-Under 17.02.150, site coverage setbacks and screening in the Residential Zone, there is a statement (on a Chart) that for PRDs in the Residential zone greater than and equal to 5 acres a 20% minimum openspace requirement. Since being proposed in the R zone to drop a PRD down to one acre, this should be dropped down to say "equal to or greater than one a acre in size" (17.02.150.1).

Commissioner Koetje expressed some concern about buffering on a residential property using up much of the available space. Mr.Kwarsick stated that according to the Comprehensive Plan, zoning takes precedence over the Optimal Land Use Map; buffering does not reduce density but it would reduce available area.

Chairman Colby discussed the language proposed by Mr. Kwarsick "...to assure that the subdivision will be adequately screened from adjacent properties" sees a problem with what is "adequately screened" and suggested use of the word "visually" instead of adequately.

Commissioner Caldwell agreed that the word "visually" conveys the intent as long as it is understood there is no such thing as 100% screening. On the same page, Commissioner Caldwell asked the question that given some recent problems encountered relative to open space ratio on RR PRDs why was the anomaly addressed.

Mr. Kwarsick stated that he had recommended that all PRDs in the RR zone be required to have 50% open space; the Planning Commission did not accept that recommendation. With regard to the maximum impervious surface ratio, Mr. Kwarsick advised that in reviewing past history of legislation, it is preferable that all be the same; the matter was discussed but no recommendation made. Board consensus was that these should be consistent.

PUBLIC TESTIMONY

For the record, the Chair entered a letter received this date from J. B. Arnsberger, President, Whidbey Audubon Society:

"The Whidbey Audubon Society has serious reservation concerning the proposed changes to the Island County's Short Subdivision Ordinance and Site Plan Review Ordinance, Chapter 16.ICC.

Recent changes proposed for Island County Ordinances have had the overall effect of reducing the public's opportunities to comment upon development during this period of greatly accelerated growth, by increasing the Planning Director's authority to approve some development proposals without public hearings.

Cases in point:

(a) The Planning Department approved a development proposal on Ebey's Prairie without submitting it to the Ebey's Reserve Trust Board for comment, a violation of County policy. This omission was discovered by a member of the public, not by the Planning Department.

(b) Approval of a developer's proposed mitigation plan for wetland destruction was overturned by the Hearing Examiner who cited multiple errors and omissions in the Planning Department's review and approval processes.

(c) Until challenged by a member of the public, the Planning Department had not been complying with the County Prosecutor's findings concerning the status of certain types of contiguous parcel ownerships when reviewing development proposals.

The Director has given inexperienced staff and high personnel turnover rates as reasons for the Department's failures to comply with law and policy, which is all the more reason not to reduce public review and comment.

The County's EIS on the Comprehensive Plan estimates that approximately sixty five percent of the residential area is "sensitive area". As yet the County has not completed a Sensitive areas inventory, which means that the Planning Department does not have the necessary information upon which to base its decisions on development proposals.

At this time the public at large is still the best source of information in the County on matters such as these. Reducing public comment on development proposals without improving the Planning Department's resources for decision making is a source of major concern to us.

The Whidbey Audubon Society strongly believes that the apparent shift away from public participation toward greater internal administrative approval authority for development proposals is unwarranted and will inevitably lead to significant degradation of sensitive areas in Island County, due to lack of adequate information and qualified, knowledgeable personnel in the County Planning Department.

We strongly recommend that the Board of Island County Commissioners not approve changes to the County Code which reduce public review and comment until the County Planning Department has acquired the information, expertise and experience required to perform thorough and reliable review and evaluation of development proposals."

Letter dated May 20, 1990, entered into the record from Ted C. Hallquist, Oak Harbor:

"I have carefully reviewed the proposed changes to ICC 16.17 and strongly recommend that you do not eliminate the public review of the Use Approval process for any size subdivision or planned Residential Development.

Public participation in Governmental Agency decisions that can directly affect the public should be encouraged instead of discouraged, even at the expense of attempting to simplify that agencies work load.

I believe that a review of the Legislative Intent dated the 18th day of December, 1984 and Amended April 24, 1989, Section 2. Rural Residential Zone, states that a proposed density greater than one unit per five acres must be carefully reviewed, through both Use Approval and the PRC review process (unless these processes are combined), and the project modified, if necessary to ensure the proposal will be compatible with the rural lifestyle of the surrounding residents. Further, any PRD must provide a better living environment then would be provided by a conventional subdivision. Section 13. Use Approval, states in part that the Board may, in its approval, modify or even waive site plan or PRD requirements. This may be appropriate for small-scale projects; or where lots are not being created; or where sufficient information has been provided with the application for use approval to allow specific review of building location, parking, ingress, egress, water disposal and water supply. In these cases, the site plan or PRD review would be redundant and serve no public purpose.

These two sections alone, would indicate that Use Approval was meant to be a part of the public process and not delegated solely to the discretion of the Planning Director.

I believe that the Planning Department was created to protect the rights and interests of the public and not to expedite and aid the interests of the developer. In my recent participation of the appeal of our neighborhood against the Port Gardner Timber Company, I found the latter to be true. You are our elected officials and you should make the final decisions, not an appointed Director of Planning.

I thank you for your consideration."