applied to houses built on property with an assessed value of $50,000 or less.

HEARING HELD: Ordinance #C-56-98 Amended

Interim 9-1-1 Addressing Policy

A Public Hearing was held at 11:00 a.m., as scheduled and advertised, for the purpose of considering proposed Ordinance #C-56-98, In the Matter of Amendment of Island County Interim 9-1-1 Addressing Policy. The Ordinance proposes to amend existing Island County Code, Chapter 14.04A and specifies which public roads should not be named, clarifies the responsibilities of the Addressing Board, and revises the road name appeal process to include an appeal to the Board of County Commissioners. A public hearing was held on April 27, 1998, to consider proposed Ordinance #C-39-98, but the Board took not action at that time, directing instead that changes discussed at that time be made and a new ordinance introduced for public hearing this date and time.

Rich Murphy, representing I-COM, and Kelly Whitney, Island County Planning Department, reviewed the sections containing proposed changes since the last submittal on April 27th, reviewed at Staff Session on May 6th:

14.04A.070 - Approval of Private Road Names

A. When a private road has to be named or renamed, the assessed property owners on that road shall be requested by the Island County Planning and Community Development Department or its authorized agent in writing, by mail, to select a road name subject to the above criteria. If a majority of the property owners on a road do not make a recommendation within 45 days, or if the recommendation duplicates or substantially duplicates the name of a road already in use or previously recommended, the ~~Addressing Committee~~ Island County Planning and Community Development Department or its authorized agent will make a name selection.

B. Building permits for parcels accessed from unnamed easements that meet the criteria for naming shall

be issued temporary addresses based on the easement's intersection with the closest named road until the easement can be named.

.04A.020 - Definitions

A. Addressing Board - A board known as the "Addressing Board" is hereby established consisting of five members appointed by the Board of Island County Commissioners with the purpose of assisting I-COM and county staff in assigning road names and hearing appeals of address assignment and private road name determinations. This board is intended to exist during the assignment of addresses and the renaming of roads performed in conjunction with the implementation of the enhanced 9-1-1 system. The Addressing Board shall consist of one member each from law enforcement, fire protection, Department of Planning and Community Development, and one citizen each from Whidbey and Camano Islands.

B. I-COM - Island County Emergency Services Communications Center.

C. Named Road - Any private or public road that bears a name officially recognized by the County.

D. Post or Posting - The visible display of address information.

E. Private Road - Any road, drive, trail or easement not owned and/or maintained by a public agency that provides access to more than one parcel of land.

F. Quadrant Base Lines - The north-south and east-west axes that divide each island into four sections (quadrants).

14.04A.030 - Naming of Public Roads

All public roads that serve to connect two or more other named roads or provide primary access to private properties or as deemed necessary by the Addressing Board shall be named. The following public roads do not require naming:

A. Roads which only serve as access to publicly owned facilities such as parks, parking lots, boat ramps, maintenance shops, etc.

B. A wide portion of a road within the right-of-way of the main road which does not physically form an intersection with the main road. A driveway joining the main road is not considered an intersection.

14.04A.040 - Naming of Private Roads

A. All private roads providing access to ~~five or more detached dwelling units or~~ five or more parcels of land shall be named.

B. Property owners may opt to have private roads serving two or more properties named.

14.04A.050 - Road Naming Criteria

The following criteria shall guide the selection of both public and private road names:

A. No two roads on Camano Island shall have the same or substantially similar sounding name . No two roads within a 19 mile radius of each other on Whidbey Island shall have the same or substantially similar sounding name.

The following examples are considered the same or substantially similar sounding: Elk Rd. & Elk Dr.; Noon Rd. & Boon Rd.; Almo Dr. & Malmo Ct.

B. Road names shall be assigned on a first-come, first-served basis.

C. Road names shall be no longer than 16 characters including spaces.

D. Road names shall not contain a compass direction ("East", "West", "North", or "South") unless existing prior to the adoption of this policy and approved by the Addressing Board.

E. Road names shall consist of no more than two words excluding road classification description.

F. Road names shall be easily pronounced and easily spelled.

G. Road names shall not consist of numbers or a single letter.

H. All roads that do not dead end or terminate in a cul-de-sac shall have the road classification of Road, Avenue, Drive, Street, Parkway or Boulevard.

I. All roads that dead end or terminate in a cul-de-sac shall have the road classification of Lane, Court, Way, Terrace or Place.

J. All roads that return to their point of origin shall have the road classification of Circle.

K. A road that begins and ends at two different locations along another road shall have the road classification of Loop. (See diagram 1)

L. When two differently named roads connect at a point other than at an intersection, there shall be a definite point defined and signed where one ends and the other begins.

