

## ISLAND COUNTY PLANNING & COMMUNITY DEVELOPMENT

Robert H. Pederson, AICP  
Director

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### MEMORANDUM

**DATE:** October 7, 2009

**TO:** Board of Island County Commissioners

**REGARDING:** ZAA 333/08 – Amendments to Map #219 of the Island County Zoning Atlas to rezone parcels R13323-095-2980, R13323-044-3120, R13323-046-2810, R13323-063-2810, R13323-074-2810, AND R13323-120-3100 from Rural (R) to Light Manufacturing (LM).

**FROM:**

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Anthony Boscolo  
Senior Planner

On November 24, 2008 Sean Byrne of Byrne Development and Consulting submitted an application to rezone fourteen (14) acres of land situated at the intersection of Old Goldie Road and Ault Field Road from Rural (R) to Oak Harbor Planned Industrial Park (OH-PIP). This application was assigned file number ZAA 333/08 and was presented to the Island County Planning Commission pursuant to the Annual Review Docket process. During the public hearing process the application was expanded to include 4 additional adjacent properties bringing the total acreage to eighteen (18) and to pursue the Island County Light Manufacturing (LM) zoning designation. . On September 25, 2009, the Island County Planning Commission signed their Findings of Fact and recommended the Board of Island County Commissioners adopt the rezone, changing the zoning designation from Rural (R) to Light Manufacturing (LM), bringing the Zoning Atlas into consistency with the Comprehensive Plan.

**ACTION REQUESTED:**

Island County Planning and Community Development requests that the Board review the amendment and schedule this matter for Board consideration.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
ISLAND COUNTY, WASHINGTON**

IN THE MATTER OF AMENDING MAP            )  
#219 OF THE ISLAND COUNTY ZONING        ) ORDINANCE C-121-09  
ATLAS TO REZONE PARCELS R13323-        ) PLG-016-09  
095-2980, R13323-044-3120, R13323-046-    )  
2810, R13323-063-2810, R13323-074-2810,    )  
AND R13323-120-3100 FROM RURAL (R)        )  
TO LIGHT MANUFACTURING (LM).            )

**WHEREAS**, on September 28 and 29, 1998, the Board adopted the County’s GMA Comprehensive Plan and Development Regulations; and

**WHEREAS**, by Ordinance C-123-98, the Board also adopted Chapter 17.03 ICC as Island County’s official Zoning Code to implement its GMA Comprehensive Plan with the Zoning Atlas as the Official Zoning Map of Island County the specific pages of which are attached hereto as Exhibit A; and

**WHEREAS**, pursuant to ICC 17.03.030 (b) if conflicts between the Zoning Code and the Comprehensive Plan arise, the Comprehensive Plan shall prevail; and

**WHEREAS**, on November 28, 2008 Planning and Community Development received an application ZAA 333/08 to rezone fourteen (14) acres of Rural zoned land to Oak Harbor Planned Industrial Park; and

**WHEREAS**, the application was reviewed and expanded to include the four (4) adjacent parcels bringing the total acreage to eighteen (18). The expansion was performed because the characteristics which support the rezone exist on each of the subject properties; and

**WHEREAS**, pursuant to the State Environmental Policy Act (SEPA) Chapter 43.21 RCW, and environmental checklist was included with ZAA 333/08. Staff reviewed the checklist and issued a mitigated threshold determination non-significance (MDNS) on May 28, 2009; and

**WHEREAS**, pursuant to ICC 16.26.020 a Public Meeting and Hearing was held on June 9, 2009. Verbal public input was received during the hearing, none of which was opposed to the rezone. Additional public hearings and deliberations were held on July 14 and August 25, 2009; and

**WHEREAS**, during the July 14, 2009 Public Hearing, staff informed the Planning Commission that the OH-PIP zoning designation could not be supported by the Planning Department as the subject properties were not located within the City of Oak Harbor Urban Growth Area, a requirement of the OH-PIP designation. Staff recommended that with the support of the applicant, a revised analysis pursuing the Light Manufacturing zoning designation would be performed; and

**WHEREAS**, during the August 25, 2009 hearing and deliberations staff presented a revised proposal and analysis pursuing the Light Manufacturing zoning designation. Verbal

public input was received during the public hearing in support of the rezone. The Planning Commission deliberated and concluded that the rezone to Light Manufacturing was consistent with the Island County Comprehensive Plan. On September 25, 2009 the Planning Commission signed their Findings of Fact recommending adoption to the Board of Island County Commissioners; **NOW, THEREFORE,**

**IT IS HEREBY ORDAINED** that the Board of Island County Commissioners hereby adopts amendments to the Island County Zoning Atlas, attached hereto as Exhibit B, and the Findings of Fact approved by the Planning Commission, attached hereto as Exhibit C.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2009 following public hearing.

