

ISLAND COUNTY COMMISSIONERS' WORK SESSION SCHEDULE

June 11, 2025

Those interested in attending the meeting virtually may use the following link:

<https://zoom.us/j/98750832914?pwd=3eNmGtLyPYwKV5qvVHv4tc207uylo3.1>

or for voice only, **Dial by your location:** (253) 215-8782

Meeting ID: 987 5083 2914 **Passcode:** 777859

9:00 a.m.	Superior Court
9:30 a.m.	Facilities
9:45 a.m.	Commissioners' Office
10:00 a.m.	Planning & Community Development

The Board of County Commissioners meets routinely in Work Session the first three Wednesdays of each month. Work Sessions are held in the Annex Building, Board of County Commissioners' Hearing Room, #B102, 1 NE 6th Street, Coupeville, WA.

Work Sessions are public meetings that provide an informal workshop format opportunity for the Board to review ongoing items with departments or to meet with other agencies, committees, or groups to discuss specific topics of mutual interest. Items are typically reviewed at Work Session before being scheduled on the agenda for the Board's regular Tuesday business meetings.

While Work Sessions do not have time set aside for verbal public comment, written public comment is welcomed and can be directed to the Clerk of the Board by submitting comments to CommentBOCC@islandcountywa.gov. If you have questions regarding public comment, you may call (360) 679-7385. Written public comments are considered a public record.

Times for each department are approximate; a time slot scheduled for a specific department may be revised as the Work Session progresses. Because of the workshop format and time sensitivity, certain items, topics, and materials may be presented that are not included in the published agenda. **If you are interested in reviewing those documents, please contact the Clerk of the Board at (360) 679-7354.**

ASSISTIVE LISTENING AVAILABLE: Please contact the clerk for an assistive listening device to use during the meeting. Please return the device at the end of the meeting.

NOTE: Audio recordings are posted within 48 hours of the meeting date. To listen to the recording visit the [Agenda Center](#) on the Island County website.



ISLAND COUNTY SUPERIOR COURT

WORK SESSION AGENDA

MEETING DATE: 6/11/2025

To: **Melanie Bacon, Chair**
Board of Island County Commissioners

From: **Megan Frazier, Administrator**

Amount of time requested for agenda discussion. 30 minutes

DIVISION: Juvenile

Agenda Item No.: 1

Subject: Contract for Professional Services Between Chris Holder PLLC and Island County Juvenile Court

Description: This contract allows for Chris Holder PLLC to deliver Coordination of Services, an evidence-based program, to low-risk youth and families involved in the Juvenile Justice System.

Attachment: Agreement for Professional Services, Attachment A, and Attachment B

Request: *(Check boxes that apply)*

<input checked="" type="checkbox"/> Move to Consent	<input type="checkbox"/> Move to Regular
<input type="checkbox"/> None/Informational	<input type="checkbox"/> Schedule a Public Hearing
<input type="checkbox"/> Signature Request	<input type="checkbox"/> Other: _____

IT Review: Complete

Budget Review: Complete

P.A. Review: Not Applicable

DIVISION: Juvenile

Agenda Item No.: 2

Subject: BECCA Update

Description: During the 2025 legislative session it is proposed that BECCA funding may have a \$5 million cut to its budget for courts. If approved, Juvenile Court will need to discuss how to move forward with BECCA programming, and how it may be funded.

Attachment: None

Request: *(Check boxes that apply)*

<input type="checkbox"/> Move to Consent	<input type="checkbox"/> Move to Regular
<input checked="" type="checkbox"/> None/Informational	<input type="checkbox"/> Schedule a Public Hearing
<input type="checkbox"/> Signature Request	<input type="checkbox"/> Other: _____

IT Review: Complete

Budget Review: Complete

P.A. Review: Not Applicable

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT by and between the ISLAND COUNTY JUVENILE COURT, (hereinafter referred to as "County"), and Chris Holder PLLC (hereinafter referred to as "Contractor"), now, therefore,

WITNESSETH:

1. The Contractor is an independent contractor and is solely responsible for the work performed under this contract.
2. Services:

The Contractor agrees to provide professional services as a Coordination of Services (COS) facilitator, as outlined in the Scope of Work in Attachment A, for clients referred by the County. The County agrees to provide the venue for the Contractor to facilitate COS.

3. Term of Agreement:

This agreement will be in effect from May 1, 2025, through June 30, 2027.
This contract may be renewed for another term of one year by notice in writing by the County mailed to Contractor at least 60 days before its termination. Renewal shall be upon the same terms and conditions as in this contract, except that the parties may agree to modify specific terms of the contract if said proposal for modifications are made in writing and presented to both parties 30 days prior to the termination of the prior contract term and agreed to by both parties in writing. The services of this contract shall be limited by the total funding available outlined in section 4(E). Additional funding needed shall be made in writing to the County for consideration.

This agreement may be terminated without cause and at will by either party giving 60 days prior written notice to the other.

4. Compensation:

The County agrees to pay, for the duration of this contract:

- A) A rate of \$400 per referred youth/family member that starts the COS program. A start is considered as a youth/family who signs in upon arrival and is in seat when the seminar begins.
- B) A food/snack allowance of \$500 will be provided for each COS class

with in-person attendance.

- C) A supply allowance of \$200 per year will be provided.
- D) Annual training allowance of \$350.
- E) Not to exceed a total of \$15,000.00 per fiscal year for the term of this contract

5. Responsibilities:

- Review the Washington State COS Program Manual
- Maintain Certification through WA State COS Quality Assurance Specialist or program consultant.
- Participate in program evaluation every two years.
- Attend annual training. Typically held in May or June for a total of 1.5 days.

6. Changes, Amendments and Modifications:

The County may, from time-to-time, require changes and/or modifications in the work to be performed. Such changes, which are mutually agreed upon by the County and the Contractor, shall be incorporated in written amendments to this contract.

7. Assignability:

The Contractor shall not assign or transfer any interest in this contract.

8. Confidentiality:

All information gained by the Contractor from clients referred by the County will be provided the same safeguards such information is provided in the operation of the Contractor's practice.

9. Compliance with State, Federal, and Local Laws:

The Contractor shall comply with all applicable laws, ordinances, and codes of the federal, state, and local government.

10. Interest of Members of Island County:

No member of the governing body of Island County, or other officer, employee, or agent of the County, who exercises any functions or responsibilities in connection with the approval or execution or monitoring of the contract, shall have any personal financial interest, direct, or indirect, in this contract. The Contractor shall inform the County of any financial interest with a client or other person associated with the approval, execution, or monitoring of this contract; and will also take appropriate steps to assure compliance.

11. **Audits and Inspections:**

The County reserves the right to review and monitor the financial records of the Contractor for components of the services provided under this contract.

12. **Indemnification and Hold Harmless:**

The Contractor agrees to protect, defend, indemnify, and hold harmless Island County, its appointed, and elective officers and employees, from and against all liability, loss and expense, including attorney's fees and costs by reason of any and all claims and demands upon Island County, its elected and appointed officers and employees from damage or injury (including death) sustained by any person or persons, arising out of or in consequence of the Contractor's performance of work associated with this agreement or by conditions created thereby, and the defense of any such claim or actions. The Contractor shall also indemnify Island County responsibility for payment of all federal, state, and local taxes or contributions imposed or required under unemployment insurance, workman's compensation, social security and income tax laws, with respect to the Contractor or the Contractor's employees engaged in performance of this contract.

13. **Waiver:**

The waiver by, or the failure to take action with respect to breach of any term, covenants or condition of this contract shall not be deemed to be a waiver of such term, covenant or condition on any subsequent breach. All remedies afforded in this contract shall be taken as cumulative, in addition to every other remedy provided therein or by law.

14. **Insurance**

The Contractor shall obtain, and maintain continuously for the term of this contract, at his/her own expense, Professional Liability Insurance Indemnifying Island County for the activities and services of this contract. The minimum limit of coverage shall be \$2,000,000 per incident and \$2,000,000 aggregate. The

carrier is subject to approval of the County. If coverage is on a claims-made form, the retroactive date shall be prior to or coincident with the date of this contract, and the policy shall state that coverage is claims-made and state the retroactive date. Claims made form coverage shall be maintained by the Contractor for a minimum of three years following termination of this contract. The Contractor shall annually provide the County with proof of renewal. If renewal of the claims-made form of coverage becomes unavailable, or economically unavailable, the Contractor shall execute a form of guarantee acceptable to the County to assure financial responsibility for liability of services performed.

The Contractor shall provide the County a copy of the insurance policy with its endorsement as evidence of coverage. Approval of insurance is a condition precedent to full execution of this contract.

15. **Severability:**

It is understood and agreed by the parties that if any term or provision of this contract is held by the courts to be illegal or in conflict with any law of the state of Washington, the validity of the remaining portions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the contract did not contain the particular term, part or provision held to be invalid.

16. **Notices:**

All notices given under this contract shall be in writing and shall be sent via certified mail to the parties at the following addresses:

Contractor:
Chris Holder PLLC
P.O. Box 192
Langley, WA 98260

County:
Court Administrator
1 NE 7th Street
Coupeville, WA 98239

17. **Instrument As Entire Agreement:**

This instrument contains the entire agreement between the parties and no statements, promises or inducements made by any party or agent of such party not contained in this contract shall be valid or binding. This contract may not be enlarged, modified or altered except in writing and signed by all parties.

IN WITNESS WHEREOF, we have hereunto signed our names on this _____ day of
_____, 2025.

CONTRACTOR

Chris Holder

Date

ISLAND COUNTY

Carolyn Cliff
Presiding Judge
Island County Superior Court

Date

Melanie Bacon, Chair
Island County Commissioners

Date

ATTACHMENT A

SCOPE OF WORK

The Contractor shall ensure that individuals, whether paid or volunteer, shall be fully trained and certified to provide services to referred clients under this Contract prior to the execution of such services. The Contractor shall provide Island County Juvenile Court (JCS) with a list of staff and volunteers active in the COS Program and shall provide updates as often as necessary to ensure that JCS has a current roster of individuals working in the program.

It shall be the responsibility of the Contractor to conduct the background check (WATCH report) on each individual and obtain a "clear" status indicating no criminal history prior to the individual participating in the COS program. An indication of the "clear" report shall be emailed to JCS in a timely manner. The Contractor may also refer said individuals to be background checked by method of fingerprinting at JCS. Fingerprinting will substitute for the WATCH report. Background checks shall be renewed yearly per JCS volunteer policy.

COORDINATION OF SERVICES (COS):

The Contractor shall work in conjunction with JCS designated staff to ensure attendance by referred client/adult, adherence to the program model, and reporting of program data.

The Contractor shall coordinate all aspects of the COS Program in accordance with the precepts and practices contained in the Coordination of Services Statewide Manual as well as those presented in Coordination of Services training, taking into consideration the needs of youth, families and the communities of Island County. Whenever possible, curriculum and presenters will be specific to Island County. The Contractor agrees to serve clients and their respective adults as referred by JCS. Eligibility and referral shall be the responsibility of JCS.

The Contractor shall select community presenters based on the relevance and availability of their agency's resources, the ability to instruct using a variety of learning styles, demonstrated interpersonal skills with both youth and adults; and other factors as the Contractor and/or JCS deem necessary for a successful program. Each presenter's topic shall fulfill at least one session in the established class curriculum. The Contractor shall regularly communicate orally with JCS and provide feedback regarding the progress and barriers that may arise.

Program classes shall be held in Coupeville or Oak Harbor at the direction of the JCS. If referrals exceed available class slots, they shall be placed on a waiting list to be maintained by JCS for the next available class. JCS will maintain an active referral list and communicate with the Contractor of the number of youth/families on both the active referral list and the waitlist.

The Contractor agrees to hold two COS classes a year with the ability to add additional classes in the event JCS has acquired a minimum of eight additional referrals for an additional class.

The Contractor agrees to email a completed Client Participation Report within two business days following the completion of each class. An invoice, with receipts attached, shall be submitted to JCS within two weeks of the completion of the class.

The Contractor agrees to comply with the State Quality Assurance Standards (attachment B) as they are

determined by the Community Juvenile Accountability (CJAA) Advisory Committee. The Contractor shall retain all records related to this Contract and shall make them available to JCS upon request.

The Contractor agrees to clean the venue following the conclusion of each class. The Contractor will be granted an allowance for meals and snacks for each class. All other expenses incurred in the facilitation of the COS Program shall be payable by the Contractor.



ISLAND COUNTY FACILITIES

WORK SESSION AGENDA

MEETING DATE: 6/11/2025

To: Melanie Bacon, Chair
Board of Island County Commissioners
From: Ryan Beach, Director

Amount of time requested for agenda discussion. 15 minutes

DIVISION: Administrative

Agenda Item No.: 1

Subject: Bid Award of the Request for Proposals: #25-01 for the "Island County Bayshore Drive Improvements (Oak Harbor)"

Description: The newly 2024 County purchased real estate at 785 SE Bayshore Drive is ready for tenant improvements construction scheduled for County occupancy by September 2025 by Health and Human Services.

Attachment: Bid Award for Project FM 25-01: Bayshore Drive Improvements

Request: (Check boxes that apply)

<input checked="" type="checkbox"/> Move to Consent	<input type="checkbox"/> Move to Regular
<input type="checkbox"/> None/Informational	<input type="checkbox"/> Schedule a Public Hearing
<input type="checkbox"/> Signature Request	<input type="checkbox"/> Other: _____

IT Review: Not Applicable

Budget Review: Not Applicable

P.A. Review: Not Applicable



ISLAND COUNTY

BID AWARD

PROJECT:

Bayshore Drive Improvements
FM 25-01

BID OPENING:

Bids Due on May 23, 2025 at 3:00 PM

Bids Opened in Meeting Room of the County Facilities Building - 107 NE 6th Street, Coupeville 98239

BIDS AND BIDDERS:

No.	Rank	Bidder	Bid	Responsible?
1	1	VALDEZ CONSTRUCTION INC	\$ 122,831.38	Y
2	2	TRICO COMPANIES LLC	\$ 156,000.00	Y
3	3	GSK CONSTRUCTION	\$ 260,000.00	Y

RECOMMENDATION:

I hereby recommend Bid award to Bidder Number 1:

VALDEZ CONSTRUCTION INC

499 NE Midway Blvd, Suite 2

Oak Harbor, WA 98277

In the amount of \$122,831.38

Justification: Lowest Responsible Bidder

Director Facilities Management

Date

BID AWARD:

The Island County Board of Commissioners does hereby award the Bid to:

VALDEZ CONSTRUCTION INC

499 NE Midway Blvd, Suite 2

Oak Harbor, WA 98277

In the amount of \$122,831.38

Melanie Bacon, Chair

Date

Bid Open/Award Checklist



Bids Opened By: Laura Beard
Present at Opening: Ryan Beach
Present at Opening:

Bids Recorded By: Dane Kinney
Present at Opening:
Present at Opening:

Project Name: Bayshore Drive Improvements

Date : 5/23/2025

Bid Opening Time: 15:00

BID FORM: (To be submitted no later than 3:00 p.m. on Friday, May 23rd 2025).

TO: Island County Facilities Management
1 NE 7th Street
Coupeville WA 98239

Or physically deliver to:

Island County Facilities Management
107 NE Sixth Street
Coupeville WA 98239

The undersigned Bidder submits the following bid:

BASE BID:

Pursuant to and in compliance with the Contract Documents, including the Advertisement for Bids and Instructions for Bidders, the Bidder hereby certifies that it has carefully examined the Contract Documents entitled:

BAYSHORE DRIVE IMPROVEMENTS, Project No. 25-01 dated April 23, 2025

and the conditions affecting the Work, and being familiar with the site; and having made the necessary examinations, proposes to furnish all labor, materials, equipment, and services necessary to complete the Work in strict accordance with the Contract Documents for the above-named project for the following sum, which is hereby designated as the Base Bid:

TOTAL BASE BID:

Enter the sum for all the work, as defined on the Drawings and Specifications:

\$ 122,831.38
(Total Project Quote in Figures)

\$One hundred Twenty Two Thous and, Eight Hundred Thirty One Dollars & Thirty Eight Cents
(Total Project Quote in Words)

BID EVALUATION AND AWARD:

For purposes of award, the determination of the low responsive bid shall be based upon the Base Bid. The contract will be initially executed in the amount of the Base Bid only.

ALTERNATE BIDS: n/a


Initials of Bidder's Representative

SALES TAX:

None of the sums stated in the foregoing include Washington State Sales Tax.

TIME OF COMPLETION:

The undersigned Bidder agrees, if awarded the Contract, to complete the Work of the Contract within [90] calendar days. It is further agreed that the time for completion of the Work described herein is a reasonable time considering the average climatic range and usual industrial conditions prevailing in the locality.

CONTRACT AND BONDS:

If the Owner awards a contract based on this bid within thirty (30) days of the bid submittal deadline, the Bidder agrees to execute a contract for the above work, for compensation computed from the above stated sums, on the Island County Public Works Contract form, and to furnish Payment and Performance Bonds and acceptable evidence of insurance as required by the Contract Documents.

BID GUARANTEE:

Bidder hereby certifies that it has furnished a bid guarantee for no less than 5% of the base bid, and that such guarantee accompanies this Bid Form.

