

ISLAND COUNTY COMMISSIONERS – MINUTES OF MEETING SPECIAL SESSION – MARCH 14, 2000

The Board of Island County Commissioners met in Special Session on March 14, 2000, at 9:30 a.m., in the Island County Courthouse Annex, Hearing Room, Coupeville, Wa., for the purpose of conducting a Joint Meeting of the Island County Planning Commission, Board of County Commissioners and the Hearing Examiner, on the following topics:

- Planning Department Year 2000 Work Plan
- Planning Commission 2000 Work Schedule
- Hearing Examiner Year End Report 1999
- Public Works/Community Development Division – Amendments to Capital Facilities Plan and Concurrency Ordinance to include Highways of Statewide Significance as Required by RCW 36.70A

Attendance: **Board of County Commissioners:** Wm. L. McDowell, Chairman, William F. Thorn, Member; and Mike Shelton, Member.

Planning Commission: Anne Pringle; Mike Joselyn; George Crampton; Sheilah Crider; E.T. Silvers; Lyn Moses; Pat Churchill; and John Edison .

Hearing Examiner: Michael Bobbink

Staff: Larry Kwarsick, Public Works Director; Phil Bakke, Planning Director

PLANNING DEPARTMENT YEAR 2000 WORK PLAN

Handouts: Year 2000 Work Plan; Summary Compliance Status

Mr. Bakke summarized the Year 2000 Work Plan. The Planning Department is currently involved in the Clinton and Freeland NMUGA study and will present a recommendation to the Planning Commission through the Annual Review Amendment Process. The Department is negotiating for a Phase II study to provide cost estimates for dealing with storm water, sewage disposal and transportation in Freeland and Clinton. The Freeland and Clinton Sub-Area Committees are in the process of designating land use classifications.

Planning staff are developing a Freeland/Clinton Geographic Information System (GIS) using Arc-View and Auto-CAD that eventually will be expanded to include all of Island County. Also the Department is working with an outside consultant to help relate the GIS to the Public Works Community Development and Assessor's database.

Work is being done to implement a program to update the critical areas mapping and provide mapping support to Public Works. The Department is currently involved in negotiations with the Department of Ecology on the Shoreline Master Program update. Mr. Bake provided an update, along with an index of the issues, on the County's compliance status.

HEARING EXAMINER REPORT

Mr. Bobbink acknowledged 1999 was not a busy year for the Hearing Examiner's office; the first long subdivision under the new zoning ordinance will be heard this Thursday. He has seen no evidence of problems with the new Zoning Ordinance to date, but did not know whether that was because applications have not been processed or whether the Ordinance has been well written. He commended Public Works staff for the staff report on the long subdivision noting that it was very detailed and carefully reviewed.

Chairman McDowell inquired as to which areas of review received more scrutiny than under the old ordinance.

Mr. Bobbink indicated that one example would be that the vegetation plan is outlined ahead of time. Given that the long subdivision application was a bluff development, much more care was taken on the drainage issues than he has seen in the past.

PUBLIC WORKS – AMENDMENTS TO THE CAPITAL FACILITIES PLAN AND CONCURRENCY ORDINANCE TO INCLUDE HIGHWAYS OF STATEWIDE SIGNIFICANCE AS REQUIRED BY RCW 36.70A.

Handout: Travel Delay Methodology: Evaluating Transportation System Performance

Mr. Kwarsick commented that both the Capital Facilities Plan (CFP) and the Transportation Plan were required elements under GMA. The County's CFP and Transportation Plan were completed prior to the land use element because many of the funding sources associated with the infrastructure development were tied to complying with GMA. Simultaneously with the development of the land use plan and final elements of the County's Comprehensive Plan, the CFP and Transportation Plan were updated to reflect the land use elements goals and objectives. When the County originally did the CFP and Transportation Plan there was no mandate to include state facilities; however, the County believed from the very beginning those facilities were extremely important and included the ferry system and state highway system as a part of the original transportation planning efforts. Capacity and LOS standards were evaluated and a recommendation made to the Regional Transportation Planning Organization (RTPO) who adopted those LOS standards for the ferry system and state highway system in Island County.

The biggest issue facing Island County is applying concurrency requirements to the ferry system and highways of statewide significance which include the ferry system, Highway 20 and Highway 525. Highway 532 on Camano Island is not planned to be designated as a highway of statewide significance. This year the County is required to update the CFP, Transportation Plan and concurrency ordinance to embrace and implement the issue of concurrency for highways of state-wide significance. Unlike the County's first effort there will be no recommendations made for the LOS standards on those facilities. WSDOT and Washington State Transportation Commission will designate the LOS standards and try to make those standards uniform throughout the State.

The State is currently looking at a new methodology for evaluating transportation system performance "Travel Delay Methodology". Traditionally local, state and federal governments have used the Highway Capacity Manual as a means of looking at LOS standards. The delay technology uses the Annual Capacity Ratio (ACR) concept to describe system performance. Island County has been working with WSDOT exploring this new methodology in terms of what it means for Island County. The handout provides a spreadsheet, using ACR values of 8 for rural and 11 for urban. The rural segment of SR 20 from Ault Field Road to Deception Pass Bridge has a value of 10.86, indicating a failed roadway segment. Moving out five years to 2003 the urban segment of SR 20 from Swantown Road to Ault Field Road shows a value of 9.52, indicating that it would not fail. Clinton to Fish Road shows a value of 8.53, indicating failure, and SR 532 from East Camano Drive all the way to I-5 indicates a failure. The RTPO has had meetings with the State and provided a number of comments about the new methodology and ACR values, and looked at redefining the roadway segments to see what changes could be made.