BOARD OF COUNTY COMMISSIONERS  
ISLAND COUNTY, WASHINGTON

\_\_\_\_\_  
John Dean, Chairman

\_\_\_\_\_  
Helen Price Johnson, Member

\_\_\_\_\_  
Angie Homola, Member

ATTEST:

\_\_\_\_\_  
Elaine Marlow  
Clerk of the Board

# EXHIBIT A

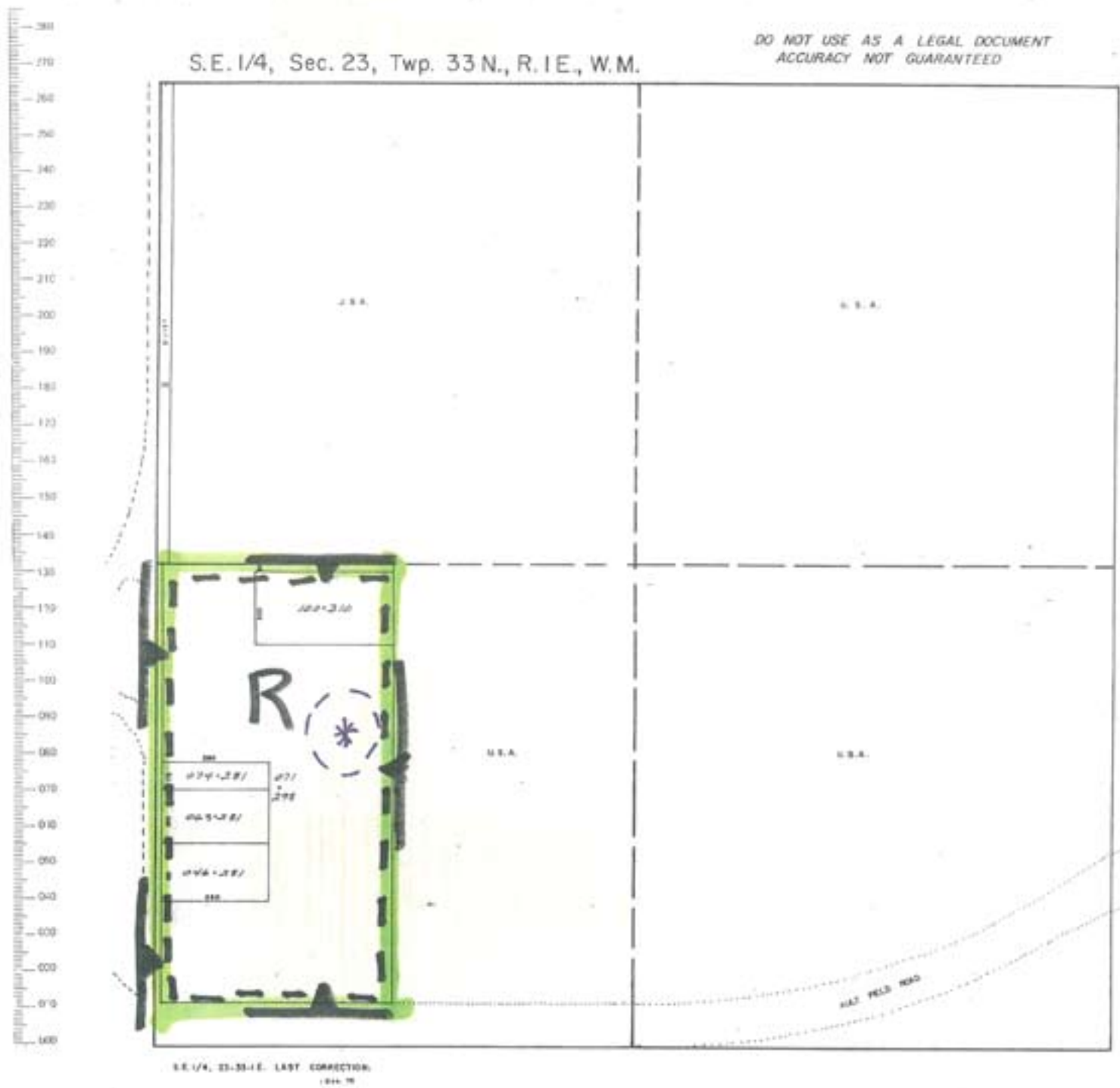
## Current Island County Zoning Atlas Map # 219

