

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
SEPTEMBER 22, 2009 – SPECIAL SESSION**

The Board of Island County Commissioners met in Special Session on September 22, 2009 beginning at 6:00 p.m. at the Camano Senior and Community Center, 606 Arrowhead Road, Camano Island, Washington. The purpose of the Special Session was to consider adoption of Ordinance C-102-09/PLG-015-09 In the Matter of Adopting a New Zoning Classification Called “The Camano Gateway Village Zone” which amends the Island County Comprehensive Plan and Development Regulations for Commercial zoned properties adjacent to State Route 532. John Dean, Chairman, Helen Price Johnson, Member, and Angie Homola, Member were present.

Attendance: Approximately 26 members of the public and press

County Staff: Bob Pederson, Planning & Community Development Director; Bobak Talebi, System Planner; Elaine Marlow, Clerk of the Board; Debbie Thompson, Executive Assistant

The following, as a result of the proposed ordinance and public hearing, are on file with the Clerk of the Board:

- *Attendance sheets (GMA No. 10334)*
- *Special Session Notice (GMA No. 10335)*

Chairman Dean opened the public hearing at 6:00 p.m. as scheduled so the Board could consider finalizing what he felt was a model Camano corridor planning process that began one year ago with a diverse volunteer citizen group. The group gathered seven times in September and October, he said, to recommend building sizes, setbacks, height, landscaping, density and uses for a proposed new zoning classification referred to as the *Camano Gateway Village Zone*. The final result would amend Island County’s Comprehensive Plan and development regulations for commercial-zoned properties adjacent to SR 532.

The citizen group’s proposals were aired before the Island County Planning Commission, which then sent its recommendation to the Board of County Commissioners. The Board subsequently rejected the Planning Commission’s recommendation in May of 2009, choosing instead to hold public hearings of its own. Chairman Dean added that the Board then worked with Mr. Pederson and Mr. Talebi to fine-tune the proposed ordinance. The proposed changes included disallowing convenience stores and gas stations.

The Chairman thanked the volunteer members of the working group, who provided a productive public venue that captured diverse opinions about what Camano Islanders hoped to see in the Camano Gateway. He also thanked Commissioner Price Johnson for bringing a fresh, objective review of the proposal with special thanks extended to Commissioner Homola whose experience as a County planner and a professional architect were especially helpful.

Mr. Talebi, who worked on the ordinance for about a year, provided a brief overview of what led to the proposed ordinance and explained a map he provided reflecting the various zones. On June 16, 2008 an interim control to regulate areas of SR 532 was adopted by the Board with the belief there were more appropriate standards to address traffic and aesthetic issues along the corridor. A citizens’ working group was enacted consisting of architects, planners, citizens, environmentalists, and property owners along SR 532. The working group was presented by Planning and Community Development with alternatives to standards. The proposed ordinance, he said, is a result primarily of the working group. Planning staff merely facilitated those meetings and translated ideas from the meetings into code. Mr. Talebi added that the boundaries

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of the area are not changing but rather the standards are concerning building size, setback, height, landscaping, lot size, signage, density, and uses appropriate for the zoning.

The working group's recommendation was translated to the Planning Commission which then held two public hearings on December 2, 2008 and January 27, 2009. The Planning Commission deliberated on February 24, 2009 and by and large adopted the citizen working group's recommendation. Two issues more controversial than others were overnight lodging and gas stations and convenience services. The Planning Commission decided to have overnight lodging and gas stations and convenience services as permitted and conditional uses. The Planning Commission's recommendation was transmitted to the Board of County Commissioners who decided, following public hearing, to amend the standards.

Mr. Talebi added that the proposed ordinance excludes as prohibited uses gas stations and convenience services and does include overnight lodging. The Board, he said, has a decision to either act on the proposed ordinance or revert it back to Planning staff for required revisions. He concluded by explaining the structure of the ordinance and attachments.

Chairman Dean was curious about the statement under "Goals and Policies" in Exhibit A, item M: *removed for possible conflict with other sections of code.*

Mr. Talebi explained that the language was included to represent that that section of code had been removed.

Chairman Dean opened the floor to public comment (attendance sheets on file with the Clerk of the Board).

Allison Warner spoke on behalf of CARE. Overall CARE was pleased with the process that ensued, that the Board provided due diligence in attempting to obtain citizen involvement from the beginning. She spoke of discrepancies in the proposed ordinance, however, that should be considered since any inconsistencies would leave the door open later to interpretation. Those concerns included:

- "Permitted Uses" (intent of 20 units per acre versus 40 units per acre)
- The limiting of hotels to size and design characteristics
- Juniper Beach aquifer and water intrusion

In response Mr. Talebi noted a necessary clarifying revision to page 2 of Exhibit B, B.2: *Overnight Lodging that exceeds eight (8) units ~~or~~ not to exceed 20 units per acre* The clarification would then be consistent with page 3 of Exhibit B, E.3. The overnight lodging numbers were established based on the Growth Management Act in a RAID. The Health Department approved the water issues through this application and all water run-off and water issues will be addressed at the time of the development proposal on an individual basis.

A brief discussion ensued about how one might get from 20 units per acre to 40. Staff explained there are stipulations in place that provide 40 units so long as base density requirements and required standards are met.

Ms. Warner remained concerned about what she believed to be an inconsistency in the number of units permitted per acre.

