

ISLAND COUNTY PLANNING & COMMUNITY DEVELOPMENT

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TRANSMITTAL AND REPORT MEMORANDUM

DATE: May 1, 2009

TO: Island County Planning Commission

REGARDING: ZAA 333/08 - Zoning reclassification of two parcels totaling 13.5 Acres from Rural (R) to Oak Harbor – Planned Industrial Park (OH-PIP).

FROM:

Anthony Boscolo
Senior Planner

INTRODUCTION TO PROPOSED AMENDMENT

Zoning Amendment (ZZA) 333/08 was submitted by Ault Field Road LLC to change the current zoning classification of parcels R13323-071-2980 and R13323-044-3120 from Rural (R) to Oak Harbor – Planned Industrial Park (OH-PIP). This action would update map #219 of the Official Island County Zoning Atlas, Exhibit B of the Interlocal Agreement between Island County and the City of Oak Harbor, and the Island County Future Land Use Map. Also located on map #219 are 4 additional parcels, R13323-046-2810, R13323-063-2810, R13323-074-2810, R13323-120-3100, which should also be considered in this rezone. Staff has expanded this amendment to include these 4 parcels. The subject parcels are located at the intersection of Old Goldie Road and Ault Field Road. This report serves as the staff report and is submitted to the Planning Commission in accordance with Chapter 16.26 ICC.

FINDINGS OF FACT

There are four documents that govern these pieces of property.

- 1) Island County Comprehensive Plan
- 2) Island County Code
- 3) Interlocal Agreement between Island County and the City of Oak Harbor
- 4) City of Oak Harbor Comprehensive Plan

The County manages the first two, the third is jointly managed, and the City manages the fourth.

The Oak Harbor Comprehensive Plan and the Island County Comprehensive Plan serve as the guiding documents for orderly growth of their respective areas. These documents are divided up into elements; Land Use, Open Space, Transportation, Utilities, etc., which address issues related to growth. Because of the City's and County's shared interest in development within the UGA, the Interlocal Agreement between Island County and Oak Harbor was established in 2002. This agreement provides guidance to the City and County for the orderly growth of this mutually managed area.

The County Comprehensive Plan identifies the subject parcels as **Outside the UGA** and zoned as **Light Manufacturing**. The County Zoning Atlas identifies them as **Within the UGA** and zoned as **Rural**. The Interlocal Agreement identifies them as **Within the UGA** and zoned **Oak Harbor Residential**. The City of Oak Harbor Comprehensive Plan identifies this area as **Within the UGA** and zoned **Planned Industrial Park**. All of these governing documents are inconsistent with each other and must be synchronized.

Spatially, the subject properties are situated such that to the North and East they are bound by Federal Land. To the South and West they are bound by Ault Field Road and Old Goldie Road which separate them from Planned Industrial Park zoned properties.

Given that the subject properties are boxed in by industrial uses on two sides and federal land on the other two sides, and that they currently contain some industrial uses, it is logical that the zoning designation for the subject properties be Planned Industrial Park.

Following the County's receipt of this application, the additional four property owners were notified by mail of the rezone request.

Analysis

A rezone may be granted pursuant to 17.03.220(D)6 ICC, and must be processed as a Type IV decision, pursuant to 16.19 ICC. As such the standards of 16.26.060(E) ICC are addressed below:

“Does the proposed amendment or revision maintain consistency with other Plan elements or Development Regulations. If not, are amendments or revisions to other Plan elements or regulations necessary to maintain consistency also under annual review by the Planning Commission and the Board;”

The proposed zoning reclassification brings the properties into consistency with the Island County Comprehensive Plan, Oak Harbor Comprehensive Plan, Oak Harbor Interlocal Agreement and the County Development Regulations.

“Do all applicable elements of the Comprehensive Plan support the proposed amendment or revisions;”

The Policy Plan and Land Use Element directly support this amendment through references to the Oak Harbor Interlocal Agreement which requires coordination between City and County land use standards. This amendment brings the zoning and standards into alignment.

“Does the proposed amendment or revision more closely meet the goals, objectives and policies of the Comprehensive Plan;”

By designating the subject parcels as OH-PIP, densities and uses which wouldn't be permitted in the Rural Zone would be allowed, fulfilling the intent of its UGA status.

“Is the proposed amendment or revision consistent with the county-wide planning policies;”

The County Wide Planning Policy language directly supports the rezone by emphasizing cooperation with surrounding jurisdictions when dealing with lands within the UGA.

“Is the proposed amendment supported by adopted Findings of Fact and Legislative Intent;”

Both Chapters 17.03 and 16.26 ICC, which govern the process for rezoning, were adopted under the authority of and pursuant to 36.70A RCW.

“Does the proposed amendment or revision comply with the requirements of the GMA; and”

County development regulations and Comprehensive Plan were adopted pursuant to 36.70A RCW and are compliant with the GMA.

