

**ISLAND COUNTY PLANNING COMMISSION
SUMMARY MINUTES
COMMISSIONERS HEARING ROOM
1:00 P.M., TUESDAY, OCTOBER 24, 2006**

MEMBERS PRESENT: Wayne Havens Deb Eidsness
Scott Yonkman Bill Massey
Val Hillers Mike Joselyn
Alan Schell

MEMBERS ABSENT: Sheilah Crider Ray Gabelein

APPROVAL OF THE MINUTES

Mike Joselyn moved to approve the minutes of October 10, 2006 as written. The motion was seconded by Val Hillers and carried unanimously.

ITEMS FROM THE PUBLIC

Steve Erickson, WEAN, asked when the County was going to address the proposed amendment to the Critical Areas Ordinance they originally submitted in 2004.

Jeff Tate explained that the process for reviewing the Critical Area Ordinance is still ongoing. The proposed completion date is March of 2007. WEAN's proposed amendments will be addressed between the two remaining issues, which are wetlands and fish & wildlife habitat conservation areas.

UNFINISHED BUSINESS – Public Hearing

County Wide population projections & allocations/Urban Growth Areas (UGAs)

Jeff Tate provided some background on what is before the County Planning Commission today. RCW 36.70A, the Growth Management Act (GMA), among other things requires that counties and cities work together to review population projections and forecasting for the purpose of long range planning, dealing with a 20 year horizon

The last time the County updated the Comprehensive Plan was 1998 and the planning horizon went out to 2020. The proposed amendments being discussed currently push that horizon out to 2025. The GMA obligates the County to look at the cities urban growth areas. A major premise of the GMA is that you want to guide and direct future development into urban areas in order to preserve the rural areas.

The UGA's in Island County consists of Langley, Coupeville and Oak Harbor. The unincorporated lands outside of the UGAs are the Joint Planning Areas (JPAs). This is an area that it is assumed over the next 20 years will be annexed into the city.

The County and the cities worked together to come up with development standards to ensure that when a landowner comes to the County and submits a land use application that the County reviews it to make sure that it is going to be consistent with the cities vision of itself in 20 years.

The GMA assumes that the cities will infill and grow over time. Island County faces some significant challenges in dealing with that assumption. Coupeville and Langley have limitations on how much population they can handle and Camano Island does not have an UGA. The County relies heavily on the pre-existing subdivisions that were created long before the GMA and have yet to infill.

The State Office of Financial Management (OFM) provides the county with a low, medium and high range of population projections over a 20 year period. It is the local government's responsibility to determine the strategy for handling that growth.

He pointed out that the County Wide Planning Policies (CWPP) and Interlocal Agreements handed out at the previous meeting were provided for the Planning Commission to get an idea of what happens when the Comprehensive Plan is amended. The real issues before the Planning Commission are the amendments to the Comprehensive Plan and the map that defines the UGAs.

The Comprehensive Plan amendments that are outlined in the body of the text are issues that the Planning Commission deliberated on in the past. Information from those deliberations was passed on to the cities to help them in their population projection process. Coupeville and Langley provided their recommendations which basically state that even through the planning horizon has been extended out another 5 years to 2025 their existing UGA continues to accommodate the population projections.

The City of Oak Harbor put the issue forward to their Comprehensive Plan Task Force. The task force conducted a number of hearings and workshops and went through a decision making process for evaluating whether or not their UGA needed to expand in size. The city staff provided the task force with a land capacity analysis that the city conducted that concluded that there was a capacity for about 106% of their population projection. The city solicited letters to landowners on the periphery of the UGA asking if they had any interest in taking part in an analysis. The city received 4 or 5 letters from property owner requesting that they be considered in this analysis.

There has been much litigation on capacity of UGAs over the past 16 years or so that the GMA has been in place and there are many decision that have been rendered that say that it is appropriate for a city to have up to 125% capacity. A number of factors such as

market values and critical areas are taken into account when you are sizing the UGA. The purpose is so that land values are not artificially affected by the decision to draw an UGA.

The task force deliberated on the issue and ultimately decided on the 125% capacity. The Oak Harbor Planning Commission and City Council evaluated and agreed with the task forces recommendation and forwarded that on to the County.

The County evaluated the city's public process and the methodology that was put forth in their analysis and determined that it was a sound analysis. The County determined that the public process that the city went through went above and beyond what is required in the law.

It is a complicated issue, there are technical matters at play and there are policy matters at play. Ultimately what it comes down to for the County is a discretionary decision of sorts to decide whether or not to accept the city's work and recommendation or override that recommendation.

The city has proposed a total of 180 acres be annexed. The one that has gained the most attention is the Fakkema Farm which is 105 acres and was part of the city's Comprehensive Plan update process in 2005. In 2006 an amendment was submitted to the city to expand the UGA even larger. That issue has not been submitted to the County and is not before the Planning Commission today.

Scott Yonkman provided the public with the standard procedural policies for public hearings. He noted that the purpose of the hearing today was to accept public testimony on draft amendments to the County Comprehensive Plan and urban growth recommendations forwarded to the County by Langley, Coupeville and Oak Harbor.