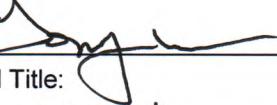
The successful bidder shall submit an executed Contract, Payment and Performance Bonds, and acceptable evidence of insurance within seven (7) days after receipt of award notice and Public Works Contract form from the Owner. If the successful bidder, upon award of a contract by the Owner, fails to execute the Public Works Contract or submit the Payment and Performance Bonds and acceptable evidence of insurance as required within the time specified, Owner may revoke the award. Should the successful bidder fail to enter into a contract with Owner, the bid guarantee may be retained by Owner.

If a contract is not awarded within thirty (30) days after the bid submittal deadline, or if the bidder delivers a signed Public Works Contract, Payment and Performance Bonds, and acceptable evidence of insurance, then the certified or cashier's check or cash submitted as the bid guarantee shall be returned to the bidder, or the Bid Bond shall become void.


Initials of Bidder's Representative

Bidder's Business Name: Valdez Construction, Inc.		
Type of Business: <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation (State of Incorporation: <u>WA</u>) <input type="checkbox"/> Other		
Physical Business Address (Must not be a P.O. Box): 499 NE Midway Blvd Suite 2		
City: Oak Harbor	State: WA	Zip Code: 98277
Business Telephone Number: 360-679-3000	Business Fax Number: 360-679-2589	Business E-mail Address: info@valdezco.com
State of Washington numbers for the following:		
Contractor Registration No.: VALDECI963C5	UBI No.: 602 348 804	Employment Security Dept. No.: 252056002
Receipt is hereby acknowledged of Addenda No(s). : <u>1</u> <u>2</u> _____		
Bidder is in compliance with the responsible bidder criteria requirement of RCW 39.04.350.		
"I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct":		

OFFICIAL AUTHORIZED TO SIGN FOR BIDDER:

Signature: 	Date: <u>5/13/25</u>
Print Name and Title: <u>TONY MARTIN</u> <u>CEO</u>	Location or Place Executed: (City, State) Oak Harbor, WA

END OF SECTION


Initials of Bidder's Representative



UNITED FIRE & CASUALTY COMPANY, CEDAR RAPIDS, IA
UNITED FIRE & INDEMNITY COMPANY, WEBSTER, TX
FINANCIAL PACIFIC INSURANCE COMPANY, LOS ANGELES, CA
CERTIFIED COPY OF POWER OF ATTORNEY
(original on file at Home Office of Company - See Certification)

Inquiries: Surety Department
118 Second Ave SE
Cedar Rapids, IA 52401

KNOW ALL PERSONS BY THESE PRESENTS, That United Fire & Casualty Company, a corporation duly organized and existing under the laws of the State of Iowa; United Fire & Indemnity Company, a corporation duly organized and existing under the laws of the State of Texas; and Financial Pacific Insurance Company, a corporation duly organized and existing under the laws of the State of California (herein collectively called the Companies), and having their corporate headquarters in Cedar Rapids, State of Iowa, does make, constitute and appoint

ALICEON A. KELTNER, ERIC A. ZIMMERMAN, JAMES B. BINDER, BRANDON K. BUSH, JACOB T. HADDOCK, KATHARINE J. SNIDER, JAMIE L. MARQUES, CARLEY ESPIRITU, CHRISTOPHER KINYON, BRENT E. HEILESEN, ANNELIES M. RICHIE, HOLLI ALBERS, AMELIA G. BURRILL, MICHAEL S. MANSFIELD, DONALD PERCELL SHANKLIN JR., KARI MICHELLE MOTLEY, TAMARA A. RINGEISEN, EDWARD SIMS, TERRIE L. CONARD, JUSTIN DEAN PRICE, SHERRI W. HILL, LINDSEY ELAINE JORGENSEN, ALYSSA J. LOPEZ, ALEXA MANLEY, LOIS F. WEATHERS, SARAH WHITAKER, LORI J. KELLY, MARIAN C. NEWMAN, WESLEY V. DASHER, JR., JAMES R. COGDILL, JULIANNE MORRIS, CHARLA M. BOADLE, JULIE A. CRAKER, TRAVIS J. ROBLES, WD MORRIS JR., FRANK W. HAFNER, III, EACH INDIVIDUALLY

their true and lawful Attorney(s)-in-Fact with power and authority hereby conferred to sign, seal and execute in its behalf all lawful bonds, undertakings and other obligatory instruments of similar nature provided that no single obligation shall exceed \$50,000,000.00 and to bind the Companies thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of the Companies and all of the acts of said Attorney, pursuant to the authority hereby given and hereby ratified and confirmed.

The Authority hereby granted shall expire the 14th day of February, 2026 unless sooner revoked by United Fire & Casualty Company, United Fire & Indemnity Company, and Financial Pacific Insurance Company.

This Power of Attorney is made and executed pursuant to and by authority of the following bylaw duly adopted by the Boards of Directors of United Fire & Casualty Company, United Fire & Indemnity Company, and Financial Pacific Insurance Company.

"Article VI - Surety Bonds and Undertakings"

Section 2, Appointment of Attorney-in-Fact. "The President or any Vice President, or any other officer of the Companies may, from time to time, appoint by written certificates attorneys-in-fact to act in behalf of the Companies in the execution of policies of insurance, bonds, undertakings and other obligatory instruments of like nature. The signature of any officer authorized hereby, and the Corporate seal, may be affixed by facsimile to any power of attorney or special power of attorney or certification of either authorized hereby; such signature and seal, when so used, being adopted by the Companies as the original signature of such officer and the original seal of the Companies, to be valid and binding upon the Companies with the same force and effect as though manually affixed. Such attorneys-in-fact, subject to the limitations set forth in their respective certificates of authority shall have full power to bind the Companies by their signature and execution of any such instruments and to attach the seal of the Companies thereto. The President or any Vice President, the Board of Directors or any other officer of the Companies may at any time revoke all power and authority previously given to any attorney-in-fact.

IN WITNESS WHEREOF, the COMPANIES have each caused these presents to be signed by its vice president and its corporate seal to be hereto affixed this 14th day of February, 2024



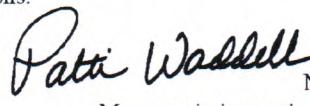
UNITED FIRE & CASUALTY COMPANY
UNITED FIRE & INDEMNITY COMPANY
FINANCIAL PACIFIC INSURANCE COMPANY

By: 
Vice President

State of Iowa, County of Linn, ss:

On 14th day of February, 2024, before me personally came Kyanna M. Saylor to me known, who being by me duly sworn, did depose and say; that she resides in Cedar Rapids, State of Iowa; that she is a Vice President of United Fire & Casualty Company, a Vice President of United Fire & Indemnity Company, and a Vice President of Financial Pacific Insurance Company the corporations described in and which executed the above instrument; that she knows the seal of said corporations; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporations and that she signed her name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporations.

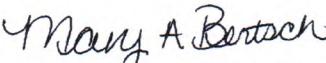



Notary Public
My commission expires: 10/26/2025

I, Mary A. Bertsch, Assistant Secretary of United Fire & Casualty Company and Assistant Secretary of United Fire & Indemnity Company, and Assistant Secretary of Financial Pacific Insurance Company, do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the bylaws and resolutions of said Corporations as set forth in said Power of Attorney, with the ORIGINALS ON FILE IN THE HOME OFFICE OF SAID CORPORATIONS, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

In testimony whereof I have hereunto subscribed my name and affixed the corporate seal of the said Corporations
this 23rd day of May, 2025.



By: 
Assistant Secretary,
UF&C & UF&I & FPIC



ISLAND COUNTY COMMISSIONERS

WORK SESSION AGENDA

MEETING DATE: 6/11/2025

To: Melanie Bacon, Chair
Board of Island County Commissioners
From: BOCC Staff

Amount of time requested for agenda discussion. 15 minutes

DIVISION: Administrative

Agenda Item No.: 1

Subject: Deception Pass Bridge Operational Categorization

Description: Discussion regarding Deception Pass Bridge Operational Categorization

Attachment: None

Request: (Check boxes that apply)

<input type="checkbox"/> Move to Consent	<input type="checkbox"/> Move to Regular
<input checked="" type="checkbox"/> None/Informational	<input type="checkbox"/> Schedule a Public Hearing
<input type="checkbox"/> Signature Request	<input type="checkbox"/> Other: _____

IT Review: Not Applicable

Budget Review: Not Applicable

P.A. Review: Not Applicable



ISLAND COUNTY PLANNING & COMMUNITY DEV.

WORK SESSION AGENDA

MEETING DATE: 6/11/2025

To: **Melanie Bacon, Chair**
Board of Island County Commissioners

From: **Jonathan Lange, Director**

Amount of time requested for agenda discussion. **120 minutes**

Agenda Item No.: 1

Subject: Shoreline Master Program update

Description: Long Range staff will provide a process update on the Shoreline Master Program (SMP) update.

Attachments: Memo and Ecology public comment period summary and responses

Request: (Check boxes that apply)

<input type="checkbox"/> Move to Consent	<input type="checkbox"/> Move to Regular
<input checked="" type="checkbox"/> None/Informational	<input type="checkbox"/> Schedule a Public Hearing
<input type="checkbox"/> Signature Request	<input type="checkbox"/> Other: _____

IT Review: Complete

Budget Review: Complete

P.A. Review: Complete

Agenda Item No.: 2

Subject: 2025 Comprehensive Plan – Goals and Policies review (Land Use and Housing)

Description: The Board will review and discuss the revised goals and policies for the 2025 Comprehensive Plan update for the Land Use and Housing Elements.

Attachments: Memo, Land Use Goals and Policies Tracker, Housing Goals and Policies Tracker

Request: (Check boxes that apply)

<input type="checkbox"/> Move to Consent	<input type="checkbox"/> Move to Regular
<input checked="" type="checkbox"/> None/Informational	<input type="checkbox"/> Schedule a Public Hearing
<input type="checkbox"/> Signature Request	<input type="checkbox"/> Other: _____

IT Review: Not Applicable

Budget Review: Not Applicable

P.A. Review: Not Applicable

Agenda Item No.: 3

Subject: Emergency Moratorium C-29-25 Restricting Land Use And Building Applications In 11 Mixed-Use RAIDs

Description: The Board will discuss wording changes to the replacement moratorium C-35-25 to address exceptions for commercial businesses.

Attachments: Ordinance C-29-25, Ordinance C -35-25

Request: *(Check boxes that apply)*

<input type="checkbox"/> Move to Consent	<input type="checkbox"/> Move to Regular
<input type="checkbox"/> None/Informational	<input checked="" type="checkbox"/> Schedule a Public Hearing
<input type="checkbox"/> Signature Request	<input type="checkbox"/> Other: _____

IT Review: Not Applicable

Budget Review: Not Applicable

P.A. Review: Not Applicable



Island County Planning and Community Development

Jonathan Lange, AICP, CFM
Director

1 NE 7th St., Coupeville, WA 98239
Ph: Whidbey 360-679-7339 | Camano 360-387-3443 | Fax: 360-679-7306
Email: PlanningDept@islandcountywa.gov | <https://www.islandcountywa.gov/207/Planning-Community-Development>

~ MEMORANDUM ~

TO: **Board of County Commissioners**
FROM: **John Lanier, Principal Planner**
DATE: **June 11, 2025**
SUBJECT: **2020 Shoreline Master Program Periodic Update**

As part of Island County's Shoreline Master Program (SMP) Update, the Washington State Department of Ecology (Ecology) held a 30-day public comment period on Island County's Locally Approved Draft SMP. Ecology then compiled and sent the public comments to Island County Planning for response.

The following links are the comments received by Island County. Please note that one comment has been significantly reduced, as it contained a 160 plus page wetland report – the maps are still included. Staff has prepared responses to the public comments sent by Ecology.

Here is a link to the local approved SMP and Ecology's comments on Planning's Shoreline website, <https://www.islandcountywa.gov/599/Shorelines>

Direct document link:

<https://www.islandcountywa.gov/DocumentCenter/View/9977/Ecology-Public-Period-Comments-on-Island-County-SMP?bidId=>

Next steps: Island County will forward our response to public comments to Ecology. Following our response, staff expects formal comments from Ecology outlining any required or recommended changes to the Locally Approved Draft SMP. Once we receive Ecology's formal comments staff will bring them to the Board for policy decisions and updates.

Enclosure – Draft Responses for Island County State Public Comment Spreadsheet

Public Comment Summary: Island County Periodic Review

Ecology Public Comment Period, March 1 – March 31, 2025

Prepared by Stephanie Barney, WA Dept. of Ecology, April 17, 2025

Comment Number	Comment Topic and Section Number (Citation)	Commenter	Comment	Local Government Response and Rationale
1	17.05A.060.I.4 -Shoreline Residential Historic Beach Community.	Bryan Blair Sheri Cloud Christine Tremblay Roberta A. Rice Steve Knapp Jody Aamold Suzanne Hong	<p>These commenters request a better understanding of the implications now facing them, as the update changes their Shoreline Environment Designation (SED) from Shoreline Residential to Shoreline Residential Historic Beach Community.</p> <p>Specific questions asked:</p> <ol style="list-style-type: none">1. What are the primary benefits and drawbacks of owning property within a designated historic district? (Blair)2. Are there any tax incentives or financial benefits associated with historic designation? (Blair)3. How might this designation impact future building permits and renovations? (Blair)4. Do we have any input in this designation? (Blair)5. What was the genesis of the decision to change the designation of our properties to "Historic Properties"? (Cloud, Tremblay, Knapp)	<ol style="list-style-type: none">1. The Historic Beach Community (HBC) designation allows for combination of shorter buffers and setbacks along with the county's highest impervious surface ratio (80%). There are no historic preservation implications for the HBC.2. There are no tax incentives, and the only financial benefit may be allowing for more buildable area on small lots.3. With smaller buffers and setbacks, along with greater impervious surface ratio, a greater building envelope is created.4. These lots are designated by the standards found in Island County's Shoreline Master Program (SMP).5. During the 2020 SMP update, staff evaluated all shoreline communities to determine HBC status. Formerly, this happened on a parcel-by-parcel or permit-by-permit basis.

			<p>6. What will be the effect of this new designation on our properties? (Cloud, Tremblay, Knapp)</p> <p>7. What will be our new (in any) responsibilities as a result of this change? (Cloud, Tremblay, Knapp)</p> <p>8. How was the decision made to select some and not all the properties with addresses along the Boardwalk? (Cloud, Tremblay, Knapp)</p> <p>9. Please include any descriptive material that explains the significance of this new designation.</p> <p>10. Will the new Historic designation affect work currently being done to install a new septic system (approved by the County)? (Rice)</p> <p>11. How will the new Historic designation limit work, change needs, or ease ability to get upgrades to septic and such? (Aamold)</p> <p>12. What are the advantages/disadvantages of being designated "Historic" and what properties are included? (Hong)</p>	<p>6. Being redesignated from Shoreline Residential (SR) for HBC allows development closer to the Ordinary High Water Mark (OHWM) and increased impervious surface area.</p> <p>7. There are no requirements for historic preservation in the HBC. Any development that could be undertaken in the SR or Rural Conservancy (RC), the only two Shoreline Environmental Designations (SED) that were updated to HBC, is also possible in the HBC.</p> <p>8. Properties around the county's shoreline were reviewed based on the HBC criteria, staff proposed updates to Ecology, and then Ecology sent back a memo on the proposed HBC parcels accepting most that staff had proposed.</p> <p>9. HBC is not a new designation, Island County delineated all areas of the shoreline to ascertain which should be included in the existing HBC designation.</p> <p>10. The new SMP will not affect projects already under review unless the permit is cancelled and reapplied for after final adoption.</p>
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				<p>11. HBC has smaller setbacks and buffers from the OHWM, as well as increased impervious surface limits. These redesignations will reduce the need for Variances as they more accurately reflect existing patterns of development.</p> <p>12. Historic in this context does not include the requirements of historic preservation, simply that the development existed prior to the enactment of the SMA at densities and setbacks that would not have been allowed afterwards.</p>
2	17.05A.060.I.4 - Shoreline Residential Historic Beach Community.	Pam and Bill Burnett	<p>This commenter has a lot in the Brighton Beach community, and request information why their lot was not included in the redesignation.</p> <p>Burnett requests information on how to get their property and others in Brighton Beach redesignated as Historic Beach Community (HBC). They request consideration for the HBC designation to include all older beach communities that existed before the first SMA be included, regardless of setback from the ordinary high water mark. They state specific concerns with impacts to upgrades, repairs, or replacement of septic systems.</p>	<p>Properties around the county's shoreline were reviewed based on the HBC criteria, staff proposed updates to Ecology, and then Ecology sent back a memo on the proposed HBC parcels accepting most that staff had proposed.</p> <p>Including all beach communities built before 1971 (the year the SMA was enacted) regardless of setback from OHWM would create a burden on Island County's shoreline habitat. If all residential lots were built at 80% impervious surface and 10-20 feet from OHWM, a net loss of ecological function would likely occur.</p>