M. Two roads that are interrupted by terrain or by existing development patterns shall bear different names when eventual connection is not likely.

14.04A.060 - Renaming Existing Private Roads

Existing private roads with names consisting of numbers shall be reassigned names composed of alphabetical characters.

14.04A.070 - Approval of Private Road Names

A. When a private road has to be named or renamed, the assessed property owners on that road shall be requested by the Island County Planning and Community Development Department or its authorized agent in writing, by mail, to select a road name subject to the above criteria. If a majority of the property owners on a road do not make a recommendation within 45 days, or if the recommendation duplicates or substantially duplicates the name of a road already in use or previously recommended, the ~~Addressing Committee~~ Island County Planning and Community Development Department or its authorized agent will make a name selection.

B. Building permits for parcels accessed from unnamed easements that meet the criteria for naming shall be issued temporary addresses based on the easement's intersection with the closest named road until the easement can be named.

~~**B.** The Addressing Board shall approve all road name changes for private roads from a list of names proposed by the Department of Planning and Community Development, or its authorized agent, or by owners of property gaining access from roads subject to naming.~~

14.04A.080 - Notification of Road Name Selection

The Department of Planning and Community Development or its authorized agent shall notify affected property owners in writing, by mail, of their new road name and new address, if applicable. The County or its authorized agent shall also notify the United States Postal Service, serving utility companies and emergency service agencies.

14.04A.090 - Posting Road Names

A. It shall be the duty of the County Engineer to sign and identify all existing public intersections by the erection and maintenance of adequate signs and posts.

B. Property owners using private roads to access their properties shall be responsible for the posting and maintenance of private road name signs in locations visible at the private road's intersection(s) with adjoining public or private roads. The County may offer to post private road signs, for a fee, if the private road intersects a public road. Property owners shall post private road names within 30 days of mailing of written notice to the property owners.

C. All street signs and signing shall meet or exceed standards set by Island County.

14.04A.100 - Address System

The County shall be divided into two numbering areas, consisting of Whidbey Island and Camano Island, each divided into quadrants. The Whidbey Island quadrants shall be divided north and south along the north line of Township 31 North, and east and west along the division line between Range 1 East and Range 2 East. ~~(See diagram 5)~~ The Camano Island quadrants shall be divided north and south by the north line of Township 31 North and east and west along the east line of Range 2 East. (See diagram 5)

14.04A.110 - House Numbering System

A. Address numbers on County roads and private roads shall increase with distance from "00" at the quadrant base lines at the rate of 400 numbers per mile. Addresses shall coincide with the addressing grid except as specified in subsections B. and E. below. Even numbers shall be on the right hand side of the road, facing the direction in which the numbers progress. (See diagram 3)

B. In the case of a meandering road or where a road changes course, addresses shall be based on the road's predominant direction and shall be continuous regardless of the road's course. Addresses shall coincide with the addressing grid at the end of the road nearest to the addressing baseline and increase at the rate of 400 numbers per road mile.

C. A road's predominant direction shall be determined by the angle formed by a straight line drawn from the end of the road that is closest to the quadrant base line to its extreme other end. Angles less than or equal to 45 degrees from the horizontal shall be considered East-West. Angles greater than 45 degrees from horizontal shall be considered North-South. (See diagram 2)

D. Addresses for roads that cross a quadrant base line shall incorporate a single directional character following the address number (E, W, N or S example: 2001 E Nevell Rd.) indicating on which side of the quadrant base line that segment of the road lies. The road shall be addressed with respect to this direction and not the road's predominant direction. (See diagram 3)

E. Addresses on State Highway 20 and State Highway 525 shall be assigned according to the State's milepost system with intervals of 1,000 numbers per road mile.

14.04A.120 - Address Assignment

A. The Department of Planning and Community Development, or its authorized agent, shall assign or reassign addresses to existing development to comprehensively implement the County's addressing system.

B. The Department of Planning and Community Development shall assign addresses to new development at the time of building permit issuance and prior to plat map recording in accordance with the adopted addressing system and applicable State law.

C. Temporary addresses for new construction on unnamed private roads shall be issued where necessary in accordance with 14.04A.070.

D. Addresses shall be assigned according to the location of the driveway's intersection on the named road. An address may be assigned on the basis of a building's main entrance if that entrance is clearly visible from the named road and provides the most direct access to the main entrance of the building provided ~~the applicant/owner provides additional~~ that sufficient information is provided for an adequate determination. (See diagram 4)

E. Addresses for circular roads shall be assigned in a counter-clockwise direction with even numbers on the right ride of the road.

