

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF REVISIONS TO
CHAPTER 17.03 ICC, ISLAND
COUNTY ZONING CODE,
REGARDING SITE REQUIREMENTS
FOR MINI STORAGE IN THE RURAL
ZONE AND RENAMING PERSONAL
STORAGE AS MINI STORAGE

ORDINANCE NO. C- -09
PLG-019-09

The Board of County Commissioners has reviewed the attached proposed Ordinance this
_____ day of _____, 2009 and sets it for public hearing on the _____
day of _____, 2009 at _____ m.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

John Dean, Chairman

Helen Price Johnson, Member

Angie Homola, Member

ATTEST:

Elaine Marlow
Clerk of the Board

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF REVISIONS TO
CHAPTER 17.03 ICC, ISLAND COUNTY
ZONING CODE, REGARDING SITE
REQUIREMENTS FOR MINI STORAGE
IN THE RURAL ZONE AND RENAMING
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STORAGE

ORDINANCE NO. C- -09
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WHEREAS, on September 28 and 29, 1998, the Board of County Commissioners (Board) adopted the County's Growth Management Act Comprehensive Plan and Development Regulations; and

WHEREAS, on February 27, 2009, the Board established the Planning Commission's 2009 Annual Review Docket which included the development of amendments to eliminate the conditional use of, or modify the requirements for, personal storage facilities in the Rural Zone; and

WHEREAS, pursuant to ICC 16.26.020, a public meeting and hearing was held on May 12, 2009 in Coupeville, and on May 26, 2009 on Camano Island, at which Planning and Community Development Department staff presented the proposed amendments to the Planning Commission; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), Chapter 43.21C RCW, and the County Environmental Policy, Chapter 16.14C ICC, an environmental checklist on the proposed amendments was prepared and reviewed, and a mitigated threshold determination of non-significance (MDNS) was issued on May 28, 2009; and

WHEREAS, on July 14, 2009, the Planning Commission held deliberations on the proposed amendments and concluded that modifying the requirements for personal storage facilities, rather than striking the use from the Rural Zone completely, is consistent with the goals and policies of the Comprehensive Plan, unanimously recommended adoption of the proposed amendments, and on August 25, 2009, the Planning Commission signed its Findings of Fact recommending adoption by the Board of Island County Commissioners; **NOW, THEREFORE**,

IT IS HEREBY ORDAINED that amendments to 17.03 ICC, attached hereto as Exhibit A, and the Findings of Fact approved by the Planning Commission, attached hereto as Exhibit B, are adopted. Material lined through is deleted from existing County Code and material underlined is added.

ADOPTED this _____ day of _____, 2009 following public hearing.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

John Dean, Chairman

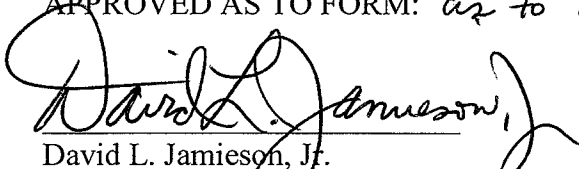
Helen Price Johnson, Member

Angie Homola, Member

ATTEST:

Elaine Marlow
Clerk of the Board

APPROVED AS TO FORM: *as to Exhibit A on all pages bearing my initials, DJ 11/17/09*



David L. Jamieson, Jr.
Deputy Prosecuting Attorney and
Island County Code Reviser


EXHIBIT A

Mini Storage Facilities

Chapter 17.03 Island County Zoning Code

Sections:

- 17.03.010 Authority
- 17.03.020 Purpose
- 17.03.030 User Guide
- 17.03.035 Use Tables
- 17.03.040 Definitions
- 17.03.050 Zoning Classifications and Overlays
- 17.03.060 Rural (R) Zone
- 17.03.070 Rural Residential (RR) Zone
- 17.03.072 Parks (PK) Zone
- 17.03.075 Residential Areas of More Intensive Rural Development
- 17.03.080 Urban Growth Areas (UGAs)
- 17.03.081 Oak Harbor - Residential (OH-R) Zone
- 17.03.082 Oak Harbor - Industrial (OH-I) Zone
- 17.03.083 Oak Harbor - Highway Service Commercial (OH-HSC) Zone
- 17.03.084 Oak Harbor - Planned Business Park (OH-PBP) Zone
- 17.03.085 Urban Growth Area - Langley (UGA-L) Zone
- 17.03.086 Oak Harbor - Planned Industrial Park (OH-PIP) Zone
- 17.03.090 Rural Agriculture (RA) Zone
- 17.03.100 Commercial Agriculture (CA) Zone
- 17.03.110 Rural Forest (RF) Zone
- 17.03.120 Rural Center (RC) Zone
- 17.03.130 Rural Village (RV) Zone
- 17.03.140 Rural Service (RS) Zone