“Are the assumptions underlying the applicable portions of the Comprehensive Plan or Development Regulations no longer valid because new information is available which was not considered at the time the plan or regulation was adopted.”

Unintentionally, the subject parcels were incorrectly zoned. The rezone to Oak Harbor-Planned Industrial Park will bring the subject parcels into line with the planned use for the land and into consistency with surrounding uses and zoning.

Conclusion & Recommendation

Pursuant to Section 16.26.060.E.1-7 ICC, the Planning Department is required to provide the Planning Commission a report that reviews the proposed amendment. This staff report satisfies this requirement.

Upon review of the proposed amendment the Planning Department finds it to be consistent with the Development Regulations, Oak Harbor Interlocal Agreement, and all elements of the Comprehensive Plan. The rezone of all non-federal land on Map #219 to Oak Harbor – Planned Industrial Park is supported by the Comprehensive Plan and meets the stated designation criteria of the Development Regulations.

The Department recommends approval of the application.

Exhibit A

A1: Updated Island County Zoning Atlas Map #219

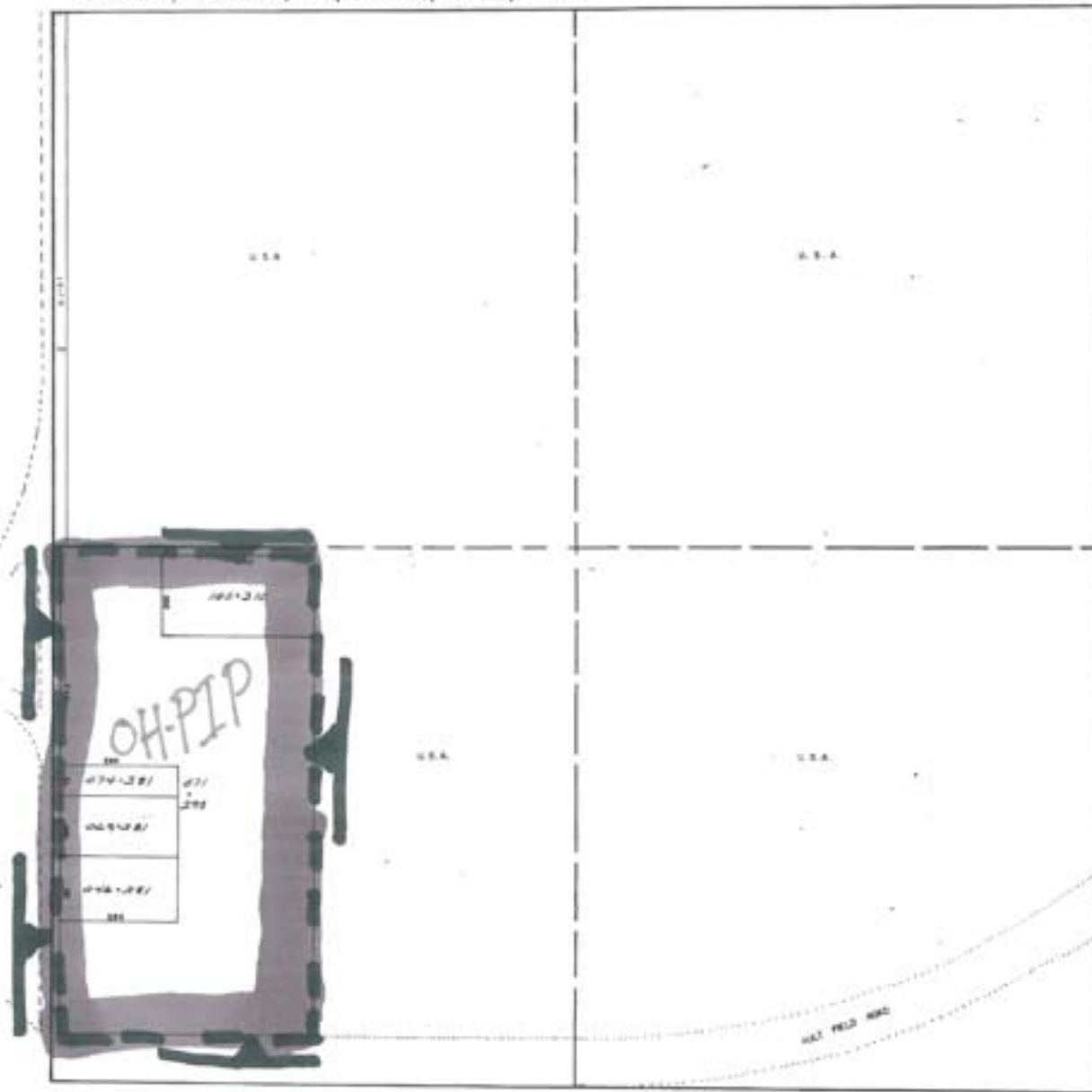
A2: Updated Oak Harbor Interlocal Agreement Exhibit B

