

ISLAND COUNTY COMMISSIONERS - MINUTES OF MEETING

SPECIAL SESSION - SEPTEMBER 24, 1998 – GMA WORK SESSION

The Board of Island County Commissioners met in Special Session September 24, 1998, at Noon in the Island County Courthouse Annex, Hearing Room, Coupeville, Wa., for a GMA work session with staff and consultants on GMA Plan and Development Regulation issues. Although a noticed public meeting, there were no public comments inasmuch as this was a work session only.

Attendance:

Commissioners: Wm. L. McDowell, Tom Shaughnessy

Consultant/Staff: Vince Moore, Phil Bakke, Jeff Tate, Keith Higman, Doug Kelly,

Emil King, Keith Dearborn

Hand Outs

- Thursday/Friday GMA Workshop Agenda
- Excerpts from San Juan County Unified Development Code Re Guest House (Accessory Dwelling Unit) Rental and construction;
- Proposed Amendment: Treatment of Pending Approved Applications
- Proposed Amendment: Regulation of Development within Unincorporated Portion of Municipal UGAs prior to adoption of Municipal Zoning Standards by the County
- Preliminary Review Draft Alternative Affordable Housing Provisions
- RAIDs Which are of Concern to the Coalition
- Island County Summary – Minimum Lot Size; Land Supply; Improved Parcel; Unincorporated Parcels – Total parcels

I Water Resource Element: Keith Higman and Doug Kelly. Island County citizens Growth Management Coalition submission dated September 18, 1998 with comments on the most recent draft of the comp Plan Elements and Zoning Code

A. Draft Ground Water Resources Element – request hydrogeologist be directed to a work plan for analysis for RAIDs, Freeland and Clinton specifically.

Recommendation. Mr. Higman indicated that in light of work to date, rather than Doug Kelly getting involved in a County-wide study it be at the sub-area planning level, and that he continue placing strong emphasis in areas of the County already identified as areas with high probability of salt water intrusion problems, based on both the initial findings of the RAID analysis conducted by the Health Department and the research accomplished in Central Whidbey and South Camano.

Initial Health Department review of the proposed RAIDs included site-specific evaluations of groundwater availability for all proposed areas of more intensive development. Areas identified for risk of salt water intrusion were recommended to be removed from the list; the remaining proposed RAIDs, such as Clinton and Freeland, were determined to possess short term development potential without the need for further investigation. The Health Department will continue to be involved in both the sub-area planning process and review specific project proposals

with respect to groundwater availability. The Department would not put Freeland or Clinton high on the list because they do not have problems.

Mr. Kelly noted there were two different approaches for analysis: (1) look at the more problematic areas [the approach he took; or (2) look at where most of the growth is concentrated and start there; both are reasonable approaches. He intends, once the Comp Plan is done, to ask Planning to give him the per square mile growth projection and then he will overlay that on a map of salt water areas. To pick out the particular areas of Freeland and Clinton -- Clinton is the best area in the County for water so to have it on a priority would be questionable, and there is no indication of problems at this point in Freeland. And Keith Dearborn noted that Holmes Harbor has a substantial number of unused connections .

Mr. Higman verified that the immediate work plan is for Central Whidbey which is where Mr. Kelly is spending much of his time now; the next two focus areas will be the southern portion of Camano Island and Greenbank on Whidbey Island. From a scientific standpoint when you make determinations, i.e. here is the data and here is what it means, more data the better final suggestions will be. Studying Clinton right now would not be as useful information as studying the known problems that would contribute to good scientific data.

Follow-up: Mr. Higman to provide in a memorandum to the Board priorities and rationale for those priorities, and why Freeland and Clinton would not be the places to study at this time, and reference fact there already is a significant amount of information based on the RAID analysis completed.

B. The Coalition has addressed the issue involving the application of the Island County/State Department of Health Salt Water Intrusion Policy to individual wells.

Mr. Higman commented that the policy was adopted to address development of public water supplies in areas that potentially were at higher risk for salt water intrusion. Intent of the policy is not to close areas to development, rather establish a mechanism to require additional review of proposed systems and the policy allows a property owner or project proponent to prove adequate water supply in medium and high risk. The policy does not apply to individual wells. Drilling of wells is not regulated by the County Health Department, only the issue of siting and use of the well as a potable water source are reviewed prior to building permit issuance. Concentration of chloride is used as the indicator for salt water intrusion for the establishment of risk areas. There are areas in the County that are underlain by groundwater exceeding state standards for chlorides, in some cases due to hard groundwater or physical characteristics of the aquifer. Presence of high levels of chlorides in these areas is not directly related to salt water intrusion and the chloride content would be there regardless of the existence of any well = and the water can be treated to drinking water standards and poses no threat to public health. The county has no regulation over single family wells.

