



## ISLAND COUNTY PLANNING & COMMUNITY DEVELOPMENT

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### CPA 167/06 NAS Whidbey Island

#### Summary:

CPA 167/06 NAS Whidbey Island addresses issues involving public safety through the integration of Accident Potential Zones into the Island County Comprehensive Plan. In addition, changes to ICC chapter 17.03 and 17.02 have been proposed to ensure the safety and compatibility of future development near NAS Whidbey Island.

#### Findings:

1. CPA167/06 was initiated by the Planning Director, as allowed under chapter 16.26.050.A. The item was duly docketed for Planning Commission consideration and the Department's required report forwarded to the Planning Commission within the prescribed time period.
2. Planning and Community Development staff first presented a Transmittal and Report Memorandum on the proposed amendments to the Island County Planning Commission at the May 9, 2006 Planning Commission Meeting. The first publicly noticed hearing was held on May 23, 2006 at the Commissioner's Hearing Room, Coupeville Annex in Coupeville, Washington. The Planning Commission held a Deliberation hearing on August 22, 2006.
3. During the May 23, 2006 public hearing, Planning and Community Development staff gave a presentation to the Planning Commission that summarized key points from the Air Installation Compatible Use Zones (AICUZ) Study Update for Naval Air Station Whidbey Island's Ault Field and Outlying Landing Field Coupeville, Washington. The presentation also included a summary of the proposed changes to both the Island County Comprehensive Plan and Island County Code that would ensure compatible use of lands within proposed Accident Potential Zones.
4. During the May 23, 2006 public hearing, and the August 22, 2006 deliberation hearing, The Planning Commission raised a number of issues that Planning staff have since reviewed and analyzed. The following is a brief description of each

issue raised by the Planning Commission, followed by an explanation from Planning staff:

- a. *Concerns over whether EDU's could be transferred to properties outside of the APZ's* – Currently, ICC 17.03.180.F states that “An owner of CA zoned property may be allocated Earned Development Units upon approval of a Farm Management Plan. EDU's may be located and used on R, RA, RF or CA zoned properties...” This section of code already acknowledges the fact that EDU's may be transferred by stating that only CA zoned lands are eligible to earn EDU's, yet they can be located on other rural lands. The version of ICC 17.02.050.E that was transmitted to the Planning Commission on May 9, 2006 contains language pertaining to EDU's and Farm Management Plans in 17.02.050.E.1.b(vi). The language proposed in the initial staff recommendation was vague to the issue of transferal of EDU's to non-APZ lands. Therefore, the Planning Commission has modified this language to explicitly allow EDU's to be earned on parcels within the APZ's while only allowing location of those EDU's on lands lying outside of the APZ's. The Planning Commission finds this to be an appropriate revision.
- b. *Should uses within the APZ's be subject to a variance process?* – Island County Code currently allows variances for setbacks, parking, signage, and height requirements. These variances are all site specific. There is no code section which allows for a variance to be granted for specific uses in any land use zones. By allowing variances for uses, the table located in the version of 17.02.050 that was transmitted to the Planning Commission on May 9, 2006, would become ineffective in regulating development in the APZ's. Existing variance criteria are geared towards variation on numerical standards like setbacks. New criteria would need to be developed for uses. Additionally, variance of uses in APZ's has the potential to undermine the goal of reducing encroachment into APZ's. The Planning Commission finds this to be contradictory to the overall objective.
- c. *Uses such as Bed and Breakfast's and Day Care Centers should not be allowed in APZ's* – Bed and Breakfast Inn's (3-6 rooms) are not allowed in any of the APZ's. Bed and Breakfast Rooms (no more than 2 rooms) are allowed in APZ-II due to the fact that the intensity of the use is approximately the same as a Single Family Residence. The Planning Commission finds this to be an appropriate intensity of land use.