				Environmental Health septic regulations will remain the same, septic repairs and replacements are processed as Shoreline Exemptions.
3	Shoreline Environment Designation Map	Paula Spina	<p>This commenter is the owner of 5 contiguous parcels of land on the north shore of Crockett Lake in Central Whidbey Island, including the historic Crockett Farm (1056 Crockett Farm Rd, Coupeville). The commentor has interest in rearranging property lines to date the historic buildings on two properties to charity. A wetland study prepared for the boundary line adjustment finds the current/proposed SEDs affecting their property is inaccurate. The wetland delineation report finds the extent of a wetland on the subject properties is "drastically different and very much an overestimate of the shoreline wetlands on the property". The commentor provides the wetland delineation report. They request a map correction to correctly show the wetland extent, consistent with their wetland report.</p>	Island County is not updating any further shoreline environmental designations at this time, but could do so under a future SMP update. If the subject property is shown to be outside of shoreline jurisdiction, the project would not be subject to the SMP.
4	Chapter V: Shoreline General Policies, G. Sea Level Rise	John Lovie	<p>This commenter asks, in consideration of current development patterns along the County's shoreline and predicted effects of sea level rise on current and new development:</p> <ol style="list-style-type: none"> 1. What do we want our shorelines to look like in 2050? 2. How do we get there from here? 	Staff finds these questions to be excellent philosophical guidance for the County's next SMP update. Ecology is currently conducting rulemaking for the SMA and further guidance is anticipated to assist jurisdictions in answering questions like these. Many of the flood related items referenced in the

			3. Who will pay for it?	comment will be important for the next SMP update, as the state is diligently working on guidance around flood risk.
5	17.05A.110.A -Shoreline Stabilization.	Dennis R. Stettler, P.E.	<p>This commenter requests revision of the shoreline stabilization standards of the SMP to address high bluff slopes because the code (current/proposed) does not contain provisions that allow for consideration of other types of risks other than predictions of erosion within 3 years. They find Island County's/Department of Ecology's interpretation of the shoreline stabilization standards ignores other factors contributing to instability of the shoreline, including waiting until the need is that immediate it would foreclose other opportunities. It is their professional opinion the code is inconsistent with Chapter 15 – Shoreline Stabilization of the Ecology Shoreline Management Handbook related to high bluffs and best available science.</p>	Island County has written the SMP to align with state law and is not required to be consistent with the state guidebook published in 2009 and amended in 2017. Island County has not received Ecology's Initial Determination with Required and Recommended changes. No further County initiated changes are proposed at this time.
6	(1) 17.05A.070 - Definitions. (2) 17.05A.060.I.4 - Shoreline Residential Historic Beach Communities. (3)(4)(5) 17.05A.110.A – Shoreline Stabilization.	Brad Thompson	<p>This commenter is the Chair of the South Whidbey Shoreline Group. They want to make it clearer and easier for property owners to protect their properties while not harming the shoreline environment. They request the ability now to protect their homes in advance of the impacts of the 18.6 year “lunar nodal cycle”.</p>	1. Opposition noted, however the version that was approved by the Board on August 13, 2024, and sent to Ecology unaltered can be found on our website. Normal appurtenance definition can be found, as approved, on page 28. 2. Island County does not have any intention at this time of

			<p>This commentor provides the following strike through/underline edits:</p> <ul style="list-style-type: none"> • (1) Opposes the removal of <i>decks, gazebos, fences</i> from the definition of "Normal Appurtenance". Finds the version of the definition is not what the Commissioner's approved. <p><i>Normal appurtenance means a structure that is necessary for the use or enjoyment of a single-family residence, including a garage, <u>deck, fence, gazebo</u>, driveway, utilities, septic tank, drain fields, and grading less than 250 cubic yards and which does not involve placement of fill in any wetland or waterward of the ordinary high-water mark.</i></p> <ul style="list-style-type: none"> • (2) Re-define Historic Beach Community (HBC) to include single-family homes built on low-lying shorelines and historically filled lands. The definition of is adapted from page 48 of Chapter 15 of the Ecology SMP Handbook. <p><i>Shoreline Residential – Historic Beach Community means limited areas within the shoreline of Island County that have been <u>developed</u>platted in a dense pattern with small lots</i></p>	<p>expanding the definition of HBC to include new properties that do not meet the current standards. Increased HBC determinations would likely require review for cumulative impact, as the development standards are more intensive (shorter setbacks/buffers, much greater impervious surface limits).</p> <ol style="list-style-type: none"> 3. Island County's SMP sets a clear limit that if a stabilization structure is expanding in any way, it is treated as new per 17.0A.110.A.3.f(ii). 4. Standard requires review of conditions that may arise from limiting the shoreline function naturally. Such conditions should be addressed and avoided or mitigated if possible in order to achieve no net loss of ecological function. 5. The should/shall conversation pertained only to 17.0A.090.N.12. It is also important to ensure that when building shoreline stabilization neighboring properties are not negatively impacted.
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and greater impervious surface relative to other areas of the county. The existing marine waterfront lots are typically low-lying lots which have been developed on historically filled lands or are generally developed with residential structures constructed approximately thirty (30) feet or less from the ordinary high-water mark and the original structures were established prior to enactment of the Shoreline Management Act.

- (3) ICC 17.05A.110.A.3.ii goes against WAC 173-26-231(3)(iii)(C).

*ICC 17.05A.110.3.a.ii The replacement performs the same stabilization function as the existing structure **and does not require additions to or increases in size**; and*

- (4) Remove ICC 17.05A.110.A.2.i

Applications for new shoreline stabilization shall address intertidal and shoreline habitat loss which may arise due to permanent structures limiting the ability of the ordinary high water mark and shoreline to migrate landward in response to sea level rise.

			<ul style="list-style-type: none"> • (5) Rewrite ICC 17.05A.110.6.j to align with the Board of Island County Commissioners discussion and agreement on August 13, 2024 not to use the word “shall” and replace it with “should” in the SMP update. <p><i>ICC 17.05A.110.6.j When a new or replaced hard structural shoreline stabilization measure is proposed on a site where legally established hard structural shoreline measures do not exist on adjacent properties, the proposed stabilization measure <u>should</u> demonstrate that impacts to adjacent properties <u>should</u> not occur.</i></p>	
7	ICC 17.05A.100.K.11 – Residential.	Gordy and Eva Holmes	These commenters strongly support removal of the shoreline variance threshold for residential construction within the floodplain.	Noted.
8	General (17.05A)	Dennis R. Stettler, P.E.	This commenter finds the reorganization of code and inclusion of additional definitions or clarification of existing definitions very helpful.	Noted.
9	Shoreline Environment Designation Map	Kim and Jeff Comstock	These commenters support the SED Map correction for 5702 Mutiny Bay Road, Freeland from Rural Conservancy to Shoreline Residential.	Noted.
10	General (17.05A)	Scott Burell Steve Silverberg Dale Pinney Kim and Valerie Mill-Stephan	These commenters, members of the South Whidbey Shoreline Group, support all changes to the Island	Noted.

			County SMP. They find Island County did a good job of balancing opposing views and creating a balanced document. Stress the importance of ensuring that future implementation and permitting pathways provide realistic, timely, and effective options for homeowners who are actively trying to protect their properties in good faith.	
11	Vegetation Management	Lynn and Stan Swanson	These commenters request English Ivy be added to the Class C noxious weed list to facilitate education and eradication before it destroys the native ecosystem.	The SMP references the state list of noxious weeds, which does include English Ivy as a Class C noxious weed.
12	Robinson Beach Boat Ramp	Mary Thompson	This commenter asks if the update will have any impact on the planned construction of the Robinson Beach Boat Ramp in Freeland, WA.	The boat ramp will fall under the approved SMP whenever an application is deemed complete. A boat launch in the Rural Conservancy SED, such as the Robinson Beach Boat Ramp, is a Conditional Use in both the 2016 SMP and the locally approved SMP update.
13	17.05A.090.O -Public Access.	Barry Pomeroy	This commenter requests Ecology support and obligate Island County to comply with and follow the Washington State beach access laws and repurchase tide rights when shoreline properties are sold.	Nothing in the SMP restricts the right to navigation, commercial fishing rights, fishing, boating, swimming, water skiing, or other related recreational purposes. Repurchasing tidelands is a larger discussion that would require a significant investment of taxpayer monies.

14	Definitions Comprehensive Plan – Shoreline Element	Lynae Slinden	<p>This commenter requests revision of the SMP to reflect the Public Trust Doctrine and responsibility manage development on the shoreline, striking a balance between private property rights and public access. They suggest the following strike through/underline edits:</p> <ul style="list-style-type: none"> • Revise the definition of “Shorelines of statewide significance” <p><i>Shorelines of statewide significance</i> means those areas of Puget Sound and the Strait of Juan de Fuca and adjacent saltwater north of the Canadian line and lying seaward from the line of extreme high^{low} tide; and those additional areas specified in the Act (RCW 90.58.030(2)(f), which in Island County, includes the Skagit Bay shoreline from Brown Point to Yokeko Point.</p> <ul style="list-style-type: none"> • Revise Policy #9 of the SMP Goals and Policies, Chapter II, B. Recreation and Public Access Element. <p>9. Require commercial, industrial, and <u>single family and</u> multifamily residential waterfront development, and residential subdivisions to provide a means for safe visual</p>	<ul style="list-style-type: none"> • Island County’s “Shorelines of state significance” definition mirrors RCW 90.58.030(2)(f)(ii)(D) for the Skagit Bay shoreline from the OHWM to extreme low tide and RCW 90.58.030(2)(f)(iii) for all other shorelines seaward of extreme low tide. No change is proposed. • Generally, public access is not required at privately owned and developed single family residences. No change is proposed. • Chapter V of the Shoreline Element contains new section G with the Sea Level Rise policies: <ul style="list-style-type: none"> G. Sea Level Rise <ol style="list-style-type: none"> 1. Continue to connect shoreline property owners and developers with current sources of information on sea level rise in Island County. 2. Encourage shoreline property owners and developers to consult and utilize current sources of information on sea level rise and guidance in their development planning processes. 3. Provide, as possible, educational opportunities on sea level rise planning and best management practices for shoreline property owners and developers. 4. Monitor the impacts of sea level rise within densely developed
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		<p>and pedestrian access to shorelines, where feasible.</p> <ul style="list-style-type: none"> • Reinsert Policy #6 of the SMP Goals and Policies, Chapter V, Shoreline General Policies, C. Flood Hazard Reduction. <p><u>6. When reviewing projects that could be affected by sea level rise adjust development standards such as building setbacks or elevation as necessary to minimize potential damage from flooding.</u></p> <ul style="list-style-type: none"> • Retain Policy #16 of the SMP Goals and Policies, Chapter V, Shoreline General Policies, D. Public Access. • Retain G. Sea Level Rise, of Chapter V, Shoreline General Policies. • Create stormwater management districts on each island rather than one small district on South Whidbey. • Countywide management of flooding and landslide hazards to equally distribute costs and provide consistent management of water quality for anthropogenic and natural pollutant sources. 	<p><i>coastal bluff communities and Shoreline Residential Historic Beach and Canal Communities to assess the adequacy of established shoreline regulations under such changing conditions.</i></p> <ul style="list-style-type: none"> • This policy has been retained. • G. Sea Level Rise is a newly added section. • Stormwater management district establishment is outside of the scope of the SMP. • Countywide (outside of 20' of the OHWM) management of flooding and landslide hazards is outside of the scope of the SMP. Flooding and landslide hazards within shoreline jurisdiction are addressed in the SMP.
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15	<p>(1)(6)(7) 17.05A</p> <p>(2) 17.05A.070 – Definitions.</p> <p>(3)(4)(5) 17.05A.090 – Shoreline use and development regulations.</p>	Jesse Brighten	<p>This commenter suggests elements that relate to tree management follow industry standard and best management practices, citing requirements for ISA professionals and risk thresholds to limit removals to 'high risk' and 'extreme risk'.</p> <p>(1) Suggests edit to the definition of "Hazard Tree":</p> <ul style="list-style-type: none"> • "Hazard Tree is a tree that has a ISA Tree Risk rating of Moderate or higher, and shall not be considered for removal unless classified as High Risk and mitigation efforts cannot reduce risk levels to Moderate or Low." <p>(2) Recommends include a definition to "Tree":</p> <ul style="list-style-type: none"> • "Tree is defined as a perennial woody plant of a species of plant that typically grows as a single stem and in excess of 10' in height" <p>(3) Referring to 17.05A.090.B. Mitigation Measures, this commenter suggests adding a requirement for "any mitigation relating to trees shall be reviewed by a ISA Certified Arborist or other equally qualified professional."</p> <p>(4) Referring to ICC 17.05A.090.F.6.a, this commenter suggests an edit to the</p>	<ol style="list-style-type: none"> 1. Island County's definition for "hazard tree" was developed with our Code Revisor to allow for retention of trees except when removal is required for safety purposes. 2. Undefined terms in Island County Code are defaulted to standard dictionary definitions. 3. Mitigation measures can come from a variety of applicant provided reports. 4. 17.05A.110.C.10 covers removal of hazard trees and requires a certified arborist. 5. Pruning/thinning standards are found in 17.05A.110.C.8. Tree topping is banned per 17.05A.110.C.7. 6. This is a larger policy consideration that could likely be discussed in a future SMP update. 7. See item 6 above. 8. That section was moved to 17.05A.110.C Shoreline vegetation maintenance.
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		<p>protection standards for Washington Natural Heritage Program Areas, specifically:</p> <ul style="list-style-type: none"> “Pruning of any tree should be conducted by an ISA Certified Arborist, and conform to ISA Best Management Practices. Use of climbing spikes shall not be permitted, tree (re) topping shall not be permitted, no more than 20% of live crowns removed within 3-5 year pruning cycles, primary limb removal should be avoided, and pruning limited to secondary laterals. Pruning should avoid exposure of heart wood or ripe wood unless done to enhance ecological function.” <p>(5) Referring to 17.05A.090.I.8, recommends specifying a limit of removal, or 20% of live foliage removed within 3-5 years and ban re-topping or topping.</p> <p>(6) “Native” should include “near native” species, advocating for expansion of acceptable species as viable options which are not technically native to the natural ecology of Whidbey Island (ex. Shore pine, vine maple).</p>		
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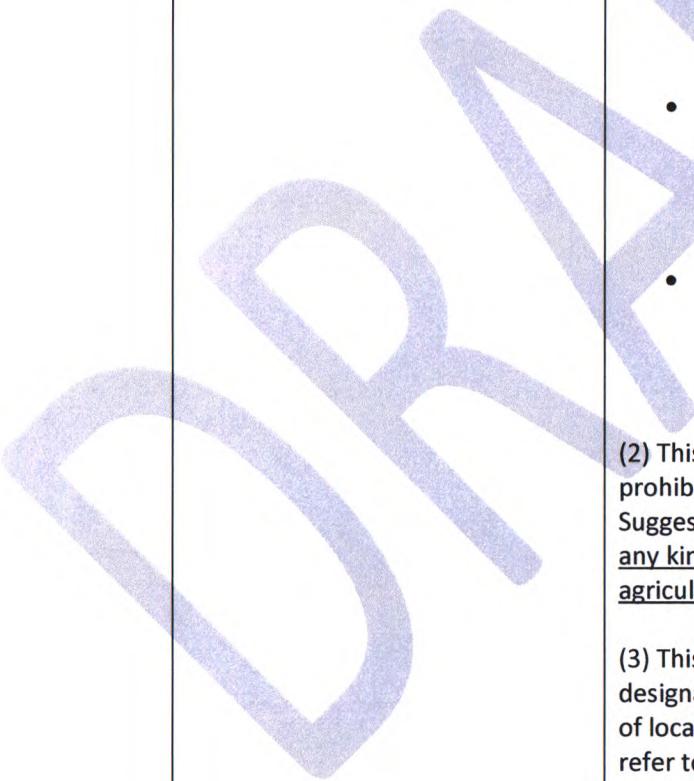
			<p>(7) Where applicable, require tree protection zones and critical root zones, ISA Best Management Practices for any tree greater than 12" DBH. Please refer to the comment for more details.</p> <p>(8) Do not remove section former section 17.05A.090.K – Shoreline vegetation conservation.</p>	
16	<p>(1) 17.05A.070 – Definitions.</p> <p>(2) 17.05A.110.D – Grading and filling.</p> <p>(3) 17.05A.090 – General Shoreline Development Standards.</p> <p>(3) 17.05A.095 – Shoreline Reports.</p> <p>(3) 17.05A.100.K – Residential.</p> <p>(3) 17.05A.110.A - Shoreline Stabilization.</p> <p>(3) 17.05A.130 – Shoreline Master Program procedures.</p>	Tom Opdycke	<p>(1) This commenter finds the revised definition of dredging will result in significant damage to beaches due to lack of permit review and recommends the following revision: <i>Dredging means the removal of earth, sand, gravel, silt, or debris from the bottom of a stream, river, lake, bay, or other water body for the purpose of deepening a navigational channel, or to obtain use of the bottom materials for fill.</i> <i>Dredging includes any harvesting of natural resources by any mechanical or hydraulic means which involves substrate displacement or disturbance.</i> <u><i>Dredging does not include removal of obstructions or sediment as part of regular maintenance and repair of infrastructure.</i></u></p> <p>This commenter provided two examples of “maintenance and repair” projects conducted by Island County Public Works as case studies for how the revised definition of dredging could result in significant impacts to the beach.</p>	<ol style="list-style-type: none"> 1. The Board of Island County Commissioners decided to include the additional language in the <i>dredging</i> definition. Regular maintenance and repair of infrastructure should be evaluated at the time of project installation, if a larger scope dredging occurs, it would be subject to all regulations in the SMP. 2. Island County supports the changes to 17.05A.110.D.2 & 3, 17.05A.110.D.4.a was not revised. D.2 is supported by both Island County Policy and RCW 90.58.270. D.2 also allows for fill in the flood zone when there is no feasible alternative. There are no public trust challenges to these low-lying communities, nor are there regulatory burdens aimed at their removal. 3. No county initiated changes proposed at this time. Ecology will make a final determination

