

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING**  
**SPECIAL SESSION - FEBRUARY 28, 2005**

**PUBLIC WORKSHOP – ANNUAL JOINT MEETING WITH THE BOARD OF COUNTY**  
**COMMISSIONERS AND HEARING EXAMINER**

The Board of Island County Commissioners met in Special Session on Monday, February 28, 2005 after the regularly scheduled Board of County Commissioners meeting adjourned. The special session was held at 3:00 p.m. in the Commissioners' Hearing Room, Island County Annex Building, located at 1 N. E. 6<sup>th</sup> Street, Coupeville, Wa., scheduled for the Board of Island County Commissioners to meet in the annual joint session with the Island County Planning Commission and the Island County Hearing Examiner.

**MEETING ATTENDANCE**

**County Commissioners:** Mike Shelton, Chairman, Wm. L. McDowell, Member  
 William F. Byrd Member,

**Hearing Examiner:** Michael Bobbink

**Planning Commission:** Mike Joselyn     Ray Gabelein     Bill Massey     Sheilah Crider  
                                  David Baumchen     Scott Yonkman     Wayne Havens

**County Consultant:** Keith Dearborn, Attorney

**Planning Staff:** Phil Bakke, Planning Director, Jeff Tate, Assistant Planning Director

Mr. Bakke presented the 2005 Work Plan (GMA Record # 7752), and then provided background on the Annual Review Amendments from 1999 through 2004 and the resulting ordinances. The presentation included a graph and a map depicting building permit activity for new single family residences from 1999 to 2004.. A chart showed land use permit activities from 1999 to 2004.

*[2005 Work Plan entered as GMA #7752, with copy on file with the Clerk of the Board]*

Mr. Tate displayed a slide from the 2005 Work Plan to show a breakdown numerically of single family residences and subdivisions for 1999-2004. As indicated in the slide, the six years the County has been operating under the current ordinance, the primary form of land division is through the short plat process; encouraging that new lots are not being created at the same pace as new single family construction which means that a lot of our new development is occurring in the form of infill. Another slide gave a separate breakdown for Camano and Whidbey, and Island County as a whole. There has been a fairly significant percentage of new residential development taking place in the RAIDs, especially on Camano Island. The RAID designation takes up about 6.8% of the total land area of Island County.

Mr. Bakke noted that this year's projects include:

- Critical Areas Update

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- Continue Working on Permit Tracking Systems
- Complete Building Process Overhaul
- Enhance the GMA Record Data-Base, Scan Records and make them available to the public via the Internet
- Non-Residential Guide Book

The critical areas update will be the focus of attention in long range planning this year. Planning staff is currently working with Central Services to put together a new permit tracking system that can handle large amounts of information and data, interconnect with other County departments and be available to the public through the Internet. Staff continues working on different methods to help streamline the building permit process. Permit teams were established in February, and the four customer service specialists at the front counter have been teamed up with plans examiners. One objective in the near future is to revise building permit applications and have applications available on the County's web page. The GMA record data base was instituted prior to adoption of the 1998 Comprehensive Plan. Improvements were made last year to accommodate document searches, and during the last three to four months needs for searching for documents and in the last 3 or 4 months staff has been working with Central Services to enhance the data base program. Proposed are two terminals in the lobby available to the public to search the data base and print out records; the records will be tied to a scanned document, and the plan is to have the data base program available on the County's website.

With regard to the Non-Residential guide book, staff has had a number of communications with several planning firms that do that kind of work and hope to have a contract before the Board within the next few months in order to begin that project.

**Progress of the Freeland Sub Area Plan:**

- January 1999 – May 2004, 78 public hearings conducted on the plan by volunteer citizen advisory group
- May 2004, advisory group forwarded draft plan recommending Freeland become an NMUGA
- September 2004, Staff SEPA scoping and EIS drafting
- October 2004 – comments received on the scoping and waiting to complete storm water study.

Under GMA, when designating an area as a NMUGA it need not track with the annual review time frames. The Sub-Area Plan will come before the Planning Commission for public hearings; the Commission will make a recommendation and forward it to the Board who for final decision. Most of the items in the Seven Year Review process are completed, with the exception of finalizing the population allocation and the UGA discussion with the cities and town.

**2005 ANNUAL REVIEW DOCKET**

-Critical Areas Update

-WEAN Critical Areas Requests

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- PRD Ordinance follow up
- Building size limitations for commercial RAIDS
- Industrial Development Siting Provisions
- Master Planned Resorts
- Public Road Right of Way Segregations
- Population Projections and Allocations [carry forward from 2004]
- UGAs [carry forward from 2004]
- Shoreline Amendment [carry forward from 2004 for inventory & assessment]

The Commission reviewed the PRD ordinance in 2003 and determined that steps should be taken to work with the development community to find out why the PRD program was not being utilized. Efforts were made to obtain more information from the community and this item has been brought back to the Commission to let them know what has been happening and have some discussion about what can be done to encourage that type of development.

All of the commercial RAIDS, with the exception of Clinton and Freeland, have a maximum size limit of 50,000 square feet. In Freeland the maximum size limit is 27,000 square feet and in Clinton it is 14,000 square feet. There are some practical difficulties to bring forward with how that size limitation is being applied and ability of services to be provided for the community. Looking also at some standards in the code to deal specifically with contractor related activities. In applying the zoning ordinance staff often deals with enforcement cases, and often those relate back to the small contractor. Staff needs to examine the standards carefully and come up with desirable areas in the County where those activities can take place.