It was erroneously shown in the power point presentation given to the Planning Commission at the public hearing on May 23, 2006 that Day Care Centers would be allowed in APZ-II. However, the recommended

version of 17.02.050 shows that neither Day Care Centers, Small Day Care Centers, nor Day Care Nursery's are allowed in any of the APZ's. The Planning Commission finds this to be an appropriate policy.

- d. *Is it a good idea to not allow PRD's in APZ-I, but to allow them in APZ-II?* – As proposed in the new code language, new subdivisions (including PRD's) would no longer be allowed in lands laying within APZ-I. This is due to the fact that there are few subdividable parcels in APZ-I and because the Navy's recommendation was to maintain the lowest residential density possible in this Zone.

However, APZ-II contains a much larger amount of subdividable parcels and thus, the proposed code calls for subdivisions to be allowed in APZ-II. Because safety is the driving factor behind this code revision The Planning Commission feels that it is important to ascertain the appropriateness of clustered development vs. traditional 5 acres lots.

A primary purpose of APZ's is reducing the potential of human loss in the event of an aircraft accident. Clustered housing means a larger unit of open space. This is a benefit in that it leaves large areas of land where people do not reside. The disadvantage is that if a plane hits that area where the houses are located, there may be greater numbers of human casualties. The more traditional subdivision of 5-acre lots results in a more dispersed development pattern. The benefit to this scenario is that a crash incident that strikes a development will result in fewer casualties since structures are more spread out. The disadvantage is that, because the development is more spread out, there is a greater chance that those targets will be hit. The Planning Commission finds that a lower density, more dispersed development pattern is preferable. Therefore, the Planning commission finds that density is the more pertinent control and that PRD's should not be allowed in APZ-II.

- e. *The Navy recommends that a minimum density of 1-2 dwelling units per acre be allowed. Why not allow subdivision of lands in the APZ-I if the base density in the Rural Zone is 1 dwelling unit/ 5 acres?* – In original discussions with Rich Melaas, Community Planning Liaison Officer for NASWI, he indicated that the Navy's recommendation was that no subdivision should take place in the APZ-I zone due to concerns about increased density in such close proximity to the runways. This recommendation is also shown in the AICUZ Update in which detached single family dwellings, at a density of 1-2 dwelling units/acre, are allowed in APZ-II, but not APZ-I.

Island County Planning and Community Development agreed with the Navy recommendations based on the conclusions derived from the land

use analysis contained in the staff report submitted by staff at the May 9, 2006 hearing. In this analysis, 56 parcels of 9 acres or greater in the Rural Zone, lie within APZ-II. This constitutes a considerable number of potential parcels. In APZ-I, there are 11 parcels in the Rural Zone which are greater than 9 acres. The 4 largest of these 11 parcels are 39, 28, 26, and 21 acres respectively. Of these four large parcels, the 26-acre parcel is owned by the Navy, and the 39, 28, and 21 acre parcels are gravel pits located off of SR 20 just north of Oak Harbor. In addition, only a small fraction of the 39-acre parcel and the 28-acre parcel are located within APZ-I. Furthermore, there is also a 14-acre parcel which is part of the surface mine located north of Oak Harbor. The Thunderbird Mobile Home Park is located on a 9-acre parcel in the Rural Zone within APZ-I as well. When taking these uses into consideration, the more realistic number of parcels that could be created would be approximately 6 parcels. Given this small number of potential parcels, the Planning Commission finds that density in APZ-I should be kept as low as possible and future subdivision of parcels in APZ-I, including PRD's, should be prohibited. The Planning Commission finds that this is an appropriate policy.

6. The Planning Commission has also agreed that the owners of potentially subdividable parcels located within APZ-I shall be contacted so that they may be notified of the date that the Board of Island County Commissioners will consider the Planning Commission's recommendation.

### **Conclusions:**

The Island County Planning Commission has reviewed CPA 167/06 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 36.70.040 and ICC 16.26, this \_\_\_\_ day of October, 2006 by,

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**Scott Yonkman**  
**Island County Planning Commission, Chairperson.**