The Policy was adopted in 1989 and as far as it being ten years later and potential for changing policy, Mr. Higman pointed out that the number of wells he dealt with in this category over the last three years probably was less than 10. In the case of elevated chlorides, there may be multiple sources of chloride in the environment other than salt water; chlorides are a natural occurrence at some level in this county. With regard to DOE's letter of 9/2/98 [first page], Mr. Higman did not believe the person responsible had a sound understanding of Island County's Salt Water Intrusion Policy

Follow-up: Keith Higman to provide a response to DOE and enclose a copy of his memorandum he will be providing to the Board and the County's Salt Water Intrusion Policy, and provide a copy of the record.

C. Coalition suggests language to 17.05.103, Utilities, to include a provision that the ICHD ensure that outfalls or discharges from reverse osmosis treatment units not deleteriously impact marine environments.

Mr. Higman advised that ICHD does not regulate discharges to the marine environment; there are, however, a number of State agencies involved in the permitting of discharges, including DOE and WDFW and the protection of the marine environment and associated resources are the responsibility of those agencies.

D. Septic Drainfields and Setbacks from Bluffs Request 100', 17.05.100, Shoreline Element

Comment. Generally, it is site and project specific and the applicant has to hire someone to take a look at it. In some cases that would seem excessive, in others not enough.

II CWPPs

Hand-Out: CWPPs now incorporates comments of planning directors; Vince Moore met with city/town planning directors [now three proposed amendments]

Policy #5, Item 3. Chairman McDowell commented that language needs to state that property owners annex to the municipality; or develop at urban density or site houses such as not to preclude future development at urban densities.

Also noted by Mr. Dearborn was the thought that for parcels between 5 and 20 acres there would be two options: (1) a PRD; or (2) for someone to do short plat, site home on a parcel in a way that does not preclude future utilization of the parcel i.e. short subdivision with a building plot located on it on each of those 5 acre lots. The PRD would be any size. Allow them to subdivide to potential zone that has been identified. Twenty acres and over would be the PRD.

Policy #5, Item 6. Language proposed would allow that the County within 30 days of receipt of interlocal agreement schedule a public hearing on each proposed interlocal agreement.

Policy #1, Item 7: Addition of a paragraph relating to recognition that Clinton and Freeland may be appropriate for designation as urban growth areas and providing for County initiation of sub-area planning process

Other comments:

Make it clear UGA expansion areas are sub-set of the joint planning areas.

Protection area noted – for Coupeville, spell out what it is: Coupeville water Resource Protection

This is an official control. Court decision says the County cannot delegate it's legislative authority to another agency [i.e. city]. The UGA is a county obligation to designate.

Providing for transition areas, Emil King noted that the proposal from the Planning Commission does have adequately sized UGAs Based on Vince's discussion, cities came back not opposed to the concept but wanted input into the designation of these zones.

Page 9 is something that should be resolved within interlocal agreements.

Guest House Rental

San Juan Code - has different issues than Island County. San Juan County Code does not provide Island County with any reference point for dealing with this issue.

Chairman McDowell due to other commitments, left the workshop at 1:55 p.m. The Workshop adjourned officially at that time. However, staff and consultant continued to meet with just Commissioner Shaughnessy for about another hour and covered other subjects including:

- Housing – density bonuses for affordable housing options and time of commitment and what other agencies in Washington are doing [percentage and number of years]; other concern is land price going up and cost per square foot is a variable
- Recognize affordability gap starts at actually 110% which will probably go higher and higher as time goes by [110% medium income means someone can afford a \$147,000 home] - this gives a little more flexibility and ensure with each of the bonuses there is a possibility of delivering houses close to that income level

- o Use 110%, stay with bonus as now written and add to benchmarks and monitoring provisions requiring the County come back and re-look at it on an annual basis
- o Affordable housing density bonus schedule: 110% median income level; column for 125% to show a 5 year commitment
- o Include a final paragraph explaining impact of the change in terms of maximum density potential [Planning Commission recommendation vs. this amendment]
- o Rural Densities – hand-out "RAIDs which are of concern to the Coalition - issue raised is how RAID densities were calculated – this shows density differences and calculations – much more defensible than the original calculations
- o Need amendment bringing back boundary of Sandy Point RAID
- o Consider Wes Ralston/Robert Miles – Mariner’s Cove RAID – Larry Kwarsick will report tomorrow with regard to dedicated right of way for that plat
- o Chapin amendment – could be handled by a boundary line adjustment but there is an older resolution [6 to 8 years ago] stipulating not for more than two lots, and therefore requires going through plat alteration process.

The Board of County Commissioners will meet this evening at 6:00 p.m. in Special

Session to conduct a public hearing

**BOARD OF COUNTY
COMMISSIONERS**

ISLAND COUNTY, WASHINGTON

Wm. L. McDowell, Chairman

Tom Shaughnessy, Member

[Mike Shelton, Member – absent]

Attest: _____

Margaret Rosenkranz, Clerk of the Board