Val Hillers asked staff to explain the difference between an UGA and a JPA.

Jeff Tate explained that the JPA is essentially a third ring around the city in which the city and county work together. The County provides the city with copies of land use proposals for their comment. There is no proposal to amend the JPA at this time what is before the Commission today is the municipal boundary and the UGA.

PUBLIC COMMENT

GayLynn Beighton, 2507 West Beach, Oak Harbor, provided the Planning Commission with a document titled "City Limits of Oak Harbor Population Density change between 1990& 2000." (Growth Management Record # 9014)

She noted that she was a commercial real estate broker with Chiles and Company in Seattle, a Certified Commercial Investment member and has studied aspects of population and economic growth. She worked for the City of Edmonds on issues they have faced in

encouraging economic development and balancing the needs of the citizens with the businesses and helping maintain tax bases.

She came to the Planning Department last week and requested information on how the population numbers were derived and was told by staff that they were all on Excel spreadsheets and that information could not be given out. As a result she analyzed census information from 1990 and 2000.

Census Year	Population	City Land Area in Acres	Average # of people per acre
1990	17,176	4835.9	3.55
2000	19,795	5876.5	3.37
Difference	2,619	1040.7	-0.18
% Change	15.25%	21.52%	-5.16%

A negative change in density indicates urban sprawl. People are spreading out away from the city core which is left to deteriorate and instead residing in the rural area, which then becomes suburbs of the city. An example of this would be Ft. Nugent Road and the Swantown Ridge area. The more that the City of Oak Harbor city boundaries expand, the less urban density it has, unless the population increase keeps up.

Population growth is closely related to economic growth and new employment opportunities for an economically vibrant area. However due to demographics in this day and age, retirees are much more probable occupants of new sprawling homes on Whidbey Island. Due to fixed incomes their net contribution to the Island County economy will not be as strong as the contribution of younger, working residents with good paying jobs. An alternate suggestion is to promote eco-tourism aimed at high income eco-tourists looking for a weekend getaway or a mid-week respite from King, Snohomish, Pierce Counties and beyond throughout the year. Preservation of Island County “lifestyle”, rural, open, natural spaces with wildlife, is critical to attract these discerning tourists.

The density trend line is down by 5.16% and this trend does not reflect good land use planning under GMA. In the time period between 1990 and 2000 the Oak Harbor City boundaries, increased 21.52% but the population within the urban area only increased 15.25%. This growth of Oak Harbor city land area juxtaposed to the slower growth of population needs further analysis before any more land is transferred from the county to the city for development.

Her information source is the US Census. The next census is in 2010. The land area noted includes the seaplane base of approximately 2897.7 acres which is in the City of Oak Harbor.

Jerry Homola, 2862 Happy Lane, Oak Harbor, thanked the Planning Commission for the opportunity to address Oak Harbor’s 2005 Comprehensive Plan Amendments to the

UGA. Unfortunately, he was here to protest the possible acceptance of Oak Harbor's 2005 Comprehensive Plan UGA amendments. His argument is based primarily on the lack of need, without the need to expand the city should not warrant the privilege to transition rural county land into the UGA. This decision is for the current lead agency, Island County, to carefully consider all aspects prior to the decision; in fact state law requires it. Rather than sprawling clear cut development he supports the more challenging route to focus growth within the current limits and find innovative and rejuvenating solutions to immediate and near future growth demands. Develop a plan and most importantly follow it. The people of this community should decide the future, not the developers.

His second issue questions the flagrant lack of preparation by the County to render an informed decision. Two weeks ago he was extremely disappointed to learn that the Island County Planning Director, Mr. Phil Bakke, is comfortable deferring all aspects of such a critical decision to the City of Oak Harbor. In his power point presentation he will provide some examples of recent Oak Harbor practices that should be eye opening.

As a rural county citizen it is difficult to find where his representation lies. Obviously the County Planning Director has no alliance with our concerns as he stated at the last meeting that they should have attended city meetings. With the state of public notification standards it is easy for critical issues to slip under the radar of all but the savviest of citizens. Both city and county staff could do a better job fostering public participation through improved notification and education. In fact, he had a phone conversation with the Planning Director recently in which he stated that "all the people need to know is that there are going to be a lot of house out there."

Both the city and the county can do a better job in notification and education and a great example is this public hearing. It is 1:00 in the afternoon and most people in this county are currently working to provide for their families. Every individual in this room, less the county staff, is taking food from the table for the privilege to attend this meeting including the Commission. This Commission must remember the staff of Island County works for you and represents all the good people of this county. If the staff is delinquent in support of this committee they violate the very premise of a democratic base. Do not allow shotty work, rushed agendas and banker's hours meetings to impede the necessary detailed study to render an educated decision or reduce public participation.

In January, Mr. Larry Cort, Senior Planner for the City of Oak Harbor, presented to the Oak Harbor Task Force statistics showing that the current data of the 2004 city limits and UGA yielded a 106% need to accommodate growth of the city out 20 years to the year 2025. A motion to accept the current limits and to move on to other business lost with a vote of 7 to 4. Instead the task force pushed the limits and went with 126% capacity.