			<p>(2) This commenter finds the revisions to grading and filling requires, specifically 17.05A.110.D.2, 3, and 4.a, are overly restrictive and fail to account for the needs of historically filled properties – those developed with fill prior to the SMA, including those filled before December 4, 1969. They find the prohibition of fill in flood hazard areas (D.2), limits on grading and filling (D.3), and “no net loss” requirement (D.4.a) goes against legal protections for historic fills under the Savings Clause (RCW 90.58.270), violates the SMA’s balanced approach and legislative intent, and must recognize the special need for historically filled lands. They find the SMP prohibits “maintenance fill” (definition found in comment), necessary to prevent historically filled properties for inundation. They find the SMPs failure to allow for adaptation to effects from sea level rise (SLR) violates RCW 90.58.270, 90.58.020, WAC 173-27-080, and ICC 17.05A.140.</p> <p>(3) This commenter suggests the following edits to revise 17.05A.110.D:</p> <ul style="list-style-type: none"> • Include definitions for “Historically Filled Property” and “Maintenance Fill”* • Exempt Maintenance Fill* • Broaden Grading and Fill Rules* 	<p>on whether or not the SMP meets state law.</p> <p>4. There are a number of property protection strategies in the SMP.</p> <ul style="list-style-type: none"> • Bulkhead height is already tied to FEMA 1 foot above extreme high water for processing as a Shoreline Exemption, or no higher than necessary to resist tide, wave, and floodwater action during a 100-year storm event. One could potentially apply for an SDP or possibly S-VAR for a higher wall. • A replacement bulkhead can be expanded, it is then reviewed under the new or expanded stabilization code. • The requirement for placement at OHWM when the OHWM has reestablished itself behind a derelict stabilization structure comes from state law. • No county initiated changes proposed at this time. Ecology will make a final determination on whether or not the SMP meets state law.
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			<ul style="list-style-type: none"> • Adjust the “No Net Loss” Baseline* <p>*Edited for brevity. Please refer to the commenter’s letter for the full extent of their comments.</p> <p>(4) This commenter asks for demonstration how the SMP enables protection of shoreline properties, particularly those historically filled properties. The commenter seeks a fair opportunity to protect their home. They identified the following revisions to align the SMP with state law, including the Savings Clause and Chelan Basin:</p> <ul style="list-style-type: none"> • Flexible Bulkhead Heights: Adjust 17.05A.110.A.5.f.iii to allow heights based on NOAA projections, with geotechnical oversight. • Reasonable Upgrades: Amend 17.05A.110.A.3.a.ii to permit enlarging replacements when justified. • Maintain current positions: Revise 17.05A.110.A.3.c to allow stabilization at original locations unless ecological harm is severe. • Permit fill for protection: Modify 17.05A.110.A.1.f and 17.05A.110.D.2 to allow fill for elevation on historically filled properties. 	<ul style="list-style-type: none"> • The minimum necessary is appropriate to the need. It literally is the minimum necessary to meet the need while causing the least environmental harm. <p>Island County has not received Ecology’s Initial Determination with Required and Recommended changes. No further County initiated changes are proposed at this time.</p>
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			<ul style="list-style-type: none"> • Simplify permitting: Replace “minimum necessary” with “appropriate to the need” in 17.05A.095.D/E, and eliminate bonding in 17.05A.090.B.3. <p>The letter submitted by this commenter goes into detail to support the revisions above. Please refer to the commenter’s letter for the full extent of their comments.</p> <p>Exhibit A is an analysis of state law designed to balance ecology and property rights.</p> <p>Exhibit B is a comparison of state and county regulations, featuring proposed changes to address areas where the SMP is more restrictive. Sections mentioned in Exhibit B include: 17.05A.095, 17.05A.100.K.15, 17.05A.110.A, and 17.05A.130.</p> <p>Exhibit C highlights where the SMP denies owners viable protection from sea level rise, also featuring proposed changes. Sections mentioned in Exhibit C include: 17.05A.090.A.5, 17.05A.090.B.3, 17.05A.090.N, 17.05A.095.D, 17.05A.095.E, 17.05A.110.A.1.f, 17.05A.110.A.2.e, 17.05A.110.A.3.a.ii, 17.05A.110.A.3.c, 17.05A.110.A.3.c.v, 17.05A.110.A.3.f., 17.05A.110.A.5.f.iii, and 17.05A.110.D.2.</p>	
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17	<p>(1) 17.05A.090 – General shoreline development standards</p> <p>(2) 17.05A.120 – Shorelines of Statewide Significance</p>	Hugo Flores, DNR	<p>(1) This commenter suggests adding language to identify the location of state-owned aquatic lands (SOALS) and consultation with DNR during the pre-application phase of projects. The suggest the following language: <u>Consult with the Washington State Department of Natural Resources/Aquatic Resources Division for the existence and/or location of state-owned aquatic lands at the project onset.</u></p> <p>(2) This commenter requests Island County consider DNRs Kelp and Eelgrass Health and Conservation Plan, a prioritization and monitoring plan for kelp and eelgrass conservation under RCW 79.135.440. The goal of the plan is to conserve 10,000 acres of native kelp forest and eelgrass meadows by 2040.</p>	<ol style="list-style-type: none"> 1. Island County has not received Ecology's Initial Determination with Required and Recommended changes. The Board of County Commissioners will review and decide on any recommended changes. No further County initiated changes are proposed at this time. 2. Kelp and eelgrass beds are considered both Critical Saltwater Habitats and Fish and Wildlife Conservation Areas is Island County's SMP.
18	<p>(1) Chapter V: Shoreline General Policies, G. Sea Level Rise</p> <p>(1) 17.05A.110.A – Shoreline stabilization.</p> <p>(2) 17.05A.100.A – Agriculture</p> <p>(3) 17.05A.090.G – Shoreline Species and Habitats of Local Importance</p>	Steve Erickson, Whidbey Environmental Action Network	<p>(1) This commenter finds the sea level rise policies and regulations inadequate. Requests addition of the following to address concerns:</p> <ul style="list-style-type: none"> • Require monitoring for illegally built or enlarged shore defense structures. • Do not permit expansions of existing shoreline residences or normal appurtenances that cannot demonstrate continued operation during the life of the structure without new shoreline stabilization. Prohibit shoreline armoring when the structure will not be protected 	<ol style="list-style-type: none"> 1. Island County awaits Ecology's rulemaking on SMA regarding sea level rise to incorporate changes into SMP. <ul style="list-style-type: none"> • Island County code enforcement is complaint based and does not include an active monitoring program, as it is not economically feasible at this time. • 17.05A.090.J.1.e requires a geotechnical/geocoastal report indicating that the proposed expansion (when in a buffer or setback) will not require shoreline

			<p>for the remainder of its design life.</p> <ul style="list-style-type: none"> • Monitor coastal sewage and septic systems. • Address on-going and future shoreline pollution from abandonment of structures and appurtenances as they become undesirable/uninhabitable. • Clarify shoreline stabilization does not address tidal action; differences between "erosion", "flooding", and normal tidal action associated with sea level rise. • Adopt a policy that the costs for removal of uninhabited or abandoned structures is the burden of the property owner, not the public. • Assure financial guarantees to remove structures and armoring that ceases of function as intended. <p>(2) This commenter requests the SMP prohibit wetland filling for agriculture. Suggested language: <u>Placement of fill of any kind in wetlands by existing or new agriculture operations is prohibited.</u></p> <p>(3) This commenter finds the designation of new species and habitats of local importances impossible. They refer to the nomination requirements</p>	<p>stabilization for the life of the single-family residence, typically 100 years.</p> <ul style="list-style-type: none"> • Septic system are monitored by the Island County Environmental Health department. All septic systems in the shoreline require periodic testing. • Island County awaits Ecology's rulemaking on SMA regarding sea level rise, as this will be a region-wide issue • See bullet above, as of now, no bond or insurance program is planned. <p>2. Island County requires new agricultural uses to conform to the SMP and would prohibit fill in wetlands. Existing and ongoing agricultural practices are allowed and required to follow best management practices. Placement of fill in a wetland would have to be reviewed on a case-by-case basis.</p> <p>3. 17.05A.090.G.2.a.iii should read: "Where restoration or of habitat is proposed, include a specific plan for restoration, including a conceptual design and a means of financing the restoration." If restoration of habitat was not proposed with</p>
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			of 17.05A.090.G.2.a.iii as a "poison pill".	the nomination of a species or habit of local importance, no specific plan or funding would be required.
19	<p>(1) 17.05A.130 – Shoreline Master Program Procedures.</p> <p>(2) Comprehensive Plan – Shoreline Element</p> <p>(3) 17.05A.060 – Shoreline environment designation and maps.</p> <p>(4)(5)(8)(9)(11) 17.05A.070 -Definitions.</p> <p>(5) 17.05A.090.E – Geologically Hazardous Areas</p> <p>(6) 17.05A.090.I – Shoreline buffers, shoreline setbacks, and impervious surface limits.</p> <p>(7) 17.05A.090.N – Flood hazard reduction.</p> <p>(8) 17.05A.100.K – Residential.</p> <p>(10) 17.05A.090.J – Developments affecting shoreline setbacks and buffers.</p>	<p>Larry Kwartsick, Sound Planning Services</p>	<p>(1) This commenter finds 17.05A.130.C.15.f does not comply with WAC 173-26-140.</p> <p>(2) This commenter finds the Shoreline Element of the Island County Comprehensive Plan/SMP do not address the "protection and restoration of buildings" found in WAC 173-26-176(3)(e). The commenter's WAC reference seems incorrect, so we assume this is the correct reference based on the language provided in the comment. The commenter recommends the SMP include a specific section of alternative standards that prioritize the restoration, preservation, and protection of historical structures and cultural resources. They suggest the creation of a new SED, possibly named historic conservation SED, for the Captain Whidbey Inn. Examples of communities with such SED include Port Townsend and Coupeville.</p> <p>(3) This commenter presents a few instances where the zoning/land use designation is inconsistent with the SED and vice versa, inconsistent with WAC 173-26-191. Please see the comment for more detailed information.</p>	<p>1. This section does not supersede, and does not conflict with WAC 173-26-140, it simply states that this is one of the shoreline administrator's roles.</p> <p>2. Island County does plan on additional changes around historical preservation, but not at this time. 17.05A.140 – Nonconforming development addresses continued use of, and redevelopment/expansion of existing uses. The Ebey's Design Guidelines and Chapter 17.04A – Ebey's Landing National Historical Reserve Design Review and Community Design Standards speaks to protection and restoration of buildings along Penn Cove.</p> <p>3. Island County is not updating any further shoreline environmental designations at this time, but could do so under a future SMP update.</p> <p>4. HBC designation is meant for those areas with historic development patterns that would no longer be allowed. There is some relief for those not in HBC designated areas</p>

			<p>(4) This commenter suggests removing the work “platted” from the definition of “Historic beach community”. Also state it’s not clear that such lots have a “greater impervious surface relative to other areas of the country”. They find the greater impervious surface is related to the lot size.</p> <p>(5) This commenter suggests inclusion of a definition for “steep slope” and clarify that the steep slope buffer and setback applies to all classes of geologically hazardous areas.</p> <p>(6) Further, the commenter states the reference of “erosion hazard areas designed in the Department of (5) Ecology Coastal Zone Atlas dated April 1979” in the definition of “Geologically Hazardous Areas” is a feature not identified in the current Coastal Zone Atlas. They also point out an inconsistency between the definition for geologically hazardous area in the ICC 17.05A vs. ICC 11.02.</p> <p>(7) They find the key word “within” found in 17.05A.090.E.1 is undefined.</p> <p>(8) This commenter requests the language of ICC 11.02.140, which uses “may require” be included in ICC 17.05A.</p> <p>(9) This commenter states Public Works requires engineered grading, and</p>	<p>5. from section 17.05A.140 – Nonconforming development. Island County has not received Ecology’s Initial Determination with Required and Recommended changes. No further County initiated changes are proposed at this time.</p> <p>6. Island County is working to align codes across departments to eliminate inconsistencies. Definition updates in the SMP will wait until after approval unless provided by Ecology as recommended or required changes. Recommended changes will be reviewed and decided upon by the Board of County Commissioners.</p> <p>7. Should likely include buffers in 17.05A.090.E.1 language.</p> <p>8. See item 6 above.</p> <p>9. See item 6 above. The buffers and setbacks were created in the 2016 SMP update, and have remained unchanged. The steep slope buffers are established to allow for the natural erosion of bluffs while minimizing threats to structures. Steep slope buffers are greater in the Natural designation and along feeder bluffs for this reason.</p> <p>10. With the increase in HBC lot designation, it is important to</p>
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			<p>drainage plans for single family projects without a finding of necessity, referencing ICC 11.03.130. The commenter asks why are steep slope buffers and setbacks different in the environment designation?</p> <p>(10) This commenter finds footnote #5 of Table 3 of ICC 17.05A.090.I regarding common line use on SRHBC properties eliminates the established buffer and setback. They state tying the setback to the common line could impact the preferred placement of drainfields away from the OHWM.</p> <p>(11) This commenter asks how to determine the least impactful area, as required by ICC 17.05A.090.N.12?</p> <p>(12) This commenter finds there's multiple definitions of geologically hazardous areas due to references in the SMP. They refer to the reference in 17.05A.100.K.12. They state ICC 17.02B defines geologic hazard areas as critical areas. 17.05A.100.K.13 directs the determination of all critical area buffers as established in 17.02B. They find 17.02B does not establish geologic hazard buffers and refers to ICC 11.02 and 11.03, which they find also does not establish buffers.</p>	<p>protect the neighborhoods that have recently been designated by not allowing development waterward of existing residences. While placement of drainfields is a separate issue, there is a variance process for septic systems if a parcel is constrained.</p> <p>11. The least impactful area will be decided by reports generated by the applicant, typically a Biological Site Assessment.</p> <p>12. See item 6 above.</p> <p>13. Steep slope buffers cannot be reduced by using common line or setback averaging.</p> <p>14. Island County uses a 100-year standard for the life of a home as called out in the SMP. The Board decided to include the word shall rather than should in this context.</p> <p>15. See item 6 above.</p> <p>16. J.1 does apply to all setbacks in the shoreline. Island County uses a 100-year standard for the life of a home as called out in the SMP. Development along the remaining shoreline parcels in Island County will likely continue to be challenging with these factors.</p> <p>17. Staff agrees that the 250 yards mentioned as a residential appurtenance is not including</p>
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		<p>(13) This commenter asks how does the common line interact with steep slope setbacks?</p> <p>(14) Referring to 17.05A.100.K.15, this commenter asks how can someone determine what will happen over a 100-year period when building a residence along the shoreline of marine waters? They also do not see how someone can avoid the mandatory provisions of ICC 14.02A.050 or FEMA standards. They suggest replacing "shall" with "should" and including "to the extent feasible, referring to WAC 173-26-231.3.a.iii.A. Further, this commenter finds the SMP does not contain a section that includes a preference for permit issuance based upon age of an SFR, consistent with RCW 90.58.100.6 – standards governing the protection of SFRs and appurtenant structures against damage or loss due to shoreline erosion.</p> <p>(15) This commenter finds the definition of "Geologically hazardous areas" includes soil liquefaction areas, which is not included in the definition of "geologically hazardous areas" in ICC 11.02 or ICC 17.02B.</p> <p>(16) This commenter asks if (e) of 17.05A.090.J.1 includes waterfront buffers and setbacks and steep slope buffers and setbacks? Mentions again, looking 100 years into the future when</p>	grading related to building a single family residence.
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			<p>anticipating development is challenging when faced with climate change, sea level rise, king tides, and the County's sinking islands.</p> <p>(17) This commenter finds the definition of residential appurtenance is flawed or misleading. They state the 250 cubic yard restriction pertains to grading that is not associated with the substantial development exemption for the construction of an SFR.</p> <p>The letter submitted by this commenter goes into detail. Please refer to the commenters' letter for the full extent of their comments.</p>	
21	<p>(1) 17.05A.040(C)(4) – Shoreline Master Program</p> <p>(2) 17.05A.050.D – Applicability</p> <p>(3) 17.05A.060 – Shoreline environment designation and maps.</p> <p>(4) 17.05A.070 – Definitions</p> <p>(5) 17.05A.080 – Shoreline use classification</p> <p>(6)(7)(8)(9)(10)(11)(12)(13) 17.05A.090 – Shoreline</p>	<p>islandcountysmp@protonmail.com</p>	<p>(1) This commenter asks why the exemptions established in 17.02B limited in the SMP to transportation, utilities, and existing structures? They question why specific exemptions of 17.02B are not exempt within shoreline jurisdiction when they are exempt outside of shoreline jurisdiction. See the comment for the specific 17.02B exemptions listed.</p> <p>(2) Requests including a statement indicating the SMP is not intended to conflict or supersede the comp plan's goals or policies.</p> <p>(3) This commenter finds the County should require application of the SMP's SED criteria when there is a mapping</p>	<ol style="list-style-type: none"> 1. These activities are exempt from the requirements of Chapter 17.02B and may still require shoreline permitting. The selected items were those that pose less risk of impact to critical areas or involve critical areas that have already been altered. 2. The Shoreline Element of the Comprehensive Plan informs the SMP code. As such it is meant to reflect the goals and policies found in other elements of the Comprehensive Plan. 3. Island County has not received Ecology's Initial Determination with Required and