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- 17.03.145 Light Manufacturing (LM) Zone**
- 17.03.150 Airport (AP) Zone**
- 17.03.155 Mixed-Use and Non-Residential Areas of More Intensive Rural Development**
- 17.03.160 Special Review District**
- 17.03.161 Au Sable Institute (SD-ASI) Zone**
- 17.03.162 Casey Conference Center (SD-CCC) Zone (Repealed)**
- 17.03.163 Greenbank Farm Port Tract (SR-GF) Zone**
- 17.03.170 Potential UGA Expansion Area Overlay (Reserved)**
- 17.03.180 Land Use Standards**
 - A. General Standards for Nonresidential Uses in the Rural, Rural Residential, Rural Forest, Rural Agriculture and Commercial Agriculture Zones
 - B. Bed and Breakfast
 - C. ~~Personal Storage~~ Mini Storage
 - D. Country Inns
 - E. Density Bonus System
 - F. Earned Development Units
 - G. Farm Management Plan
 - H. Farm Produce Stands, Seasonal Farmer's Markets, and Forest Product Stands
 - I. Guest Cottages and Accessory Living Quarters
 - J. Home Industry - Purpose and Standards
 - K. Home Occupation Standards
 - L. Institutional Uses
 - M. Junk and Junk Vehicles, Outdoor Storage of
 - N. Mobile Homes
 - O. Mobile/Manufactured Home Parks
 - P. Non-Residential Design, Landscape and Screening Guidelines
 - Q. Parking, Access, and Circulation
 - R. Signage and Outdoor Lighting Standards
 - S. Site Coverage and Setbacks
 - T. Small-Scale Recreation and Tourist Uses
 - U. Surface Mining
 - V. Temporary Uses
 - W. Scenic Corridors
 - X. Composting and Grinding
 - Y. Existing Master Planned Resorts
 - Z. Aircraft Accident Potential Zone
- 17.03.190 Code Interpretation**
- 17.03.200 Temporary Use Approval**

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- 17.03.210 **Variances**
- 17.03.220 **Zoning Amendments**
- 17.03.230 **Existing Uses**
- 17.03.240 **Appeals**
- 17.03.250 **Citizen Complaints**
- 17.03.260 **Penalties and Enforcement**
- 17.03.270 **Forest Practices**
- 17.03.280 **Severability**
- 17.03.290 **Effective Date**

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ICC 17.03.035D

Permitted and Conditional Uses in the Rural Zone

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USE	Permitted	Conditional
Accessory Living Quarters	I	
Accessory Uses	I	
Agriculture or Forest Products Processing	I	II
Agricultural Products – Growing, Harvesting, Managing and Selling	I	
Animal Shelter		II
Bed and Breakfast Room (No more than 2 rooms)	I	
Bed and Breakfast Inn (3 to 6 rooms)		II
Public/Community Boat Launch		II
Campground and Recreation Vehicle Park		II
Church		III
Communication Tower		II
Country Inn (7 to 40 rooms)		III
Day Care Nursery (6 or fewer persons)	I	
Small Day Care Center (7 to 12 persons)		II
Equestrian Center		II/III
Essential Public Facilities		III
Seasonal Farmer’s Market	Temporary Use	
Farm Produce Stand and Forest Product Stand	I	
Fire Station	I	II
Forest Products – Growing, Harvesting, Managing and Selling	I	
Group Home	I	II

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USE	Permitted	Conditional
Guest Cottage	I	
Gun Club and Shooting Range		III
Home Industry		II/III
Home Occupation	I	
Kennel		II
Livestock Husbandry	I	
Minor Utilities	I	
Major Utilities		II
Mini Storage Facilities		III
Mobile Homes (for single wide homes – must have at least 2.5 acres)	I	
Mobile/Manufactured Home Park		III
Schools, Public and Private	I	II/III
Seasonal Sale of Farm Produce	I	
Single Family Dwelling	I	
Small Scale Recreation Use		II/III
Small Scale Tourist Use		II/III
Storage Facilities, Personal		II
Surface Mine		III
Temporary Uses	I	
Water Tank	I	II

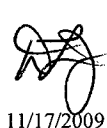
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ICC 17.03.035E

Permitted and Conditional Uses in the Rural Center, Rural Village and Rural Service Zone

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USE	Rural Center		Rural Village		Rural Service	
	Permitted	Conditional	Permitted	Conditional	Permitted	Conditional
	<= 12,000 sq. ft.	> 12,000 and <= 50,000 sq. ft.	<= 4,000 sq. ft.	> 4,000 sq. ft.	<= 4,000 sq. ft.	None
Retail Sales and Services	I	II	I	II	I	
Single Family			I			
Storage, Personal Mini Storage	I	II				

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USE	Rural Center		Rural Village		Rural Service	
	Permitted	Conditional	Permitted	Conditional	Permitted	Conditional
	<= 12,000 sq. ft.	> 12,000 and <= 50,000 sq. ft.	<= 4,000 sq. ft.	> 4,000 sq. ft.	<= 4,000 sq. ft.	None
Storage, Outdoor	I	II				
Major Utilities		III		III		
Minor Utilities	I		I			
Veterinary Clinic	I	II	I	II		
Warehouses	I	II				
Water Tank	I				I	

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17.03.040 Definitions

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Storage, Personal Mini Storage: Structures containing separate self-service storage spaces that are leased or rented as individual units.