RCW 36.70A.010 states, "The legislature finds that uncoordinated and unplanned growth, together with the lack of common goals expressing the public's interest in the conservation and the wise use of our lands, pose a threat to the environment, sustainable

economic development, and the health, safety, and high quality of life enjoyed by residents of this state.”

He provided a power point presentation supporting the lack of need for expansion and the fact that the county should not defer these decisions to the city because the city has not done a good enough job in implementing the rules and regulations of the GMA. (Growth Management Record #9012 & 9013)

Oak Harbor city staff presented population trends from 1940 to 2025 to the task force. The projected population inside the UGA for 2025 is 30,419 with an average projected growth per decade of 3,586. That analysis showed a housing capacity need of 3, 190, the current capacity is 3, 392. Keep in mind that this is a process that happens every 7 years or on an emergency basis.

He pointed out on the map titled, “Oak Harbor and Associated UGA’s and JPA’s” the 8 areas proposed for UGA expansion. It is critical for the County Planning Commission to understand about the property that they are giving away. He also pointed out various wetlands on the City of Oak Harbor’s “Wetland and Streams” map. The County is currently updating the wetland portion of the Critical Area Ordinance and he asked that the Commission hold off making any decisions regarding annexing lands adjacent to wetlands until that update has been completed.

He provided excerpts from the City of Oak Harbor’s 2005 Comprehensive Plan, Goals and Policies, and examples of how those goals were being played out.

“To respect the “small town” heritage of Oak Harbor while enhancing the unique character of neighborhoods and districts with development this is fitting with the City’s future as a regional center.”

“To protect, develop manage urban forest resources of the City because of their value to the community in terms of community identify, public health, environmental integrity, habitat and economic support of property values.”

He provided photos of various wooded areas that have either been logged or are being logged for development.

“To protect existing land uses as new development occurs.”

He provided a photo of a new development showing the buffer between the existing use and new development. Instead of leaving a woodland buffer the City chose to put the dwelling units right up to the fence line.

“The City shall retain the appearance and character established by existing forests within and around the community.”

He provided a photo of a new development on Ft. Nugent Road and its lack of preservation of woodlands in the mature forest within the development.

“Consideration shall be given to designating and protecting a “greenbelt” of wooded area or open lands surrounding the urban growth boundary.”

As each new wooded section is brought into the UGA they are clear cut and the only protection you have is the next wooded section. In order to change that it will take vision from the Planning Department and the support of the leadership of the city.

Excerpts from the Natural Lands Element of the Oak Harbor Comprehensive Plan

To preserve a system of open space lands in Oak Harbor and its environs that provide a variety of public benefits.

To promote a coordinated regional effort towards the preservation of open space.

Work with Island County staff to identify opportunities for cooperation in preserving open space areas within the city’s UGA, as well as within the city/county JPA.

To identify and prioritize individual open space for protection, preservation or potential acquisition.

To promote the creation of open space corridors.

To utilize a variety of financial and other methods that will preserve open space without placing an undue burden on the city’s budget.

To provide public incentives to promote the conservation of open spaces on private land.

Open space in Oak Harbor consists of parks, schools, school yards and ball fields and the mud flats when the tide is out.

Under, Important Regional Connections, in the Oak Harbor Comprehensive Plan it lists Swantown Lake as a critical wildlife habitat that may also provide a link to an open space corridor that extends east and south toward Waterloo Marsh.

During the course of preparing its Natural Lands Plan in 1998, Island County conducted a series of surveys to determine the priorities of county residents in preserving various types of open space. The survey was done in a way that permitted the County to document preference by geographic area. Among residents of North Whidbey, the order of preference was as follows:

- Wetlands which serve a variety of ecological functions including storm water retention.
- Natural shoreline systems such as lagoons, salt water tidal flats, marshes, accretion beaches that serve a diversity of ecological functions.
- Critical wildlife habitats.
- Significant undisturbed natural communities and eco-systems.
- Productive agricultural and forest lands.
- Watersheds necessary to protect drinking waters sources and supply.
- Riparian ecosystems such as stream and river bank corridors, which are important to plant communities and wildlife areas.
- Environmental conservation areas to protect biological communities such as eagle nests and heron rookeries.

The last slide was a photo of the Swan Lake Watershed, the most significant parcel of land on Whidbey Island and an example of every single priority listed above. He was not here to say no to growth or to stop overall development and deny landowners reasonable use of their land he was simply asking that the County think holistically.

Mary Gattas, 1600 McKinnon, Oak Harbor relinquished her time to Angie Homola.

Murray Beighton, 2507 West Beach, Oak Harbor, read the following letter into the record. (Growth Management Record #9011)

Island County has made a commitment to participate in the State Salmon Recovery Act passed in 1998 as evidenced by the County plan adopted in May 1995. The Water Resources Advisory Committee formed by the Board of County Commissioners is assigned to oversee this plan in WRIA 6 (Whidbey and Camano Islands). Grants are available through the Salmon Recovery Funding Board. The County had done the following before this plan was formulated in 2005.

