1. Drainage Review for Other Small Development Activities. With drainage review for other small activities Mr. Kwarsick's opinion was that the county was losing some flexibility by virtue of what is being proposed [without drainage narrative]and there should be something else proportionate to some of the smaller developments .

2. Exemptions for Small Parcel Residential and Other Small Parcel Development Activities. Need to exempt development at some lot size threshold as long as development is not adjacent to a critical area or on a steep or unstable slope. Looking at "A" he described the kind of places in the county where lots are 2-1/2 acres or larger not associated with critical areas where potentially would have cumulative impacts. He noted the intention is that it is a critical drainage area and probably should be so stated, i.e. could say sites within or adjacent to a critical area and agreed there is no need to state steep and unstable slopes in that those are critical areas.

3. Drainage Review for Major Development Activities. Mr. Kwarsick is recommending the Board consider having at least as an alternative the low impact concept but also to provide some waivers to both the preparation and construction of some of the engineered drainage systems, and suggested that ability be maintained. Mr. Kwarsick further recommends doing away with the preliminary drainage plan and replace it with a narrative if the low impact concepts were being proposed.

With regard to Paragraph A at the bottom of page 5 , Mr. Dearborn commented that the major development activity is anything over 5,000 sq. ft. that requires a public hearing – a Type III decision, and he suggested this section state that.

4. Drainage Review Process. As noted, the Planning Commission's recommendation does not provide for the submittal of a drainage narrative and therefore is much more burdensome and lacks proportionality. Mr. Kwarsick referred to his other comments on subparagraph E of the Planing Commission's recommendation which incorrectly changed the reference from final to preliminary. He suggested that the low impact development concept not be the priority, but have it as an alternative concept someone could chose to do - the language can be re-worded such that the conventional engineering methods used today are the priorities.

Rather than continue with his memo of August 22, 1998, in the interest of time, Mr. Kwarsick stated his recommendation was that the Board consider those modifications to the Planning Commission's recommendation and include at least as an alternative the low impact concept, including the drainage narrative concept.

Chairman McDowell referred to page 6, section .080 of the Ordinance, Planning Commission Recommendation, and supported the concern of Mr. Bird.

Mr. Dearborn replied that Mr. Kwarsick's suggestion of a drainage narrative is in lieu of a preliminary drainage plan and is a valuable addition. One of the things yet to be done is that all of the RAIDs that have specific drainage problems to be fixed based upon the list of projects in the Stormwater Management Plan have to be gone through RAID by RAID and determine what can be done and how it should be done before the Plan is finalized - and call out as conditions of the RAID designation whatever actions may be necessary to address stormwater issues in those RAIDS given the record at this time identifying them as problem areas.

Mr. Kwarsick recalled providing an e-mail message on August 20 that dealt with those concerns in response to Mr. Dearborn's request he look at a specific Hearings Board decision. His review tended to indicate that Island County's circumstance is not at all like the Clark County because Island County does not have areas like Clark County which were identified by the State as water quality sensitive areas. Island County does not yet have those areas identified and is looking proactively at stormwater standards to attempt to ensure there are no designated water quality sensitive areas. On Page 12 Mr. Kwarsick recommended inserting illicit connections and uses which is not now in the ordinance. In his opinion to get support of Water Quality Action Team, DOE and Fish & Wildlife, there needs to be some sort of action to prevent those kinds of illicit connections and discharges. Currently, there are no water quality sensitive area designations in or around Island County that relate to contaminates from stormwater.

Mr. Dearborn suggested staff do a double check on whether or not the County has enforcement on that and rather than set up a new enforcement process refer to the health code that such a discharge is a violation _____ and will be enforced [if there if that enforcement there]. He agreed with Mr. Kwarsick that noting it in the ordinance is important.