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17.03.060 Rural (R) Zone


The Rural Zone is the principal land Use classification for Island County. Limitations on density and uses are designed to provide for a variety of rural lifestyles and to ensure Compatible uses.

A. Permitted Uses. Processed as Type I decisions pursuant to Chapter 16.19 ICC:

1. Accessory Uses and Buildings on Lots with Existing Permitted Uses;
2. Accessory Uses in uninhabitable Buildings less than eight hundred (800) square feet in size on Lots less than two and one-half (2.5) acres in size that do not have Existing permitting uses;
3. All Accessory Uses in uninhabitable Buildings on Lots two and one-half (2.5) acres in size or larger that do not have Existing Permitted Uses;
4. Bed and Breakfast Room;
5. Farm or Forest Products Stand;
6. Fire Station (two (2) bays or smaller or less than four thousand (4,000) square feet) of Gross Floor Area;

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7. Home Occupation;
 8. The growing, harvesting, sale and managing of agricultural products including horticulture and Livestock, provided raising of Large Livestock on Lots less than two and one-half (2.5) acres in size requires approval of an Animal Management Plan;
 9. The growing, harvesting, sale and managing of forest products or any forest crop, in accordance with the Washington Forest Practices Act and regulations adopted pursuant thereto, including, but not limited to, timber, Christmas trees, nursery stock, and floral vegetation;
 10. Group Home (no more than six (6) persons);
 11. Day Care Nursery (no more than six (6) persons);
 12. Guest Cottage;
 13. Minor Utilities;
 14. Temporary Uses;
 15. The processing of agricultural or forest products in Structures that are less than four thousand (4,000) square feet of Gross Floor Area;
 16. Seasonal sale of farm produce, with any associated Structures subject to the accessory building requirements stated herein and Signage requirements set pursuant to ICC 17.03.180;
 17. Single Family Dwelling Unit;
 18. Accessory Living Quarters; and
 19. Water Tanks (thirty-two (32) feet or smaller in diameter or height and if not cylindrical in shape, then the surface area shall not exceed the ground area encompassed by a tank thirty-two (32) feet in diameter).
- B. Conditional Uses
1. Uses allowed upon Site Plan approval pursuant to Chapter 16.15 ICC processed as Type II decisions pursuant to Chapter 16.19 ICC:
 - a) Accessory Uses and uninhabitable Buildings eight-hundred (800) square feet of Gross Floor Area or greater in size on Lots less than two and one-half (2.5) acres in size that do not have Existing Permitted Uses;
 - b) Bed and Breakfast Inn;
 - c) Public/Community Boat Launch;
 - d) Campground and Recreation Vehicle Park which do not exceed three (3) sites per gross acre of the Parcel;
 - e) Communication Tower;

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- f) Equestrian Center as specified in ICC 17.03.180;
- g) Group Home and Small Day Care Center (greater than six (6) but less than twelve (12) children or adults);
- h) Fire Station (larger than two (2) bays or four thousand (4,000) square feet or larger of Gross Floor Area);
- i) Home Industries as specified in ICC 17.03.180;
- j) Kennel;
- k) Major Utilities;
- l) The processing of agricultural or forest products in Structures that are four thousand (4,000) square feet or larger of Gross Floor Area;
- ~~m) Storage Facility, Personal;~~
- nm) Small-scale Recreation Uses as specified in ICC 17.03.180;
- ne) Small-scale Tourist Use as specified in ICC 17.03.180;
- op) Water Tanks (larger than a permitted use); and
- pq) Animal Shelters.

2. Uses allowed upon Site Plan approved pursuant to Chapter 16.15 ICC processed as Type III decisions and requiring a community meeting pursuant to Chapter 16.19 ICC, unless otherwise specified:

- a) Church except that a community meeting is not required if seating capacity is no more than 150 or fewer persons or a 2,000 square foot assembly area is proposed;
- b) Country Inn, except that a community meeting is not required if twenty (20) or less rooms are proposed;
- c) Covered Equestrian Center as specified in ICC 17.03.180;
- d) Essential Public Facilities;
- e) Gun Club and Shooting Range;
- f) Mobile/Manufactured Home Park;
- g) Private or Public School;
- h) Surface Mine;
- i) Home Industries as specified in ICC 17.03.180, except that a community meeting is not required;
- j) Small-scale Recreation Uses as specified in ICC 17.03.180; and
- k) Small-scale Tourist Use as specified in ICC 17.03.180.; and

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1) Mini Storage Facility.

