

Whidbey Environmental Action Network

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Feedback on the Draft Clinton Subarea Element

Please include these comments in the official public record regarding the 2025 Comprehensive Plan update. These comments are submitted pursuant to the public participation requirements of the Growth Management Act (RCW 36.70A). I request that these comments be included in the final record of adoption and that we be notified of all future hearings, work sessions, and final actions regarding this matter.

Iterative Planning and Comparison: Thank you for producing a first draft in February and a second draft in December. The ability to compare an earlier draft to the more recent draft is a vital feedback loop so that the public can see how comments have been integrated. This kind of iterative planning is needed for all of the elements and is appreciated in this one element where a draft was provided prior to December 2025.

Successes in the Revised Draft: The December 2025 draft demonstrates several improvements over the February 2025 version:

- **Terminology Alignment:** The plan correctly shifts from using RAIDs to the state-recognized term LAMIRDs (Limited Areas of More Intensive Rural Development), ensuring alignment with Washington State's Growth Management Act.
- **Removal of Inaccurate Shoreline Reference:** You have deleted the reference to the non-existent three mile stretch of public access shoreline referenced erroneously in your first draft.
- **Dedicated Environmental Framework:** A new "Environmental Goals and Policies" section (**ENV Goal 1**) was established , providing specific policies for evaluating wildlife corridors (**ENV 1.3**) and discouraging growth in areas subject to natural hazards (**ENV 1.1**).

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- **Infrastructure Strategy:** The revised draft identifies Real Estate Excise Taxes (REET) as a specific potential funding source for the required sewer study, providing a clearer path toward infrastructure feasibility.
- **Housing Diversification:** Policy language was updated to explicitly permit a wider range of housing types in the Rural Center, including multi-family units, triplexes, and fourplexes (**Policy HO 1.4**).
- **Community Integration:** A summary of community outreach and specific responses from the project's interactive map and survey were added as an appendix. (This appendix captures only a subset of the public's stated needs and serves as a partial record of input, as it currently omits formal written critiques and technical submissions provided during the broader 2025 comment periods).

Remaining Improvement Opportunities: Despite these improvements, certain gaps remain between the drafts and the provided feedback:

- **Misleading Opening Premise:** The plan opens by describing Clinton as a "vibrant, walkable, mixed-use rural community," which is a description of a future vision rather than a factual account of current conditions.
- **Policy Vagueness:** Critiques regarding the lack of specificity in land use standards along SR 525 (**Policy LU 1.5**) persist; the revised draft still uses broad terms like "such as decreasing setbacks" without defining the specific effects requested in earlier reviews.
- **Data Discrepancies:** There is still a noted gap between the Census data used—which suggests zero new homes built since 2020—and local feedback identifying recent residential construction in the area. **Policy ENV 1.2** or **LU 3.2** should be amended to require the use of local permit data rather than Census estimates to ensure the land capacity analysis is grounded in reality.
- **Informal Asset Recognition:** The revised draft still lacks a formal method for inventorying, protecting, or managing social trails that cross private property, a concern raised during the comment period.

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- **Spelling and Alphabetizing Errors:** In the introduction to Chapter 6 (page 38), the text uses the phrase "environmentally considerate manor" instead of the intended word, "manner". In the definitions section, "Housing Tenure" is incorrectly placed between "Traffic Calming" and "UGA," breaking the traditional alphabetical order. Please make a thorough search for typographical and technical errors.

Treatment of Critical Areas: The December 2025 draft shows a significant shift in how environmental assets are prioritized compared to the initial version:

- **Establishment of ENV Goal 1:** The creation of a dedicated "Environmental Goals and Policies" section is a major improvement.
- **Critical Areas as Community Assets: Policy POS 2.1** correctly reclassifies critical areas as potential candidates for neighborhood parks and open space, moving away from viewing these lands merely as "encumbrances" to development.
- **NMUGA Filtering: Policy LU 3.6** now explicitly requires the County to use critical area mapping as a primary filter when determining the final boundary of the Clinton Non-Municipal Urban Growth Area (NMUGA).
- **Data Commitment:** The inclusion of **Policy ENV 1.2**, which commits the County to maintaining an updated set of Critical Areas data, provides a policy basis for the data corrections the community has requested.

