



## ISLAND COUNTY PLANNING & COMMUNITY DEVELOPMENT

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### TRANSMITTAL AND REPORT MEMORANDUM

**DATE:** April 25, 2011  
**TO:** Island County Planning Commission  
**REGARDING:** 2011 Annual Review Docket

**FROM:**

Troy Davis  
Long-Range Planner

### INTRODUCTION

At the beginning of each year, the Board of Island County Commissioners considers, reviews, and establishes a list of potential amendments to the Island County Comprehensive Plan and County Development Regulations. This list is referred to as the Annual Review Docket. The procedures established in Chapter 16.26 ICC govern the Annual Review Docket process. This process mandates at least one public hearing, and review and recommendations by the Planning Commission to the Board, for each item on the Docket.

The Planning Department also creates an Annual Work Program for code amendments that do not involve a corresponding Comprehensive Plan Amendment (ICC 16.26). Work program items are identified and brought before the Planning Commission for public hearing throughout the year. This memorandum focuses on the items on the 2011 Annual Review Docket.

### 2011 PROPOSED AMENDMENTS

Listed below are summary reports for each item on the 2011 Annual Review Docket. Detailed staff reports on each issue will be provided to the Planning Commission through the public process. The Shoreline Master Program/Fish and Wildlife Habitat Conservation Areas update and the Parks and

Recreation Comprehensive Plan update is a carryover of unfinished work from last year's review docket. Both items are not likely to be ready for Planning Commission review until 2012.

Staff began the process of identifying potential 2011 Docket items last fall, in a number of work sessions with the Board. Staffing constraints, carryovers, and work program items played a major role in determining the number of potential amendments that could be placed on the 2011 Docket.

On February 7, 2011 the Board held their annual joint meeting with the Planning Commission and the Hearing Examiner. The discussion focused on the upcoming Annual Review Docket and work program items noted by staff.

On February 28, 2011 the Board of County Commissioners held a public hearing and adopted the 2011 Annual Review Docket which includes the following items (Note: Items are not listed by priority).

### **1. CPA 155/04: Population Projections and Urban Growth Areas (Carryover from 2007-2010)**

On April 11, 2011 the Board of Island County Commissioners (Board) approved CPA 155/04. This item has a long history dating back to 2004 as part of the County's required 7 year periodic review of its Comprehensive Plan. The original recommendation approved by the Planning Commission in 2007 included 180 acres of City of Oak Harbor UGA expansion. This recommendation was forwarded to the Board in the fall of 2007. After three years of delay due to the SEPA appeal process, the Board rejected the 2007 planning commission recommendation and revised the proposal to include only 18 contiguous acres to Oak Harbor's Urban Growth Area (UGA). The original recommendation was rejected because it was found by the Board that Oak Harbor's existing UGA has sufficient capacity to meet expected population growth over the succeeding 20 year period.

CPA 155/04 has required a large commitment of time and resources because of its controversial nature. If this item is appealed, it would likely shift the County priorities away from other 2011 ARD items.

### **2. Freeland Subarea Plan (Carryover from 2010)**

On March 21, 2011 the Board of Island County Commissioners approved the 2010 Freeland Subarea Plan update. Like other carryover items, its completion is a milestone, freeing up time for other ARD items. The next step in the process is to create development regulations that will implement the goals, principles, and policies of the subarea plan. Development regulations include establishing formal zoning districts along with setting requirements for land-use, building setbacks, lighting, signs, etc. Development regulations for Freeland's commercial core will hopefully take a form-based approach in contrast to the more commonly used Euclidean approach to zoning used throughout the county. Staff anticipates this item will be ready for Planning Commission review in fall 2012.

### **3. Countywide Planning Policies**

The Growth Management Act requires periodic updates of Comprehensive Plans. Before Comprehensive Plans can be updated, the existing Countywide Planning Policies should be evaluated because these policies provide direction for all comprehensive plans in the County (including the cities) and are a key basis for the Interlocal agreements with Coupeville, Langley, and Oak Harbor. The next periodic update for Island County is scheduled for 2012 but the State has granted a three year extension because of reduced budgets, giving jurisdictions until 2015 to complete their next

periodic update. Island County has yet to formally adopt a schedule for the next update but we do anticipate using the extension. Our Countywide Planning Policies were last amended in 1999 and subsequently include language that is no longer relevant. Staff has begun conducting meetings with local jurisdictions and the Planning Commission for input on new policy directions. Staff anticipates that the revisions to the County Wide Planning Policies will be ready for Planning Commission review this fall.

#### **4. Shoreline Master Plan (SMP) / Fish and Wildlife Habitat Conservation Areas (FWHCA) Combined Update**

In 2001 Island County adopted its current Shoreline Master Program as an element of the Island County Comprehensive Plan. Unlike other Comprehensive Plan Elements and Development Regulations, the SMP contains both the policy language and the regulatory language in a single document. The Island County SMP regulates lands which fall under the jurisdiction of the Washington State Shoreline Management Act (SMA) of 1971 including:

- All marine waters;
- Lakes 20 acres or larger;
- Upland areas, called shorelands, that extend 200 ft. landward from the edge of these waters; and
- Wetlands and floodplains associated with one of the above

The SMA requires Island County to amend its SMP on or before December 1, 2012. This summer, Island County began this three year process in the fall of 2010. The Island County Planning Commission will receive periodic updates on the status of the amendments, which are planned for Planning Commission review and formal public hearings in 2012.

In late 2009, the Washington State Department of Ecology and the Department of Fish and Wildlife authorized Island County to review and update its FWHCA regulations concurrently with SMP update, allowing the County to see the efficiencies of combined review. As such, the Planning Commission will also receive updates on the status of these amendments.

Concurrent review and update of these two regulatory tools is encouraged by the State because of their close jurisdictional proximity. The FWHCA regulations apply to the following areas:

- Areas with which endangered, threatened, and sensitive species has a primary association;
- Streams;
- Commercial and recreational shellfish beds;
- Kelp and eelgrass beds;
- Herring and smelt spawning areas;
- State natural area preserves;
- State natural resource conservation areas;
- Species and Habitats of Local Importance;
- Flora included in the Protected Species List; and
- Areas identified by the Washington Natural Heritage Program.

RCW 36.70A.130 mandates that FWHCA regulations be reviewed by December 1, 2005, and every seven years thereafter. From 2005 to 2008, Island County was engaged in an extensive update of its wetland regulations. During this time, the County was granted extensions for its review of FWHCA regulations.

## **5. Island County Comprehensive Plan: Parks and Recreation Element**

The Parks and Recreation Element of the Comprehensive Plan was first adopted in 1998. The 1998 Plan was a continuation of prior park planning efforts that began in 1969, with the Island County Parks and Recreation Study. This study primarily consisted of an inventory of existing facilities and needs.

As with the other Comprehensive Plan elements, the Parks element needs to be kept up to date to reflect the current conditions and ideals of the community it represents. An effort to update the Parks element began two years ago but was removed from the 2009 Annual Review Docket do to staffing constraints.

In late 2009, additional funding was identified to support the 2010 Parks update, including funding from the Whidbey Camano Land Trust. In 2010 Island County hired the consulting firm Moore Iacofano Goltsman Inc. and began work on the update. It is anticipated that the Planning Commission will see a draft of the 2010 parks plan this fall.