- Downzoned vast acreage so that 93% of the land had low-density rural zoning.
- Protected wetlands, streams, kelp and eelgrass beds, surf smelt and herring spawning grounds and eagle and osprey habitats.
- Identified 8 habitat areas locally important to migratory birds and waterfowl and protected them under the County's Critical Areas Ordinance.
- Protected tidelands, wetlands and estuaries through public ownership.
- Adopted agricultural best management practices to lands adjacent to wetlands.

Swantown Lake is one of the largest and most important watershed areas on Whidbey Island. Swantown Creek was deemed to have high potential for supporting migratory Salmon Species in the 2001 report by the Island County Water Resources Advisory Committee. The lake is home to numerous species of birds. It is classified as a pocket

estuary with tide gates preventing it from being connected to the sound. It is potentially a prime salmon recovery site similar to those studied on the east side of the Island by Eric Beamer of the Skagit Valley Cooperative. Pocket estuary degradation is believed to be the most important factor in the dwindling Skagit River Chinook run.

Chum Salmon, Bull Trout and Chinook are all on the Endangered Species list and the County is obligated to restore and protect them. Swantown Lake has lots of potential in this area as well as nurturing the forage fish and invertebrates that Salmon live on.

Before the Planning Commission gives approval to Oak Harbor to expand its high density urban growth area think about your obligation to the citizens of Island County to protect Swantown Lake in keeping with the above listed accomplishments of Island County prior to adoption of the Salmon Recovery Plan.

As a citizen I implore you to vote against this Oak Harbor expansion and continue your 93% rural zoning that you were so proud of in 2005.

Barbara Wheeler, 1613 McKinnon, Oak Harbor, endorsed Jerry Homola's presentation. She was surprised to hear that the Planning Commission was not familiar with the property they were discussing and invited them to come and look at it.

Deb Eidsness said there is an assumption that the members of this Commission are not familiar with the property and that is incorrect. She is a past dairy farmer and has farmed with the Fakkema's.

Wayne Havens said he was not familiar with the property, but intends to go out and look at it prior to the next meeting.

Don Wheeler, 1613 McKinnon, Oak Harbor, said if the city has 106% of required space available they do not need this property. They can go elsewhere to look for suitable land before they destroy this environmentally sensitive property.

Mark Ashworth, 1795 Swantown Road, Oak Harbor, owns 10 acres adjacent to the Fakkema's 277 acre parcel which is adjacent to this 105 acres being discussed. He also owns 40 acres, with his brother, adjacent to Swantown Lake. He expressed concern that the Planning Commission will be making decisions without reviewing where the figures came from and determining whether they are accurate or not.

He was also concerned that if the Planning Commission approves including the Fakkema's 105 acres into the city limits that would only be the first step. The second step is approving the Fakkema's 277 acres which will extend it all the way to West Beach. If the County approves the 105 acres then in exchange the 277 acres should be used for some non-development purpose to compensate for the loss of habitat and farm land on the 105 acres.

Scott Ashworth, 2438 Juan De Fuca, Oak Harbor, spoke in support of all those who have spoken against the Fakkema proposal today and gave the balance of his time to Steve Erickson.

Leal Dickson, 2369 West Beach Rd., Oak Harbor, thanked the Planning Commission for listening to their comments. He asked that the Commission listen carefully to all of the evidence that is presented today and take into account this precious piece of property which makes a significant impact on what Island County is and what it is perceived to be not only by those who live there but by others who come and visit as well. He supported the comments that others have made and the decision to not include the Fakkema's 105 acres into the city's UGA. He gave the remainder of his time to Angie Homola.

Thomas Garrod, 2398 West Beach Rd., Oak Harbor, concurred with the comments from both Angie and Jerry Homola. When he talked to Island County staff about this issue he was referred to Oak Harbor. He was told by the City of Oak Harbor that they did not represent him because he did not live in the city. He wanted to make it perfectly clear to everyone present that the County Planning Commission and the BICC were their last line of defense.

Sunset Beach represents a very rare area and not just because of its ecological benefits but also because it is a very rare area for public access to natural resources. His personal vision would be that the land is bought from the Fakkema's and preserved as a natural corridor into Oak Harbor.

Mike Ostrom, 2593 West Beach Rd., Oak Harbor, noted that his family had owned what they called "Beach Drive Farm" which was the 208 acres known as Swantown Lake. His hope was that the County not rush in making their decision and that there might be a way to develop this property into 5, 10 or 20 acre pieces instead of paving the whole thing.

Angie Homola, 2362 Happy Lane, Oak Harbor, prefaced her comments by noting that she lived adjacent to the Fakkema property and had a great respect for the Fakkema family. This isn't really about them or trying to take something away from them it is not their intent to do that. She read the following letter into the record. (Growth Management Record #9015)

I have resided in the Oak Harbor City limits for 8 ½ years and in Island County for 1 year. My husband and I contracted and built our home with our two children. We selected the location because it resides in a rural area, walking distance to the beach and the wetland known as Swan Lake. We flank the Fakkema farm to the east. Before we purchased our lot in 2003, Island County assured us that this prime agricultural land zoned for 5-10 acre parcels would not change for a very very long time.