A3: Updated Island County Future Land Use Map

A1: Updated 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



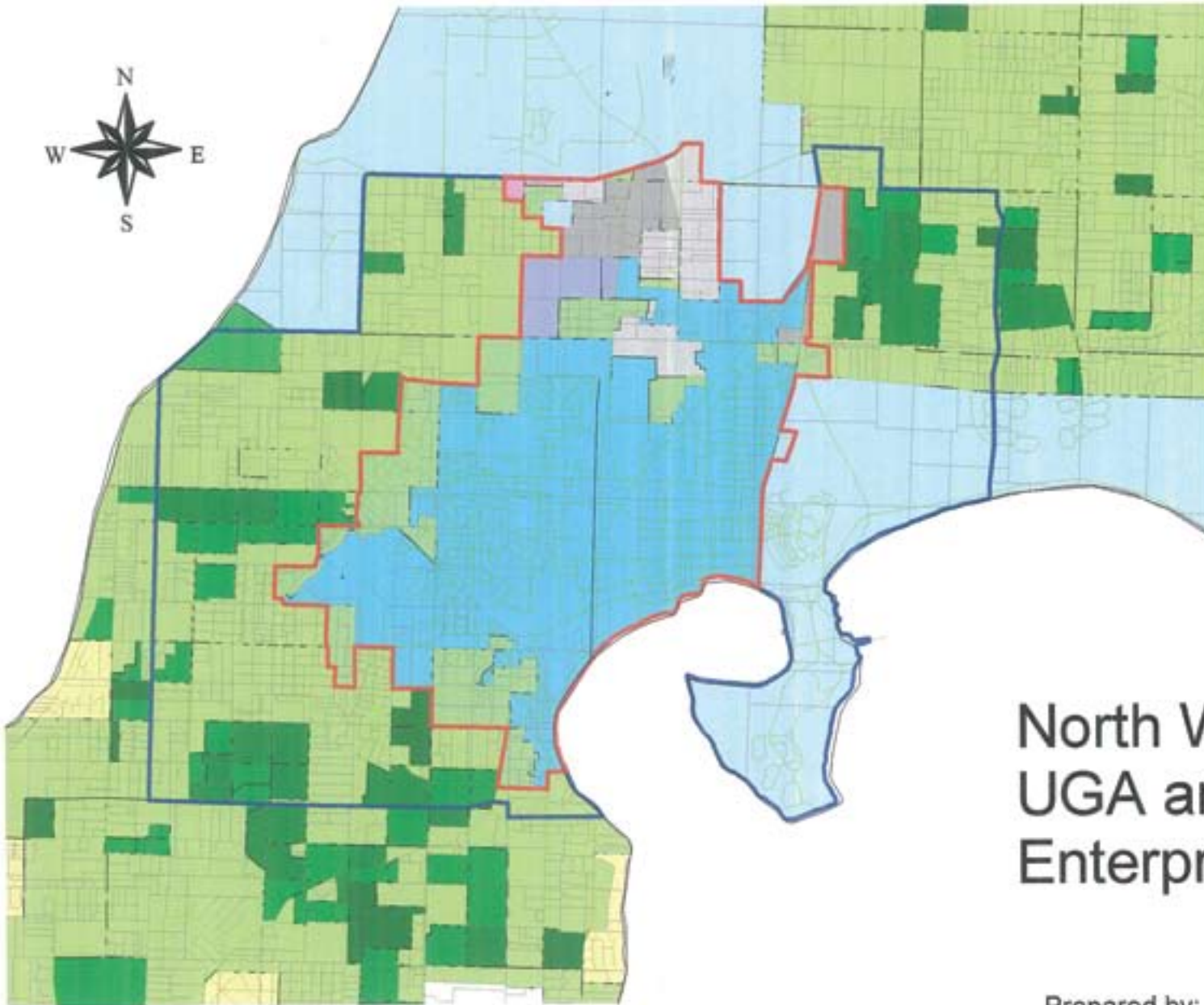
--- UGA
—— JPA

S.E. 1/4, 25-35-E. LAST CORRECTION
- Sec. 23



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

A2: Updated Oak Harbor Interlocal Agreement Exhibit B



- North Whidbey Enterprise Area
- Zoning Designations**
 - City of Oak Harbor
 - Park
 - Rural
 - Rural Residential
 - Commercial Agriculture
 - Rural Agriculture
 - Rural Forest
 - Federal Land
 - Rural Service
- Oak Harbor UGA Zones**
 - OH-Highway Service Commercial
 - OH-Industrial
 - OH-Planned Business Park
 - OH-Planned Industrial Park
 - OH-Residential
- Oak Harbor Planning Boundaries**
 - Urban Growth Area
 - Joint Planning Area

North Whidbey UGA and JPA & Enterprise Zone



Prepared by:
Island County
Planning and Community Development
For Informational Use Only
September 24, 2001