--- UGA

UGA  
POTENTIAL  
ZONING

\* For UGA potential zoning classifications, consult the City of Oak Harbor Planning Department

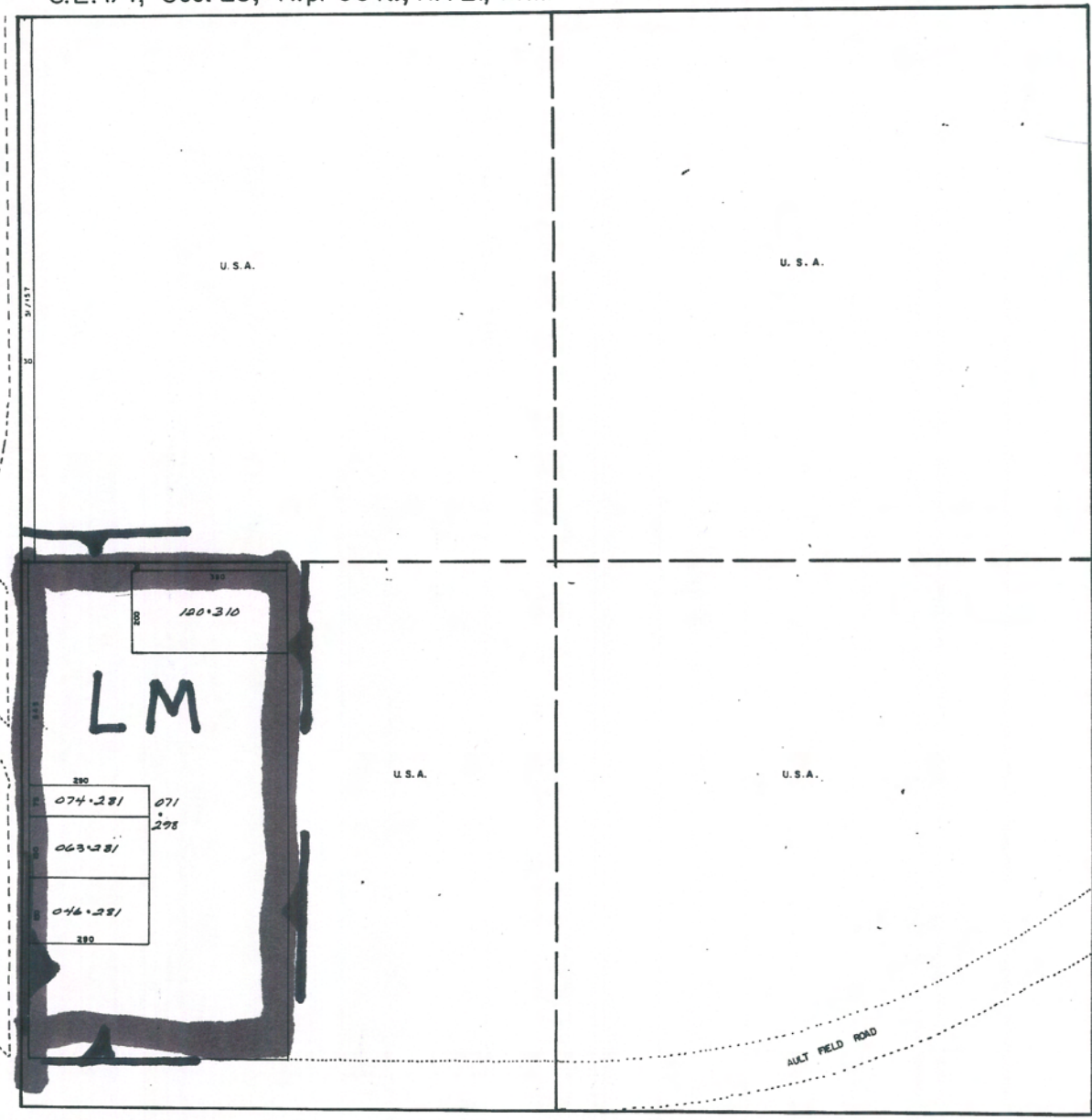
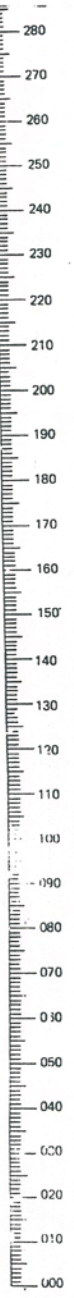
This map was adopted by  
RESOLUTION C-02-99, PLG-002-99  
signed by the BICC on 1/25/99



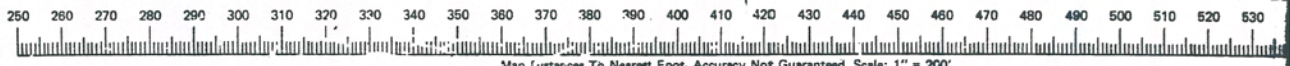
**EXHIBIT B**  
Corrected Island County Zoning Atlas Map # 219

S.E. 1/4, Sec. 23, Twp. 33 N., R. 1 E., W.M.