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17.03.082 Oak Harbor – Industrial (OH-I) Zone

The OH-I district is intended to accommodate certain industrial structures and uses having physical and operational characteristics, which might adversely affect adjoining residential and commercial uses. Regulations are designed to permit those industrial uses that can be operated in a clean, quiet and safe manner compatible with adjoining land uses.

A. Permitted Uses

Shall not exceed twelve thousand (12,000) square feet to gross floor area per lot, tract or parcel and shall be processed as a Type I decision pursuant to Chapter 16.19 ICC.

1. Accessory Uses;
2. Bedding, carpet and pillow manufacture, cleaning and renovating;
3. Bottling and processing of non-alcoholic beverages, the production of which is devoid of fumes, noxious odors, or waste products;
4. Canning, processing and freezing of fruit and vegetables;
5. Cold storage plants;
6. Food and drug processing;
7. Retail Sales and Services;
8. Storage, ~~Personal and Outdoor~~ and Mini Storage;
9. Warehousing and distribution centers;
10. Manufacture and assembly of light and small items made from previously prepared materials and includes operations which do not create noise, smoke, odor, vibration or other objectionable nuisances to the extent that they are detrimental to surrounding uses;
11. Assembly, manufacture, rebuilding, compounding, processing, preparation, or treatment of such articles or products as: Batteries, bottles, mattresses, furniture, tools, hardware, and paper products, but not the manufacture of paper itself;
12. Machine, welding, or metal working shop, but not including punch presses, drop hammers, or other noise and vibration producing equipment;
13. Woodworking shop; and
14. Minor utilities.


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17.03.086 **Oak Harbor-Planned Industrial Park (OH-PIP) Zone**

A. **Conditional Uses**

Uses allowed upon Site Plan approval pursuant to Chapter 16.15 ICC processed as Type II decisions pursuant to Chapter 16.19 ICC.

1. Accessory uses;
2. Assembly, manufacture, packaging, compounding or treatment of articles or merchandise from the following previously prepared materials: cloth, glass, lacquer, leather, paper, plastics, precious or semi-precious metals or stones, wood (excluding sawmills, lumber mills and planing mills), paint, clay, sand, rubber;
3. Printing, publishing and book binding;
4. Manufacturing, processing and packaging of food, pharmaceuticals, toiletries, cosmetics, optical goods, scientific instruments and equipment, and precision instruments and equipment;
5. Scientific research, testing and experimental development laboratories;
6. Corporate headquarters, regional headquarters and administrative offices of commercial, industrial, financial, charitable or governmental institutions;
7. Upholstery shop;
8. Auto repair of all kinds, including body and fender work, provided there shall be no wrecking, junking, dismantling, or salvaging operations;
9. Feed and seed store, retail or wholesale;
10. Gun Club and Shooting Range;
11. Marine craft, equipment and supply sales, and repair and service of small craft;
12. Nursery and landscape material including greenhouses;
13. Plumbing shop;
14. Sign shop;
15. Lumber yard, retail or wholesale, including building supplies, hardware, and related items;
16. Storage, ~~Personal and Outdoor~~ and Mini Storage;
17. Vocational and technical schools;
18. Private club, lodge, convent, social or recreational building or community assembly

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hall, (except those having a chief activity carried on for monetary gain);

19. Training facilities, including but not limited to music, dance, martial arts, photography, health clubs;
20. Warehousing and distribution centers;
21. Retail Sales and Services;
22. Uses similar to, or related to, or compatible with those listed or described in this section are permitted upon a finding by the Planning Director that a proposed use does not conflict with the intent of this section or the policies of the Oak Harbor Comprehensive Plan. The criteria for such finding of similarity, relationship or compatibility shall include, but not limited to the following:
 - a) The proposed use will not significantly impact surrounding uses.
 - b) The development standards for permitted uses can be met by the proposed use.
 - c) Impacts, such as traffic, noise and air quality will not be significantly different than those generated by permitted uses.
23. Overnight Lodging;
24. Minor and Major Utilities and Essential Public Facilities; and
25. Temporary Uses.

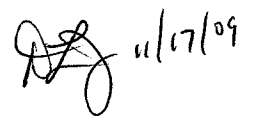
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17.03.120 Rural Center (RC) Zone

The Rural Center (RC) Zone is applied to Existing areas of intense Non-Residential and Mixed-Use development and encompasses the Logical Outer Boundary of the Existing pattern of development.

This Zone permits a range of Commercial, Light Manufacturing and Multi-family Uses that serve a broad geographic area. Mixed-Use Structures are encouraged. All Uses within a Rural Center must comply with Land Use Standards, including Non-Residential design landscape and screening guidelines set forth in ICC 17.03.180.O.

