approval becomes administrative, and he requested that the process be explained and safeguards detailed. He is reluctant to see institutional uses go to some way of approval that does not include full public input.

Mr. Granger, referenced the Site Plan Review Ordinance 16.15.020.a - Applicability - Public Review and Threshold Criteria - falling under the category of public review; he read the 6 areas that would be handled through the Hearing Examiner process with full public hearing.

Commissioner Colby asked how one got from point zero to the point where the site plan review is taking place; what happens in between those two points.

Ms. Lee stated that an application would be submitted for institutional use, and it would go through site plan review. It would be determined at the time Planning Department became aware of a pending application whether it was of a magnitude or nature so as to require public or administrative review. The Planning Director's determination is appealable to the Hearing Examiner, and at that point there would be a full public hearing.

Commissioner Colby questioned public notification with regard to the Director's considering a particular application. Mr. Granger stated that a sign is posted to notify surrounding property owners, with notice to anyone requesting same. This does not require a legal ad in the paper.

Next, Commissioner Colby asked for a discussion on the fact that surface mining is being taken out of the NR floating zone and being made a conditional use in RR and FM zones.

Institutional Uses, according to Mr. Granger, do not extend to surface mines; and Ms. Lee added that the net impact is not to remove the process, except for the rezone. Surface mines would still be approved through use approval and site plan review, would be allowed only in RR and FM zones as it is now; a proposal in a zone other than RR and FM would face the rezoning question first.

Commissioner Caldwell concurs with approach of not going through the rezone, but was uncertain that mandated public review should be dropped on institutional uses and surface mining operations; he proposed that until there is a better handle on what might occur that the County require all institutional uses and all surface mining to go through the public review process outlined in the Site Plan Review. The Commissioner wants to hold on to required public review for institutional uses and surface mines until the County has the experience to safely exempt those from public review.

On the contrary, Mr. Granger felt there was sufficient experience with institutional uses, such as Pleasing II; he confirmed that it is not that he does not want public involvement; rather, it is the amount of time it takes, (minimum 120 days) to get something through the public review process. An administrative process, with appeals to an appropriate body, would cut the time in half.

Commissioner Colby agreed that probably small and relatively inoffensive institutional uses, if there is a mechanism for providing for some sort of expeditious handling, makes sense to the community and the system.

Commissioner Caldwell, however, sees that one reason the use may be non-controversial is where it is sited, and he can see where some proposed sites would generate much community concern because institutional uses have potential for "horrors" if improperly sited and incompatible with surrounding uses, and citizens of the County must have assurance that the institutional use application has to go through the public review process.

Commissioner Koetje agreed that sometimes size does not make a difference; questioned if the property could be posted showing the proposed use for a certain period of time, and if no public objections are received, then administrative review and processing could continue. Mr. Granger agreed that something such as that could be done concurrently with SEPA review.

Mr. Smith explained there are only about three changes proposed; one of which would eliminate a zone change for both institutional uses and for surface mining -- particularly surface mining because it did not appear to fit as a "floating zone". This permits the Planning Director to approve minor institutional uses but the Director has to make a determination that the magnitude and character of the project would not result in any significant effect upon the surrounding community, public facilities, public safety, health and welfare. Surface mining has not been changed at all except that it does not require a rezone and still requires public review of use approval. It is his understanding that if it is an expansion of an existing surface mining operation or a change of use, it will still require use approval.

Commissioner Koetje is concerned with institutional uses because of the possible wide range of uses, and asked if there is something in print spelling out what are and are not institutional uses.

Ms. Lee pointed to 17.02.150 containing a list, not all-inclusive, but many are defined; it would be hard to list every one which might be conceived of as an institutional use. Mr. Granger then read the definition of institution, the key to a determination of what is an institutional use, and gave one example of the type of project suggested to be excluded from the public review process: South Whidbey School conversion of a modular building on the property as a classroom building -- converted to a storage building --and conversion back into a classroom. This should be done administratively. Commissioner Caldwell agreed with that example.

<u>Public Testimony</u> - <u>NR Zone Ordinance Amendments</u>

Miriam Halsen, Coupeville, spoke in opposition to the Planning Director having the authority to administratively approve institutional uses of any type without public review. She feels that posting the property with a sign is inadequate notice as only those on-site as residents would be aware of such a sign; at the very least, there should be a notice in the newspaper.

Commissioner Colby agreed there should be some small window where some institutional uses could be approved through a process which is not as long or cumbersome as the public review process. However, he sees Ms. Halsen's point on not getting the word out to people. He is aware that for administrative review the County does not normally publish that fact in the paper. The County is not precluded from doing that, and he could live with requiring such publication. Commissioner Koetje agreed.

Commissioner Caldwell felt more comfortable dealing with the issue of public review by starting with the general premise that <u>all</u> institutional uses require public review; then, if the Planning Director can define some which clearly should not, making that an exception to it.

Commissioner Koetje continues to believe that posting for administrative review is necessary, but along with that, also a newspaper publication. He remains concerned about some of the potential uses.

Mr. Granger suggested handling this by redefining what institutional uses are and can be, and try to remove some things which are not public. His personal preference would be for government and quasi-government facilities, and would eliminate such things as churches, etc. from classification as an institutional use.