We lived in our house for just shy of one year when a letter from the city arrived in our mailbox announcing sponsored amendments for the Fakkema's land to annex 377 acres from county agriculture to city UGA. The initial 105 acres which resides at the eastern

edge of Swan Lake watershed has made it thru the city review process and now sits before you for approval.

There is a huge failure to notify the public. Our governing bodies slight the RCW requirements by offering minimal legal notices which read like an obituary with such technical terminology as, "Island County will hold a Public Hearing to address 2005 Comprehensive Plan amendments/UGA's..." This means nothing to the average public. It is not until one is unfortunate enough to live within 300 feet of a Type II decision that a notice that we can understand gets delivered in our mailbox. That is what got this public informed. That and air time, articles and notices that the public pursue on their own.

As an architect, I have an ethical duty to work toward a responsible built environment. I consider not just what a specific client wants, but what is best for the community at large. I would not accept a commission to design a building that would place undue hardship on others exposed to it. Nor do I expect our Planners, Mayor and Commissioner's to make decisions that appease the desires of a few to the detriment of many.

Geology was a long time in creating this string of islands that due to their separation from adjacent land masses rendered a unique biodiversity worthy of, and dependent upon our stewardship. We are known and admired as the Evergreen State. Our forests and agricultural land is the envy of many.

I encourage thoughtful island planning that preserves our shorelines and rural forested landscapes. A place where tourist still enjoy modest scale shopping venues accessed by winding country roads. Development must promote local businesses including light commercial industry with moderate to high wage jobs. It will take diligent planning to actually implement the goals of our Comprehensive Plans. But, I am convinced this will yield a truly sought after quality lifestyle. This has not been the trend for growth over the past ten years on Whidbey Island. Both Oak Harbor and Island County have Comprehensive Plans filled with ideas and promises for open space, rural preservation and environmental protection that are being by-passed for the benefit of a very few. I am astonished to see so many opportunities for green belts and preservation traded for pavement and extended development while failing to revitalize dilapidated buildings and existing inner city lots.

This state has powerful legislature that is, as we speak, threatened with the passage of I-933. This legislature gives us the tools to establish a built environment that keeps man and nature in harmony. The same legislature assures us a public voice. It gives us you. Our voice and concerns are heard and answered thru you. Please do not let us down.

The County has hired a lawyer practiced in reading between the lines to tweak the GMA requirements to lesson our responsibilities for stewardship. I urge you not to be swayed by this tactic. When considering the minimal legal responsibilities of RCW's, WAC's and codes, remember your moral and human obligation to do what is right for all forms of life to flourish for generations to come.

I speak on my own behalf today; however, I am a member of a group of concerned citizens known as Swan Lake Watershed Preservation Group. We are talking this request very seriously.

We, as county dwellers, do not elect city officials and therefore are not represented at city meetings. We asked for assistance from our county commissioners who deferred support. The city assured us we would have the opportunity at the county level to express our concerns during their review period. Phil Bakke, the County Planning Director, tells us we had plenty of chances at the city level.

It makes absolutely no sense to allow urban growth to occur first, then study the impacts later. State law and common sense tell us we should study all the impacts before accepting a proposal. When we learned about this possible expansion we, as a group, kicked into gear to study impacts including:

- Sewage treatment capacity
- Ambulance
- Fire response
- Roads and traffic
- Schools Water availability
- Wetlands
- Wildlife corridor destruction
- Audubon concerns
- Population forecasts
- Real estate trends
- Codes, laws and ordinances

What we found were a lot of unanswered questions and startling realizations. Where are these substantive reports? When we arrived here two weeks ago, the planning department handed out an informational packet to you and the public. This packet contained a lot of numbers, charts and codes that prevailed upon you to permit a growth expansion of 126% over the next 20 years simply because the city asked for it. The current UGA already indicates a 20 year growth allowance at 106%. Phil Bakke indicated the County does not typically question the city. The County is the lead agent and ultimately responsible before a Growth Management Hearings Board, therefore the questions must be asked. As we speak, the County is administering a wetland by Dr. Paul Adamus, paid for by our tax dollars. Until this study is complete no decisions for comprehensive land use should be made that may adversely affect our wetlands.

People are saying loud and clear. Let's not oversize. Fix the blighted areas and put commercial shopping areas on secondary streets. What we do not want our strip malls and urban sprawl. The potential for bike paths, green belts and real wildlife corridors is rapidly slipping out of reach.

We urge the Fakkemas' to pursue attractive alternatives for reasonable use of their land without converting to urban expansion and a possible 1028 houses punctuated with manmade narrow greenbelts. The public lands and parks proposed are not large enough to maintain wildlife migration and critical habitat viability. We are eager to assist in seeking those alternatives.

I find it alarming that something as weighty as expanding our city to envelope rural prime agricultural, wetland, watershed, scenic vista and potential historic lands can reach this decision level without any of you having had the opportunity to be presented with critical decision making information.