The Department will be looking at Master Planned Resorts and how that might play in with Seattle Pacific University. SPU and the County pulled the application for a Special Review District designation as a result of the Growth Management Hearings Board decision. A member of the Hearings Board wrote a concurring decision suggesting that SPU and the County take a look at the standards for the Master Planned Resorts designation. For public road right-of-way segregations, currently the County allows for division of a piece of property bisected by a public road right-of-way. Questions have been raised regarding public road right-of-way segregations as defined in the subdivision code and what the density provisions in the County Comprehensive Plan and the Zoning Ordinance provide for. Staff will provide the Planning Commission with a more comprehensive description of the issue.

In 2004 the Planning Commission made a recommendation for a 2025 population projection and staff has been working with the cities and town to come up with a way of distributing that allocation between rural unincorporated Island County and the incorporated portions of the County. Oak Harbor and Coupeville have provided figures, and staff has scheduled meetings with Langley. The next step is to make sure that Urban Growth Area boundaries are sized appropriately to accommodate population projections. A shoreline amendment carried forward from 2004 deals with bulk-heading in Mariner's Cove, Lagoon Point and Sandy Hook.

**Critical Area ICC 17.02 Update**

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Aquifer Recharge (Track 1)  
 Geologically Hazardous Areas and Frequently Flooded Areas (Track 2)  
 Fish & Wildlife Conservation Areas and Wetlands (Track 3)

**Staffing/County departments/consultants working on the critical areas update**

- Contracted with Keith Dearborn for legal and consulting services.
- Contracted with Paul Adumus for scientific analysis of current standards, evaluation of existing conditions and recommendations for Best Available Science.
- Contracted with Geo-Engineers to evaluate Geo-Hazard areas
- Working together with Health, Public Works, WSU, Marine Resource Committee
- Assigned Joe Burcar, Senior Planner to help Jeff Tate lead the update
- Adam Flamiatos & John Coleman will work on GIS and policy development
- Pam Dill & Edie Elerick will jointly coordinate support services.
- Each of the current planning staff members will be assigned special projects.
- Adding graduate students and summer interns to assist in data collection and GIS development.

State law requires evaluation of the critical areas and reports will be generated for each, and generally include:

- Chapter 1 – Island County history and background information
- Chapter 2 – Synopsis of state laws and Growth Board decisions
- Chapter 3 – Describe current local ordinances
- Chapter 4 – Synopsis of County implementation
- Chapter 5 – Synopsis of Best Available Science
- Chapter 6 – Issues raised by public and departments/agencies
- Chapter 7 – Data analysis
- Chapter 8 – Options and conclusions
- Chapter 9 – Recommendations

<b>Milestones – Track 1</b>	<b>Target Date:</b>
Planning Department Reports published, distributed and sent to State Agencies	May 2, 2005
Planning Commission Camano Hearing	May 17, 2005
Planning Commission Whidbey Hearing	May 24, 2005
Planning Commission Deliberations	June 7, 2005
Planning Commission Recommendations	June 14, 2005
Staff Session with BICC	June 15, 2005
Board of Commissioners Adoption of Revised Comp Plan language and Implementing regulations	June 27, 2005

<b>Milestones – Track 2</b>	<b>Target Date:</b>

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Planning Department Reports published, distributed and sent to State Agencies	May 31, 2005
Planning Commission Camano Hearing	June 21, 2005
Planning Commission Whidbey Hearing	June 28, 2005
Planning Commission Deliberations	July 12, 2005
Planning Commission Recommendations	July 19, 2005
Staff Session with BICC	Aug. 17, 2005

<b>Milestones – Track 3</b>	<b>Target Date:</b>
Planning Department Reports published, distributed and sent to State Agencies	Dec. 1, 2005
Planning Commission Camano Hearing	Jan. 1, 2005
Panning Commission Whidbey Hearing	Jan. 17, 2005
Planning Commission Deliberations	Jan. 31, 2005
Planning Commission Recommendations	Feb. 7, 2006
Staff Session with BICC	Feb. 15 & 22, 2006
Board of Commissioners Adoption of Revised Comp Plan language and Implementing regulations	Feb. 27, 2006

Chairman Shelton was under the impression that the timeframe to complete the critical area update was December 2005. Keith Dearborn pointed out that he came on board late which caused a late start to the process. Mr. Tate mentioned that one of the big challenges with both wetlands and fish and wildlife areas is the amount of information, as well as the amount of information that is internal to the County. It is going to take a lot of staff work and a great deal of time to sift through all the information and try to identify where the gaps are, what information is needed, and synthesize the best available science.

Mr. Bakke spoke with the Assistant Director of the Department of Community Trade and Economic Development about the way the County is approaching the update and the timeframe and he did not believe that the schedule that the County has put together is a problem. Annual review amendments will be handled separately from the critical area updates. Mr. Dearborn will not be involved in the annual review amendments.

***HEARING EXAMINER'S REPORT***

Michael Bobbink, Island County Hearing Examiner, noted that his work load in 2004 was up a little bit from the year before. There have been some complex and contentious matters sometimes requiring additional hearing dates. Some of the matters have ended up in Superior Court on appeal. He is looking forward with some trepidation to handling the Nichols Brothers Boat Builders, Inc. Master Permit application.

Meeting adjourned at 5:25 p.m. The next regular meeting of the Board of Island County Commissioners will be on March 7, 2005 beginning at 9:30 a.m.

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

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Mike Shelton, Chairman

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Wm. L. McDowell, Member

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William J. Byrd, Member

ATTEST:

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Elaine Marlow  
Clerk of the Board