

**PLANNING COMMISSION
TRINITY LUTHERAN CHURCH GYM, FREELAND, WA
TUESDAY DECEMBER 14, 2010**

	<i>Members Present</i>	<i>Members Absent</i>
<i>District 1</i>	<i>Val Hillers</i>	
	<i>Dean Enell</i>	
	<i>Mike Joselyn</i>	
<i>District 2</i>	<i>Mitchell Howard</i>	
		<i>Terry Reynolds – Chair</i>
	<i>Mahmoud Abdel-Monem</i>	
<i>District 3</i>	<i>Wayne Havens</i>	<i>Vice Chair</i>
		<i>William Lippens</i>
		<i>Scott Yonkman</i>

Meeting called to order at 9:01 a.m. by Vice Chair Havens

ROLL CALL

Mike Joselyn, Wayne Havens, Mitchell Howard, Mahmoud Abdel-Monem, Val Hillers, Dean Enell

Staff Present: Robert Pederson – Planning Director, Anthony Boscolo – Long Range Planner, Troy Davis – Long Range Planner, Brad Johnson – Current Use Planner

APPROVAL OF THE MINUTES – November 9, 2010

Minutes for this meeting have not been completed so this item was continued to the next meeting.

ITEMS FROM THE PUBLIC

None

DIRECTOR’S REPORT

Director Robert Pederson deferred the director’s report to the end of the meeting in the interest of time.

OLD BUSINESS – Public Hearing

Zoning Map Correction

Update Zoning Maps to include parcel R23009-480-0190 in Greenbank Farm Special Review District (SR-GF).

Brad Johnson provided background, stating a technical amendment to the Island County Zoning Atlas was needed to address a parcel that was inadvertently left out of the map that delineated the boundaries of the Green Bank Special Review District adopted in 2002 by the Board of County Commissioners.

The Planning Department is asking that this parcel be included within the boundaries of the Green Bank Special Review District and that the zoning be changed from Rural (R) to SR-GF.

No comments

Commissioner Abdel-Monem moved to approve, Commissioner Enell seconded, motion unanimously approved.

NEW BUSINESS – Public Hearing

Proposed update to the Freeland Subarea Plan (FSAP); to include revisions to all elements of the subarea plan, addressing land use, transportation, capital facilities, utilities, parks, housing, and economic development.

Director Robert Pederson provided background on the topic. It has been placed on the docket this year to bring all of the elements under the umbrella of the Growth Management Act. After a series of three public workshop meetings in Freeland, the proposed draft document is now before the Planning Commission.

Long Range Planners Anthony Boscolo and Troy Davis provided a presentation.

CPA 244/10 was initiated by the Board of County Commissioners when the original Freeland Subarea Plan was adopted in 2007, laying out the groundwork for doing the update of the subarea plan to complete the process. The Plan will serve as an element of the County Comprehensive Plan. It is a policy level document similar to the County's Comprehensive Plan in that it establishes the principles and the goals for creating zoning and development regulations for Freeland.

Basic assumptions made for this proposal:

- Sewers
- Development Regulations
- 2012 periodic review

Without one the other can't happen, without the Plan sewer can't be completed, without the sewer the FSAP can't be implemented. Development Regulation must be in place for the Plan to come to fruition. The state mandated 2012 update to the Comprehensive Plan will include an update to the subarea plan to be kept in alignment with the current County Comprehensive Plan and region plans in place. There is a constant update process and there will be some areas in the current subarea plan that will need to be revised as part of this process, such as the Transportation Element.

Background history:

- 1990 Washington State Growth Management Act
- 1998 Island County Comprehensive Plan
 - RAID designation
 - Freeland's designation was challenged, the State determined Freeland looked more like an urban growth area
 - Findings
 - The County reduced the development and intensity allowed and put together a Freeland Subarea Planning Committee to look at and create a Freeland Subarea Plan, the work product of citizens of Freeland after approximately 72 meetings.
- Freeland Subarea Plan – Adopted December 10, 2007
 - Additional work needed to be completed. A timeline and schedule was put in place to accomplish this task.
- CPA 244/10 – Freeland Subarea Plan update to fulfill the additional requirements left to complete the Freeland Subarea Plan and update.

Troy Davis provided further information related to the role of the Planning Commission, which serves as a check and a balance against the Department's work with the general public. It provides review of the work done and objective feedback. The final role is then to make recommendations to the Board of County Commissioners.

