

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
ESSENTIAL PUBLIC FACILITIES IN THE
RURAL AGRICULTURE AND RURAL
FOREST ZONES

ORDINANCE NO. C-130 -09
PLG-020-09

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, the Island County Comprehensive Plan already includes language providing for essential public facilities to be allowed in the Rural Forest and Rural Agriculture zones; and

WHEREAS, on February 27, 2009, the Board established the Planning Commission's 2009 Annual Review Docket which included the development of amendments to allow essential public facilities to be permitted within both the Rural Agriculture and Rural Forest zones; 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, 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 staff presented the proposed amendment to the Planning Commission; and

WHEREAS, on July 14, 2009, the Planning Commission held deliberations and concluded that this proposal is consistent with the goals and policies of the Comprehensive Plan, unanimously recommended adoption, 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 16 day of NOVEMBER, 2009 following public hearing.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON



John Dean

John Dean, Chairman

Helen Price Johnson

Helen Price Johnson, Member

Angie Homola

Angie Homola, Member

ATTEST:

Elaine Marlow

Elaine Marlow
Clerk of the Board

APPROVED AS TO FORM:

David L. Jamieson, Jr.

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

EXHIBIT A

Essential Public Facilities in the RA & RF Zones

17.03.090 Rural Agriculture (RA) Zone

The primary purpose of the Rural Agriculture (RA) zone is to protect and encourage the long term productive Use of Island County's agricultural land resources of local importance. It is established to identify geographic areas where Commercial farming practices can be conducted in an efficient and effective manner; and to help maximize the productivity of the lands so classified. Secondly, lands classified RA provide scenic Open Space, wildlife habitat and watershed management to the extent such Use is consistent with the primary purposes of the Zone.

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B. Conditional Uses

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2. Uses allowed upon Site Plan approval pursuant to Chapter 16.15, processed as Type III decisions and requiring a community meeting pursuant to Chapter 16.19 ICC, unless otherwise specified:
 - a) Gun Club and Shooting Range;
 - b) Surface Mine;
 - c) 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;
 - d) Covered Equestrian Center as specified in ICC 17.03.180;
 - e) Essential Public Facilities;
 - e)f) Home Industries as specified in ICC 17.03.180, except that a community meeting is not required; and
 - f)g) Rural Event Center as specified in ICC 17.03.180.T.8(a) as a Type III Decision.

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17.03.110 Rural Forest (RF) Zone

The primary purpose of the Rural Forest (RF) zone is to protect and encourage the long term productive Use of Island County's forest land resources of local Significance. It is established to identify geographical areas where Commercial Forest management practices can be conducted in an efficient manner; and to help maximize the productivity of the land so classified. Secondly, lands classified RF provide recreation opportunities, scenic Open Space, wildlife habitat and watershed management to the extent such Use is consistent with the primary purposes of the Zone.

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B. Conditional Uses

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2. Uses allowed upon Site Plan approval processed as Type III decisions and requiring a community meeting pursuant to Chapter 16.19 ICC:
 - a) Gun Club and Shooting Range;
 - b) Surface Mine;
 - c) Covered Equestrian Center as specified in ICC 17.03.180;
 - d) Churches 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; and
 - e) Essential Public Facilities; and
 - e)f) Home Industries as specified in ICC 17.03.180, except that a community meeting is not required.

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EXHIBIT B

Planning Commission Findings of Fact



**ISLAND COUNTY
PLANNING & COMMUNITY DEVELOPMENT**

Island County Planning Commission
Ray Gabelein, Chairperson

PHONE: (360) 679-7339 ■ from Camano (360) 629-4522, Ext. 7339 ■ from S. Whidbey (360)
321-5111, Ext. 7339
FAX: (360) 679-7306 ■ 1 NE 6th Street, P. O. Box 5000, Coupeville, WA 98239-5000
Internet Home Page: <http://www.islandcounty.net/planning/>

Findings of Fact

RE: CPA 107/09 Essential Public Facilities in RA & RF Zones

Summary:

CPA 107/09 Essential Public Facilities in the RA & RF Zones amendment proposes to expand the allowance of Essential Public Facilities (EPF)s into Rural Agriculture and Rural Forest Zones. The proposed amendment is consistent with the Island County Comprehensive Plan and will result in updates to the Island County Zoning Code 17.03 ICC.

Findings:

1. In accordance with ICC 16.26.020, staff presented the Annual Review Docket, which includes CPA 107/09 Utility Segregations, 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 107/09. 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 107/09 to the Planning Commission. The presentation included a summary of the staff report and proposed ordinance.
4. Public comment was received during the May 12th and 26th Public Hearings. Questions were raised by the Planning Commission and clarifications were made by staff.
5. Planning Commission Deliberations were held on July 14th, 2009 in Coupeville. A motion was made to approve the amendments to 17.03 ICC as proposed. Concerns were raised as to how Planning staff reviews the surrounding area as it relates to proposed EPFs and that a tiered system for review should be evaluated for siting these facilities. Staff provided the Planning Commission with Section ICC 16.19.060, which establishes use requirements by which Planning

staff currently reviews EPF proposals to ensure that the applicants have evaluated surrounding alternative sites.

6. A motion was made to approve the amendments to 17 03 ICC as proposed and passed.

Conclusions:

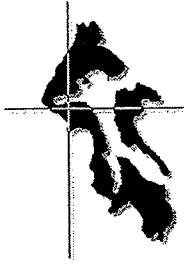
The Island County Planning Commission has reviewed CPA 107/09 and hereby recommends that the Board of Island County Commissioners adopt the proposed amendments and findings of fact.

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



ISLAND COUNTY PLANNING & COMMUNITY DEVELOPMENT

Island County Planning Commission
Ray Gabelein, Chairperson

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PLG-020-09

The Board of County Commissioners has reviewed the attached proposed Ordinance this
26 day of OCTOBER, 2009 and sets it for public hearing on the 16
day of NOVEMBER, 2009 at 10:20 A.m.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON



John Dean
John Dean, Chairman

Helen Price Johnson
Helen Price Johnson, Member

Angie Homola
Angie Homola, Member

ATTEST:

Elaine Marlow
Elaine Marlow
Clerk of the Board