It is unacceptable that the County is ready to hand off a collective of 7 pieces of land with very little review for specific impacts to the individual pieces.

I urge you to demand substantial information from the County and city staff necessary to make an educated decision that will forever change the face of Whidbey Island.

I motion that there can be no decision made today and that at least one more public hearing be called to order for the following reasons:

- Public notice signage as required by RCW 36.70A.035 and ICC 16.26.080 has not been provided.
- The wetland has been identified as the number one choice for salmon habitat restoration on Whidbey Island. Please wait until the wetland study is complete.
- Wait until an environmental impact study and full SEPA report are disclosed and studied.

On behalf of another member of the public she stated that if there is a member on the Commission that has intimate relationships with the Fakkema's or has worked with them over the years that they might consider recusing their position.

Richard Pasewark, 793 SW Barrington, Oak Harbor, submitted a letter for the record. (Growth Management Record # 9016)

He noted that Jeff Tate provided a comprehensive and fair evaluation of what the situation is at the present time.

He has lived in Oak Harbor for 12 years after moving from Wyoming. He does not and never has owned or had any financial interest in any real estate except for the few homes in which he lived. Most of his contributions are to environmental and charitable organizations. Because of his physical condition he has been unable to visit any of the preserved lands, including those obtained by the Whidbey Camano Land Trust which he has contributed to for years.

He has been a member of the task force for about eight years. Except for the road signage, he knew nothing of the Fakkema's prior. He voted in favor of the original Fakkema proposal now being considered because they were, and remain, the only applicants who presented a plan dedicating land to the city and willing to commit themselves in writing to their outlined plan.

The Fakkema's have indicated that a trust has been planned that would assume responsibility for removal of farm buildings if the City of Oak Harbor cannot fund their preservation.

As mentioned, the Fakkema's were the only applicants during his service on the Task Force to commit to a plan that deeded significant acreage to the city for trails and a park. Others entering the UGA can place one house on five acres but placement must allow for streets, utilities and density requirements of the city. Each has been annexed as R1 but can later request another use. The Fakkema's also have a potential course that is less desirable for the citizenry and probably more profitable for them.

Rita Peterson, 1917 Swantown Road, Oak Harbor, provided the recording secretary with a letter. (Growth Management Record # 9002) She noted that she was President of the Western Division of the American Association for the Advancement of Science in 2000 and 2001 which put her in touch with many national issues. One of the issues that greatly interested her was the group of biologist who were appointed to study the coastal wetlands in all border of the United States. They concluded that in all coastal areas of the United States when there were conflicts between urban development and the preservation of wetlands when the developers provided "mitigated wetlands" they consistently failed.

According to the U.S. Commission on Ocean Policy, ecosystem health is seriously impaired when the impervious area in a watershed reaches 10 percent. The Island County Planning Commission has an obligation to the public to present their individual analyses of the Environmental Impact of the proposed development of dense housing in the watershed affecting Swan Lake.

Richard Hart, 2561 North West Beach Road, Oak Harbor, noted that with the exception of a few years he has lived in Oak Harbor since 1971. He considers himself a conservationist which to him means go ahead and use the land but keep it in as good a condition as when you found it. He did not believe that could possibly happen if this project were to go all the way to West Beach Road. Island County still has the same bridge on the north end that was there in 1971 when he first came here. The traffic, crime, drugs and gangs have increased exponentially.

He believed that the Fakkema's deserved to be compensated adequately for their land but felt there was a better way then having the developers develop, the builders build and rest of citizens pay for it.

Steve Erickson, WEAN, wanted the record to reflect that the Ashworth brothers have 77 acres due north of the Fakkema property.

He understood that the City of Oak Harbor produced an Environmental Checklist but there are some key issues that need to be subject to environmental review which he had a strong suspicion the city did not do. First is the proximity of the property to Swan Lake and that watershed, next is the traffic, then the larger cumulative impact questions such as the City of Oak Harbor going sea to shining sea and essentially severing ecosystem conductivity north and south on the island with urban development. The recently pulled proposal by the Fakkema's is relevant in terms of piecemealing to avoid consideration of cumulative impacts. It is fairly predictable that next year they will resubmit that application to City of Oak Harbor.

In terms of Oak Harbor's density, the legend on the UGA expansion map indicates that with the exception of Area 1, which is not an issue, Areas 2, 3, 5, 6, and 8 are all designated low density residential. The Fakkema property, Area 4, is designated mixed use. The densities discussed for the 277 acre Fakkema property ranged from 500 to 1000 houses. He suggested that the County perform a capacity analysis of Oak Harbor's density with and without that property.

The Growth Management Hearings Boards have generally held that a density of less than 4 dwelling units per acre is not an urban density so in an urban area that is the minimum density that you need. There may be some cases where you can't meet that density or shouldn't meet it because of some very highly significant environmental factors.

One of the GMA goals is to reduce urban sprawl and what that really means is compact well planned urban development. Oak Harbor is not compact, it is spread out. As long as you have existing densities that are under 4 dwelling units per acre there is really no reason to expand with more low density residential development. In the interior core of Oak Harbor they should be looking at mechanisms to encourage higher density development which is the essence of urban planning.