	<p>use and development regulations</p> <p>(15) 17.05A.095 – Shoreline Reports</p> <p>(16)(17)(18) 17.05A.100 – Shoreline specific use regulations</p> <p>(19) 17.05A.110.A – Shoreline Stabilization.</p> <p>(20) 17.05A.110.D – Grading and filling.</p>		<p>error, not Ecology's SMP handbook, referring to 17.05A.060.D.</p> <p>(4) This commenter finds inconsistent application of the Rural conservancy SED, referring to 17.05A.060.G. They state any lots with more than low density residential should be designated Shoreline Residential SED, pursuant to the designation criteria.</p> <p>(5) This commenter finds the County should not use the boundaries of 'platted' communities as a basis for the Shoreline Residential SED, referring to 17.05A.060.I. They also find the Historic Beach SED criteria should include language from the definition section because it contains more criteria than the actual designation criteria.</p> <p>(6) This commenter suggests edits for the following definitions: Beach enhancement; Boat launch; Flood control works; Gabions; Geotechnical analysis; Hazard tree; Jetty; Non structural stabilization; Normal appurtenance; Normal protective bulkhead; Normal maintenance and repair; Pervious pavement; Primary structure; Replacement; Setback & Shoreline Buffer; Shoreline jurisdiction; Shoreline stabilization; and, Tightlines. Please see the comment letter for the specific edits.</p>	<p>Recommended changes. No further County initiated changes are proposed at this time.</p> <p>4. A county-wide investigation of shoreline environmental designations was not undertaken with this SMP update. Changes were limited to coastal lagoons and Historic Beach Communities.</p> <p>5. Cleaning up definitions will not be undertaken at this time. Island County has not received Ecology's Initial Determination with Required and Recommended changes. No further County initiated changes are proposed at this time.</p> <p>6. See item 5 above.</p> <p>7. This clause allows for a project to be processed as a Shoreline Exemption if the applicant can identify a specific provision in the SMP that exempts their project from a Conditional Use Permit.</p> <p>8. This is likely a typo that can be corrected.</p> <p>9. A community master plan allows a canal community with an approved canal community master plan to permit a dock/pier/float as a Shoreline Exemption instead of a Conditional Use permit.</p>
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			<p>(7) Referring to the use tables in 17.05A.080, this commenter points out a contradiction in the description of “conditional uses and developments” (I think).</p> <p>(8) This commenter asks why are private piers, docks, and floats a P1 (in the Shoreline Residential SED)? Finds they should be a P13.</p> <p>(9) This commenter asks why is a community master permit required to allow private piers and docks in the canal community designation? They do not believe a master permit should be required.</p> <p>(10) Referring to 17.05A.090.D.8, this commenter prefers the SMP defer and remain consistent with the County’s critical areas ordinance.</p> <p>(11) Referring to 17.05A.090.E.5, this commenter prefers this language to other language found in the SMP that refers to a 100-year analysis of risk.</p> <p>(12) Referring to 17.05A.090.F.5.c, this commenter suggests the county establish as a condition of permit approval, compliance with applicable federal laws/regulations.</p> <p>(13) Referring to 17.05A.090.G, this commenter asks why not refer to the nomination criteria in ICC 17.02B?</p>	<p>10. This was a consolidation of multiple sections and placed with the other critical area protections in the SMP.</p> <p>11. Island County has adopted 100 years as the life of a structure.</p> <p>12. That is a procedural issue, this section requires documentation demonstrating compliance.</p> <p>13. This code section was moved from 17.05A.090.D.13 and was not modified.</p> <p>14. Island County incorporated this section in the 2016 update in which critical areas codes were partially integrated into the SMP. No county-initiated changes are proposed at this time.</p> <p>15. This would be processed as an accessory structure, in general the exemption from a building permit does not exempt a development from land use permitting. Education about permitting is another option.</p> <p>16. Such development could take place under current code. Geotechnical Reports and Biological Site Assessments are expensive and time consuming.</p> <p>17. 17.05A.090.J.1 are requirements for building within the shoreline buffer or setback. This is an extra allowance that calls for</p>
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			<p>(14) This commenter suggests SMP stream buffers and stream buffer modification standards align with ICC 17.02B, referring to 17.05A.090.H.2 and H.2.b. The advocate for the same protections and same review process.</p> <p>(15) This commenter suggests inclusion of an allowance for small recreational structures (>200sqft), i.e. deck, shed, with conditions of allowance, referring to 17.05A.090.H.2.d. They suggest this happens frequently, unpermitted, under the assumption of consistency with the >200sqft exemption in the building code.</p> <p>(16) Referring to 17.05A.090.I.4 and Table 3, this commenter wants allowance for small recreational structures within the steep slope buffer. They believe the common line footnote of Table 5 will result in unintended consequences and more shoreline variances. They also state a concern for citing septic systems due to implementation of the footnote.</p> <p>(17) This commenter has identified 15 edits of 17.05A.090.J. They find predictions extending 100-years unreasonable (J.1.e) and covenant unreasonable (J.1.f). They advocate for flexibility in the requirements for developments in the shoreline setback (J.2). Referring to J.4.b, this commenter</p>	<p>additional requirements. J.1.e and J.1.f are requirements only when structures are proposed within the shoreline buffer or setback. J.2 is requirements for building within the shoreline setback, no County initiated changes are proposed at this time. J.4 controls development on non-conforming lots. 2,200 square feet refers to the size of the lot landward of the shoreline buffer and outside of the side and front yard setbacks, and then the driveway must be under 1,100 square feet. After that determination, the maximum footprint of all structures and impervious surfaces shall be no larger than 2,200 square feet. At no point in J.4 is there a maximum standard for reasonable use of 2,200 square feet development within shoreline. The common line buffer reduction allows a reduction of 50% of the buffer width. J.6 concerns Shoreline Setback reductions. The Shoreline Administrator/Planning Director makes the final decision on which corner is the nearest waterward corner of the façade. The 50% of the shoreline buffer width is a hard</p>
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		<p>asks if the 1,100 sqft allowance is in addition to the 2,200 sqft for the buildable area and does it only include areas in shoreline jurisdiction? They want the County to clarify the 2,200 sqft maximum applies only to non-conforming development and is not the maximum allowed for reasonable use for all development in the shoreline (J.4.c). Referring to J.4.h, advocate for the standard being the common line. They request a revision allowing the shoreline administrator to define the “waterward corners of the façade” (J.6) and suggest edits to the subsections (a) and (b). Finds Figures 6 and 7 are incorrect. Referring to J.6.c, asks why the 24 ft maximum, where did the number come from?</p> <p>(18) Referring to 17.05A.090.L.4, “standard shoreline buffer enhancement plan adopted by Island County”, this commenter asks if the county is capable of adopting a single plan for buffers of various shoreline environments?</p> <p>(19) This commenter finds 17.05A.090.M.1.a.iii extreme, asking why not take enforcement action?</p> <p>(20) This commenter asks about the bio-assessment waiver in A.3.c. They ask how the County will determine environmental impacts and no net loss?</p>	<p>limit, it is extremely unlikely a Variance would be approved at a greater than 50% buffer reduction. No changes are proposed to J.6 at this time. The reduction to a 24-foot setback is for Canal Communities, where there is a 0-foot buffer. This is a 40% reduction in the setback, and also controlled by the common line limitation so that a structure would not be closer than the neighboring structures.</p> <p>18. Presumably, such a plan would have to address different types of buffers to enhance.</p> <p>19. Code enforcement is complaint based in Island County. Buffer enhancement would have been a condition approval on a permit for this section to apply.</p> <p>20. The amount of development under this standard will be low, keeping the County from needing to perform a new cumulative impact analysis. 1:1 mitigation on site will still be required even without the BSA.</p> <p>21. Island County measures the 1 mile as a direct distance between points on a map. Private boat launches would require a BSA, however a Geocoastal Report is more for shoreline armoring.</p>
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		<p>How does this align with the buffer enhancement requirements?</p> <p>(21) Referring to 17.05A.100.E.3, the commenter suggests a description for how to measure the 1-mile and requirement of a geocoastal analysis and bio-assessment for all new private boat launches extending waterward of the OHW.</p> <p>(22) Referring to 17.05A.100.K, this commenter asks how docks, piers, boat launches and different from residential structures (K.11). They point to an inconsistency in the buffer for lots within the Natural SED in K.23 vs. Table 3 of 17.05A.090.I.4. Referring to K.24, they find 17.05A.100.C already has standards for beach access structures. They find the SMP should contain a provision in K.25.e to address existing decks when the house is lifted to get above flood elevation. They point to an inconsistency requiring enhancement for decks placed in the setback when the decks are considered pervious, and the mitigation requirements only apply to new impervious surfaces in the buffer and setback.</p> <p>(23) This commenter finds 17.05A.100.N.7 should include a section dedicated to standards for construction of residential stormwater outfalls.</p>	<p>22. Docks, piers, and boat launches are categorized under Boating and Related Facilities. K.23 refers to a vegetative buffer, not a building setback/buffer. K.24 standards are for residential beach access structures. While it would be helpful to call out deck requirements when raising a structure out of the floodplain, no County initiated changes are proposed at this time. Decks are not typically counted as impervious surface, and current regulations do require mitigation.</p> <p>23. While that may be a helpful addition, no County initiated changes are proposed at this time.</p> <p>24. No County initiated changes are proposed at this time.</p> <p>25. 17.05A.110.D.1.g allows for fill below the OHWM as part of mitigation actions, shoreline restoration, or habitat enhancement projects. There would be no feasible alternative to placement in the flood hazard area, as that is where the beach nourishment would have to occur.</p>
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			<p>(24) This commenter opposes changes to the requirements for shoreline armoring in canal communities (A.2.c)</p> <p>(25) This commenter wants clarification that placement of beach nourishment as mitigation or shoreline enhancement does not qualify as fill (D.2).</p> <p>The letter submitted by this commenter goes into detail. Please refer to the commenters' letter for the full extent of their comments.</p>	
22	<p>(1) 17.05A.070 – Definitions</p> <p>(2) 17.05A.110.A – Shoreline stabilization.</p>	Jim Black	<p>(1) This commenter suggests edits to the following definitions: Dredging; Shoreline stabilization, Soft shore stabilization. Please see the comment letter for the specific edits.</p> <p>(2) Referring to A.4., this commenter finds there needs to be criteria for when soft shore stabilization can be permitted. They also state there is no criteria for the repair of existing soft shore stabilization.</p> <p>The letter submitted by this commenter goes into detail. Please refer to the commenters' letter for the full extent of their comments.</p>	<p>1. The Board of Island County Commissioners decided to include the additional language in the <i>dredging</i> definition. Regular maintenance and repair of infrastructure should be evaluated at the time of project proposal, if a larger scope dredging occurs, it would be subject to all regulations in the SMP.</p> <p>Definition for <i>soft shore stabilization</i> redirects to <i>non-structural shoreline stabilization</i>.</p> <p>2. 17.05A.110.A.1 and Table 5 address permitting requirements for new or replacement soft-shore stabilization. Note 3 on Table 5 refers to the definition of</p>

				<i>repair, which redirects to normal maintenance and repair.</i>
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~ MEMORANDUM ~

TO: **Board of County Commissioners**
FROM: **Long Range Planning**
DATE: **June 2, 2025**
SUBJECT: **2025 Comprehensive Plan Update – Revised Goals and Policies**

Revised Goals and Policies for Island County's 2025 Comprehensive Plan update have been released for a 45-day public comment period from May 30 until July 14.

Long Range staff will review the revised goals and policies trackers for the Land Use and Housing Elements with the Board.

Attachments:

- Land Use Goals and Policies Tracker
- Housing Goals and Policies Tracker

You can find the entire [Goals and Policies release packet on our website](#). Long Range staff will review 1-2 elements at each of the upcoming Board of County Commissioners work sessions in June and early July.

For more information, please contact:

Emily Neff (360) 678 - 7807 or e.neff@islandcountywa.gov

Draft Island County Comprehensive Plan Update Land Use Goals and Policies Tracker

Blue and Underlined: Added content

Red and Strikethrough: Deleted content

Green and Double Underlined: Moved content

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
1	Concepts and Considerations	Achieve a staged and orderly development pattern that accommodates growth, fosters a high quality living environment, and protects rural character, natural resources, and historic properties.	<u>Evaluate land use actions and decisions for their impact on development patterns that</u> Achieve a staged and orderly development pattern that accommodates growth, fosters a high quality living, <u>and protects the environment, and protects rural character, natural resources, and historic properties.</u>	Reworded.
1.1	Concepts and Considerations	Accommodate projected population growth in a manner which protects the established character of neighborhoods, preserves rural and environmental quality, promotes physical activity, and promotes economic growth.	Accommodate projected population <u>and employment</u> growth in a manner which that promotes equity regardless of geography and socio economic status, protects the established character of neighborhoods, preserves rural and environmental quality, promotes physical activity, and promotes economic growth.	Reworded, equity concerns.
1.2	Concepts and Considerations	Prohibit the expansion of urban services in rural areas and guide urban growth into areas with adequate planned public facilities and services.	Prohibit the expansion of urban services in rural areas and guide urban growth into areas with adequate planned public facilities and services.	Remove policy as it repeats requirements in the Growth Management Act [RCW 36.70A.110 (3) & (4)].
1.21-3	Concepts and Considerations	Encourage infill of subdivided lands and the logical expansion of urban areas.	No change.	N/A
1.4	Concepts and Considerations	Prohibit urban development in rural areas.	Prohibit urban development in rural areas.	Remove. Urban development in rural areas is not allowed under 36.70A RCW.
1.31-5	Concepts and Considerations	Ensure residential developments are planned to minimize public expenditures for public facilities and services.	No change.	N/A
1.4	Concepts and Considerations	<u>New policy.</u>	<u>Create opportunities to evaluate the impact of land use actions and decisions on equal access to housing and employment for all residents through demonstration projects.</u>	<u>New policy.</u>
1.5	Concepts and Considerations	<u>New policy.</u>	<u>Before the 2035 Comprehensive Plan Periodic Update, complete a Subarea Plan for the Camano Gateway.</u>	<u>New policy.</u>

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
1.6	Concepts and Considerations	<u>New policy.</u>	<u>Allow transitional housing or permanent supportive housing in any zone where residential dwelling units or overnight lodging is allowed, provided that such facilities meet all Health, Building, and Zoning code standards.</u>	<u>New policy.</u>
2	Concepts and Considerations	Assure general public health, safety, and welfare without unduly jeopardizing the rights of individuals.	<u>Balance community health, safety, and conservation of resources. Assure general public health, safety, and welfare without unduly jeopardizing the rights of individuals.</u>	Reword goal.
2.1	Concepts and Considerations	All levels of government will coordinate planning and decision making to ensure consistency.	<u>The County will coordinate with internal, local, state, and federal departments and agencies to ensure that there is consistency with planning and decision making. All levels of government will coordinate planning and decision making to ensure consistency.</u>	Reworded.
2.2	Concepts and Considerations	<u>New policy.</u>	<u>The County will work to preserve existing affordable housing stock, including but not limiting to, manufactured and mobile homes.</u>	New policy.
2.3	Concepts and Considerations	<u>New policy.</u>	<u>Educate, promote, and incentivize the use of Large Onsite Sewage Systems within existing affordable housing stock.</u>	New policy.
2.4	Concepts and Considerations	<u>New policy.</u>	<u>Use Best Available Science to regulate development in a manner that balances protection of property rights and human health and safety with protection of critical area functions and values.</u>	New policy.
2.1.1	Concepts and Considerations	County wide planning policies will be given priority when conflicts arise between jurisdictions.	<u>County wide planning policies will be given priority when conflicts arise between jurisdictions.</u>	Remove. Policy is vague and has unactionable language.
2.1.2	Concepts and Considerations	Comprehensive planning must be adaptable to changing conditions.	<u>Comprehensive planning must be adaptable to changing conditions.</u>	Remove. Policy is vague and has unactionable language.
2.1.3	Concepts and Considerations	There should be efficient interdepartmental coordination on all major programs and projects to minimize unnecessary delays in public decision making.	<u>There should be efficient interdepartmental coordination on all major programs and projects to minimize unnecessary delays in public decision making.</u>	Remove. Policy does not belong in comprehensive plan.