- A. **Permitted Uses.** Permitted Uses shall not exceed 12,000 square feet of gross floor area or eight (8) Dwelling/living units per Lot, Tract or Parcel and shall be processed as Type I decisions pursuant to Chapter 16.19 ICC.
1. Accessory Uses;
 2. Banking and Financial Services;
 3. Churches and Schools;
 4. Cultural Center;
 5. Day Care Centers;



6. Eating and Drinking Establishments;
7. Entertainment Uses;
8. Fire Station;
9. Governmental Services;
10. Group Home;
11. Health Care Services;
12. Light Manufacturing Uses;
13. Minor Utilities;
14. Mixed-Use;
15. Multi-family housing;
16. Office including Research and Development Uses;
17. Overnight Lodging;
18. Retail Sales and Services;
19. Storage, ~~Personal and Outdoor~~ and Mini Storage;
20. Temporary Uses;
21. Veterinary Clinics;
22. Warehouses; and
23. Water Tanks.

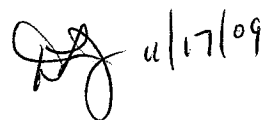
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17.03.145 Light Manufacturing (LM) Zone

The Light Manufacturing Zone is applied to existing areas of Non-Residential use that do not meet the designation criteria for the RC, RV or RS zones. The Camano Annex and SR 20 (South of Coupeville) industrial area are both designated LM Zones. All Uses within the LM Zone must comply with Land Use Standards set forth in ICC 17.03.180.

A. Permitted Uses. Processed as Type I decisions pursuant to Chapter 16.19 ICC:

1. Accessory Uses;
2. Fire Stations;
3. Governmental Services;
4. Light Manufacturing Uses;



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5. Minor Utilities;
6. Research and Development Uses;
7. Storage, ~~Personal and Outdoor~~ and Mini Storage;
8. Warehouses; and
9. Water Tanks.

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17.03.150 Airport (AP) Zone

The Airport (AP) Zone is applied to Existing non-military Airports. This zone allows Airport related uses and other Non-Residential uses that are Compatible with Airport operations. The Airport, aviation support activities and accessory uses are treated as Essential Public Facilities. All Uses within the AP Zone must comply with Land Use Standards set forth in ICC 17.03.180.

A. **Permitted Uses.** Processed as Type I decisions pursuant to Chapter 16.19 ICC.

1. Accessory Uses;
2. Airport Facilities;
3. Airport Support Facilities;
4. Eating and Drinking Establishments;
5. Fire Stations;
6. Light Manufacturing Uses;
7. Minor Utilities;
8. Research and Development Uses;
9. Single Family Dwelling;
10. Storage, ~~Personal and Outdoor~~ and Mini Storage;
11. Temporary Uses;
12. Warehouses; and
13. Water Tanks.


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17.03.180 Land Use Standards

The Land Use Standards contained in this section supplement the general land Use regulations of this Chapter and the specific development standards contained in other Chapters of the Island County Code.

- C. ~~Personal Storage~~Mini Storage. ~~Personal Mini sStorage~~ in the Non-residential zones are subject to the requirements of Chapter 16.15 and the Non-Residential Design, Landscape and Screening Guidelines of this Chapter. ~~Personal Mini Storage~~ may be established in the Rural Zone provided that:
1. A Site Plan is approved pursuant to Chapter 16.15 ICC.
 2. The Parcel is at least ~~five (5)~~ten (10) acres in size.
 3. All ~~Personal Storage~~Mini Storage facilities shall take primary access, in order of priority, off a County arterial, County Collector Road, or State Highway.
 4. The total aggregate gross area of the footprints of all building foundations shall not exceed 17,000 square feet for parcels less than ~~10~~20 acres in size, and 25,000 square feet for parcels 20 acres or greater than 10 acres.
 5. ~~Personal storage shall be limited to dead storage. Outside storage shall be limited to boats, recreational vehicles, and similar vehicles. There shall be a one-hundred (100) foot setback from all roads, and a fifty (50) foot setback from all property lines. With the exception of the caretaker residence, security fencing, and the primary driveway that serves the facility, no structures, buildings, gravel, pavement or any other physical improvement is permitted within these setbacks. Vegetation may be modified if it is necessary to achieve better screening. All structures shall be screened in conformance with ICC 17.03.180.P.~~
 6. Outside storage shall be limited to boats, recreational vehicles, and similar vehicles.
 7. Mini Storage shall be limited to dead storage. The whole facility shall be fully screened. If new landscaping is proposed as part of the screening of the facility, the new landscaping shall provide full screening within five years. If full screening is not achieved within five years, the facility shall be eliminated until landscaping matures to a level where it does provide full screening.
 68. An on-site caretaker or 24-hour on-site manager may be permitted. An occupied on-site caretaker residence shall be required. The caretaker residence shall be located at the main entrance, shall be designed to look like a house and shall be used as one of the methods for screening the facility. The caretaker does not need to be the owner of the facility. This will be the only single family residence located on the parcel.
 97. There shall be only one (1) access from each adjacent street.