This proposal seems to be at odds with GMA's conservation of agriculture lands goal. The Fakkema's 105 acres is RA and the other piece includes both RA and CA land. The County has argued previously to the Washington Court of Appeals and the Growth Management Hearings Board that GMA's agricultural industry goals include lands that are not just in the agricultural lands of long term significant designation. Losing that land is at odds with the County's Comprehensive Plan policies and with the GMA. This proposal is also at odds with the GMA's environmental goals.

The County is presented with some real basic policy choices particularly regarding ecosystem connectivity north and south, conservation of agricultural lands, and encouraging compact urban growth. He was against this proposal simply because of the density and urban sprawl problem. He concluded by saying that the GMA has a

requirement that greenbelts be designated within and between UGA's and that's never really happened.

Gerald Pitsch, 2527 West Beach Road, Oak Harbor, concurred with the presentations given by Jerry and Angie Homola. He read the following letter into the record. (Growth Management Record # 9009)

One of the reasons the GMA was adopted was because the Washington State legislature found that uncoordinated and poorly planned growth caused urban sprawl and threats to the environment which is my main concern. Swan Town Lake for 20 years and during that time has seen Artic Snow Owls, pelicans, and at one time a pink flamingo that must have escaped from Stanley Park. I was hoping that when Island County bought Swan Lake and the local dairy stopped spraying manure on their fields with the run off going into Swan Lake that the County would at that time attempt to environmentally clean up the land and make it a wild life refuge and construct walking paths and viewing stands for bird watchers, etc. One way to do that would be some sort of watershed restoration project. This would be a great asset to the community if that area could be restored. The inclusion of the Fakkema Beach View Farm into the Oak Harbor UGA would result in a large number of homes being built with the added run off from homes, streets, and the removal of timber would result in going the opposite direction in protecting the environment and restoring this lake.

I would strongly recommend the rejection of the Fakkema Beach View Farm request for annexation into the Oak Harbor UGA by the members of this Planning Commission.

Dick Fakkema, 1570 Wieldraayer, Oak Harbor, stated that they have a vision for their land and the City of Oak Harbor liked their vision which is why they passed the UGA amendments for 2005. They want to keep the rural character of this 105 acre piece which is why they have not sold it out to developers. He commented about the reference to a watershed. In his dictionary a "watershed" is described as "a tributary of water that is fed by a river or a stream." Swantown Lake does not have a river or stream connected to it. The only water that goes into it is from a drainage ditch which was classified a drainage ditch by the Director of Fish and Wildlife, Island County, and the City of Oak Harbor three or four years ago. He also stated that there were no wetlands on their property. He asked that the Planning Commission not hold any additional public hearings as they will only hear from the same people again. He asked that the Planning Commission make a decision at their next meeting. He donated the remainder of his time to Richard Pasewark.

Richard Pasewark read from the remainder of his letter. (Growth Management Record # 9016)

Today it seems to me that Oak Harbor absorbs most of the development and congestion on Whidbey. Presently, I am surprised at the dramatic commuter traffic increase on SR 20 before and after work hours at NAS Whidbey and businesses in Oak Harbor as well as the volume of weekend pass through traffic to and from the south. Unless population growth

is controlled more housing will be built. When I visit or talk to childhood friends who still reside in my old neighborhood we can reminisce and bemoan the loss of miles of fields, woods, swamps and creeks that led to the bay and the ballfields we made on vacant acreage. However, they began to disappear with the return from WWII. Newcomers regard Whidbey Island as still a desirable place to live, but it is just not the same as population continues to increase.

I would like to suggest what I suspect is an unpopular notice. This is, if the County rejects the Fakkema proposal, it also disapprove all other applications to expand the Oak Harbor UGA that do not deed to the city a greater proportion of acreage then the Fakkema's are prepared to do.

Dick Kimberley, 2011 Sandusky Road, Oak Harbor, noted that there have already been many good comments from the public on why this is a bad idea and to add more would just be redundant. One good idea to think about is that Swantown Lake would make a great county park.

Ned Face, 2643 N West Beach Road, Oak Harbor, said he appreciated the Planning Commission's willingness to listen to the public's concerns. He lives on West Beach and looks out at the beach on one side and meadows, pasture and the lake on the other and hopes that his grandchildren will be able to enjoy the same view in the years to come.

John Dean, 3971 SE Camano Drive, Camano Island, noted that he was the previous editor and Associate Publisher of the Stanwood/Camano News, currently running for County Commissioner. On the campaign trail he has learned that people's biggest issue is quality of life and habitat.

The Swan Lake Watershed Preservation group asked him to come and testify on their behalf and while the lake is a value to them it is also a value to most Island County citizens he has talked to. He urged the Planning Commission to look at that area and appraise any development in that area as they would Deception Pass Park.

Hap Fakkema, 2427 Moss Lane, Oak Harbor, noted that a lot of the people commenting today against the Fakkema proposal have purchased property from the Fakkema family farm. It is interesting to hear them complain about trees being cut down when they cut down trees on the property they purchased to build their own house on.