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
<u>2.2</u>	Concepts and Considerations	Private property will not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.	Private property will not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.	Remove. Policy is a constitutional requirement.
<u>2.3</u>	Concepts and Considerations	Applications for County permits should be processed in a timely and fair manner to ensure predictability.	Applications for County permits should be processed in a timely and fair manner to ensure predictability.	Remove policy. This policy is a department goal, not a policy.
<u>2.4</u>	Concepts and Considerations	Require new development (including subdivisions, site plan approvals, and other development) within UGAs to be served by public sewer and water, except within the NMUGA where demonstrated topographical constraints or other unpreventable factors could support granting variances or waivers to allow private wells and septic systems.	Require new development (including subdivisions, site plan approvals, and other development) within UGAs to be served by public sewer and water, except within the NMUGA where demonstrated topographical constraints or other unpreventable factors could support granting variances or waivers to allow private wells and septic systems.	Relocated policy to Goal 3.
<u>2.5</u>	Concepts and Considerations	New urban services and facilities shall be limited to municipal UGAs, unless service extension is necessary to respond to a documented public health hazard caused by existing development which cannot otherwise reasonably be remedied.	New urban services and facilities shall be limited to municipal UGAs, unless service extension is necessary to respond to a documented public health hazard caused by existing development which cannot otherwise reasonably be remedied.	Relocated policy to Goal 3.
<u>3</u>	Concepts and Considerations	Provide the opportunity for the intensification of development on lots in the rural area containing, or new development of, small scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location and setting but that do not include new residential development (pursuant to RCW 36.70A.070(5)(d)(ii)).	Provide the opportunity for the intensification of development on lots in the rural area containing, or new development of, small scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location and setting but that do not include new residential development (pursuant to RCW 36.70A.070(5)(d)(ii)).	Remove. Goal & related policies have been adopted into the Island County Code.
<u>3.1</u>	Concepts and Considerations	Provide for Small Bed and Breakfasts, Bed and Breakfast Inns, and small Country Inns in Rural land use designations, with appropriate screening, setbacks, and open space requirements. For developments in the shoreline areas, the visual impact from the water shall be considered and uses shall comply with the Shoreline Master Program.	Provide for Small Bed and Breakfasts, Bed and Breakfast Inns, and small Country Inns in Rural land use designations, with appropriate screening, setbacks, and open space requirements. For developments in the shoreline areas, the visual impact from the water shall be considered and uses shall comply with the Shoreline Master Program.	Remove. This policy has been incorporated into the Island County Code, ICC 17.03.180.B (Bed and Breakfast Inns), 17.03.180.J (Bed and Breakfast Rooms), and 17.03.180.D (Country Inns).

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
<u>3.2</u>	Concepts and Considerations	Provide for other small scale recreation and tourist uses in Rural land use designations, such as golf courses, model hobby parks, restaurants, wineries and breweries on parcels of an appropriate size. All activities shall be screened from the view of adjacent neighbors and the use shall not disrupt the character of any surrounding permitted uses. Residential development around golf courses, if any, must meet all requirements for residential development in the Rural land use designation.	Provide for other small scale recreation and tourist uses in Rural land use designations, such as golf courses, model hobby parks, restaurants, wineries and breweries on parcels of an appropriate size. All activities shall be screened from the view of adjacent neighbors and the use shall not disrupt the character of any surrounding permitted uses. Residential development around golf courses, if any, must meet all requirements for residential development in the Rural land use designation.	Remove. This policy has been incorporated into the Island County Code, ICC 17.03.180.DD (Wineries, Cideries, and Distillery Facilities); 17.03.180.EE (Rural Event Center); 17.03.180.T (Small scale recreation and tourist uses)
<u>3.3</u>	Concepts and Considerations	Continue to recognize and support the planned development of Existing Master Planned Resorts that were in existence on July 1, 1990 and developed, in whole or in part as a significant self-contained and integrated development that includes short-term visitor accommodations associated with a range of indoor and outdoor recreational facilities within the property boundaries in a setting of significant natural amenities pursuant to RCW 36.70A.362	Continue to recognize and support the planned development of Existing Master Planned Resorts that were in existence on July 1, 1990 and developed, in whole or in part as a significant self-contained and integrated development that includes short-term visitor accommodations associated with a range of indoor and outdoor recreational facilities within the property boundaries in a setting of significant natural amenities pursuant to RCW 36.70A.362	Remove. This policy has been incorporated into the Island County Code, ICC 17.03.180.Y.
<u>3.4</u>	UGAs	Provide areas where urban land use activities may be concentrated in a manner which enables the efficient provision of public facilities and services.	Direct growth to municipalities and urban growth areas (UGAs) where growth is economically viable, served by transportation, and where adequate public facilities exist or can be provided efficiently and consistently with environmental and other goals. Provide areas where urban land use activities may be concentrated in a manner which enables the efficient provision of public facilities and services.	Reworded to more actionable language.
<u>3.14.1</u>	UGAs	Increase the proportion of growth in municipal UGAs (compared to growth in Rural areas) where adequate public facilities or services exist or can be provided in an efficient manner.	Increase the proportion of growth in municipal UGAs and NMUGAs (compared to growth in Rural areas) where adequate public facilities or services exist or can be provided in an efficient manner.	Reword policy to include all UGAs, not just municipal UGAs.
<u>4.2</u>	UGAs	Coordinate development within unincorporated municipal UGAs between the county, associated municipalities, and service providers through the following measures.	Coordinate development within unincorporated municipal UGAs between the county, associated municipalities, and service providers through the following measures.	Removed policy for brevity.

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
<u>3.2</u> 4.2.1	UGAs	Direct urban development first to areas within municipal boundaries, and then toward the unincorporated portion of municipal UGA;	No change	N/A
4.2.2	UGAs	Non-urban development in the UGA should only be allowed if it will be compatible with future urban development;	Non-urban development in the UGA should only be allowed if it will be compatible with future urban development;	Remove. Non-urban development does not belong in UGAs.
<u>3.3</u> 4.2.3	UGAs	Encourage annexation of unincorporated areas within municipal UGAs	Encourage annexation of unincorporated areas within <u>municipal</u> UGAs	N/A
<u>3.4</u> 4.2.3.1	UGAs	Avoid non-contiguous annexation within the UGA;	<u>Avoid Prohibit</u> non-contiguous annexation within the UGA;	Reword to be more actionable.
4.2.3.2	UGAs	Prohibit annexation of land outside the municipal UGA.	Prohibit annexation of land outside the municipal UGA.	Removed, in state law RCW 35.13.005 and RCW 36.70A.110.
<u>3.5</u> 4.2.4	UGAs	Minimize fiscal and environmental impacts of growth through urban development patterns.	Minimize <u>negative</u> fiscal and environmental impacts of growth through urban development patterns.	Reworded, clarification.
<u>3.6</u> 4.2.5	UGAs	When possible, use the edges of major features, such as roads and drainageways, to help provide a clear and natural boundary between urban and rural areas.	No change.	N/A
<u>3.7</u> 4.2.6	UGAs	Use interlocal agreements (ILAs) as a method to guide development in the unincorporated portions of municipal UGAs.	No change.	N/A
<u>3.7.1</u> 4.2.6.1	UGAs	New policy.	<u>Interlocal agreements shall be reviewed every five years, starting in 2026, and updated as necessary to guide development in the unincorporated portions of municipal UGAs.</u>	New policy, more actionable.
<u>3.8</u> 4.2.7	UGAs	Provide open space corridors between UGAs as shown in the Natural Resources Element of this plan.	Provide open space corridors <u>adjacent to urban areas with intentional habitat interconnectivity for wildlife, between UGAs, as shown in the Natural Resources Element of this plan.</u>	Reworded, more actionable.
4.2.8	UGAs	Identify unincorporated portions of municipal UGAs and applicable municipal land use designation in the Future Land Use Map.	Identify unincorporated portions of municipal UGAs and applicable municipal land use designation in the Future Land Use Map.	Removed policy, this work is completed during the Comprehensive Plan Update.
<u>3.9</u> 4.2.9	UGAs	Regulation of development in municipal UGAs is under County jurisdiction until annexation by the associated jurisdiction, at which time the associated municipality is responsible.	Regulation of development in municipal UGAs is under County jurisdiction until annexation by the associated jurisdiction, at which time the associated municipality is responsible.	This does not belong in the goals and policies.

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
3.10 4.2.10	UGAs	The County will notify the affected municipality when applications are received for new development within municipal UGAs.	The County will notify the affected municipality when applications are received for new development within municipal UGAs.	This does not belong in the goals and policies.
3.11 4.2.11	UGAs	Urban Holding areas will be limited to Rural zoning standards until annexation, and are subject to review to ensure that development will not hinder implementation of transportation and utility infrastructure plans.	Urban Holding UGA areas will be limited to Rural zoning standards until annexation, and are subject to review to ensure that development will not hinder implementation of <u>increased density</u> transportation and utility infrastructure plans.	Reworded, clarity.
4.3	UGAs	Growth and development within the municipal boundaries of Oak Harbor, Coupeville and Langley must conform to their adopted comprehensive plans and adopted CWPPs.	Growth and development within the municipal boundaries of Oak Harbor, Coupeville and Langley must conform to their adopted comprehensive plans and adopted CWPPs.	Removed, this is confirmed in the CPPs and unnecessary in policy.
4.4	UGAs	Modification of UGAs may be requested by a municipality or individual; however UGA expansion is prohibited unless reasonable alternatives have been considered, consistent with adopted CWPPs.	Modification of UGAs may be requested by a municipality or individual; however UGA expansion is prohibited unless reasonable alternatives have been considered, consistent with adopted CWPPs.	Removed, this is confirmed in the CPPs and unnecessary in policy.
3.12	UGAs	<u>New policy.</u>	<u>New urban services and facilities (including storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, public transit services, and other public utilities associated with urban areas as defined in RCW 36.70A.030(43)) shall be limited to municipalities and associated UGAs, unless service extension is necessary to respond to a documented public health hazard caused by existing development which cannot otherwise reasonably be remedied.</u>	Policy was relocated from Goal 2. Definition for "urban services" was included in the text for clarity.
3.13	UGAs	<u>New policy.</u>	<u>The County shall work to preserve existing affordable housing stock within UGAs, including but not limiting to manufactured and mobile homes, and partner with municipalities to achieve this policy.</u>	New policy added.

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
<u>3.14.2.4</u>	UGAs	Relocated policy.	<u>Require new development (including subdivisions, site plan approvals, and other development) within UGAs to shall be served by public sewer and water, except within the NMUGAs where demonstrated topographical constraints or other unpreventable factors could support granting variances or waivers to allow private wells and septic systems.</u>	Relocated policy from Goal 2. Reword policy.
3.14.1	UGAs	New policy.	Provide flexibility within the NMUGAs for community sewage solutions.	New policy
<u>4.5</u>	JPAs	Joint Planning Areas (JPAs) provide an opportunity for long term planning beyond the 20 year planning horizon by reserving areas which may be necessary for future urban growth and for protection of areas of long term rural significance.	<u>Utilize Joint Planning Areas (JPAs) to provide an long term planning opportunity for long term planning beyond the 20 year planning horizon by reserving areas which may be necessary for future urban growth and for protection of areas of long term rural significance.</u>	Reworded to include action verbiage.
<u>4.15.2</u>	JPAs	Provide areas within JPA for municipal Urban Growth Area expansion which will allow for the future development of urban densities in an effective manner.	<u>Encourage municipalities to designate JPA overlays that are appropriate for future UGA expansions, including areas that are appropriate for future development at urban densities, as well as Potential Growth Area (PGA), and Long-Term Rural Significance (LRS) overlays. Provide areas within JPA for municipal Urban Growth Area expansion which will allow for the future development of urban densities in an effective manner.</u>	Consolidated policies 5.1, 5.2, 5.2.1, and 5.2.2 together.
5.2	JPAs	Designate JPAs overlays, determined jointly by the County and associated municipality.	<u>Designate JPAs overlays, determined jointly by the County and associated municipality.</u>	Consolidated into policy 4.1.
<u>5.2.1</u>	JPAs	Designate Potential Growth Area (PGA) overlays that are appropriate for future UGA expansion.	<u>Designate Potential Growth Area (PGA) overlays that are appropriate for future UGA expansion.</u>	Consolidated into policy 4.1.
<u>5.2.2</u>	JPAs	Designate overlays for areas of Long-Term Rural Significance (LRS).	<u>Designate overlays for areas of Long-Term Rural Significance (LRS).</u>	Consolidated into policy 4.1.
<u>5.3</u>	JPAs	JPAs shall be illustrated in the Comprehensive Plan Land Use Map and shown in the Zoning Atlas.	<u>JPAs shall be illustrated in the Comprehensive Plan Land Use Map and shown in the Zoning Atlas.</u>	Remove policy. JPA overlays are shown in the Future Land Use Maps, provided in the Land Use Element.

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
5.4	JPAs	Municipal and County land use and Capital Facility Plans shall be coordinated within JPAs.	Municipal and County land use and Capital Facility Plans shall be coordinated within JPAs.	Remove. WAC 365-196-510 requires interjurisdictional consistency.
4.2 5.5	JPAs	Cities, Towns and the County shall jointly develop implementation strategies for the Open Space Corridors identified within JPAs in the Natural Lands Element of the County Comprehensive Plan.	Cities, Towns and the County shall jointly develop implementation strategies for the Open Space Corridors identified within JPAs in the Natural <u>Resources Lands</u> Element of the County Comprehensive Plan.	Edited name of element to reflect current name in use.
4.3 5.6	JPAs	Development and amendment of the JPA boundaries, overlays, and joint planning processes should be coordinated between the County and associated municipalities.	Development and a <u>Amendment</u> of the JPA boundaries, overlays, and joint planning processes should be coordinated between the County and associated municipalities <u>as outlined in the CPPs</u> .	Consolidated policies 5.6 and 5.6.1. The CPPs outline the JPA boundary amendment process.
5.6.1	JPAs	With narrow exceptions per CWPP, amendments to the JPA boundaries and overlays should only occur during the periodic update process.	With narrow exceptions per CWPP, amendments to the JPA boundaries and overlays should only occur during the periodic update process.	Consolidated into policy 5.6. The CPPs outline that the JPA boundaries should generally be reviewed during the periodic update process as well as the exceptions that would warrant amendments outside of the periodic update.
4.4 5.7	JPAs	Land development decisions shall be managed in Joint Planning Areas to not preclude the future expansion of UGAs.	Land development decisions in Joint Planning Areas shall not preclude the future expansion of UGAs. Land development decisions shall be managed in Joint Planning Areas to not preclude the future expansion of UGAs.	Reword, clarity.
4.5 5.8	JPAs	Discourage siting of public facilities and buildings within a JPA unless their function or service area is best served by a location outside of a UGA.	Discourage siting of public facilities and buildings within a JPA unless their function or service area is best served by a location outside of a UGA.	N/A
5.6	LAMIRDs RAIDs	Designate Rural Areas of More Intensive Development (RAIDs) per RCW 36.70A.070(5)(d) with non-expandable logical outer boundaries.	Provide for the infill, development, or redevelopment of commercial, industrial, residential, or mixed-use LAMIRDs, pursuant to RCW 36.70A.070(5)(d). Designate Rural Areas of More Intensive Development (RAIDs) per RCW 36.70A.070(5)(d) with non-expandable logical outer boundaries.	Reworded goal.

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
5.1	LAMIRDs:RAIDs	New policy.	<u>In all LAMIRDs, use a proactive planning approach for access management onto State Highway consistent with Island County Code and Washington State Department of Transportation regulations, including cross connectivity, internal circulation systems, and consolidation of access points.</u>	Consolidated transportation related LAMIRD policies.
5.2	LAMIRDs:RAIDs	New policy.	<u>Development within Light Manufacturing and Airport LAMIRDs shall minimize environmental and community impact. Developers must mitigate potential negative effects, such as air, light, noise, and water pollution.</u>	Consolidated similar Light Manufacturing (6.1.3.2, 6.1.3.5) and Airport (6.1.5.2, 6.1.5.3) LAMIRD policies.
5.3	LAMIRDs:RAIDs	New policy.	<u>Cluster structures within Light Manufacturing and Airport LAMIRDs and provide adequate expansion space for compatible activities.</u>	Consolidated similar Light Manufacturing (6.1.3.3) and Airport (6.1.5.4) LAMIRD policies.
5.4	LAMIRDs:RAIDs	New policy.	<u>In Rural Village, Rural Center, Camano Gateway Village, and Rural Service LAMIRDs, encourage multi family and mixed uses to support housing development.</u>	Consolidated mixed use related LAMIRD policies.
5.5	LAMIRDs:RAIDs	New policy.	<u>Incentivize and support the development of community septic systems and upgrading of existing water systems to accommodate these uses in these zones.</u>	New policy.
5.6	LAMIRDs:RAIDs	New policy.	<u>Allow for overnight lodging within Mixed-Use LAMIRDs.</u>	Expanded policy 6.1.7.4 to include Rural Village and Rural Center.
5.7	LAMIRDs:RAIDs	New policy.	<u>Encourage compact development within Mixed-Use LAMIRDs to prevent highway sprawl.</u>	Expanded policy 6.1.1.2 to encourage compact development in all Mixed-Use LAMIRDs.
5.8	LAMIRDs:RAIDs	New policy.	<u>Allow the development of affordable worker housing within Light Manufacturing zones.</u>	Policy added to support housing and employment numbers.
6.1	RAIDs	RAID land use designations are adopted as described in Section 1.5.2.1 and Table 1-7.	RAID land use designations are adopted as described in Section 1.5.2.1 and Table 1-7.	Removed. Land use designations for LAMIRDs will be discussed in the body text of the Land Use Element.
6.1.1	RAIDs	In Rural Center (RC) areas:	In Rural Center (RC) areas;	Removed all applicable policies.