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- 108. The facility shall comply with the Non-Residential Rural design, landscape, open space, screening, buffering, signage, and lighting standards set forth in this section.
- 11. Exterior video surveillance equipment and an alarm system must be installed on the premises to monitor all storage lockers and outdoor storage.
- 12. Security fencing shall be installed around the perimeter of the Mini Storage facility and shall include a security gate that allows restricted access to the site. Fencing shall be designed and located in a manner that is subtle in appearance. This may be achieved by providing landscaping or natural vegetation on exterior of the fence, by providing dark brown or black vinyl coating to metal fences, and/or by utilizing natural materials such as wood.
- 13. Storm water generated from impervious surfaces shall be collected and managed on site. Infiltration shall be utilized when soil conditions make it possible.
- 14. The guidelines for what is permitted within individual storage units shall be established through a plan that is approved by the Island County Health Department. Signage shall be posted in multiple conspicuous locations within the facility that informs customers that they are prohibited from storing hazardous and dangerous materials.
- 15. Hours of operation shall be restricted from 6:00 a.m. to 10:00 p.m.
- 16. Individual storage units may not be used by tenants to conduct a business. Tenants shall be notified of this restriction through a signed contract with the Mini Storage facility operator.

Z. **Aircraft Accident Potential Zone.** The primary purpose of the Aircraft Accident Potential Zone (APZ) Overlay is to promote the public health, safety, and general welfare by minimizing the hazards incident to development in the immediate vicinity of aircraft paths of arrival and departure associated with NAS Whidbey.

- 1. The following table describes uses that may be established on non UGA parcels that are located within Accident Potential Zones.

USES	CLEAR ZONE	APZ-I	APZ-II
Accessory Living Quarters	No	No	Yes
Accessory Uses	No	Yes	Yes
Agriculture or Forest Products Processing	No	Yes	Yes
Agricultural Products – Growing, Harvesting, Managing and Selling ¹	Yes	Yes	Yes
Animal Shelter	No	No	Yes

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Bed and Breakfast Room (No more than 2 rooms)	No	No	Yes
Bed and Breakfast Inn (3 to 6 rooms)	No	No	No
Public/Community Boat Launch	No	Yes	Yes
Campground and Recreation Vehicle Park	No	No	No
Church	No	No	No
Communication Tower ²	No	No	Yes
Country Inn (7 to 40 rooms)	No	No	No
Day Care Nursery (6 or fewer persons)	No	No	No
Small Day Care Center (7 to 12 persons)	No	No	No
Equestrian Center	No	No	No
Essential Public Facilities	No	No	No
Seasonal Farmer's Market	No	No	Yes
Farm Produce Stand and Forest Product Stand	No	No	Yes
Fire Station	No	No	Yes
Forest Products – Growing, Harvesting, Managing and Selling	No	Yes	Yes
Group Home	No	No	No
Guest Cottage	No	No	Yes

USES	CLEAR ZONE	APZ-I	APZ-II
Gun Club and Shooting Range	No	No	No
Home Industry	No	No	Yes
Home Occupation	No	No	Yes
Kennel	No	No	Yes
Livestock Husbandry	No	Yes	Yes
Minor Utilities	No	Yes	Yes
Major Utilities	No	Yes	Yes
Mobile Homes (for single wide homes – must have at least 2.5 acres)	No	Yes	Yes
Mobile/Manufactured Home Park	No	No	No
Schools, Public and Private	No	No	No
Seasonal Sale of Farm Produce	No	Yes	Yes
Single Family Dwelling	No	Yes	Yes
Small Scale Recreation Use	No	No	No
Small Scale Tourist Use	No	No	No
Storage Facilities, Personal Mini Storage	No	Yes	Yes
Surface Mine	No	Yes	Yes
Temporary Uses	No	No	Yes
Water Tank	No	Yes	Yes
Recreational Aerial Activities	No	No	No

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Veterinarian Clinic	No	No	No
Winery	No	No	Yes
Dwelling Units for Farm Workers	No	No	Yes
Rural Event Center	No	No	No
Earned Development Units	No	No	No
Farm Equipment Storage and Repair Facilities	No	Yes	Yes
Farm Management Plan	No	Yes	Yes
Day Care Centers	No	No	No
Mixed-Use (residential portion is based on number of dwelling units rather than sq. ft.)	No	No	No
Retail Sales and Services	No	No	No
Banking and Financial Services	No	No	Yes .22 FAR
Cultural Center, including associated overnight lodging	No	No	No
Eating and Drinking Establishments	No	No	No
Governmental Services	No	No	Yes .24 FAR
Health Care Services	No	No	No


¹ The growing, harvesting, and managing of agricultural products is allowed in all zones. However, the sale of agricultural products shall be limited to APZ-I and APZ-II.

² Communication Towers are further regulated by ICC 17.03.180.L.8

....

- The following table describes use that may be established within the Oak harbor UGA on parcels located within Accident Potential Zones. If applicable, allowed uses indicate a maximum Floor Area Ratio.