A3: Updated Island County Future Land Use Map

MAP K
FUTURE LAND USE PLAN
NORTH WHIDBEY

UGA BOUNDARY

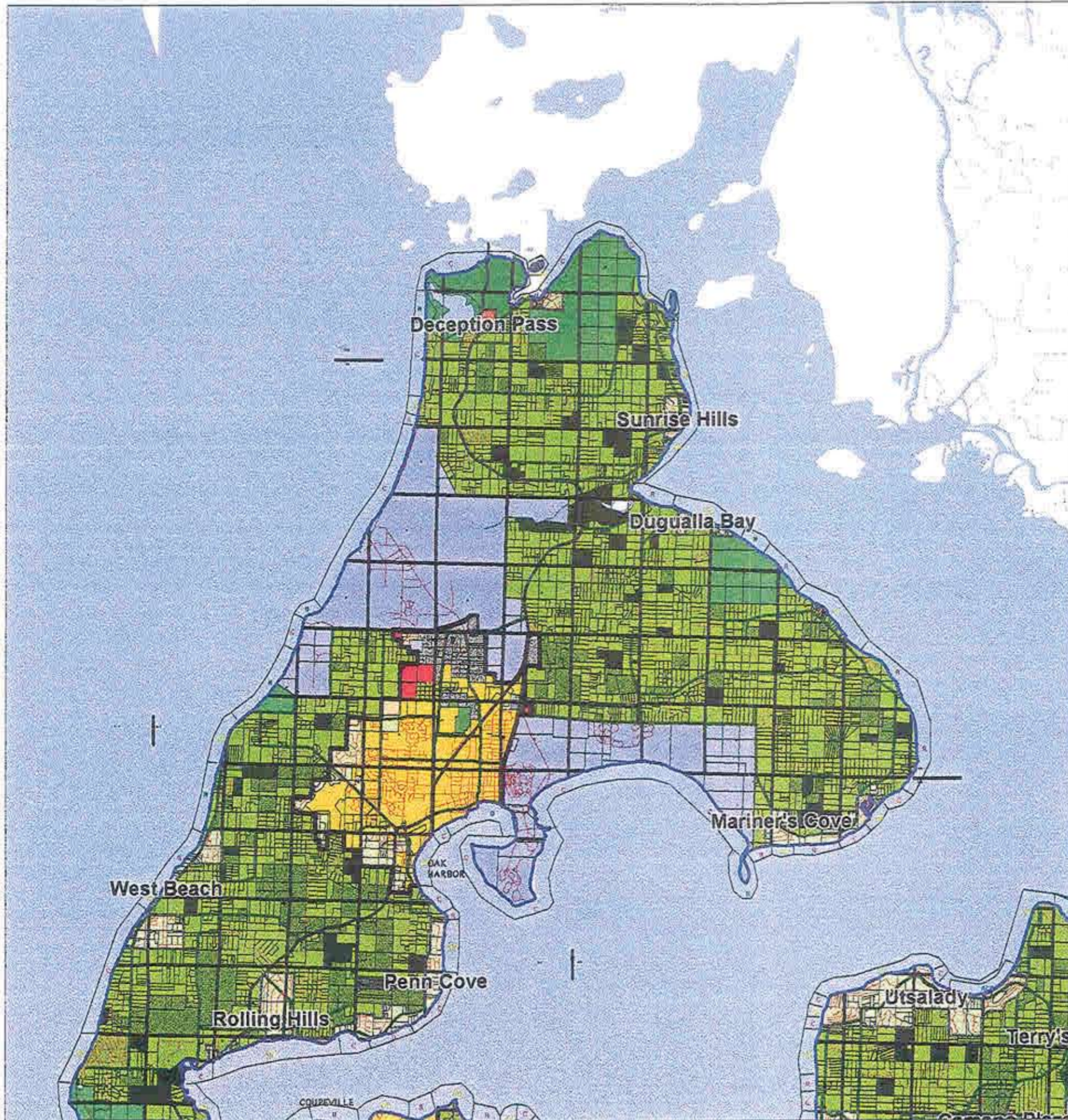
— Urban Growth Boundary

UGA ZONING

- Park
- Public Facilities
- Low Density - Residential
- Medium Density - Residential
- Rural
- Rural Center
- Light Manufacturing

PROPOSED ZONING

- Airport (AP)
- Commercial Agriculture (CA)
- Federal Land (FL)
- Municipality
- Park (PK)
- Public Facilities (PF)
- Rural (R)
- Rural Agriculture (RA)
- Rural Center (RC)
- Rural Forest (RF)
- Light Manufacturing (LM)
- Rural Residential (RR)
- Rural Service (RS)
- Rural Village (RV)
- Special Review District (SR)
-



SCALE
1 INCH = 11,000 FT.