On page 3 of Mr. Kwarsick's recommendation, the definition for Water Quality Sensitive Area, Mr. Dearborn thought had been effectively picked up through the Fish and Wildlife Habitat Critical Area Regulations, and questioned if #2 was needed. Mr. Kwarsick agreed that #2 could be eliminated under Water quality Sensitive Area and fold #1 into the definition. From his discussion with DOE this definition was one DOE would look for in the ordinance.

Referring to the 5,000 sq. ft. not including driveway, Mr. Kwarsick believed his proposed exemption effectively provided for that [page 5 -] for small development and major development, an exemption to provide, for less than 5,000 sq. ft. of impervious surface, excluding driveway.

The Board agreed:

- for small development and major development, an exemption to provide, for less than 5,000 sq. ft. of impervious surface, excluding driveway.
- drainage narrative is a viable alternative to a preliminary drainage plan
- include low impact as an alternative
- drainage narratives not be required for single family housing – small residential development unless in a critical area
- Ordinance, Page 6, replace A with language Mr. Kwarsick proposed [page 3 Kwarsick Memo]
- Mr. Kwarsick's proposal to delete specific sections [page 1 his memo] approved except for Table of Contents, language related to easements and dedications .300 and .310 not be deleted, and specify what it is that will be in the drainage manual so there is clear identification [description]
- Correct the label to Section .030 to read: Island county Drainage Manual
- Definition – New Impervious Surface – more appropriate for drainage manual than ordinance
- Definition Section – and Illicit Discharge definition – For all the definitions, suggested Anna Tamura in Public Works do a global of the ordinance and double check and make sure the words that are used and then do a definition for those words that are used. Double check whether or not the County has enforcement on that and rather than set up a new enforcement process refer to the health code that such a discharge is a violation _____ and will be enforced.
- Include definition as Mr. Kwarsick recommended for Water Quality Sensitive Area, with the deletion of #2 and #1 folded into the definition.
- compilation checks and consistency checks between Mr. Dearborn and Mr. Kwarsick need to be done

BOARD ACTION:
By unanimous motion the Board continued deliberations on proposed Ordinance #C-91-98 as amended, until September 14, 1998 at 4:00 p.m.

HEARING HELD: ORDINANCE #C-87-98 [PLG-022-98] PLANNED RESIDENTIAL DEVELOPMENT, CHAPTER 16.17 ICC

A Public Hearing, scheduled for 5:00 p.m., was conducted beginning at 5:30 p.m. due to the length of the previous hearing, continued from August 17, 1998, Ordinance #C-87-98 PLG-022-98, Planned Residential Development, Chapter 16.17 ICC. Public comment had already been taken and concluded at that prior hearing.

Documents:

- 8/24/98 Final Board Review Draft
- proposed amendment page 11
- 8/24/98 Coalition suggestions and Mr. Dearborn's mark up of that

Last week the Board had a long discussion and after that discussion asked Mr. Dearborn to take the comments provided by staff and the Coalition and blend them together in a revised proposal which has now been done. As far as getting that out to all interested parties was unable to do so before last night when it was e-mailed to the interested parties.

Mr. Dearborn went through the 8/24/98 proposed draft to review with the Board the differences from the proposal last week and discuss further refinements of the language suggested by John Graham, Citizens Growth Management Coalition, and Staff comments.

Page 4 Definitions. Staff suggested six definitions be added to the ordinance, three are already defined in the Zoning Code and have not been included here, open space and conservation easement and community area. Three definitions are proposed to be added, Buffer, Clusters, and Screening – not exactly as staff proposed but the general concept is.

> "Buffer" means a separation designed to absorb potential conflicts between differing land uses, or to protect critical areas or significant natural features. Generally, buffers shall be left in a natural state, or, if necessary, may be supplemented by landscaping and are used so that Structures, Uses and roads permitted by the PRD are not visible from Adjacent Properties or public or private roads external to the PRD.
>
> "Clusters" or "Cluster design" means a development design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for Open Space including Community Area.
>
> "Screening" means a method of visually or acoustically shielding or obscuring one form of land use from another by fencing, walls, berms, landscaping, or any combination thereof.