USES	CLEAR ZONE	APZ-I	APZ-II
OH-I			
Permitted Uses			
Accessory Uses	N/A	N/A	Yes
Bedding ¹ , carpet ² and pillow ¹ manufacture, cleaning ³ and renovating ³	N/A	N/A	See Footnote
Bottling and processing of non-alcoholic beverages, the production of which is devoid of fumes, noxious odors, or waste products	N/A	N/A	Yes .56
Canning, processing and freezing of fruit and vegetables	N/A	N/A	Yes .56
Cold storage plants	N/A	N/A	Yes 2.0
Food ² and drug ¹ processing	N/A	N/A	See Footnote

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Retail Sales and Services	N/A	N/A	Yes .22
Storage, Personal and Outdoor and Mini Storage	N/A	N/A	Yes 2.0
Warehousing and distribution centers	N/A	N/A	Yes 2.0


USES	CLEAR ZONE	APZ-I	APZ-II
OH-I			
Permitted Uses			
Manufacture and assembly of light and small items made from previously prepared materials and includes operations which do not create noise, smoke, odor, vibration or other objectionable nuisances to the extent that they are detrimental to surrounding uses	N/A	N/A	Yes .56
Assembly, manufacture, rebuilding, compounding, processing, preparation, or treatment of such articles or products as: Batteries ¹ , bottles ² , mattresses ¹ , furniture ² , tools ² , hardware ² , and paper products ² , but not the manufacture of paper itself	N/A	N/A	See Footnote
Machine, welding, or metal working shop, but not including punch presses, drop hammers, or other noise and vibration producing equipment	N/A	N/A	Yes .56
Woodworking shop	N/A	N/A	Yes .56
Minor utilities	N/A	N/A	Yes .56
Conditional Uses			
Any conditional use permitted in the OH-I zone ⁴	N/A	N/A	See Footnote
Cement and asphalt plants	N/A	N/A	Yes .56
Electroplating	N/A	N/A	Yes .56
Manufacture or processing of such non-durable goods as: chemical and allied products, petroleum products, fertilizers, but excluding explosives and ammonia	N/A	N/A	No
Metal fabrication and boiler or tank works	N/A	N/A	Yes .56
Mixing plants for concrete or paving material ⁵	N/A	N/A	Yes .56

[Handwritten Signature] 11/17/09

Off-site hazardous waste treatment and storage facilities, provided that such facilities meet the State siting criteria adopted pursuant to the requirements of RCW 70.105.210	N/A	N/A	No
Oxygen manufacture and/or storage	N/A	N/A	No
Tire retreading	N/A	N/A	No
Produce stand	N/A	N/A	Yes .24
Rodenticide, insecticide and pesticide mixing plants	N/A	N/A	No

OH-HSC			
Permitted Uses			
Accessory Uses	N/A	N/A	Yes
Automobile and Truck Service Stations	N/A	N/A	Yes .22
Automobile Sales and Service	N/A	N/A	Yes .28
Boat Sales and Boat Repair	N/A	N/A	Yes .28
Drive-in Banks	N/A	N/A	Yes .22
Restaurants	N/A	N/A	No
Real Estate Sales; Governmental Services	N/A	N/A	Yes .22
Self Storage Warehouse	N/A	N/A	Yes 2.0

Conditional Uses			
Any permitted use that exceeds twelve thousand (12,000) square feet of gross floor area may be allowed upon Site Plan Approval processed as a Type II decision pursuant to Chapter 16.19 ICC ⁴	N/A	N/A	Yes
Major Utilities and Essential Public Facilities may be allowed upon Site Plan Approval processed as a Type III decision pursuant to Chapter 16.19 ICC	N/A	N/A	Yes .56
OH-PIP			
Conditional Uses			
Accessory uses	N/A	N/A	Yes

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Assembly, manufacture, packaging, compounding or treatment of articles or merchandise from the following previously prepared materials: cloth ¹ , glass ² , lacquer ¹ , leather ¹ , paper ² , plastics ¹ , precious or semi-precious metals or stones ¹ , wood ² (excluding sawmills, lumber mills and planing mills), paint ² , clay ² , sand ² , rubber ¹	N/A	N/A	See Footnote
Printing, publishing and book binding	N/A	N/A	Yes .56
Manufacturing, processing and packaging of food ² , pharmaceuticals ¹ , toiletries, cosmetics, optical goods ¹ , scientific instruments and equipment ¹ , and precision instruments and equipment ¹	N/A	N/A	See Footnote

OH-PIP			
Conditional Uses			
Scientific research, testing and experimental development laboratories	N/A	N/A	No
Corporate headquarters, regional headquarters and administrative offices of commercial, industrial, financial, charitable or governmental institutions	N/A	N/A	Yes .22
Upholstery shop	N/A	N/A	Yes .56
Auto repair of all kinds, including body and fender work, provided there shall be no wrecking, junking, dismantling, or salvaging operations	N/A	N/A	Yes .22
Feed and seed store, retail or wholesale	N/A	N/A	Yes .56
Gun Club and Shooting Range	N/A	N/A	No
Marine craft, equipment and supply sales, and repair and service of small craft	N/A	N/A	Yes .28
Nursery and landscape material including greenhouses	N/A	N/A	Yes .28
Plumbing shop	N/A	N/A	Yes .28
Sign shop	N/A	N/A	Yes .28
Lumber yard, retail or wholesale, including building supplies, hardware, and related items	N/A	N/A	Yes .28
Storage, Personal and Outdoor and Mini Storage	N/A	N/A	Yes 2.0

