

PLANNING COMMISSION

SUMMARY MINUTES

November 23, 2020

APPROVED AS WRITTEN



Darin Hand, Chair

APPROVED WITH NOTED
CORRECTIONS

Chair

**ISLAND COUNTY
SUMMARY MINUTES
COMMISSIONER'S HEARING ROOM, COUPEVILLE, WA
NOVEMBER 23, 2020**

Meeting was called to order at 2:05 p.m. by Darin Hand, Chair.
(Recording timestamp: 00:00:30/2:14:13)

ROLL CALL:

(Recording timestamp: 00:00:45/2:14:13)

District 1 - Margaret Andersen (Vice Chair), William Criswell

District 2 - Darin Hand (Chair), Joseph Busig

District 3 - Beth Munson, Tracy Hunsaker-Gilroy

Planning & Community Development Staff Present:

Mary Engle, Planning Director, Meredith Penny, Long Range Planner; Grant Johnson, Associate Planner, Jonathan Lange, Planning Manager

APPROVAL OF MINUTES: Chair Hand initiated approval of minutes. Vice Chair Andersen moved to approve the minutes for November 9, 2020. Commissioner Munson seconded the approval. Motion carried unanimously.

(Recording timestamp: 2:25/2:14:13)

ITEMS FROM THE PUBLIC (not on the agenda) - None.

(Recording timestamp: 4:37/2:14:13)

DIRECTOR'S REPORT – Penny reported that the Planning Department will be rolling out a newly updated and user friendly webpage on November 30, 2020, and that Island County staff has been transitioning over to new email addresses. Any email you have with @co.island.wa.us email domain address, needs to be replaced with @islandcountywa.gov. (Recording timestamp: 4:49/2:14:13)

Commissioner Gilroy asked what the status was in finding a new Director.

Engle stated that the Board of County Commissioners have not posted the position and or made a decision either way, and that she has conveyed to them that she would stay on until they post or hire for the position. Engle indicated she posted an ad for an Assistant Director position and applications have been received. She says she plans to schedule interviews for this position. Engle indicated that her title is Island County Assessor/Island County Planning Director through December 31, 2020.

PUBLIC HEARING (Recording timestamp: 9:28/2:14:13)

Chair Hand proceeded with the meeting to consider a recommendation to the Board of County Commissioners regarding amendments to Chapter 17.03, 17.04A, and 17.06 of Island County

Code addressing standards for Accessory Dwelling Units (handing the meeting over to Penny to discuss).

Penny gave a brief recap of the Accessory Dwelling Unit standards, and also touched on the additional requirements from the Health Department regarding Accessory Dwelling Units.

PROPOSAL:

Terminology update/change:

Accessory Living Quarters to: Accessory Dwelling Unit, Attached

Guest Cottage to: Accessory Dwelling Unit, Detached

Size Increases:

Accessory Dwelling Unit, Detached to increase from 1000 sq. ft. to: 1200 sq. ft.

Accessory Dwelling Unit, Attached to increase from 800 sq. ft. to: 1000 sq. ft.

Increase Opportunities:

- Allow one attached and one detached ADU per parcel
- Allow attached and detached ADUs in Planned Residential Developments (PRD)
- Allow detached ADUs on parcels less than one acre in the Rural Residential zone
- Main unit does not need to be owner-occupied in order to have an ADU
- Attached ADUs can have internal access connection provided between the main dwelling and the ADU but is not required

Other ADU requirements:

- Entrance to an attached ADU cannot be on the same side of the building as the entrance to the main unit and should be located on the side or rear of the house
- Attached ADU must have consistent siding, roof pitch, and windows as the main unit to maintain the appearance of a single unit
- Additional 10 ft. setback for detached ADUs
- Reference to addressing code for ADUs

Penny explained the general guidelines used by the Health Department on ADU permits for septic and water.

Penny provided the number of ADU permits issued per year since 2002 and explained amendment options available to the Planning Commission.

Chair Hand stressed the purpose of the meeting, and what is required by the Planning Commission, which is to further or not further the recommended proposals to the Board of County Commissioners. (Recording timestamp: 23:16/2:14:13)

Heavy discussion and dialog commenced with respect to water usage/consumption, State definitions, local policies and codes, and their differences. Especially with respect to the additional ADUs proposed. (Recording timestamp: 24:25/2:14:13)

Aneta Hupfauer, Environmental Health Specialist, provided insight on Island County Health Department requirements for ADUs, water systems, and the requirement for WAVs (Water Verification Forms – required when there is an increase in water use). (Recording timestamp: 26:25/2:14:13)

Commissioner Gilroy stressed her concerns with regards to approving any recommended changes until the Health Department opines about ADUs and provides more clarity and direction. (Recording timestamp: 32:17/2:14:13)

After extensive discussion, Chair Hand asked the Commission and Penny to revert back to how Attached Dwelling Units are classified. Penny indicated that the deciding factor is determined by the installation of a full stove and kitchen. (Recording timestamp: 1:07:10/2:14:13)

Penny suggested the Planning Commission open the meeting to public discussion on the perspective changes regarding the subject of ADUs.