Exhibit B

B1: Original Island County Zoning Atlas Map #219

B2: Current Oak Harbor Interlocal Agreement Exhibit B

B3: Current Island County Future Land Use Map

B4: Current Oak Harbor Future Land Use Map

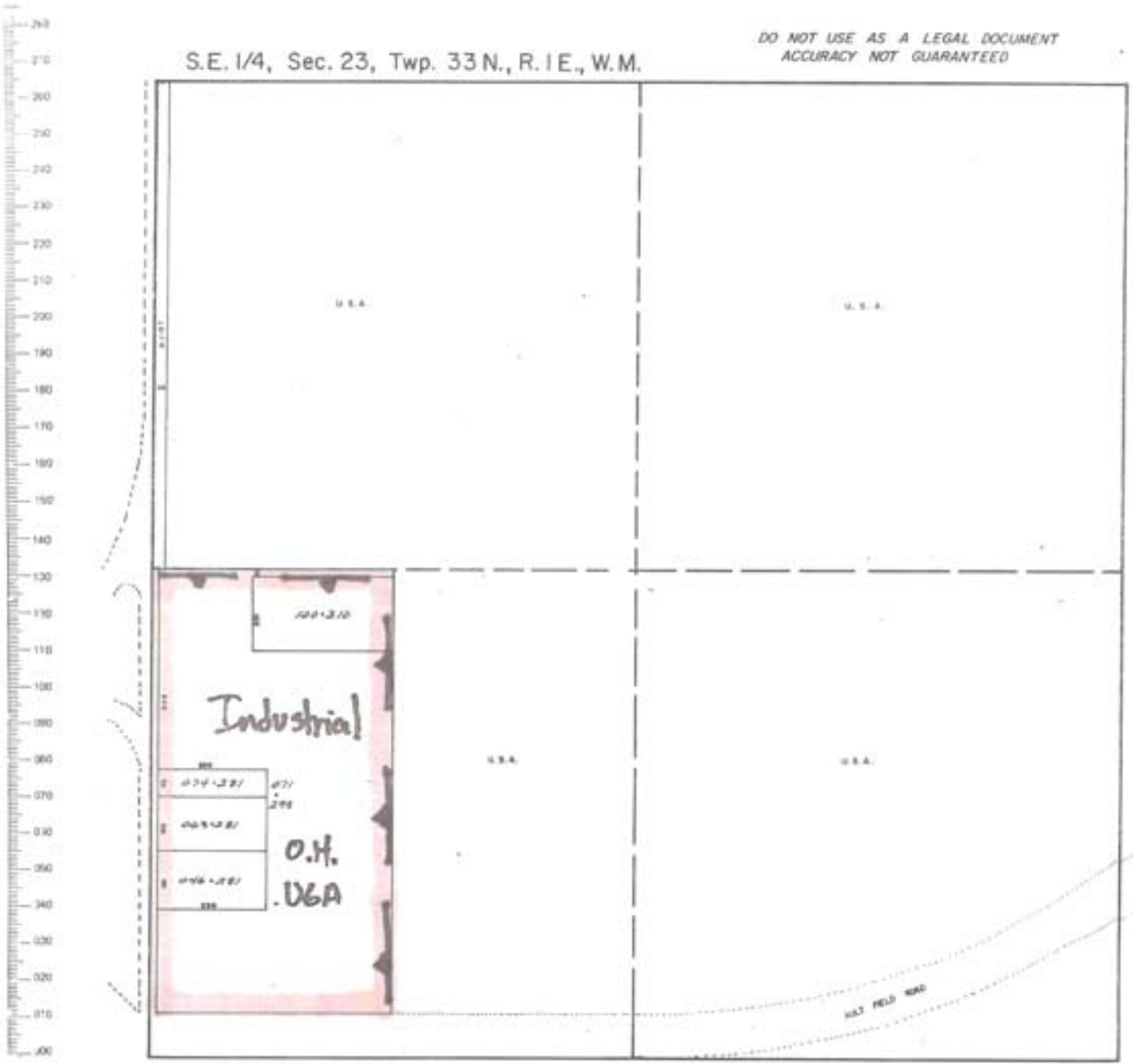
B5: Current Island County Zoning Atlas Map #219

B1: Original Island County Zoning Atlas Map #219

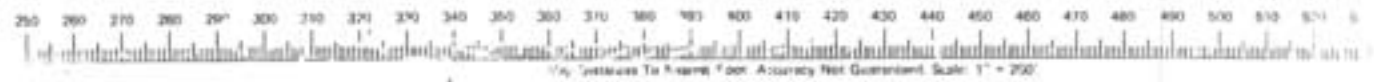
THIS MAP IS NO LONGER VALID
 It was replaced under
 C-02-99, PLG-002-99
 signed by BICC on 1/25/99