The Freeland Subarea Plan is a comprehensive plan that includes:

- Land Use
- Natural Lands
- Open and Civic Space
- Capital Facilities
- Utilities
- Transportation
- Economic Development
- Housing

The Plan must be cohesive with the other county documents, such as development regulations and policies to ensure they work together and don't conflict with each other. Together, collectively they must align with the goals and policies set forth in the Growth Management Act, the County Comprehensive Plan, and countywide planning policies.

Three public meetings were held with FSAP drafts – issues that were raised:

- Land Use
- Open & Civic Space
- Sewer & Water
- Semantics, Grammatical Errors, Wording

Changes were made as a result of these meetings and the public input given.

Staff recommended approval of CPA 244/10

Vice Chair Havens opened the meeting for public comment.

Al Peyser, 1322 Backswing Lane, Freeland

Stated he was puzzled by several things. Question the concept of Freeland having a plan. What are the advantages to the public of having this Freeland high density area and said he can't think of any.

He is concerned about the sewer system; he doesn't think the public understands the impacts it will have on those living in this area will. The Freeland Water & Sewer District has elected to change their plan for a sewer system into very few phases. The first phase will cost something like 34 million dollars and must come from the people who live in the "city" of Freeland. They are setting up a concept of densities within this Freeland area. Depending on the density within the Planning Departments plan, parcels will qualify for 2 - 4 building units per acre, 5 - 9 building units per acre, or 6 -12 building units per acre.

Freeland residents will get a bill for the number of lots that can be potentially developed at the cost of \$30,000 per potential residential unit. He is concerned that this may bankrupt citizens, without them understanding the process. The only way the LID can be stopped is to object. The LID will go through automatically, unless there are protests, but it is very hard to notify everyone that they will potentially get a bill for \$30,000 per individual residential unit (IRU). The only recourse to get out from under that bill is to sell their lots, but no-one is buying.

Charlie Stromberg, 5783 Menlo Beach Lane, Freeland

Stated he felt Freeland has been in limbo after the Growth Board declared the 1998 RAID invalid. He is concerned that there will be a need for more water for the density and growth that will be allowed. The former Hydrologist who worked for the County created a computer model of the entire county with the five levels of aquifers and the way in which they shift. Hundreds of thousands of Federal dollars have gone into creating this. It has never been taken to the point for the Freeland Water & Sewer District or the adjacent water systems to know they will be able to handle this growth.

He is further concerned that the plan is to take all the water from the sewer system to the northwest, outside of the mapped area. They have purchased eighty acres to do this and have determined that is not adequate for the kind of infiltration needed and are now talking about more acreage or different acreage to the north. He is concerned that this may then take it out of the area that would come back into the aquifer recharge area. He encouraged the County to continue the investigation on Hydrology to review this.

Barb Jaks, 2071 Millman, Langley (Double Bluff)

Stated the planning and what is occurring is in anticipation of growth in which she agrees. It is easier to change direction than start from a dead standstill. She feels Freeland is beyond the need for a plan as evident by the sewage going into Holmes Harbor from all of the septic systems. The community is beyond the need for that kind of system infrastructure in the Freeland area.

The building currently going on doesn't make sense. There is an already established style or character in Freeland and the new building occurring loses that sense of place and hopes the Plan will bring that back into control.

The pedestrian portion of the Plan was the final issue she discussed and hoped that the pedestrian cycling routes will be extended to other parts of the island to make Freeland a walking cycling destination.

John Brunke 5147 Honeymoon Bay Rd., Freeland

Reiterated concern of the sewer and the cost of what may be imposed without any vote or input from the citizens. He lives in a five year old home with a brand new advanced septic system on 1.3 acres. His house is right in the middle of the property and could not support another home, but finds he may have a \$300,000 connection fee. He is concerned about saltwater infiltration issues and concerned that this has not been studied.

He is also concerned that the ambiance of the area will be forever changed from a semi-rural community to an urban area pushed by developers and business and not by the citizens who live here.

His final concern was about a map that showed his home as a public use area.

Mitch Streicher, 5436 Pleasant View Lane, Freeland

Stated he is really upset with the Planning Department. They have wasted a lot of money at a time that the County is cutting back. In a recent action before the Western Washington Growth Managements Hearings Board stated the Land Use Element was the only valid element in the Freeland Sub Area Plan.