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Vocational and technical schools	N/A	N/A	No
Private club, lodge, convent, social or recreational building or community assembly hall, (except those having a chief activity carried on for monetary gain)	N/A	N/A	No
Training facilities, including but not limited to music, dance, martial arts, photography, health clubs	N/A	N/A	No
Warehousing and distribution centers	N/A	N/A	Yes 2.0
Retail Sales and Services	N/A	N/A	Yes .22


OH-PIP			
Conditional Uses			
Uses similar to, or related to, or compatible with those listed or described in this section are permitted upon a finding by the Planning Director that a proposed use does not conflict with the intent of this section or the policies of the Oak Harbor Comprehensive Plan. The criteria for such finding of similarity, relationship or compatibility shall include, but not limited to the following: a) The proposed use will not significantly impact surrounding uses. b) The development standards for permitted uses can be met by the proposed use. c) Impacts, such as traffic, noise and air quality will not be significantly different than those generated by permitted uses	N/A	N/A	Yes
Overnight Lodging;	N/A	N/A	No
Minor and Major Utilities and Essential Public Facilities	N/A	N/A	Y .56
Temporary Uses	N/A	N/A	Y

* Upon adoption of this ordinance there were no UGA lands within the Clear Zone or APZ-I. In the future, if the UGA is expanded into the Clear Zone or APZ-I these uses and standards will need to be revised.

¹ No

² Yes, Maximum FAR .56

³ Yes, Maximum FAR .22

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Mini Storage in the Rural Zone

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⁴ Only as permitted herein

⁵ Activity shall not produce smoke, glare, or involves explosives

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EXHIBIT B

Planning Commission Findings of Fact



**ISLAND COUNTY
PLANNING & COMMUNITY DEVELOPMENT**

Island County Planning Commission
Ray Gabelein, Chairperson

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Findings of Fact

RE: CPA 109/09 Mini Storage

Summary:

CPA 109/09 Mini Storage amendment proposes to change the standards that govern mini storage facilities with the Rural Zone. This amendment will result in updates to the Island County Zoning Code 17.03 ICC and the Island County Comprehensive Plan.

Findings:

1. In accordance with ICC 16.26.020 staff presented the Annual Review Docket, which includes CPA 109/09 Mini Storage, at a joint meeting of the Board of Island County Commissioners and the Planning Commission in February 2009.
2. Pursuant to the State Environmental Policy Act (SEPA) Chapter 43.21C RCW, an environmental checklist was included with CPA 109/09. Staff reviewed the checklist and issued a mitigated threshold determination of non-significance (MDNS) on May 28th, 2009.
3. Pursuant to ICC 16.26.020 a Public Meeting and Hearing was held on May 12th 2009 in Coupeville and on May 26th, 2009 on Camano Island. During the meetings Staff presented CPA 109/09 to the Planning Commission. The presentation included a summary of the staff report and proposed ordinance.
4. Planning Commission Deliberations were held on July 14th, 2009 in Coupeville. The following concerns were raised with changes made to the proposed amendments.
 - Concerns were raised regarding language requiring 24-hr security personnel to be onsite as being unreasonable to accomplish by an onsite caretaker. The Commission determined that altering the language to indicate that, "an occupied onsite caretaker shall be required", would accomplish the increased supervision element to address crime but also provide for reasonable flexibility for caretakers.

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- The Commission expressed that the term *Personal Storage* did not accurately represent the type of use it described and that it should be changed to *Mini Storage*.
- The Commission identified that increased setbacks from roads (200 feet) and property lines of (100 feet) was excessive. Since larger setbacks were added to provide for better screening standards, the Commission recommended that amendments be made to require that all indoor and outdoor storage be completely screened from view and that the required setbacks from the road be lowered to (100 feet) and the side and rear setbacks (50 feet). They also added that if screening was not achieved in 5 years, that the use could be eliminated until screening requirements were met. The Commission expressed that the personal residence structure should be exempt from having to be completely screened as it provided for extra security if it was visible and is consistent with residential uses in the Rural Zone.

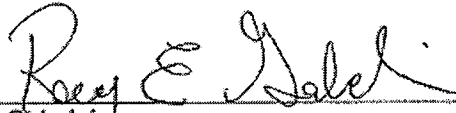
5. A motion was made to approve the amendments to 17.03 ICC and the Island County Comprehensive Plan with the Commission's revisions and passed.

Conclusions:

The Island County Planning Commission has reviewed CPA 109/09 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

25th day of August 2009 by,



Ray Gabelein
Island County Planning Commission, Chairperson