One of the big issues the County will have to face is the undefined term of development under the statute. The term is not defined except in the section of the GMA that deals with impact fees which defines it as anything from a single family building permit on up. In Island County under the current concurrency code, single family homes and all other permitted uses are exempt except for those in the commercial zone. It is not known what threshold is appropriate when dealing with the state highway system because a lot of the traffic experienced here has little to do with growth and development in Island County, and is a Puget Sound-Washington State driven phenomenon.

In terms of concurrency applications, in 1998 the County had one Camano application and four on Whidbey. In 1999 there were 67 on Camano and 116 on Whidbey. There have been no failures with the concurrency process to date and Mr. Kwarsick did not anticipate any.

RCW 36.701A.103 requires State agencies to comply with local comprehensive plans. When a land use plan is developed, for example, the County cannot provide the infrastructure roads at an appropriate LOS standard there are things that can be done: the County can change the land use plan, find more money or change the LOS standards. Some balancing can go on between those three component parts; however, that same balance does not apply to the state highway system. As the County puts forward some Comprehensive Plan amendments and regulations, the issue of state compliance with the County's Comprehensive Plan will rise to the surface and be a major issue.

Chairman McDowell asked about who would make the decision to chop the roadway segments into smaller corridors as opposed to using the entire length of the Island. Mr. Kwarsick explained that the Washington State Transportation Commission and WSDOT would make that decision, with input from the County and the RTPO.

Commissioner Thorn questioned about the relevance to Highway 532 not being designated as a highway of statewide significance. Mr. Kwarsick pointed out that Goal #12 of the GMA states, "Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards." The Hearings

Board has taken a close look at the issue of adequacy as it relates to other public facilities outside of the concurrency mandate of arterials and highways of statewide significance. He believed that adequacy was going to be a big issue on Camano Island with RCW 58.17, Subdivision, requiring a finding of adequacy from the short plat level of development all the way through large subdivisions and PRDs.

Commissioner Thorn asked how ACR values would apply to the adequacy determination. Mr. Kwarsick felt the ACR designations would be used as a means of determining adequacy, whether they are highways of statewide significance or just part of the transportation system.

Commissioner Shelton pointed out that the State put into place and required local jurisdictions' planning under GMA to develop transportation plans that support land use plans; however they did not include the State. Now that they have been included and the problems coming to the surface, it would seem that rather than acknowledging the problem the State will change the rules. This special legislation applies only to counties made up of islands that have roads of statewide significance.

Commissioner Thorn believed in theory the ACR designations were a good idea because it related more to the experience of the driver on a particular road segment, but the application of the ACR flawed because it reduced the impact of traffic currently in effect (the same as lowering LOS standards because it is based on the Average Annual 24 hour daily traffic which means that the periods of night time which are 8 –10 hours a day are averaged in with your congested loads at the peak periods of travel and then that is averaged over the annual period, which includes holidays and weekends).

Chairman McDowell felt the whole concept did not pass the common sense test. The road segment between Ault Field Road and Deception Pass Bridge is not at a sufficient level to stop building permits on the north end of Whidbey Island.

Commissioner Shelton commented that after driving I-5 on a Friday afternoon and waiting 3 hours in the ferry line, to say that the stretch of road from the ferry dock to Fish Road has failed, he thought ridiculous.

Commissioner Thorn travels Highway 532 three or four times a week during peak rush hours and is aware that there is perhaps one day in two where there is a delay, and to show it failing to this degree, did not match up with what he experiences.

E. T. Silvers drives the stretch of roadway between Ault Field Road and Deception Pass Bridge frequently and never experiences any significant delay. If that segment of the roadway has a deficient ACR of 10.86, he thought there must be highways in the state that have ACRs of 50 or 100.

The Chairman believed the difference between other highways in the state and Island County was in not having the same concurrency requirements as the County.

Mr. Kwarsick noted that the County is challenging the State in terms of some of their information because the County does not feel it reflects reality. He noted that Mike Morton, Island County Transportation Planner, is meeting with the State to work though some of the issues. The State is still trying to reconcile all the comments received from the RTPO, County Commissioners and staff. The whole idea of trying to develop a new methodology is fine; the difficulty comes in applying it in a regulatory framework against development. To start on a completely new untested program at the same time the concurrency comes along does not make a whole lot of sense. The end result may be that the State aborts the concept for this year, but they do believe that they have a legislative mandate to deal with congestion relief on a statewide basis and they feel this methodology is the best way to do that.

Commissioner Shelton recalled that when the law was passed, Representative Dave Anderson was very public about the fact that he was assured by the Council for the Democratic Caucus in the House that it only applied to "large development". Commissioner Shelton expressed to Representative Anderson that it should not be all that difficult to define it so it does not include short plats, building permits and other minor development.

Dave Osterberg felt there was a general sort of indication that ACR is in effect a dilution of the LOS standard. Mr. Kwarsick had concerns about it but did not know enough about the ACR methodology versus the old LOS to really come out and make that statement.

Mrs. Crider noted that at the latest WSDOT meeting in Oak Harbor when they were questioned about their modeling and

how they came to these numbers, indicated they sent out evaluation surveys and the data was created from the 2000 they received back, a portion being tourist traffic. She felt that this new designation had hastened them to failure versus what is really on the ground.

Meeting adjourned at 11:00 a.m.

**BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON**

Wm. L. McDowell, Chairman _____

William F. Thorn, Member _____

Mike Shelton, Member _____

ATTEST: _____
Margaret Rosenkranz, Clerk of the Board