DO NOT USE AS A LEGAL DOCUMENT  
ACCURACY NOT GUARANTEED



S.E. 1/4, 23-33-1 E. LAST CORRECTION:  
11 Dec. 190



Map Distances To Nearest Foot. Accuracy Not Guaranteed. Scale: 1" = 200'

# EXHIBIT C

## Planning Commission Findings of Fact



# ISLAND COUNTY PLANNING & COMMUNITY DEVELOPMENT

Robert Pederson, AICP  
Director

## Island County Planning Commission

Ray Gabelein, Chairperson

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### Findings of Fact

**RE: ZAA 333/08 Ault Field Road**

#### Summary:

ZAA 333/08 Ault Field Road Rezone changes the zoning designation of eighteen (18) acres located at the intersection of Ault Filed Road and Old Goldie Road from Rural to Light Manufacturing. This action results in an update to map #219 of the Island County Zoning Atlas.

#### Findings:

1. November 28, 2008, Sean Byrne of Ault Field Road L.L.C. submitted an application to rezone fourteen (14) acres of land situated at the intersection of Old Goldie Road and Ault Field Road from Rural (R) to Oak Harbor Planned Industrial Park (OH-PIP).
2. The application was reviewed and expanded to include 4 additional adjacent parcels bringing the total acreage to eighteen (18). The expansion was performed because the characteristics which support the rezone exist on all properties.
3. In accordance with ICC 16.26.020 Staff presented the Annual Review Docket, which included ZAA 333/08 Ault Field Rezone, at a joint meeting of the Board of Island County Commissioners and the Planning Commission in February 2009.
4. Pursuant to the State Environmental Policy Act (SEPA) Chapter 43.21C RCW, an environmental checklist was included with ZAA 333/08. Staff reviewed the checklist and issued a mitigated threshold determination of non-significance (MDNS) on May 28, 2009.
5. Pursuant to ICC 16.26.020 a Public Meeting and Hearing was held on June 9, 2009. During the Meeting Staff presented ZAA 333/08 to the Planning

*Island County Planning Commission  
Findings and Recommendations*

09/25/09

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Commission. The presentation included a summary of the staff report and findings, description of existing uses and historical land uses, and overview of outreach efforts. The Planning Commission held additional public hearings and deliberations on July 14 and August 25, 2009.

6. During the July 14, 2009 Public Hearing, staff informed the Planning Commission that the OH-PIP zoning designation could not be supported by the Planning Department as the subject properties were not located within the City of Oak Harbor Urban Growth Area, a requirement of the OH-PIP designation. Staff continued, stating that with the support of the applicant, a revised analysis pursuing the Light Manufacturing zoning designation would be performed.
7. During the August 25, 2009 Hearing and Deliberations, staff presented a revised report and analysis for the rezone of eighteen (18) acres from Rural to Light Manufacturing.
8. The site is boarded to the north and east by federally owned property. To the south it is boarded Ault Field Road and OH-PIP zoned properties. To the west are Old Goldie Road and OH-PIP zoned properties.
9. The current Island County Comprehensive Plan Future Land Use designation is Light Manufacturing and is not within the City of Oak Harbor Urban Growth Area. The current Island County Zoning Atlas designation is Rural and is within the Oak Harbor Urban Growth Area.
10. Pursuant to ICC 17.03.030 (b) and RCW 36.70A.040 if conflicts between the Zoning Code and the Comprehensive Plan arise, the Comprehensive Plan must prevail.

**Conclusions:**

The Island County Planning Commission has reviewed ZAA 333/08 and hereby recommends that the Board of Island County Commissioners adopt the proposed amendments and findings of fact.

Respectfully submitted through the Island County Planning Department to the Board of Island County Commissioners, pursuant to RCW 36.70A.040 and ICC 16.26, this  
25<sup>th</sup> day of September 2009 by,

  
\_\_\_\_\_  
**Ray E. Gabel**,  
**Island County Planning Commission, Chairperson**