F. Loop roads shall be addressed in a clockwise or counter-clockwise direction based on their predominant direction in relation to the addressing grid. Even numbers shall be on the right hand side of the road, facing the direction in which the numbers progress. (See diagram 1)

G. Where one side of a road is in a city and addressed according to the city plan and the other side is in the county, or where small city and county segments alternate back and forth along a section of road, the County may decide to address those sections of the road adjacent to the city consistent with the city plan to avoid confusion.

H. Only one address shall be assigned per parcel except as specified in subsection K below.

I. A single parcel developed with multiple habitable buildings shall conform to the following:

1. Mobile home parks and similar establishments shall designate each unit or space with a number in the address (i.e. No. 1, Space 1, etc.) unless the owner elects to name the roads and address each unit or space as individual parcels.

2. All other types of development sharing a single parcel, such as multiple single family residences, apartments, duplexes, condominiums, office complexes, schools, hospital campuses and commercial shopping centers, shall designate each building with a letter following the address (i.e. 4002 Main St. Bldg. A). Building letter designations shall progress from left to right and/or nearest to farthest as the buildings are viewed from the named road or in a counter-clockwise order for loop configurations or as deemed appropriate by the addressing authority.

J. Multi-unit buildings shall have a number designation for each unit.

1. Numbering for each single level buildings shall start with 1 and proceed to the total number of units in the building. Numbering for each multi-level buildings shall be assigned three digit numbers (or four in buildings with 10 or more floors) to each unit where the left most digit(s) reflects the level of the unit (i.e. the first unit on the third floor shall be 301).

2. The unit number shall be appended to the building letter where multiple buildings exist. Example: A12, Apt. A12, Suite A12, etc.

3. Unit number designation shall progress from left to right as the building is viewed from the front side of the building. "Front side" is defined as the side from which the primary access (front door) to the units are located.

K. Multiple addresses shall be assigned to one parcel only if separate habitable structures have different primary accesses to a named road. All buildings sharing an access shall have the same address.

L. Parcels that are primarily accessed by pedestrian paths or sidewalks and are not accessible to land based emergency response vehicles shall be assigned addresses relative to the pedestrian access as if the

pedestrian access were a road. The pedestrian access shall be named in accordance with 14.04A.050 - Road Naming Criteria except that the classification shall be "Walk".

14.04A.130 - Address Posting

Within 30 days of mailing of written notice from the County or its authorized agent, the property owner shall post the address in a manner that can be read from the public or private road accessing the addressed property and provide adequate identification of the addressed property in accordance with the following:

A. Addresses shall be posted on the addressed building, with one-half inch (1/2") channel numerals at least five inches (5") in height, in colors contrasting with the background in such manner and location as to be clearly visible from the road.

B. In instances where the main building's posted address is not clearly visible from the road, house numbers shall be visibly posted at one location at a height between four feet (4') and eight feet (8') from road level and anywhere within an arc of 30 feet from the point of intersection of the driveway with the named road, with numerals at least three inches (3") high on a contrasting background and visible when traveling in either direction.

C. Multiple building complexes (i.e. apartment complexes, mobile home parks, etc.) where the primary entrance to all addressed buildings or units are not clearly visible from the street, shall display a map directory of the complex drawn to a minimum scale of 1" = 20' and no smaller than 2 ft. X 2 ft. in overall size at each entrance to the complex.

D. Addresses shall be posted prior to final inspection for structures that require an address.

14.04A.140 - Appeals

A. Affected property owners may appeal private road names or assigned addresses to the Addressing Board within 21 days of the date that written notice is sent to the property owner. To be timely, the written notice of appeal must be received within the 21 day time limit.

B. A decision of the Addressing Board may be appealed to the Board of County Commissioners within 21 days of the date that written notice of the decision of the Addressing Board is sent to the property owner. To be timely, the written notice of appeal must be received within the 21 day time limit.

~~**B.**~~ **C.** Affected property owners may request a special hearing by the Board of County Commissioners to review a public road name within 21 days of its approval by the Board of County Commissioners. To be timely, the written notice of request for a special hearing must be received within the 21 day time limit.

14.04A.150 - Penalties

Any individual, firm or corporation refusing or failing to comply with the terms of ICC 14.04A.090(B) and/or ICC 14.04A.130 may be subject to a civil penalty not to exceed the amount of one-hundred dollars ($100.00). The Director of Planning & Community Development or his designee is the enforcement officer and violations shall be processed in the Island County District Court in accordance with chapter 7.80 RCW and applicable court rules.

HEARING HELD: Ordinance #C-50-98 (PLG-008-98) Amended Interim Application Procedures affecting Chapter 17.20

A Public Hearing was held at 11:15 a.m., as scheduled and advertised, for the purpose of considering Ordinance #C-50-98 (a/k/a #PLG-008-98) Amended Interim Application Procedures affecting Chapter 17.20, rescheduled from May 18, 1998, the language to be amended to comply with the April 10, 1996 and October 6, 1997 Orders of Invalidity of the Western Washington Growth Management Hearings Board and the Memorandum Decision of Judge Alan R. Hancock issued on April 17, 1998.