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
6.1.1.1	RAIDs	Require consolidated access to the highway for all adjacent RC parcels to minimize traffic disruption.	Require consolidated access to the highway for all adjacent RC parcels to minimize traffic disruption.	Consolidated above in 5.1.
6.1.1.2	RAIDs	Develop RC highway shopping and service centers as compact units to prevent highway sprawl.	Develop RC highway shopping and service centers as compact units to prevent highway sprawl.	Consolidated above in 5.7
6.1.2	RAIDs	In Rural Village (RV) areas:	In Rural Village (RV) areas:	Removed all applicable policies.
6.1.2.1	RAIDs	Manage access to the State Highway proactively, and consider consolidating access points where feasible.	Manage access to the State Highway proactively, and consider consolidating access points where feasible.	Consolidated above in 5.1.
6.1.3	RAIDs	In Light Manufacturing (LM) areas:	In Light Manufacturing (LM) areas:	Removed all applicable policies.
6.1.3.1	RAIDs	Provide for light industry and manufacturing, assembling, fabrication, storage, wholesaling, distribution, auto repair/salvage and related activities that do not entail frequent visits of clientele.	Provide for light industry and manufacturing, assembling, fabrication, storage, wholesaling, distribution, auto repair/salvage and related activities that do not entail frequent visits of clientele.	Remove. These are allowed uses under ICC 17.03.035.C.
6.1.3.2	RAIDs	Design and develop LM areas to have minimal environmental and community impact and require mitigation of potentially adverse impacts by the developer so that air, light, noise, and water pollution, open storage, and similar undesirable effects are controlled, contained or screened so as not to detract from surrounding uses.	Design and develop LM areas to have minimal environmental and community impact and require mitigation of potentially adverse impacts by the developer so that air, light, noise, and water pollution, open storage, and similar undesirable effects are controlled, contained or screened so as not to detract from surrounding uses.	Policy was consolidated above in new policy 5.2.
6.1.3.3	RAIDs	Cluster structures within LM areas and provide adequate expansion space for compatible activities.	Cluster structures within LM areas and provide adequate expansion space for compatible activities.	Consolidated above in 5.3.
6.1.3.4	RAIDs	Manage access proactively. Require common arterial accesses, internal circulation systems, and cross connectivity. Consider consolidation of non-arterial access points where feasible.	Manage access proactively. Require common arterial accesses, internal circulation systems, and cross connectivity. Consider consolidation of non-arterial access points where feasible.	Consolidated above in 5.1.
6.1.3.5	RAIDs	Protect surrounding uses from adverse effects by providing adequate landscape buffers and open space, and designating compatible surrounding uses.	Protect surrounding uses from adverse effects by providing adequate landscape buffers and open space, and designating compatible surrounding uses.	Remove policy as it exists in ICC 17.03.180.
6.1.4	RAIDs	In Rural Service (RS) areas:	In Rural Service (RS) areas:	Removed all applicable policies.
6.1.4.1	RAIDs	Prohibit a change in use that results in a greater intensity than the existing use.	Prohibit a change in use that results in a greater intensity than the existing use.	Remove policy. HB 1220 requires adjusting density to accommodate housing types for all income levels.

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
6.1.4.2	RAIDs	Require landscaping and other site improvements, on a case by case basis, for changes or expansions to existing uses.	Require landscaping and other site improvements, on a case by case basis, for changes or expansions to existing uses.	Remove policy as it exists in ICC 17.03.180.
6.1.5	RAIDs	In Airport (AP) Areas	In Airport (AP) Areas	Removing heading.
5.9.6.1.5.1	LAMIRDS RAIDs	Ensure compatibility with existing uses in Wes Lupien Air Park, Whidbey Air Park or Camano Island Air Field.	In Airport areas, ensure compatibility with existing uses in <u>Wes Lupien Air Park</u> , <u>DeLaurentis Airport</u> , <u>South Whidbey Air Park</u> or <u>Camano Island Air Field</u> .	Names of airports were updated.
6.1.5.2	RAIDs	Design and develop AP areas to have minimal environmental and community impact, including low levels of air, light, noise, odor and water pollution, and require mitigation of potentially adverse impacts by the developer.	Design and develop AP areas to have minimal environmental and community impact, including low levels of air, light, noise, odor and water pollution, and require mitigation of potentially adverse impacts by the developer.	Policy was consolidated above in new policy 5.2.
6.1.5.3	RAIDs	Protect surrounding uses from adverse effects by providing adequate landscape buffers and open space, and designating compatible surrounding uses with a focus on protecting critical lands, residential, rural and resource areas.	Protect surrounding uses from adverse effects by providing adequate landscape buffers and open space, and designating compatible surrounding uses with a focus on protecting critical lands, residential, rural and resource areas.	Policy was consolidated above in new policy 5.2.
6.1.5.4	RAIDs	Cluster structures within AP areas and provide adequate expansion space for compatible activities.	Cluster structures within AP areas and provide adequate expansion space for compatible activities.	Policy was consolidated above in new policy 5.3.
6.1.5.5	RAIDs	Manage access proactively. Require common arterial accesses and internal circulation systems, and consider consolidation of access points where feasible.	Manage access proactively. Require common arterial accesses and internal circulation systems, and consider consolidation of access points where feasible.	Policy was consolidated above in new policy 5.1.
5.9.1 6.1.5.6	LAMIRDS RAIDs	Implement site development standards according to the needs of each site.	No change.	N/A
5.9.2 6.1.5.7	LAMIRDS RAIDs	Protect existing AP areas from encroachment by incompatible land uses.	No change.	N/A
6.1.6	RAIDs	In Rural Residential (RR) Areas:	In Rural Residential (RR) Areas:	Removed all applicable policies.
6.1.6.1	RAIDs	Raising of large livestock shall be provided for conditioned on the approval of an Animal Management Plan.	Raising of large livestock shall be provided for conditioned on the approval of an Animal Management Plan.	Remove. Livestock husbandry is currently an allowed use in Rural Residential per ICC 17.03.035.C.

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
6.1.6.2	RAIDs	A proactive planning approach shall be used for access management onto State Highway. Possible consolidation of access points should be explored.	A proactive planning approach shall be used for access management onto State Highway. Possible consolidation of access points should be explored.	Policy was consolidated above in new policy 5.1.
6.1.7	RAIDs	In the Camano Gateway Area	In the Camano Gateway Area	Removed all applicable policies.
6.1.7.1	RAIDs	Establish sustainable building practices, use of low impact development, reduction in water consumption, sensitive design, minimizing bulk and mass, participation in local economic development strategies, and reduction in traffic. Incentives should be provided to developers so that the benefits outweigh the costs.	Establish sustainable building practices, use of low impact development, reduction in water consumption, sensitive design, minimizing bulk and mass, participation in local economic development strategies, and reduction in traffic. Incentives should be provided to developers so that the benefits outweigh the costs.	Remove. Policies regarding design, building practices, and low impact development can be found in ICC 17.03.135.
6.1.7.2	RAIDs	A proactive planning approach should be used for access management into State Highway 532. Possible consolidation of access points shall be explored consistent with Island County Code and Washington State Department of Transportation regulations.	A proactive planning approach should be used for access management into State Highway 532. Possible consolidation of access points shall be explored consistent with Island County Code and Washington State Department of Transportation regulations.	Policy was consolidated above in new policy 5.1.
6.1.7.3	RAIDs	Mixed Uses involving a combination of Residential and NonResidential components are encouraged, especially with long-term village residence above business activities or that are detached but functionally and physically connected to each other.	Mixed Uses involving a combination of Residential and NonResidential components are encouraged, especially with long-term village residence above business activities or that are detached but functionally and physically connected to each other.	Policy was consolidated above in new policy 5.4.
6.1.7.4	RAIDs	Overnight lodging shall be designed to fit into and enhance the rural island landscape through effective design, orientation, siting, signage, lighting and landscaping. Overnight Lodging should be designed in a manner that does not utilize and distribute water resources beyond the capacity of the resources available in the RAID.	Overnight lodging shall be designed to fit into and enhance the rural island landscape through effective design, orientation, siting, signage, lighting and landscaping. Overnight Lodging should be designed in a manner that does not utilize and distribute water resources beyond the capacity of the resources available in the RAID.	Policy was consolidated above in new policy 5.5.
6.2	RAIDs	Provide for the infill, development, or redevelopment of existing residential areas, pursuant to RCW 36.70A.070(5)(d).	Provide for the infill, development, or redevelopment of existing residential areas, pursuant to RCW 36.70A.070(5)(d).	Remove policy; repeats the new verbiage in the goal.
6.3	RAIDs	Ensure compatibility with adjacent uses through compliance with rural design guidelines.	Ensure compatibility with adjacent uses through compliance with rural design guidelines.	Remove policy. Rural design guidelines already exist in ICC 17.03.180.

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
6.3.1	RAIDs	Provide for appropriate permitted and conditional uses including accessory uses.	Provide for appropriate permitted and conditional uses including accessory uses.	Remove policy. ICC 17.03.035.C. outlines the allowed permitted, conditional, and accessory uses.
6.3.2	RAIDs	Encourage clustering of uses, where compact design promotes a physical activity and community orientation.	Encourage clustering of uses, where compact design promotes a physical activity and community orientation.	Remove. Policy is repeated from policy 5.5.
6.3.3	RAIDs	Provide for the conditional expansion of existing businesses in a manner which protects environmental quality, rural character, unique scenic features and community amenities and values.	Provide for the conditional expansion of existing businesses in a manner which protects environmental quality, rural character, unique scenic features and community amenities and values.	Remove. Policy exists in ICC 17.03.035.C and 17.03.180.
6.3.4	RAIDs	Reflect the local knowledge, experience, preferences and character of the rural community in RAID land use designations.	Reflect the local knowledge, experience, preferences and character of the rural community in RAID land use designations.	Remove. This policy creates boundaries for development.
6.3.5	RAIDs	Ensure appropriate landscaping, screening, signing and shielded lighting to promote compatibility.	Ensure appropriate landscaping, screening, signing and shielded lighting to promote compatibility.	Remove. This policy has been incorporated into the Island County Code. ICC 17.03.180.
5.106.4	LAMIRDS:RAIDs	Consider the long term availability of known and/or verifiable water supplies, the general suitability of the area for on-site septic systems, the presence of geologically unstable areas, and the presence of flood or tsunami hazards when establishing density.	No change.	N/A
5.116.5	LAMIRDS:RAIDs	Facilitate pedestrian orientation through site design that incorporates common areas, pedestrian pathways, access to public transit, landscaping, clustering, small parks and compact design.	No change.	N/A
6.5.1	RAIDs	Encourage mixed uses, with dwelling units above businesses, in the RC, RV, RS, and CVG designations.	Encourage mixed uses, with dwelling units above businesses, in the RC, RV, RS, and CVG designations.	Policy was consolidated above in new policy 5.4.
5.126.6	LAMIRDS:RAIDs	Discourage public facilities and buildings unless their function or service area is best served by a location outside of a UGA.	Discourage <u>siting essential</u> public facilities <u>and buildings</u> unless their function or service area is best served by a location outside of a UGA.	Reword for clarity.
6.7	RAIDs	Prohibit the creation of new lots unless they have adequate area outside of tsunami hazards, flood areas, geohazards, and other critical areas.	Prohibit the creation of new lots unless they have adequate area outside of tsunami hazards, flood areas, geohazards, and other critical areas.	Remove. Policy exists as code in ICC 14.02A.040.4.d, 16.06, and 17.02B.410.A.

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
5.13 6.8	LAMIRDs RAIDs	Encourage shared water and wastewater services between adjacent structures.	Require all new development to connect to a community water system; require development to connect to a community wastewater system when feasible. Encourage shared water and wastewater services between adjacent structures.	Reword policy to be more actionable.
6.9	RAIDs	Provide the opportunity for the intensification of development on lots in the rural area containing existing isolated non-residential uses or new development of isolated cottage industries and isolated small scale businesses that are not principally designed to serve the existing and projected rural population and non-residential uses, but do provide job opportunities for rural residents (pursuant to RCW 36.70A.070(5)(d)(iii)).	Provide the opportunity for the intensification of development on lots in the rural area containing existing isolated non-residential uses or new development of isolated cottage industries and isolated small scale businesses that are not principally designed to serve the existing and projected rural population and non-residential uses, but do provide job opportunities for rural residents (pursuant to RCW 36.70A.070(5)(d)(iii)).	Remove. Policy exists as code in ICC 17.03.180.A, J, and K, as well as RCW 36.70A.070(5)(d)(iii).
6.9.1	RAIDs	Isolated Non Residential. The intensification of development on lots in the rural area containing existing isolated non-residential uses shall be permitted according to development standards which address impacts on surrounding properties.	Isolated Non Residential. The intensification of development on lots in the rural area containing existing isolated non-residential uses shall be permitted according to development standards which address impacts on surrounding properties.	Remove. Policy exists as code in ICC 17.03.180.A.
6.9.2	RAIDs	Home Occupations. Allow the intensification or development of home occupations in RAIDs.	Home Occupations. Allow the intensification or development of home occupations in RAIDs.	Remove. Policy exists as code in ICC 17.03.180.K.
6.9.3	RAIDs	Home Industries. Allow the intensification or development of home industries in RAIDs taking into account the size of the parcel where it is permitted and the associated impacts of the use. Provided that if a home industry grows too large or adversely impacts neighbors, it shall be required to relocate to a non-residential or mixed use land use designation.	Home Industries. Allow the intensification or development of home industries in RAIDs taking into account the size of the parcel where it is permitted and the associated impacts of the use. Provided that if a home industry grows too large or adversely impacts neighbors, it shall be required to relocate to a non-residential or mixed use land use designation.	Remove. Policy exists as code in ICC 17.03.180.J.
7	Rural designations, general	Encourage clustered residential development where appropriate. All residential development should preserve the community feel of an area and further the protection of rural character in Island County.	Encourage clustered residential development where appropriate. All residential development should preserve the community feel of an area and further the protection of rural character in Island County.	Remove goal. Cluster code is being reshaped and will be consistent with WAC 365-196-425(5)(b).

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
7.1	Rural designations, general	Standards for subdivisions and Planned Residential Developments shall encourage clustering to avoid or minimize the adverse impacts to the visual or physical environment while still fostering rural lifestyles and rural character by maintaining low density rural areas.	Standards for subdivisions and Planned Residential Developments shall encourage clustering to avoid or minimize the adverse impacts to the visual or physical environment while still fostering rural lifestyles and rural character by maintaining low density rural areas.	Remove. Similar policy exists in policy 7.2.
7.2	Rural designations, general	In a cluster development, lots should be grouped on a limited portion of the site and should be smaller than those in a conventional subdivision. As a result, part of the site shall remain undeveloped while retaining the same overall number of units.	In a cluster development, lots should be grouped on a limited portion of the site and should be smaller than those in a conventional subdivision. As a result, part of the site shall remain undeveloped while retaining the same overall number of units.	Remove. New cluster code will be consistent with WAC 365-196-425 (5)(b).
7.2.1	Rural designations, general	Setbacks, minimum area and related dimensional bonuses shall be available in cluster developments for providing the type of land and quality open space amenities which the community most values.	Setbacks, minimum area and related dimensional bonuses shall be available in cluster developments for providing the type of land and quality open space amenities which the community most values.	Remove. New cluster code will be consistent with WAC 365-196-425 (5)(b).
7.2.2	Rural designations, general	Provide locational criteria for cluster subdivisions.	Provide locational criteria for cluster subdivisions.	Remove. New cluster code will be consistent with WAC 365-196-425 (5)(b).
7.2.3	Rural designations, general	Provide for flexible building envelopes.	Provide for flexible building envelopes.	Remove. New cluster code will be consistent with WAC 365-196-425 (5)(b).
7.2.4	Rural designations, general	Provide for varied spacing between buildings. In some cases allow "zero lot lines" for single family residential developments. In other cases, such as cohousing projects, provide for greater spacing in clusters to foster rural living and privacy on individual lots as well as within clusters.	Provide for varied spacing between buildings. In some cases allow "zero lot lines" for single family residential developments. In other cases, such as cohousing projects, provide for greater spacing in clusters to foster rural living and privacy on individual lots as well as within clusters.	Remove. New cluster code will be consistent with WAC 365-196-425 (5)(b).
7.3	Rural designations, general	Minimize impervious surfaces.	Minimize impervious surfaces.	Relocated to goal 9.
7.4	Rural designations, general	Provide for duplexes, triplexes and fourplexes in the Rural Residential land use district.	Provide for duplexes, triplexes and fourplexes in the Rural Residential land use district.	Remove. Policy exists in ICC 17.03.035.C.
7.5	Rural designations, general	Provide for a variety of residential densities.	Provide for a variety of residential densities.	Remove.
7.6	Rural designations, general	Limit overall area which can be developed for large lot residential development.	Limit overall area which can be developed for large lot residential development.	Remove. New cluster code will be consistent with WAC 365-196-425 (5)(b).