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Joan Schrammeck, speaking on behalf of CARE, thanked the Board and the community for everyone's participation. CARE appreciated the prohibition against gas stations and convenience stores. Under the circumstances she wondered how the existing application for a gas station at Good Road came about. On behalf of the community she asked the applicants of the gas station and convenience store, who were in attendance, to reconsider their request, taking into consideration that the community does not want a gas station at the proposed location due to traffic and how difficult it is to get on and off the island. The community would like to maintain the existing rural environment. Ms. Schrammeck also asked if 40 units is the maximum, then why not just say that in the Prohibited Use section of the proposed ordinance.

Mr. Talebi explained that when development proposals are received staff is obligated by law to accept the proposals and enforce the regulations that are applicable at the time of vesting of the application. The application received for the gas station and convenience store was vested under the previous interim ordinance which allowed gas stations and convenience stores. Any new development proposals received after adoption of the proposed ordinance, however, will need to comply with the new standards.

Mr. Pederson suggested a clarifying revision to "Prohibited Uses", Exhibit B, page 2, by adding C.12: *Overnight Lodging exceeding 40 units.*

Rafael O'Connor, Camano Island, said if one would look back at the history of Camano it would be realized that Camano is a recreational hot spot for Washington that includes fishing, hiking, and hunting. Every resource that Camano has people enjoy. Gas stations, hotels, overnight lodging, and convenience stores would help benefit the County financially. Water run-off would not be a problem and would not affect the environment because a drainage system would be installed to take care of any trouble. In fact, he added, everything that is being opposed would be taken care of. When Mr. O'Connor was in high school in Stanwood his English teacher was flown to Washington D.C. to attend a banquet because she was so passionate about the environment and Habitat for Humanity, and was recognized in the United States for the number one growing habitat in the United States as far as caring for animals. The community should be more welcoming to those who wish to visit.

Chairman Dean said the Board is very interested in fostering more participation in government so thanked Mr. O'Connor for speaking even though he was off-topic to the hearing. The Chairman also thanked the audience for their attention. People would be better off, he said, to continue to listen to diverse points of view and different ages.

Chris Wilson expressed his discomfort with Policy Q and G.2 because he is not sure if the language is based on Best Available Science as much as emotion. He is not sure what it will mean long term. There are large off-site drain fields throughout the County so the question is how those will be differentiated from others, what would be the difference between those and a lodging unit under Policy Q he asked. It seemed to him there would be no difference and pointed out that those two issues are vague and are suggesting larger impacts. The Board, he believes, should carefully consider that language in terms of how the standards will be imposed County-wide. He also pointed out that the vagueness in both leaves the private sector or the applicant helpless in terms of what the County will require.

Chairman Dean closed the public comment portion of the hearing.

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Chairman Dean thanked the working group and staff for their effort with the ordinance. There were several things about the proposed ordinance he personally liked: 1) the ordinance emphasizes pretty heavily the village and town-like commercial services which is something, as a 30-year resident of Camano, he has always appreciated and dreamed would be the established standard; and 2) he is pleased to see the emphasis on facilitating pedestrian access, extensive landscaping, small parks, compact design, and a communal village atmosphere. Other positive points include: sustainable building practices, low impact development, small scale retail sales, and small scale overnight lodging. He was pleased to see that the version addressed the water withdrawal from one site and distributing it to another which was a public concern. There are also well thought out parking signage and lighting regulations. And most of all, the Chairman was pleased that the ordinance was based on a public process which is something that everyone wanted to see happen for SR 532. With the clarifying language earlier mentioned he supported the proposal.

Commissioner Price Johnson moved to approve Ordinance C-102-09/PLG-015-09 In the Matter of Adopting a New Zoning Classification Called “The Camano Gateway Village Zone” which amends the Island County Comprehensive Plan and Development Regulations for Commercial zoned properties adjacent to State Route 532 with two clarifications of intent on Exhibit B, page 2, B.2 under “Conditional Uses”: strike the words *or exceeding* and insert the words *not to exceed* as proposed; and under C, “Prohibited Uses,” add No. 12 *overnight lodging exceeding 40 units*. Motion seconded by Commissioner Homola.

Mr. Talebi requested that item M of the Comprehensive Plan (*Removed for possible conflict with other sections of code*) be stricken. Commissioners Price Johnson and Homola agreed to add that request to the motion.

Commissioner Homola commented that she was happy with the cooperation of all involved and thanked staff for their hard work. Some of the areas the Board addressed cleared up issues with regard to setbacks, roof tops, the screening of mechanical equipment, building heights, and sign heights. A low impact development ordinance would be adopted soon for Island County and the Gateway ordinance is worded in such a way that it could be referred to for that purpose. Some ambiguities with the County’s sign ordinance, she said, have been recognized by the Planning Director and, as well, the sign issues addressed in the Gateway ordinance would help with that concern. Commissioner Homola believed that any problems that may arise can be addressed if and when they materialize. She is pleased to move the ordinance forward.

Motion to adopt Ordinance C-102-09/PLG-015-09 In the Matter of Adopting a New Zoning Classification Called “The Camano Gateway Village Zone” unanimously carried. (*GMA No. 10336*)

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The public hearing adjourned at 6:50 p.m.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

John Dean, Chairman

Helen Price Johnson, Member

Angie Homola, Member

ATTEST:

Elaine Marlow, Clerk of the Board