Chair Hand agreed and opened the meeting to the public for comments. (Recording timestamp: 1:11:00/2:14:13)

Public Comments made by:

Dean Enell, Langley WA – spoke on curtailing sprawl and growth in the rural areas of Island County.

John Lovie, President of Whidbey Island Water Systems – spoke to his experience and knowledge in water systems, and shared information derived from Pierce County with regards to ADUs and water system connections.

Shelly Ackerman, Langley, WA – spoke on how ADUs can be looked at in reverse of urban sprawl; but that Air BNBs do appear to be getting out of hand.

Chair Hand asked Penny how ADUs can be prevented from becoming short-term rentals. (Recording timestamp: 1:26:56/2:14:13)

Penny stated that presently there is nothing in place for short-term rentals/Air BNBs, but there are provisions for Bed and Breakfasts, and that the Board of County Commissioners has indicated previously that they would like the Planning Commission to look into them at some point.

Randi Perry, Utility Supervisor, City of Langley, WA – spoke in terms of the City of Langley’s water service serving other areas well outside the city limits of Langley, and their

requirements to do so by code according to Municipal Water law. She stated her major concern is not being able to serve the existing water mains due to “fire flow” requirements. She asked whether private wells will be permitted if the City cannot serve an ADU. She also stated that many of the areas they serve are located within a medium to high risk *critical aquifer recharge area*; and wonders if Island County has looked at the additional risks for permitting ADUs without extensive research in the area. One of her other questions was; how is Langley supposed to prioritize their water right availability in both the city and county. (Recording timestamp: 1:30:19/2:14:13)

Chair Hand thanked the public for their comments, and reminded them that there will be no approval or decision making at this meeting, and that the discussion is based on only recommendations to the Board of County Commissioners, and nothing else. Once the recommendations are received by the Board of County Commissioners, they will have a public hearing to discuss the recommendations, and allow the public to make comments at their meeting as well.

Vice Chair Andersen asked for Randi Perry to explain the definition of “fire flow”. The question over to John Lovie who further explained.

Vice Chair Andersen also asked Perry how the City of Langley currently prioritizes water availability.

Perry indicated that the City of Langley is currently working on updating their Water Comprehensive Plan. Currently, the City code restricts connections to only those lots established prior to 1994. If you are in the City of Langley’s water service area, and you wanted to provide an additional connection to an ADU, the code currently states “no”, which is in conflict with the Municipal Water Law – “duty to serve”. (Recording timestamp: 1:38:23/2:14:13)

Discussion ensued regarding foreseeable-issues connecting to water systems.

Chair Hand reminded all present that the Planning Commission did not have to make a decision to move the discussion forward to the Island County Board of Commissioners if they are not ready. Chair Hand asked that Penny provide the options available to the Commission moving forward; on the item before them.

Penny provided the option of motions the Planning Commission could make.

Commissioner Gilroy moved to have proposed recommendations sent back to staff to further study the subject before the zoning code change is recommended. (Recording timestamp: 1:51:24/2:14:13)

Vice Chair Hand seconded. Commissioners Busig, Munson, Andersen, and Hand were all in favor. (Recording timestamp: 1:53:18/2:14:13)

Vice Chair Hand proceeded with the next item on the agenda; to consider the Proposed 2021 Docket and Work Plan items.

Penny recapped the recommendations and the items added.

Chair opened the meeting to the public/staff for comments regarding the Proposed 2021 Docket and Work Plan. There were none. (Recording timestamp: 2:09:04/2:14:13)

Commissioner Busig motioned to forward the Proposed 2021 Docket and Work Plan to the Board of County Commissioners. Commissioner Gilroy seconded the motion. The 2021 Docket and Work Plan was unanimously approved. (Recording timestamp: 2:10:01/2:14:13)

Vice Chair Andersen motioned to adjourn the meeting. Commissioner Busig seconded the motion. Motion carried. (Recording timestamp: 2:13:20/2:14:13)

Meeting adjourned at approximately 4:18 p.m.

Respectfully submitted by: Lourdes Shuart