In addition to the three members of the Board, County Staff and Consultant, others in attendance at this hearing included:

Linda Barley, Director, Oak Harbor Chamber of Commerce

Steve Erickson, WEAN, Langley

Mary K. Doody, Coupeville Examiner

Rufus Rose, Planning Commission Member

Reece Causey, Clinton

Gordon H. Koetje, South Whidbey

Keith Dearborn, the Board's GMA legal consultant, recalled that the Board introduced on April 27, 1998, an ordinance amending the Interim Application Procedures to conform with the Memorandum Decision of Judge Hancock. The County appealed the Growth Board decision and Judge Hancock entered a Memorandum Decision in mid-April. The hearing was set for May 18th but due to an error in required advertising, the hearing was rescheduled and advertised for this date and time.

After preparation of Ordinance #C-50-98, but prior to today, an Order was entered in the appeal. Mr. Dearborn recommended that Ordinance #C-50-98, the Interim Ordinance proposed on April 27, 1998, be modified to conform to the Judge's Order. Using an overhead projector, Mr. Dearborn described and explained each of the proposed changes:

- An additional "WHEREAS" sentence added to the Ordinance referencing the Judge's order and include the order verbatim as an attachment to the ordinance [Exhibit B; whereas Exhibit B now is the amendment to the procedures, and it is recommended the procedures be labeled Exhibit C]. The following addition to be inserted as the second to the last "WHEREAS":

  WHEREAS, on May 15, 1998 Judge Hancock entered an Order implementing this Memorandum Decision, attached hereto as Exhibit B; and

- Where the ordinance now refers to the Memorandum Decision dated April 17, 1998, that should refer to the Order dated May 15, 1998. Between the time of the Memorandum Decision and the time of the Order, negotiations were held on the form of the Order between the County and WEAN and WEAN's attorney, and the Order was agreed to by all parties. Specific language is recommended in the ordinance to conform to the exact words used in the Order:

  NOW, THEREFORE, BE IT ORDAINED, to comply with the April 10, 1996 and October 6, 1997 Orders of Invalidity of the Western Washington Growth Management Hearings Board and the ~~Memorandum Decision~~ Order of Judge Alan R. Hancock issued on May 15 ~~April 17,~~ 1998, the Board of Island County Commissioners hereby adopts the attached interim application procedures governing applications under Chapter 17.02 of the Island County code as shown on Exhibit ~~B~~ C.

  The procedures shall be applicable only to areas located outside the interim urban growth areas adopted by the county on November 11, and 15, 1993, pursuant to the GMA, Chapter 36.70A RCW.

- The "Be it Further Ordained" paragraph needs three changes. Where reference is made to

development regulations that modify these nine sections [the new regulations in the new plan when it goes into effect] agreed that the language be changed instead of "modify" it refers to the development regulations that affect land currently affected by the interim ordinance. The intent between the parties is that if someone owns a piece of property today affected by the interim ordinance for the activity proposed and the new ordinance goes into effect and plan into effect for that property and changes what can be done affected by the interim ordinance the interim ordinance would

control until the Growth Board reached a decision on the property, but it would only control if there was an appeal on that issue. Mr. Dearborn clarified his last sentence "the Growth Board reached a decision on the property" to note that is not what he meant, rather per the following illustration:

> *An individual owns residentially zoned property today in the County. Under the Interim Ordinance the owner wants to subdivide it into lots [minimum lot size under the Interim Ordinance is 5 acres]. This residentially zoned property is in a RAID and under the new Comp Plan and Zoning Code, the owner could develop that property at a higher density if there was no appeal to the Growth Board on the question of the RAID density for that property [RAID by RAID]. If there was no appeal of that, the new Comp Plan and zoning ordinance would go into effect. If there was an appeal that affected that property specifically, the new densities would not go into effect for that property until the appeal was decided by the Growth Board.*
>
> *If an individual has property in a residential zone and wants to build a home on an existing lot, the interim ordinance does not affect that. Even if that issue were appealed the new Comp Plan and Regulations would go into effect because building a home on an existing lot in the residential zone is not affected by the Interim Ordinance.*

Mr. Dearborn pointed out that in order to understand the transitions the question has to be asked: "is what I want to do affected by the interim ordinance?"; is so and that issue is appealed to the Growth Board the interim ordinance will stay in effect until the appeal has been resolved. There is a 60 day appeal period, and at the end of those 60 days, there is a 180 day period that the Growth Board has to reach a decision. To make sure it is totally clear at the time of adopting the Comp Plan and Zoning Code, he recommended to make specific in the transition section which activities are affected by the interim ordinance and the interim ordinance still governs.