The Hearings Board acknowledged the FSAP is incomplete. The Board of Island County Commissioners adopted Findings of Fact for the FSAP and adopted the Land Use Chapter of the subarea plan.

The Planning Department should not have changed the Land Use portion of the plan. The new draft plan should have the Land Use Element replaced by the one that is now in the Comprehensive Plan, approved by the Planning Commission and the Board of County Commissioners. In the new draft plan densities were changed and increased.

RCW 36.78.070 discusses forecast for traffic for at least ten years, based on the adopted land use plan. The Planning Department has chosen to use data from 2000 not what is in the new plan and it is wrong.

Cynthia Richards, 5140 Honeymoon Bay Rd. Freeland

Owns an 18 acre property, that has been designated as a low density area, but if the sewer fees go forward they will be bankrupt. Imagine 18 acres divided into 2 – 4 units per acre and paying those fees.

Bill Fredricks, 987 Moonraker Dr., Freeland

Stated he has been part of this Freeland subarea planning effort since 2001. He provided written suggestions.

- Add hyperlinks in the table of contents
- To have the introduction include the history of the change from form based planning to the new Smart Growth, New Urbanism, and Form Based Codes with a hyperlink to a web page that explains it.
- Vision statement – 18 vision statements were paraphrased and missed some of the essence. Suggests adding a hyper link to volume II the resource pages to understand what the citizens had in mind.
- Add back the Mission Statement, which was left out in the 2007 FSAP
- Add the word “vision” back into the Land Use Mission Statement; vision directs the mission being done.
- Complete Streets concept should be added to the Transportation Element.

Pam Neschke, 5186 Honeymoon Bay Rd., Freeland

Wanted to know if the Planning Commissioners have read the Plan, all present indicated they had. She also wanted to know how many live in the NMUGA, of those present, none indicated they live in this area.

She said she was appalled that only information published in the paper for these meetings were done rather than a mailer. Several present today are here only because she mailed them notification.

She did not see how an incomplete document could be approved. Within the Capital Facilities section there are “x’s” where data needs to go.

She also indicated she agreed with the Complete Streets concept, but while she enjoys and likes Complete Streets she has chosen not to live in those areas. She prefers space and privacy and the Plan goes against what she is for and therefore she is not thrilled about it.

She further stated the sewer and water fees along with additional taxation and the looming debt for Freeland and the County is frightening. Ms. Neschke ended by thanking the volunteers of the Planning Commission for the work they do.

Steve Shapiro, 3541 Saratoga Rd., Langley (Owner of three Freeland commercial properties)

Stated the Freeland Subarea Plan and funding of the Sewer system are separate issues. Anyone who objects to the LID can do so, but not adopting the plan is not the answer.

The first thing the Plan would accomplish is to comply with the law. The idea of growth management is not to stop growth, but to manage it and reduce sprawl outside of growth area. He feels the Plan should be adopted and then amended over time as experience dictates. As the design guidelines and requirements come into play they will hopefully give Freeland an improved character.

Another possible benefit of a Plan is that some sources of funds for sewer development, trails, and road improvements require a Plan. He stated he was in favor of adopting the Plan. He further stated he needed to find out more information about potential funding mechanisms for the sewer system before he could state whether or not he supported it.

Ken Dickey, 2277 Goodell Rd., Freeland

Stated he has been involved over the last year in most of the public meetings and he has seen less than one percent of the Freeland residents at these meetings and believes a mailing in mailboxes should occur. An informed populace is necessary to have an effective democracy and the ability to participate in this process. He believes the vast majority of Freeland residents are unaware of these meetings, which are critical to the development of their community.

Meg Wingard, Harbor Hills, Freeland

Stated she has lived here eleven years and shortly after moving here Holmes Harbor Sewer District had a major problem with a bond issue and the subsequent litigation was very costly to them.

She is concerned about what is in the water and thinks all citizens need to be concerned about what is in the water. Some very good comments have been made by some very knowledgeable people. People who have been very involved and active and have contributed a lot of their time and thought to this issue and now the citizens are asking the Planning Commission to play the role of Solomon. What you are hearing are serious comments about how they are trying to put together a Plan that will work both logistically and financially for this community.

She agreed that the community in general is not aware of what is going on.