He stood before the Planning Commission today on behalf of his family's 2005 amendment to the Oak Harbor UGA. In 1960 there were roughly 13 farms on Whidbey Island and now only one remains. A large percentage of those farmers have lost everything because they tried to stay in business too long. We have chosen to look forward to the future of our families which everyone in this room would do when faced with these circumstances. We have taken into consideration many things as we have tried to move forward such as 17 acres of the 105 acre piece to be a benefit to the community and keep some of the lands character in place. As everyone is aware this process started

with the Oak Harbor Task Force which was established in late 2004 when the city was working through their population projections. The first public meeting regarding this amendment was held on February 9, 2005. Since then 6 to 8 public meetings have been held. Three groups have reviewed the 2005 amendments and all three found it was acceptable and it met the GMA requirements. Those groups are the Comprehensive Plan Task Force, Oak Harbor Planning Commission and the Oak Harbor City Council. We feel the community has been given many opportunities to give their input and with that in mind we would like to thank you for reviewing our request and approve our portion of the 2005 amendments.

Paul Gillon, 2355 West Beach Road, Oak Harbor, noted that he has owned his property on West Beach for over 18 years. He was told when he moved here that the City of Oak Harbor was run by the Dutch mafia, which he doesn't agree with but he did agree that it was run by special interest groups.

He felt that the projected growth numbers were flawed. As a marine consultant he works on large government contracts and it is his opinion that NAS Whidbey will either be substantially reduced or done away with in the next 10 to 15 years for a number of reasons.

Raymond DeMuth, 2383 Happy Lane, Oak Harbor, supported the comments made by Jerry Homola.

Al Williams, 1817 Ft. Nugent Road, Oak Harbor, said as the population grows we are going to be saturating, if not overwhelming, our island resources which are definitely limited. One important resource is water. The County's Water Advisory Board has some serious concerns about water availability, the aquifers, and the water recharge rates which are diminished with more growth, more pavement and more houses.

Mike Ostrom noted that both Coupeville and Langley have not expanded their UGA. Is that because they didn't need to or didn't want to?

Jeff Tate explained that Coupeville has an exemption written into state law for growth management compliance in terms of accommodating population growth and identifying an UGA bigger than the town. The 2000 census showed less growth than what was predicated in 1998 so the City of Langley just extended the 2020 projection out to 2025.

Bill Massey asked Jerry Homola if he was objecting to the entire proposed UGA expansion area or just the Fakkema proposal.

Jerry Homola noted that the only proposed UGA expansion he was in favor of was the industrial park labeled as Area 1, Hansen. He was not sure whether the Planning Commission was allowed to pick and choose which areas should go into the UGA.

Bill Massey asked representatives from the City of Oak Harbor to address the philosophy that went into the decision of the task force to recommend a 126% capacity. It seems to go against the philosophy of the City of Oak Harbor to promote infill.

Steve Powers, Director of Development Services for the City of Oak Harbor, noted that the capacity as studied indicated that the City of Oak Harbor had 106% of the capacity within our existing UGA to handle the growth projection for the coming 20 year period. A vast number of assumptions went into that and those are all documented in the materials that were provided to county staff. However that 106% assumes that all of those parcels will be utilized in a fashion consistent with their zoning, be it single family, multi-family, high density or commercial.

The reason he believed that the task force, Planning Commission and ultimately city council approved a land area larger than the 106% was to allow for those things that are referred to as “market factors”. Such as properties not utilizing their full density potential and critical area issues that might limit those densities from being realized. It is a safety factor to allow for those unknown factors when we are talking about a 20 year projection.

With regard to the issue of infill, the city has a number of policies in the Comprehensive Plan, implemented through the development regulations, which encourage infill to occur.

Larry Cort, Senior Planner for the City of Oak Harbor, added that the City of Oak Harbor has allocated 120 dwelling units within the downtown area because they recognized that there is a movement nation wide of folks wanting to live in a vital downtown core.

Bill Massey said since this is a 20 year program and it is reviewed every 7 years what is the urgency to expand the boundaries at this point and time.

Larry Cort responded that that was a question for the task force.

Angie Homola asked for a clarification on whether or not the Planning Commission can consider individual pieces for annexation into the Oak Harbor UGA.

Jeff Tate noted that the GMA does not provide any guidance on that issue. Staff would need to do some research on case law and growth board decisions and get back to her with an answer.

Bill Massey moved to close public comment. The motion was seconded by Deb Eidsness and carried unanimously.

Bill Massey moved to close written comment on November 17, 2006. The motion was seconded by Deb Eidsness and carried unanimously.

Jeff Tate suggested that the Commission make a decision after their deliberations as to whether or not there will be additional public hearings on this subject. He also suggested

that staff be given an additional 5 working days after the comment period ends to provide responses to some of the questions raised.

The review of the Hazard Mitigation Plan has been taken off the agenda.

The meeting adjourned at 4:25 p.m.

Respectfully submitted,

Pam Dill
Administrative Assistant