The second change is a consistency change "affected sections" means those lands. The last sentence which Judge Hancock entered in his Order does not add anything more, but restates what has already been stated but makes it clear that the new Comp Plan does not go into effect for lands that are appealed to the Growth Board that were affected or controlled by the interim ordinance until the appeal is over:

> **BE IT FURTHER ORDAINED**, that these interim application procedures will remain in effect for the nine specific sections of Chapter 17.02 ICC set forth in Exhibit ~~B~~ C until Island County adopts a Comprehensive Plan and Development Regulations pursuant to the Growth Management Act, Chapter 36.70A RCW and for sixty (60) days after notice of that adoption is published. If an appeal is filed challenging compliance for the portions of the plan or development regulations that ~~modify~~ affect land currently affected by these nine sections, then the interim application procedures will remain in effect for ~~the affected sections~~ those lands until the Western Washington Growth Management Hearings Board determines that the challenged modifications do not substantially interfere with the goals of the GMA. The new comprehensive plan and development regulations which govern the same issues for those lands as are governed by these interim application procedures shall not take effect for those lands until these procedures cease to be in effect as provided above.

The Judge's order did not require any changes in the proposed revision to the application procedures, but the text of the ordinance where changes were required to be made. Mr. Dearborn at this point handed out the revised text of the ordinance. The substance of the decision was to direct that the Growth Board rescind the order of invalidity for the Rural Residential Zone, Residential Zone, Agricultural Zone, Forest Management Zone, and the rezone section. The Judge also ordered that if the County changed its Interim Application Procedures Ordinance for the Non-Residential Zone, the Non-Residential Floating Zone, and for Institutional Uses, to conform with his Order that the Growth Board would be required to remove or rescind the order of invalidity for those issues as well.

The Judge found Island County incorrect in simply referencing the Growth Board's prior decision setting forth rules for processing or permitting non-residential uses in the rural area and required that Island County specify in the ordinance specific words from those decisions. Exhibit C [Interim Application Procedures as amended] now includes verbatim words from the Judge's Order, the same words for #5, #6, and #7, in each case referred to order of the growth

board rather than specific standards wet out in the Growth Board's decision, and those specific standards are now incorporated verbatim as the Judge included in his order, with a slight modification: the Judge added one word [see 5b] " inherently".

These standards, Mr. Dearborn pointed out, are what staff has been using to review applications since adoption of the ordinance in December and there is no substantive affect to the processing of applications, but states in words what staff have been using as standards for reviewing non-residential and institutional uses. Once this ordinance has been adopted, it will be forwarded to the Growth Board and ask for rescinding of their order of invalidity for these subjects as well. As far as the other exhibits, the GMA Calendar and Work Activities, those were recommended to the Board by the Planning Commission, as reviewed by the Board on April 20.

PUBLIC COMMENTS

Gordon H. Koetje, in looking at the proposed ordinance language, stated he was unaware there was a "Western Board" and "Western Washington Growth Management Hearings Board" , and did not know there was such a distinction between any of those boards.

Steve Erickson, WEAN, acknowledged that the proposed ordinance basically echoed Judge Hancock's final order. In addition to the typographical error noted by Mr. Koetje, he pointed out another, in the final "Be it further ordained" paragraph, the sixth line from the end of that paragraph, where "those lands" is repeated. Other than that, Mr. Erickson had no further comments.

Mr. Dearborn confirmed the correct Growth Board reference would be: Western Washington Growth Management Hearings Board.

The Board agreed with the need to replace "Western Board" with "Western Washington Growth Management Hearings Board" and to delete the repeated words "those lands"

BOARD ACTION

Commissioner Shelton moved to amend the ordinance presented on April 27, 1998, entitled Ordinance #C-50-98, PLG-008-98, in the matter of an ordinance concerning amended interim application procedures affecting chapter 17.02 Island County Code, as follows:

- In the First and Fifth "Whereas" sections, replace "Western Board" with "Western Washington Growth Management Hearings Board"
- Insert an additional "Whereas" section the second from the last whereas, to read: "Whereas, on May 15, 1998 Judge Hancock entered an Order implementing his Memorandum Decision, attached hereto as Exhibit B; and"
- In the "Now, Therefore, Be It Ordained" paragraph change "Memorandum Decision" to "Order", and the date "April 17" be changed to "May 15"; and Exhibit "B" be changed to "C".
- In the "Be It Further Ordained" paragraph, Exhibit "B" be changed to "C". The sixth line down, "modify" be deleted and replaced with "affect land currently affected by" ; and the next line down delete "the affected sections" and add "those lands". A new sentence be added as follows:

  > "The new comprehensive plan and development regulations which govern the same issues for those lands as are governed by these interim application procedures shall not take effect for those lands until these procedures cease to be in effect as provided above.".