Gary Hess, 5830 Panoramic Dr., Freeland

Supports the Plan, supports planning for places that have all of the attributes of an urban area, whether it is recognized or not Freeland is that urban area. It is bigger and has more services than Langley or Coupeville.

With the Plan, a vision, and the public will to back it, is to make this community thrive and grow and be a great place. Without direction, a vision, a plan or a roadmap for the future it will remain a wide spot in the road, a Hodgepodge of development and services. Freeland has a lot of great attributes, but cannot thrive in the long term and will not be a place people will want to live, walk to work, walk to stores, and enjoy or be the great place that Freeland could be.

Bill Fredericks

Clarified that he believes in planning, that he would like to adopt the Plan, but what bothers him has only to do with the sewer system and using the Plan to build too large a plant at this time.

Mitch Streicher

Wanted to make sure he was not misunderstood. There exists right now a thing called the Land Use Element and asks that the Planning Commission maintain that as it is and then act on the other elements.

Carol Hanna, Bradshaw Rd.

Stated that the sewer issue is a separate issue, but most people have not been to the Freeland Water and Sewer Water District meetings. They meet at regular times in Freeland and are open to the public. If people have issues and concerns about what is happening and what they are planning or the LID, this is where they should be going.

Commissioner Hillers asked how different the Land Use Plan is from the proposed Plan.

Anthony stated the 2007 Plan was heavily referenced. The goals and policies were pulled from the Plan, as were the visions. At the highest level it is the same. There is new language throughout to fit with the format and style throughout the document. A new format so that all the other elements worked together with the Land Use Element.

Mr. Pederson stated there were differences in the map and the text and one of the reasons for that is that going through the 2007 Land Use Element, several areas were found that had a lack of specificity and it was not clear how it would be implemented. As an example, in the mixed use area it envisions three different types of mixed used areas, but

it didn't establish any densities or range of permissible uses for those areas. In retrospect it looked like the mixed use area was going to have three levels of further breakdown, but there were no policy directions as to what densities would be allowed.

The Plan also encouraged and allowed accessory dwelling units and other types of residential types of housing within the commercial core, but there was no reference to what density would be allowed.

In the southwestern side of the NMUGA that had a designation of Rural Estate, essentially still a rural designation. Several Growth Board decisions include not having rural areas in urban growth areas so this was changed to reflect the low density residential which would be the low end of density rather than the rural type density. There were some boundaries that were drawn, following natural features or property lines that were cleaned up and made more cohesive.

Commissioner Dean Enell stated he had followed this plan from the beginning and the end result is to create a policy and that represents the Freeland Subarea Plan. The one big change he has seen is the change to a form based planning, designating what you want to see when you are all done.

The question regarding the purpose of doing the plan, it is to support the thirteen goals in the Growth Management Act, such as put density where the infrastructure is, don't spread out and have sprawl, save your open areas, and that is what the plan is trying to do.

Freeland has become the commercial growth hub of South Whidbey. There is a sewer being planned. This plan is not about the sewer, the sewer is a separate element that is taking place in response to the growth demand that is occurring here. He stated he would hate to see a sewer come into existence without a plan in plan.

Commissioner Abdel-Monem

Stated most of the comments are related to the cost of the sewer system. He wanted to be sure this plan was not going to assess any costs on the people, but was rather the framework and the implementation is different.

Mr. Boscolo confirmed that this was correct.

Commissioner Joselyn stated it might be beneficial to have a member from the Freeland Water & Sewer District come to a meeting to answer a few questions.

Commissioner Havens stated he would like to have another evening meeting to allow people who work to have the opportunity to have their feelings known and have it well advertised to allow people to voice their opinions before anything is passed.

He further stated he would like to have someone present to testify about the sewer system and the water system to ease people's minds. He suggested having the statistics of the draw down tests of the wells to indicate whether there is sufficient water.

Commissioner Hillers stated that this is the big plan and it is not the specifics of the sewer and water and stated she was not in favor of what Commissioner Havens was proposing. She felt the Commission's job is to answer the question regarding the Subarea Plan. Ms. Hillers stated she lives in Coupeville, which has a real sense of place as a community and felt this was Freeland's opportunity to have a mechanism to work together as a community to decide what happens in terms of growth.