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

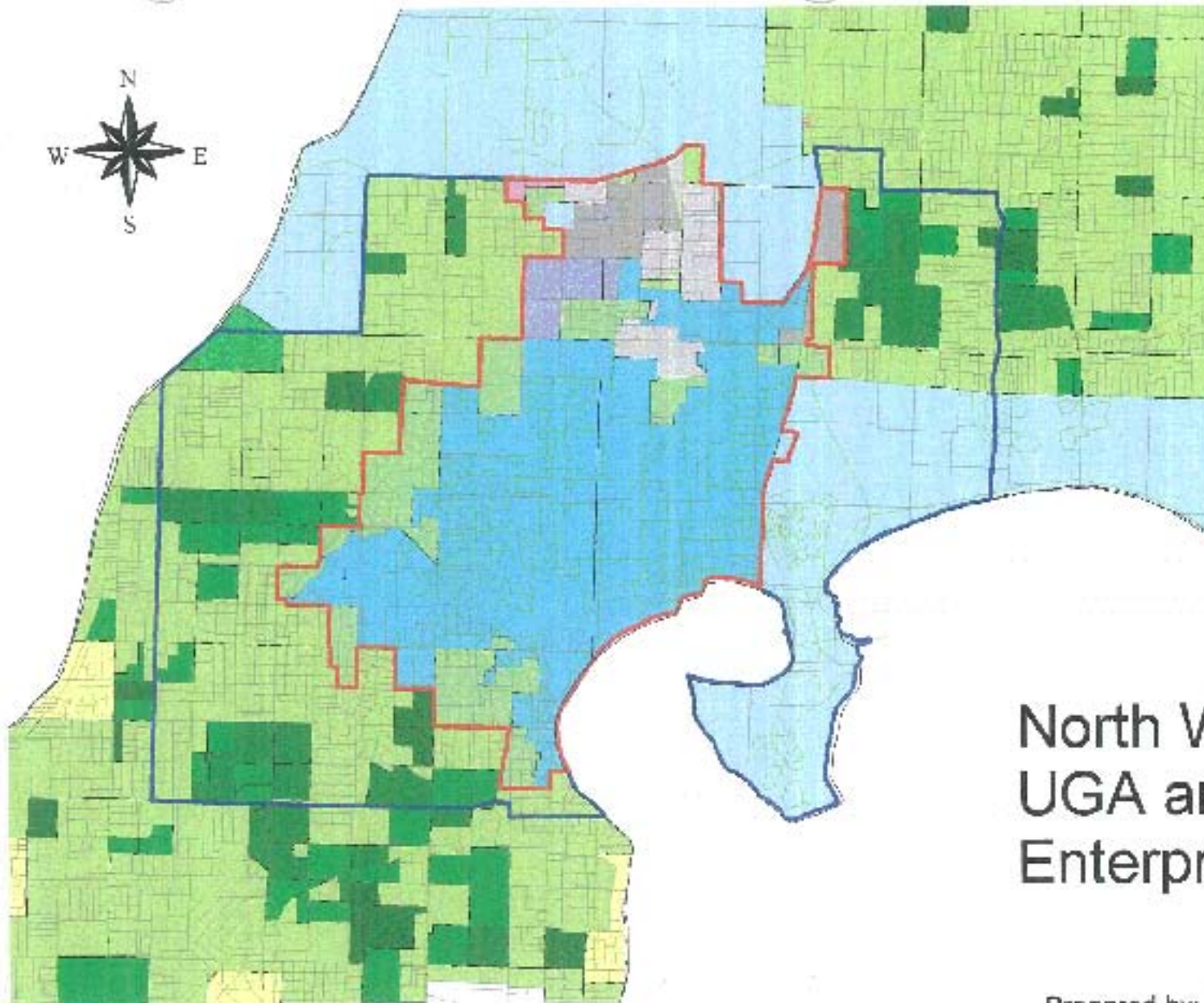
DO NOT USE AS A LEGAL DOCUMENT
 ACCURACY NOT GUARANTEED



S.E. 1/4, 23-33-1E. LAST CORRECTION.
 1:25000



B2: Current Oak Harbor Interlocal Agreement Exhibit B



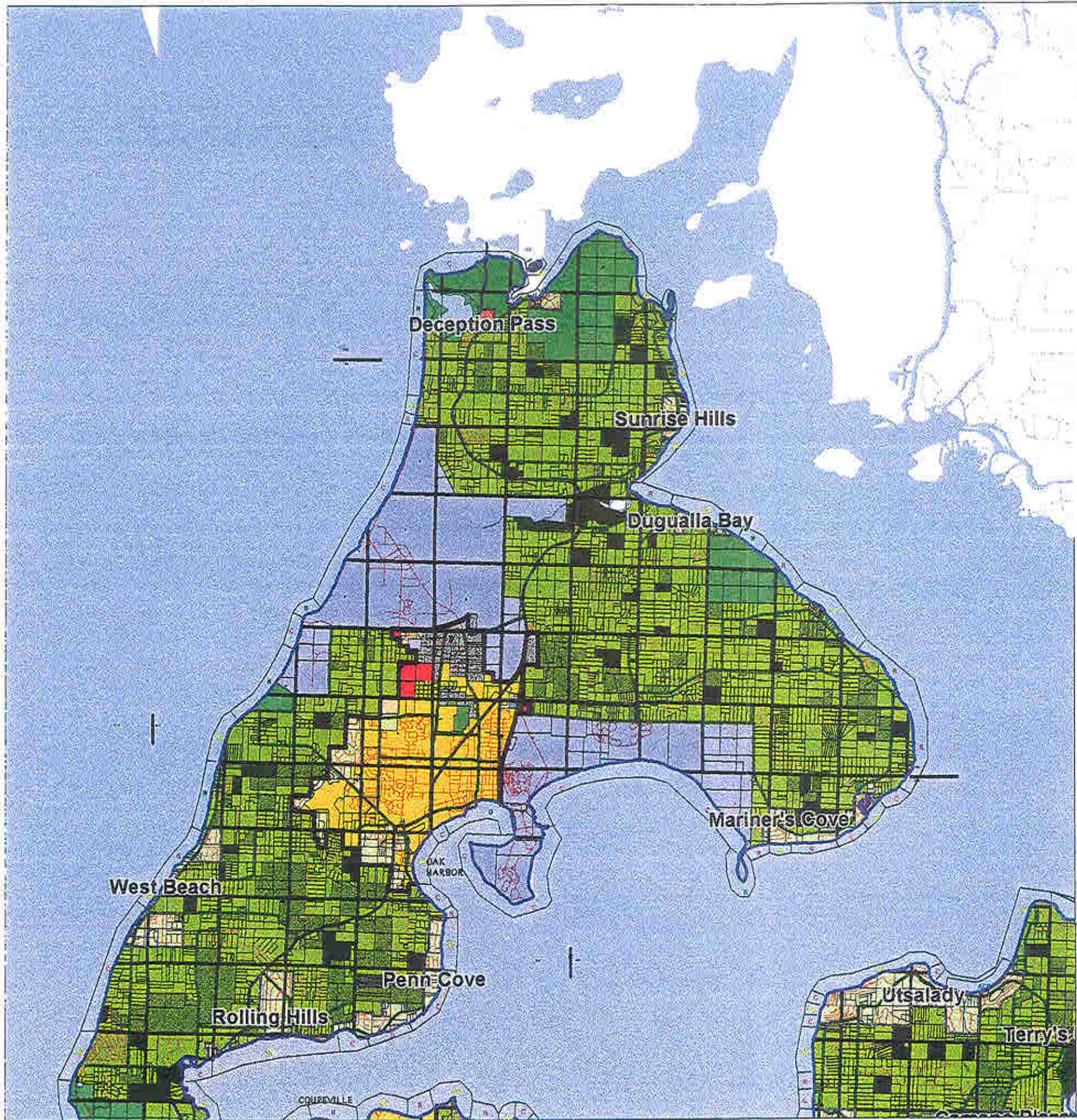
- Non-Whidbey Enterprise Area
- Planning Designations**
- City of Oak Harbor
- Park
- Rural
- Rural Residential
- County of Whatcomch
- Rural Urban
- Rural Forest
- Federal Land
- Rural Service
- Oak Harbor JPA Zones**
- Off-Bayway Transit Development
- Residential
- Off-Planned Business Park
- On-Planned Industrial Park
- On-Roadside
- Other Planning Boundaries**
- Local Road Area
- Port Planning Area

North Whidbey UGA and JPA & Enterprise Zone



Prepared by:
Island County
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September 24, 2001

B3: Current Island County Future Land Use Map



- Residential Single-Family
- Residential Medium-Density
- Residential High-Density
- Commercial
- Industrial
- Public Use
- Institutional
- Office
- Entertainment
- Community Center
- Religious
- Cemetery
- Utility
- Transportation
- Open Space
- Forest
- Water
- Wetlands
- Hazardous Waste
- Other