- In the Exhibit itself, Exhibit B needs to be changed to "C".

Motion to amend was seconded by Commissioner Shaughnessy, and carried unanimously.

Commissioner Shelton then moved approval of Ordinance #C-50-98, PLG-008-98, in the matter of an ordinance concerning amended interim application procedures affecting Chapter 17.02 Island County Code, as amended. Motion, seconded by Commissioner Shaughnessy, carried unanimously.

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF AN ORDINANCE CONCERNING AMENDED INTERIM APPLICATION PROCEDURES AFFECTING CHAPTER 17.02 ISLAND COUNTY CODE	**)** **) ORDINANCE C-50-98** **) PLG-008-98** **)** **)**

WHEREAS, the Island County Board of Commissioners enacted Ordinance C-78-97 establishing interim application procedures to comply with the Western Washington Growth Management Hearings Board's Compliance Orders; and

WHEREAS, on April 17, 1998 the Honorable Alan R. Hancock, Superior Court Judge for Island County entered a Memorandum Decision finding that Island County used proper legal procedures in its action adopting Ordinance C-78-97; and

WHEREAS, Judge Hancock also ruled that Sections 1, 2, 3, 4, 8 and 9 of Ordinance C-78-97 were effective in removing the reasons for the Board's determination of invalidity; and

WHEREAS, Judge Hancock also ruled that if Sections 5, 6 and 7 of Ordinance C-78-97 are modified as specified in his Memorandum Decision that the ordinance would be effective in removing the reasons for the Board's determination of invalidity; and

WHEREAS, Judge Hancock also ruled that Ordinance C-78-97 must remain in effect until the Western Washington Growth Management Hearings Board determines that Island County's Comprehensive Plan and Development Regulations adopted under the GMA do not substantially interfere with the goals of the GMA with respect to the subjects covered by Ordinance C-78-97; and

WHEREAS, the Board adopted Interim Urban Growth Areas pursuant to the Growth Management Act, Chapter 36.70 RCW for Coupeville and Langley on November 11, 1993, and Oak Harbor on November 15, 1993; and

WHEREAS, on April 20, 1998 the Board of Island County Commissioners accepted a GMA compliance schedule and work plan, attached hereto as Exhibit A, which commits the County to enact its GMA Comprehensive Plan and Development Regulations by August 1998; and

WHEREAS, on May 15, 1998 Judge Hancock entered an Order implementing his Memorandum Decision, attached hereto as Exhibit B; and

WHEREAS, WAC 197-11-800(20) provides that adoption of legislation relating solely to governmental procedures and containing no new substantive standards shall be exempt from SEPA,

NOW, THEREFORE, BE IT ORDAINED, to comply with the April 10, 1996 and October 6, 1997 Orders of Invalidity of the Western Washington Growth Management Hearings Board and the Order of Judge Alan R. Hancock issued on May 15 , 1998, the Board of Island County Commissioners hereby adopts the attached interim application procedures governing applications under Chapter 17.02 of the Island County Code as shown on Exhibit C.

The procedures shall be applicable only to areas located outside the interim urban growth areas adopted by the County on November 11, and 15, 1993, pursuant to the GMA, Chapter 36.70A RCW.

BE IT FURTHER ORDAINED, that these interim application procedures will remain in effect for the nine specific sections of Chapter 17.02 ICC set forth in Exhibit C until Island County adopts a Comprehensive Plan and Development Regulations pursuant to the Growth Management Act, Chapter 36.70A RCW and for sixty (60) days after notice of that adoption is published. If an appeal is filed challenging compliance for the portions of the plan or development regulations that affect land currently affected by these nine sections, then the interim application procedures will remain in effect for those lands until the Western Washington Growth Management Hearings Board determines that the challenged modifications do not substantially interfere with the goals of the GMA. The new comprehensive plan and development regulations which govern the same issues for those lands as are governed by these interim application procedures shall not take effect for those lands until these procedures cease to be in effect as provided above.

Reviewed this 27th day of April, 1998, and set for public hearing at 10:45 a.m. on the 18th day of May, 1998. Rescheduled to 11:15 a.m. on June 1, 1998.

BOARD OF COUNTY COMMISSIONERS OF

ISLAND COUNTY, WASHINGTON

Wm. L. McDowell, Chairman

Tom Shaughnessy, Member

ATTEST: Margaret Rosenkranz Mike Shelton, Member

Clerk of the Board

Adopted this 1st day of June, 1998.