Errors and Opportunities in Water Resource Mapping: The plan's reliance on the National Wetlands Inventory (NWI) and its failure to identify local water bodies creates a significant gap in environmental protection.

- **Wetland Undercount:** The plan utilizes NWI data to claim wetlands in Clinton are small and low-impact, ignoring the NWI's own disclaimer that it likely maps less than 50% of actual wetlands.

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- **Misnamed and Missing Streams:** The plan incorrectly identifies Old Clinton Creek—a well-known local stream arising near SR 525—as an "unnamed stream".
- **Omission of Orr's Creek:** The document completely fails to mention Orr's Creek, which arises in major wetlands west of Heggenes Road and parallels Orr Road.
- **Lack of Mitigation Triggers:** This draft lacks specific legal triggers that require environmental mitigation or infrastructure upgrades to scale directly with population growth. Without these triggers, there is a risk that environmental protections will "erode by degrees" as density increases.

Mischaracterization of Local Geography: The plan's proposals for walkability and road grids are based on a flawed understanding of the area's physical layout.

- **Linearity Myth:** The draft claims Clinton has a "long, linear shape". While the highway is linear, the community itself is not, and this mischaracterization ignores the complex topography that dictates current development.
- **Road Classification Failures:** The plan misidentifies Humphrey Road as the primary collector road. In reality, Deer Lake Road serves as the arterial leading to the southern portion of Clinton, while Humphrey Road leads only to Glendale.
- **Environmental Constraints on Infrastructure:** Proposing a "road grid" ignores the reality that existing roads were placed specifically to avoid unmapped streams, steep slopes, and wetlands.

Future Focus for Alignment and Resilience: To fully reflect community input, state law, and climate resilience, future iterations of the draft should focus on the following infrastructure and implementation priorities:

- **The Concurrency Failure:** While the plan identifies the need for a sewer and storm drain study (**Policy LU 3.3**), it states the study is "anticipated to be complete within 10 years". This fails the state's requirement for concurrency,

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which requires a funded, 6-year Capital Improvement Plan (CIP). Without a dedicated funding source and a clear 6-year timeline, the proposed densities are legally "aspirational."

- **The Density-Septic Paradox:** Proposing a density of up to 8 units per building (**Policy LU 1.4**) or 12 units per acre (**Policy LU 1.1**) is technically and environmentally incompatible with individual septic systems. A "Regulatory Floor" must be added to **LU Goal 1** stating that building permits for these densities shall not be issued until the sewer study is complete and a community-scale wastewater solution is committed.
- **Transition from "Evaluating" to "Regulating" for Climate:** Policy language currently focuses on "evaluating" hazards like sea-level rise and king tides (**Policy ENV 1.1, ENV 1.5**). To reflect climate resilience planning, the plan must shift to implementation: establishing specific building setbacks and flood-elevation requirements for the Clinton shoreline now, rather than deferring to future studies.
- **Ferry Operations vs. Public Safety:** The "Safe Systems Approach" (**Policy TR 1.1**) should be explicitly adopted to resolve the conflict between ferry traffic and pedestrian safety. The plan requires specific commitments to signalization priorities or "complete street" designs that prioritize local safety over the operational speed of ferry traffic.
- **Elimination of "Interim Means" Loopholes:** While the draft mentions "no protest agreements" for future public sewer service, a formal policy (**Proposed UT 1.4**) is needed to include a hard sunset clause and a mandatory connection requirement for "interim means" like holding tanks. Allowing indefinite "interim" solutions risks permanently delaying the necessary infrastructure for health and growth.