PRD when coming out of FM. It has, however, been the Board's thought, and discussed at length, to broaden that; while a PRD would be a part of that, there would be other options than just a PRD, such as site plan, short plats, subdivisions, or other specific projects. Item #4 under Amendments may be moot if that is in fact changed. The Board agreed.

Specifically, as relates to the 10-year ownership question, Mr. Dearborn explained that the biggest effect is to "chill" the sale of a farm or forest lands to another farmer or forester, because once sold (if sold outright) that farmer or forester would be locked in for 10 years. They would have to, in effect, have a commitment for ten years; children who may purchase or inherit it during that period of time from a father or mother still would have to wait until that ten year period. The County is really trying to encourage people to buy farm and forest land for farming and forestry, and this in effect would be a disincentive to do that. The Board's intent, however, was to keep speculation from occuring.

The Board requested that Mr. Dearborn prepare language by tomorrow that in his opinion would meet the County's requirement per this discussion and general consensus. Mr. Dearborn suggested that the Board look at reduction of the time period. Board agreed to consider.

Regarding Class II and III soils, noted by the Chairman to be controversial as to "reasonable use" or "any reasonable use", the Board agreed that this matter be held over for discussion/decision tomorrow.

Amendments: (2) R or NR to AG/FM: (3) R to NR; (4) 18-Month Time Limit for PRD. Mr. Dearborn acknowledged that it had been pointed out that the Non-residential to AG/FM had already been covered, reference Page 77(5). Commissioner Dunlop expressed his feeling that Residential to AG/FM should be provided, as well as Residential to Non-residential where it is bordered on three sides by Non-residential. The Board agreed, and asked that Mr. Dearborn prepare language to that effect.

The Board agreed that the 18 month time limit for PRD would become moot once Use/PRD Approval was taken care of as discussed above.

Nonconformance - Use of Nonconforming Lot. The Board agreed that for such activities such as drainage and diking districts, that there is a need to clarify same within the Legislative Intent -- that Page 79(E), use of the nonconforming lot, needs some clarification that it means "any permitted use authorized by the chapter".

Protected Species. It was agreed by the Board to delete the Golden Eagle and the Otter from the list of Protected Species, and to add to that list the Pileated Woodpecker and the Trumpeter Swan.

VARIANCE ISSUE:

For information and guidance to staff, the Board provided information from Alan Hancock, Deputy Prosecuting Attorney, with regard to the issue of "vesting", describing the options: set the August 1st date, 1984, and any application submitted before that date would be processed under the existing code regardless of when the Board completes the process; this would only be for applications filed after that date, which would be converted over to the new Code if those applications had not been processed by the end of the year. It is believed that the Board has in fact done the truly fair thing to begin with, setting the date long in advance of implementation, postponed it for 4-5 months to provide additional time, with the date for particular sections of the code postponed again in order to allow people time to adjust. There would appear to be no legal reason why the Board would now need to make any change in the effective date for any application.

HEARING CONTINUED

It was moved by Commissioner Dunlop that the Public Hearing be continued until tomorrow morning at 9:00 a.m. Motion, seconded by Commissioner Bostrom, carried unanimously.

There being no further business to come before the Board at this time, the meeting adjourned at 6:30 p.m., with Public Hearing continued over until 9:00 a.m. on 18 December 1984 for final action by the Board relating to the Resolution adopting the 1984 Policy Changes to Island County Comprehensive Plan, Phase II, and Ordinance Number PD-84-22.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

E. Duane Kemp, Chairman

Wm. F. Dunlop, Member

Gary D. Bostrom, Member

ATTEST:

Harry H. Ferrier, Island
County Auditor & Ex-Officio
Clerk of the Board

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18 DECEMBER 1984 SESSION CONTINUED FROM 17 DECEMBER 1984

The Board of Island County Commissioners met in continued Public Hearing on 18 December 1984, continued from 17 December 1984, in the Island County Courthouse Annex Hearing Room, Coupeville, Washington, beginning at 9:00 a.m., with Commissioners Kemp, Dunlop and Bostrom present. Members in the audience along with Staff, constituted approximately 12-15 people.

HEARING CONTINUED: RESOLUTION ADOPTING 1984 POLICY CHANGES TO ISLAND COUNTY COMPREHENSIVE PLAN, PHASE II, AND ORDINANCE NO. PD 84-22 - REAFFIRMATION AND ADOPTION OF CHAPTER 17.02, ICC ZONING ORDINANCE

Chairman Kemp provided opening remarks, indicating that the Board was now continued in public hearing consisting today of a public workshop session of the Board, public testimony having been closed. However, at such time as there may be any new item, the Board would provide an opportunity for public comment on those specific items.

Review of Issues Unresolved 17 December 1984.

Keith Dearborn, Planning Consultant, reviewed with the Board those issues to be taken up today which had been held-over from the hearing on December 17:

Variance Section - deciding whether there is a need for both standards as provided for on Page 74, paragraphs 3 & 4;

Ten Year Ownership issue and the AG Rezone Process;

Whether the reasonable use standard relates to the particular property owner or for any property owner;

Permitted uses in Forest Management Zone - purpose of the word "primary". Intent was not to make either agriculture or FM uses go through a floating zone process to get approval. It would not necessarily preclude a site plan review, but would be a permitted use within the zone;

Parks permitted or conditional uses - Residential and Rural Zones? If so, under what circumstances.

Interpretation Question - The existing non-residentially zoned property, zoned today commercial or industrial; what is the lot size requirement.

Apparently staff is interpreting the lot size requirement at least right now, to mean that all lots within Freeland and Clinton, or anywhere zoned in now, non-residential, previously commercial or industrial, would have to have a five acre or 2½ acre lot size to develop; that was not the intent within the commercial areas. (Under Zoning Code - Land Use)