B4: Current Oak Harbor Future Land Use Map

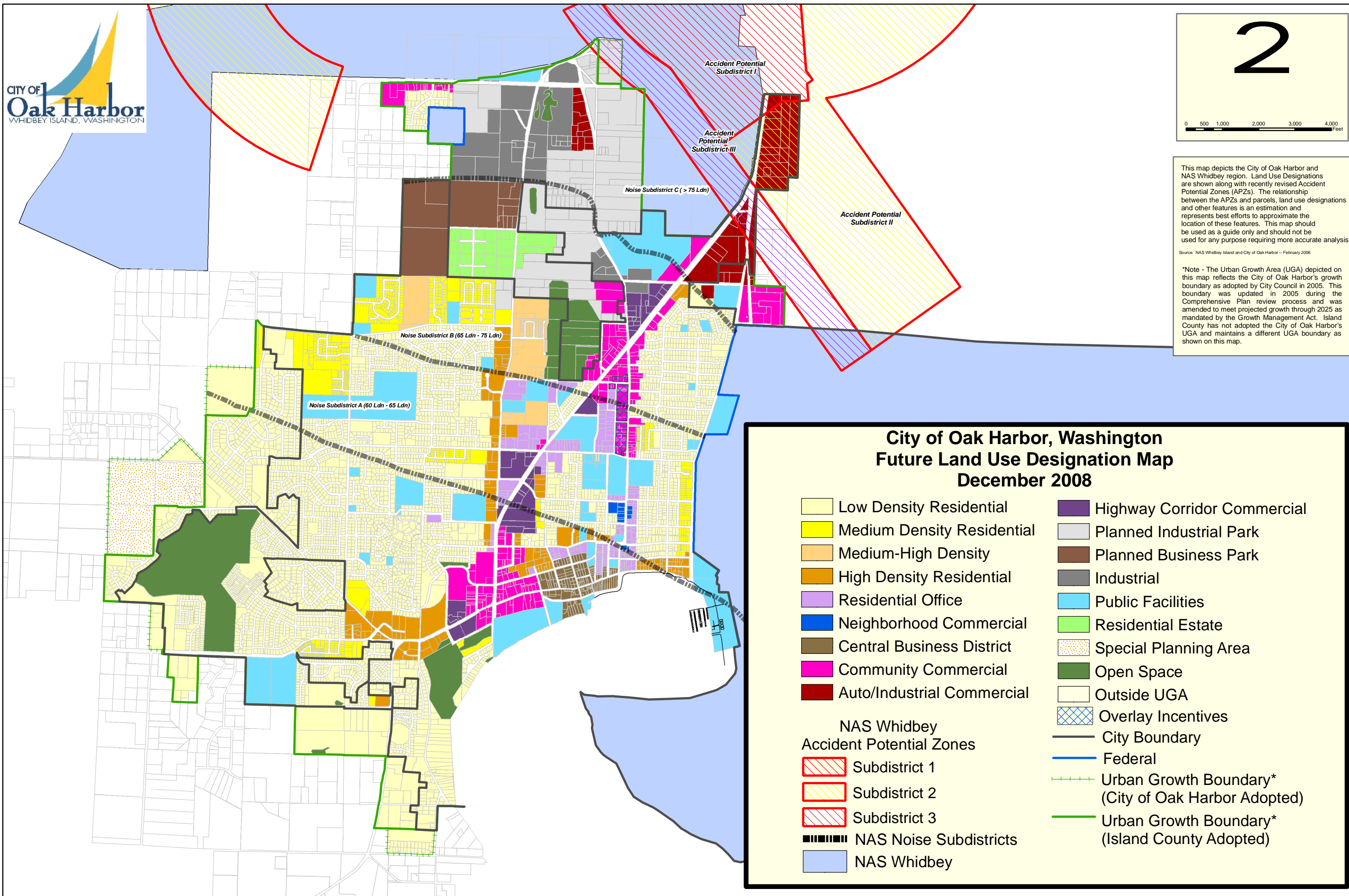
This map depicts the City of Oak Harbor and NAS Whidbey region. Land Use Designations are shown along with recently revised Accident Potential Zones (APZs). The relationship between the APZs and parcels, land use designations and other features is an estimation and represents best efforts to approximate the location of these features. This map should be used as a guide only and should not be used for any purpose requiring more accurate analysis.

Source: NAS Whidbey Island and City of Oak Harbor -- February 2008

*Note - The Urban Growth Area (UGA) depicted on this map reflects the City of Oak Harbor's growth boundary as adopted by City Council in 2005. This boundary was updated in 2005 during the Comprehensive Plan review process and was amended to meet projected growth through 2025 as mandated by the Growth Management Act. Island County has not adopted the City of Oak Harbor's UGA and maintains a different UGA boundary as shown on this map.

**City of Oak Harbor, Washington
Future Land Use Designation Map
December 2008**

- | | |
|--|---|
|  Low Density Residential |  Highway Corridor Commercial |
|  Medium Density Residential |  Planned Industrial Park |
|  Medium-High Density |  Planned Business Park |
|  High Density Residential |  Industrial |
|  Residential Office |  Public Facilities |
|  Neighborhood Commercial |  Residential Estate |
|  Central Business District |  Special Planning Area |
|  Community Commercial |  Open Space |
|  Auto/Industrial Commercial |  Outside UGA |
| NAS Whidbey Accident Potential Zones | |
|  Subdistrict 1 |  Overlay Incentives |
|  Subdistrict 2 |  City Boundary |
|  Subdistrict 3 |  Federal |
|  NAS Noise Subdistricts |  Urban Growth Boundary* (City of Oak Harbor Adopted) |
|  NAS Whidbey |  Urban Growth Boundary* (Island County Adopted) |



B5: Current Island County Zoning Atlas Map #219