Commissioner Howard stated that every page of the document states draft and he considers it a work in progress. He stated another meeting to discuss this document would be a good idea in order to include more of the working community. He also stated the reality is that Freeland is becoming an urban area by the force of the free market. This Plan recognizes that reality and takes steps towards dealing with that reality. The Freeland area has to decide if it is a community that has a border, like Coupeville or not. It is ultimately Freeland's decision, but the County has to plan with and around what local folks do.

Commissioner Enell stated he has some specific recommendations on the Plan; minor things he thinks should be included. He thinks transportation is important and doesn't feel it has been addressed in a manner that provides adequate methods to fund such things. Open space needs to be more detailed about how recreational areas can be set aside or purchased; it would have to be a long range plan with the Public Works Department, but he would like to see a few words as to how they can address the funding of such things. He further stated he had some recommended wording for the Plan.

Commissioner Hillers stated she didn't sense they were ready to make a decision yet.

Commissioner Enell stated he would accept this Plan they way it is, a lot of work has been done on it and it captures the Freeland Subarea Plan that was done in 1998, the vision of that and the goals of the GMA are contained in it. It is a good framework, which he would like to see get in place before the sewer and growth occurs.

Commissioner Enell moved to accept this draft from the Planning Department as a workable solution, which has minor revisions to be made. Commissioner Hillers seconded. The motion carried with Commissioner Havens opposed. Commissioners Joselyn and Howard abstained.

Commissioner Howard stated he had not voted on the motion because it had gone so fast that he was unsure of what the motion included, specifically the statement in the motion regarding minor revisions.

Commissioner Enell stated that this document was a draft and there are some minor changes that need to be made to it and he wouldn't recommend this draft be the final, but would recommend that this draft be accepted as a working document to go forward.

Director Pederson stated that if the motion was to have this document recommended for approval and then passed on to the Board of County Commissioners; it is within the discretion of the Planning Commission. He further stated that what he thought he understood Commissioner Enell to say, was that it would be revised slightly, taking the comments made today, the suggestions about clarifications, hyperlinks, and editorial changes, then compile those into the next draft version, bring it back to the Planning Commission in January to be looked at along with the Findings of Fact and then transmit that on to the Board, with all the changes highlighted and noted.

Commissioner Joselyn and Havens suggested meeting again in January at night.

Director Pederson stated the motion on the floor to approve as is. If it is brought back in January, the Commission should open it up again, recommended taking public comment at that time, and then finalize the recommendation to the Board by adopting the Findings of Fact and voting to transmit it on to the Board of County Commissioners.

Vice Chair Havens stated the Plan would be revised, have a meeting in January for the final approval to transmit to the County Commissioners.

Mr. Pederson stated that was a suggestion the Commission might wish to consider as a refinement of the motion that was passed.

Commissioner Joselyn moved to meet again in January, in Freeland if possible, in the evening to readdress the Freeland Subarea Plan.

Commissioner Abdel-Monem stated he thought the motion made was a motion to accept with editorial revisions, only revisions in form, not in substance. If that is not the intention of the motion or the person making the motion he felt it should be clarified, either accepting the Plan in principal with minor revisions that are not substantive or agree with the concept, but the final Plan will need to be reviewed again by the Commission.

Commissioner Enell reworded his motion, to accept the plan in principal with minor changes, to the Plan, and allowing the Planning Department to make recommendations to the County Commissioners.

Vice Chair Havens stated he felt there should be an evening meeting in January, in Freeland, to review the revised document and at that time make a final decision.

Discussion continued relating to the actual vote on the original motion.

Vice Chair Havens declared the motion passed.

Director Pederson recommended that the clarifications and amendments mentioned be made and then bring it back for a hearing in January in order for the Commission to see

them and take action on the amendments a final time before forwarding them on to the Board of County Commissioners.

The Commission agreed to this course of action.

Commissioner Howard moved to adjourn, Commissioner Abdel-Monem seconded, the motion carried unanimously.

Meeting adjourned at 11:23 a.m.

Respectfully submitted,

Paula Bradshaw

On the February 3, 2011 Planning Commission Meeting, Commissioner Howard made a motion to clarify the minutes by adding the following statement:

Commissioner Howard stated he had not voted on the motion because it had not been read in its final form before the vote was called; although he was broadly in sympathy with the intent of Commissioner Enell's motion, he was not sure if the unread form of the motion was a good fit for the apparent intent.