BOARD OF COUNTY COMMISSIONERS OF

ISLAND COUNTY, WASHINGTON

Wm. L. McDowell, Chairman

Tom Shaughnessy, Member

ATTEST: Margaret Rosenkranz Mike Shelton, Member

Clerk of the Board

EXHIBIT A

WORK ACTIVITIES - PHASE B

TITLE 17

1. Site Plan Review Study
1. Penalties and Enforcement
2. NR Zones
3. RS Zoning Study

4. Design Review Guidelines
5. Fish & Wildlife Habitat Inventory
6. Affordable Housing Bonus
7. Small Scale Recreation / Tourist Uses
8. Greenbank / Special Review District
9. Benchmarks, Monitoring & Evaluation
10. Signage and Lighting
11. Duplexes, Triplexes and Multi-Family Housing in RAIDs
12. Resource Ag Designations
13. Further RAID Review
14. Institutional Uses
15. Prototype Resource Management and Development Plan

PLAN ELEMENTS

1. Transportation Update
1. Housing
2. Natural Lands
3. Parks & Recreation Update
4. Capital Facilities Plan Update
5. Shoreline Master Program Revision
6. Ebey's Reserve

TITLE 16

1. Concurrency Regulations
1. PRD / Site Plan Review Amendments
2. Hearing Examiner changes to conform to 16.19
3. Public Benefit Rating System
4. Land Division Ordinance

INTERLOCAL AGREEMENTS/COUNTY WIDE PLANNING POLICIES

1. Oak Harbor
1. Coupeville
2. Langley

CRITICAL AREA REGULATIONS

1. Ground Water Regulations for RAIDs
1. Steep/unstable Slope Regulations for RAIDs

LAND DEVELOPMENT STANDARDS

Surface/stormwater regulations for RAIDs

Exhibit B

Judge Hancock's Order Implementing his Memorandum Decision

EXHIBIT C

INTERIM APPLICATION PROCEDURES

as amended

The Interim Application Procedures set forth below apply only to areas located outside interim urban growth areas.

1. ICC 17.02.050 Rural Residential (RR) Zone

a. Applications for all new permitted uses will continue to be accepted.

b. Applications for all new conditional uses will continue to be accepted except for those requesting approval to increase base density above one (1) dwelling unit per five (5) gross acres.

c. Applications for all new subdivisions, short subdivisions and PRDs will continue to be accepted only when the tract/density complies with ICC 17.02.050.C.1 (base density is one (1) dwelling unit per five (5) gross acres or less).

2. ICC 17.02.060 Residential (R) Zone

a. Applications for all new permitted uses, including one single family residence per lot, will continue to be accepted except for duplexes and triplexes.

b. Applications for all new conditional uses will continue to be accepted except for those requesting approval to increase base density above one (1) unit per five (5) gross acres.

c. Applications for all new additional residences, subdivisions, short subdivisions, and PRDs will continue to be accepted only when tract/density complies with ICC 17.02.050.C.1 (base density is one (1) dwelling unit per five (5) gross acres or less).

3. ICC 17.02.080 Agriculture (AG) Zone

a. Applications for all new permitted uses will continue to be accepted.

b. Applications for all new conditional uses will continue to be accepted.

c. Applications for all new subdivisions, short subdivisions and PRDs will continue to be accepted except for requests to use TDRs pursuant to ICC 17.02.080.D.3.

4. ICC 17.02.090 Forest Management (FM) Zone

a. Applications for all new permitted uses will continue to be accepted.

b. Applications for all new conditional uses will continue to be accepted.

c. Applications for all new subdivisions, short subdivisions and PRDs will continue to be accepted except for requests to use TDRs pursuant to ICC 17.02.090.D.3.

5. ICC 17.02.100 Non-Residential (NR) Floating Zone

a. All new use approval applications for Non-Residential uses will continue to be accepted in the Interim Urban Growth Areas designated by Island County pursuant to the Growth Management Act, Chapter 36.70A RCW.

b. New use approval applications for Non-Residential uses located in the RR

Zone outside Interim Urban Growth Areas will continue to be accepted only for uses that (1) do not constitute "urban growth" as that term is defined in RCW 36.70A.030(17); (2) are inherently dependent upon being in rural areas; and (3) are compatible both functionally and visually with rural areas.

c. New use approval applications will continue to not be accepted in the R, AG and FM zones.

6. ICC 17.02.105 Non-Residential (NR) Zone

a. Applications will continue to be accepted to repair or remodel all legally established uses.

b. Applications will continue to be accepted for the expansion of existing structures for uses only if they (1) do not constitute "urban growth" as that term is defined in RCW 36.70A.030(17); (2) are inherently dependent upon being in rural areas; and (3) are compatible both functionally and visually with rural areas.

c. All new site plan review applications will continue to be accepted in the Interim Urban Growth Areas designated by Island County pursuant to the Growth Management Act, Chapter 36.70A RCW.

d. All new site plan review applications will continue to be accepted for uses that (1) do not constitute "urban growth" as that term is defined in RCW 36.70A.030(17); (2) are inherently dependent upon being in rural areas; and (3) are compatible both functionally and visually with rural areas.

7. ICC 17.02.150.E Institutional Uses

a. All new site plan review applications for Institutional Uses will continue to be accepted in the Interim Urban Growth Areas designated by Island County pursuant to the Growth Management Act, Chapter 36.70A RCW.

b. All new site plan review applications for Institutional Uses located outside Interim Urban Growth Areas will continue to be accepted for uses that (1) do not constitute "urban growth" as that term is defined in RCW 36.70A.030(17); (2) are inherently dependent upon being in rural areas; and (3) are compatible both functionally and visually with rural areas.

8. ICC 17.02.170 Transfer of Development Rights

Applications for use approval to establish a receiving property for transfer of development rights will not be accepted pursuant to ICC 17.02.170C, except for receiving property located within Interim Urban Growth Areas designated pursuant to the Growth Management Act, Chapter 36.70A RCW.

9. ICC 17.02.210 Amendments

Applications for zone reclassifications will be accepted except for applications requesting reclassification pursuant to ICC 17.02.210 D.1(c), 3, 6, and 8.

CLAIM FOR LIEN - WILSON AND PASQUA

Phil Bakke, Code Enforcement Manager, presented Claim for Lien for Non-Payment of Civil Penalty under Island County Zoning Ordinance, Island County v. Wilfred A. Wilson and Catherine Pasqua, property located at 31 and 21

West Henni Road, Oak Harbor, in the SE ¼ of Sec. 12, Twp. 33N, Rge. 1E, W.M., North Whidbey Island, Parcel #R13312-235-4800. This action is in an effort to accomplish resolution to a serious violation of ICC 17.02 regarding displacement of inoperable vehicles, junk, metal, garbage, tires, etc., multiple building violations, trailers, camp-sites; and drug paraphernalia on the ground, a problem location worked on by Island County for many years. The Health Department has been working on this case for some time and in early 1995, arranged for clean-up of the property through the Waste Warriors Program; however, the property went back into the current state of violation. In speaking with the property owners and their counsel, the County has been unable to work out any kind of time period or agreement about the clean up of the property. The Planning Director requested preparation of Claim for Lien based on Supplemental Enforcement Order 369/97 under authority granted by ICC 17.02.250.c.1. The Claim for Lien was prepared and presented to the Island County Hearing Examiner who reviewed the request and recommended the Board cause the lien to be filed against the property. There have been no appeals.

By unanimous motion, the Board approved and signed Claim for Lien for Non-Payment of Civil Penalty under Island County Zoning Ordinance on Parcel #R13312-235-4800, Henni Road, North Whidbey Island.

Executive Session

The Board met in Executive Session from Noon until 12:30 p.m., for purposes as allowed under R.C.W. 42.30.110 (1) (i) to discuss with legal counsel potential litigation. The Board did not return to open public session with any announcement following the Executive Session.

JOINT WORKSHOPS

June 1, 1998 1:30 p.m. – 5:30 p.m. Workshop - [rescheduled from May 29]

The Board will meet today from 1:30 p.m. to 5:30 p.m. regarding the GMA Comp Plan & Development Regulations. This is a Special Session for purposes of conducting a Joint Workshop with the Island County Planning Commission. The topics are: Benchmarks, Monitoring, Evaluation; Owner/Builder; Penalties & Enforcement; and RAID Review.

June 5, 1998 9:00 a.m. to 3:00 p.m.

Special Session: Joint Workshop with the Planning Commission, GMA Comp Plan & Development Regulations. Topics : Water Resources; Concurrency; Land Division Regulations; Steep/Unstable Slopes; Stormwater.

There being no further business to come before the Board at this time, the Chairman adjourned the meeting at 12:30 p.m., to meet in Special Session for Joint Workshop beginning at 1:30 p.m. as well as June 5 at 9:00 a.m. The next regular meeting of the Board to be held on June 8, 1998 beginningat 9:30 a.m.

BOARD OF COUNTY COMMISSIONERS

ISLAND COUNTY, WASHINGTON

_____

Wm. L. McDowell, Chairman

_____

Tom Shaughnessy, Member

_____

Mike Shelton, Member

Attest:

_____

Margaret Rosenkranz, Clerk of the Board