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
7.7	Rural designations, general	Street yard setbacks shall be based on road classifications.	Street yard setbacks shall be based on road classifications.	Remove. Policy exists in ICC 17.03.180.S
7.8	Rural designations, general	Innovative development concepts will be encouraged to buffer agricultural and mineral resource lands from development.	<ins>Innovative development concepts will be encouraged to buffer agricultural and mineral resource lands from development.</ins>	Relocated to goal 7.
7.9	Rural designations, general	Lot size averaging is allowed in subdivisions and short plats.	Lot size averaging is allowed in subdivisions and short plats.	Remove. Policy exists in ICC 17.03.060.B.2.
7.11	Rural designations, general	Designate the siting of water storage facilities by public water systems as permitted in all land use designation subject to screening requirements.	Designate the siting of water storage facilities by public water systems as permitted in all land use designation subject to screening requirements.	Remove. Policy exists in ICC 11.03.035.
8	Rural designations, general	Ensure Planned Residential Developments retain and incorporate natural features and open space and preserve rural character.	Ensure Planned Residential Developments retain and incorporate natural features and open space and preserve rural character.	Goal was removed and replaced with policy 6.1.
8.1	Rural designations, general	Standards for subdivisions and planned residential developments shall encourage clustering and avoid or minimize the adverse impacts to the visual or physical environment while still fostering rural lifestyles and rural character.	Standards for subdivisions and planned residential developments shall encourage clustering and avoid or minimize the adverse impacts to the visual or physical environment while still fostering rural lifestyles and rural character.	Remove. New cluster code will be consistent with WAC 365-196-425 (5)(b).
8.2	Rural designations, general	Planned Residential Developments shall require a landscaping plan that requires the retention of existing native vegetation.	Planned Residential Developments shall require a landscaping plan that requires the retention of existing native vegetation.	Remove. New cluster code will be consistent with WAC 365-196-425 (5)(b).
8.3	Rural designations, general	Planned Residential Developments require identification of dedicated open space areas.	Planned Residential Developments require identification of dedicated open space areas.	Remove. New cluster code will be consistent with WAC 365-196-425 (5)(b).
8.4	Rural designations, general	Permit the use of open space areas in Planned Residential Developments for off-site wells, septic systems, trails and walkways, and, where desired by applicants, permit trail systems through open space areas to neighboring properties as connections to other trail systems.	Permit the use of open space areas in Planned Residential Developments for off-site wells, septic systems, trails and walkways, and, where desired by applicants, permit trail systems through open space areas to neighboring properties as connections to other trail systems.	Remove. New cluster code will be consistent with WAC 365-196-425 (5)(b).

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
8.5	Rural designations, general	Develop guidelines which require Planned Residential Developments be separated from lands designated Commercial Agriculture and Mineral Resource by dedicated open space areas or by other buffering measures. Buffers may be provided by trees, but may also be separation by distance.	Develop guidelines which require Planned Residential Developments be separated from lands designated Commercial Agriculture and Mineral Resource by dedicated open space areas or by other buffering measures. Buffers may be provided by trees, but may also be separation by distance.	Remove. New cluster code will be consistent with WAC 365-196-425 (5)(b).
8.6	Rural designations, general	Both attached and detached housing units will be provided for in Planned Residential Developments with conditions which preserve rural character.	Both attached and detached housing units will be provided for in Planned Residential Developments with conditions which preserve rural character.	Remove. New cluster code will be consistent with WAC 365-196-425 (5)(b).
8.7	Rural designations, general	Preference shall be given to PRD cluster development consisting of either attached or detached housing in the event subdivision of land occurs.	Preference shall be given to PRD cluster development consisting of either attached or detached housing in the event subdivision of land occurs.	Remove. New cluster code will be consistent with WAC 365-196-425 (5)(b).
8.8	Rural designations, general	A density bonus shall be given for PRDs as an incentive for allocation of permanent open space, provided the development meets parcel size, open space allocation, and other requirements, and there are no adverse impacts to critical areas or natural resource conservation areas. No PRD density bonus shall be given to PRDs created as part of a Farm/Forest Plan.	A density bonus shall be given for PRDs as an incentive for allocation of permanent open space, provided the development meets parcel size, open space allocation, and other requirements, and there are no adverse impacts to critical areas or natural resource conservation areas. No PRD density bonus shall be given to PRDs created as part of a Farm/Forest Plan.	Remove. New cluster code will be consistent with WAC 365-196-425 (5)(b).
6.9	Rural designations, general	Maintain low residential densities to preserve rural character and to provide buffers between urban activities and agricultural and forestry uses.	Maintain development patterns in rural lands to accommodate low density residential uses that protect sensitive resources. Maintain low residential densities to preserve rural character and to provide buffers between urban activities and agricultural and forestry uses.	Reworded goal.
6.1	Rural designations, general	<u>New policy.</u>	<u>Provide flexibility for cluster developments, consistent with WAC 365-196-425, including allowing for residential density bonuses in return for protection of open space resources and natural resource functions.</u>	New policy, addresses cluster developments.

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
9.1	Rural designations, general	Maintain development patterns in Rural (R) areas that provide primarily for low density rural residential use, while also considering the long term availability of known and/or verifiable water supplies, the general suitability of the area for on-site septic systems, the presence of geologically unstable areas, and the presence of flood or tsunami hazards.	Maintain development patterns in Rural (R) areas that provide primarily for low density rural residential use, while also considering the long term availability of known and/or verifiable water supplies, the general suitability of the area for on-site septic systems, the presence of geologically unstable areas, and the presence of flood or tsunami hazards.	Removed, redundant to goal statement. Policy exists as code in ICC 14.02A.040.4.d, 16.06, and 17.02B.410.A.
9.2	Rural designations, general	Lot size averaging shall be allowed for subdivision of parcels meeting minimum size requirements, provided minimum and average parcel size and density thresholds are met as set forth in the development regulations.	Lot size averaging shall be allowed for subdivision of parcels meeting minimum size requirements, provided minimum and average parcel size and density thresholds are met as set forth in the development regulations.	Remove policy. This policy has been incorporated into the Island County Code, ICC 17.03.060.B.
9.3	Rural designations, general	Encourage diverse economic opportunities and uses compatible with and supportive of a rural way of life as outlined under the goals and policies in this chapter for Home Occupations and Home Industries in the Rural Area.	Encourage diverse economic opportunities and uses compatible with and supportive of a rural way of life as outlined under the goals and policies in this chapter for Home Occupations and Home Industries in the Rural Area.	Remove. Policy exists as code in ICC 17.03.180.A, J, and K.
6.29.4	Rural designations, general	Residential development near designated Commercial Agriculture lands must be designed to minimize potential conflict and prevent unnecessary conversion of farm land.	Minimize potential conflicts between residential development and designated commercial agricultural lands and prevent unnecessary conversion of farm land. Residential development near designated Commercial Agriculture lands must be designed to minimize potential conflict and prevent unnecessary conversion of farm land.	Reword for clarity.
6.39.5	Rural designations, general	Minor or small scale agriculture activities are consistent with rural areas, support rural character, and should be protected and encouraged.	Encourage and protect small scale agriculture activities. Minor or small scale agriculture activities are consistent with rural areas, support rural character, and should be protected and encouraged.	Reworded for clarity purposes.
9.6	Rural designations, general	All non-residential uses within the Rural designation must comply with rural design guidelines to assure compatibility with adjacent uses.	All non-residential uses within the Rural designation must comply with rural design guidelines to assure compatibility with adjacent uses.	Remove policy. Policy exists in ICC 17.03.180.
6.49.7	Rural designations, general	Discourage public facilities and buildings within rural areas unless their function or service area is best served by a location outside of a UGA.	Discourage <u>essential</u> public facilities <u>and buildings</u> unless their function or service area is best served by a location outside of a UGA.	Reword for clarity.

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
6.5.9-8	Rural designations, general	Prohibit the creation of new lots unless they have adequate area outside of tsunami hazards, flood areas, geohazards, and other critical areas.	No change	N/A
6.6.7-3	Rural designations, general		<u>Minimize impervious surfaces.</u>	Relocated from Goal 7.
7.10	<u>Resource Lands</u> <u>Rural designations, general</u>	Create an area where rural agricultural activities are encouraged to occur with residential uses while preserving rural character and maintaining open space as the dominant characteristic.	<u>Protect agriculture and forestry uses, including both as habitats and as resources, by providing buffers between these uses and urban activities via low residential densities. Create an area where rural agricultural activities are encouraged to occur with residential uses while preserving rural character and maintaining open space as the dominant characteristic.</u>	Reword goal.
7.1.10.1	<u>Resource Lands</u> <u>Rural designations, general</u>	Maintain parcel patterns in Rural Agricultural (RA) areas that provide for rural agricultural and rural residential use, while also considering the long term availability of known and/or verifiable water supplies, the general suitability of the area for on-site septic systems, the presence of geologically unstable areas, and the presence of flood or tsunami hazards.	<u>Maintain parcel patterns in Rural Agricultural (RA) areas that provide for rural agricultural and rural residential use, while also considering the long term availability of known and/or verifiable water supplies, the general suitability of the area for on-site septic systems, the presence of geologically unstable areas, and the presence of flood or tsunami hazards.</u>	Removed, policy exists as code in ICC 14.02A.040.4.d, 16.06, and 17.02B.410.A.
7.2.10.2	<u>Resource Lands</u> <u>Rural designations, general</u>	Maintain allowance and preference for PRD using clustering within RA areas whenever subdivision of land is proposed.	<u>Encourage use of Rural Clusters consistent with WAC 365-196-425 to maintain open space and avoid or minimize the adverse impacts to the visual or physical environment. Maintain allowance and preference for PRD using clustering within RA areas whenever subdivision of land is proposed.</u>	Reworded policy to encourage the use of Rural Clusters in resource lands.
7.3.10.3	<u>Resource Lands</u> <u>Rural designations, general</u>	Right to farm and forest measures shall protect the right to pursue farm and forestry activities.	No change.	N/A
7.4.10.4	<u>Resource Lands</u> <u>Rural designations, general</u>	Measures shall be used to support roadside stands or farmers' markets which may help farmers who wish to directly market products to nearby residential areas.	Measures shall be used to support roadside stands or farmers' markets, which may help farmers who wish to directly market products to nearby residential areas.	Grammatical fix.
10.5	<u>Resource Lands</u> <u>Rural designations, general</u>	Encourage the conservation of lands suitable for agricultural use to support farming as an activity valued in the County.	<u>Encourage the conservation of lands suitable for agricultural use to support farming as an activity valued in the County.</u>	Consolidated with policy 7.7

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
7.5 10.5.1	Resource Lands Rural designations, general	Limit nonagricultural uses to lands with poor soils or areas otherwise not suitable for agricultural purposes.	<u>Nonagricultural uses should be allowed primarily on lands with poor soils or areas otherwise not suitable for agricultural purposes.</u> Limit nonagricultural uses to lands with poor soils or areas otherwise not suitable for agricultural purposes.	Reword for clarity.
10.5.2	Rural designations, general	Limit the allowable range of accessory uses to those allowed by state statute.	Limit the allowable range of accessory uses to those allowed by state statute.	Remove, in state law RCW 36.70A.177(2)(a).
7.6 10.6	Resource Lands Rural designations, general	Cooperative agricultural production and marketing will be encouraged.	<u>Review Island County code for barriers to agri-tourism activities, and consider ways to remove those boundaries.</u> Cooperative agricultural production and marketing will be encouraged.	Rephrased to actionable language.
7.7 10.7	Resource Lands Rural designations, general	Encourage agricultural landowners to retain their lands in agricultural production and to utilize tax incentive programs.	Encourage agricultural landowners to retain their lands in agricultural production and <u>through, among other means, to utilize</u> tax incentive programs.	Reword.
7.8 10.8	Resource Lands Rural designations, general	Support innovative public and private programs that provide farmers incentives to stay on the land.	Support <u>innovative</u> public and private programs that provide farmers incentives to stay on the land, <u>including conservation of lands suitable for agricultural use.</u>	Consolidated with policy 10.5.
7.9 10.2.2	Resource Lands	Reserve lands which because of their size, soil type, and active management are part of an essential land base for continued commercial agriculture. Assure that these lands have continued viability to serve as a resource for food, fiber, feed and forage.	Reserve lands which because of their size, soil type, and active management are part of an essential land base for continued commercial agriculture. Assure that these lands have <u>Support the continued viability of these to serve as a resource for food, fiber, feed and forage.</u>	Relocated policy from goal 12.
7.10 10.2.3	Resource Lands	Conserve long term mineral lands to ensure the continued supply of sand, gravel, and non-renewable minerals, and their protection from urban encroachment, as well as environmental protection through appropriate siting, operation, reclamation standards and groundwater protection measures.	Conserve long term mineral lands to ensure the continued supply of sand, gravel, and non-renewable minerals, and their protection from urban encroachment, as well as environmental protection through appropriate siting, operation, reclamation standards and groundwater protection measures.	Relocated policy from goal 12.
7.8	Resource Lands Rural designations, general	Innovative development concepts will be encouraged to buffer agricultural and mineral resource lands from development.	<u>Innovative development concepts will be encouraged to buffer agricultural and mineral resource lands from development.</u>	Relocated policy from previous goal 7.

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
11	Rural designations, general	Encourage preservation of natural resources and rural character through the Earned Development Unit (EDU) system.	Encourage preservation of natural resources and rural character through the Earned Development Unit (EDU) system.	Remove. This goal has already been adopted into Island County Code (ICC 17.03.090.B and ICC 17.03.180.F).
11.1	Rural designations, general	Upon adoption of this plan, Rural Agriculture landowners will be allocated EDUs based on the time of commitment of their conservation easement in a Farm/Forest Management Plan. A schedule for the allocation of EDUs shall be shown in the development regulations with a clear relationship between number of earned units and time of commitment of conservation easement.	Upon adoption of this plan, Rural Agriculture landowners will be allocated EDUs based on the time of commitment of their conservation easement in a Farm/Forest Management Plan. A schedule for the allocation of EDUs shall be shown in the development regulations with a clear relationship between number of earned units and time of commitment of conservation easement.	Remove policy. This policy has already been adopted into Island County Code (ICC 17.03.090.B and ICC 17.03.180.F).
11.2	Rural designations, general	EDUs may be used pursuant to an adopted Farm/Forest Development and Management Plan through boundary line adjustment, land division or PRD meeting lot size requirements.	EDUs may be used pursuant to an adopted Farm/Forest Development and Management Plan through boundary line adjustment, land division or PRD meeting lot size requirements.	Remove policy. This policy has already been adopted into Island County Code (ICC 17.03.090.B and ICC 17.03.180.F).
11.2.1	Rural designations, general	The plan will cover such items as the general location of earned development units, identify action to strengthen the farm or forest unit, shall encompass the entire farm or forest unit, shall commit at least 75% of the farm or forest unit to a conservation easement for no less than 10 years, and must protect the most productive portions of the farm or forest unit and enhance commercial productivity.	The plan will cover such items as the general location of earned development units, identify action to strengthen the farm or forest unit, shall encompass the entire farm or forest unit, shall commit at least 75% of the farm or forest unit to a conservation easement for no less than 10 years, and must protect the most productive portions of the farm or forest unit and enhance commercial productivity.	Remove policy. This policy has already been adopted into Island County Code (ICC 17.03.090.B and ICC 17.03.180.F).
11.2.2	Rural designations, general	All uses allowed in the Rural land use designation shall be allowed in the remaining 25%.	All uses allowed in the Rural land use designation shall be allowed in the remaining 25%.	Remove policy. This policy has already been adopted into Island County Code (ICC 17.03.090.B and ICC 17.03.180.F).
11.2.3	Rural designations, general	EDUs may be used only on land that does not contain prime soils or is otherwise not suitable for farming.	EDUs may be used only on land that does not contain prime soils or is otherwise not suitable for farming.	Remove policy. This policy has already been adopted into Island County Code (ICC 17.03.090.B and ICC 17.03.180.F).

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
11.2.4	Rural designations, general	EDUs may be located on the Farm unit or other Rural, Rural Agriculture, Rural Forest or Commercial Agriculture lands owned by the farm or forest operator provided that at least 75% of the Farm unit is kept in a conservation easement.	EDUs may be located on the Farm unit or other Rural, Rural Agriculture, Rural Forest or Commercial Agriculture lands owned by the farm or forest operator provided that at least 75% of the Farm unit is kept in a conservation easement.	Remove policy. This policy has already been adopted into Island County Code (ICC 17.03.090.B and ICC 17.03.180.F).
12	Resource Lands	Ensure the long-term conservation of natural resource lands, and preclude land uses and developments that are incompatible within natural resource lands, while allowing existing and ongoing resource management operations and preserving long-term commercial viability of those uses.	Ensure the long-term conservation of natural resource lands, and preclude land uses and developments that are incompatible within natural resource lands, while allowing existing and ongoing resource management operations and preserving long-term commercial viability of those uses.	Consolidated goal 12 with goal 7.
12.1	Resource Lands	Create an area where rural forestry activities are encouraged to occur with residential uses while preserving rural character and maintaining open space as the dominant characteristic.	Create an area where rural forestry activities are encouraged to occur with residential uses while preserving rural character and maintaining open space as the dominant characteristic.	Remove.
12.2	Resource Lands	Reserve lands which because of their size, soil type, and active management are part of an essential land base for continued commercial agriculture. Assure that these lands have continued viability to serve as a resource for food, fiber, feed and forage.	Reserve lands which because of their size, soil type, and active management are part of an essential land base for continued commercial agriculture. Assure that these lands have continued viability to serve as a resource for food, fiber, feed and forage.	Consolidated goal 12 with goal 7.
12.3	Resource Lands	Conserve long term mineral lands to ensure the continued supply of sand, gravel, and non-renewable minerals, and their protection from urban encroachment, as well as environmental protection through appropriate siting, operation, reclamation standards and groundwater protection measures.	Conserve long term mineral lands to ensure the continued supply of sand, gravel, and non-renewable minerals, and their protection from urban encroachment, as well as environmental protection through appropriate siting, operation, reclamation standards and groundwater protection measures.	Consolidated goal 12 with goal 7.
8.13	General Land Use Designations & Overlays	Ensure that future development in the Airport and Aviation Safety Overlay protects public health, safety and welfare.	No change.	N/A
		Policies Applicable to All Airports	No change.	N/A
8.13.1	General Land Use Designations & Overlays	Ensure that the permitting process for any new or expanding airport is subjected to a thorough review. Potential benefits will be carefully considered as will potential adverse impacts.	No change.	N/A

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
8.2 13.2	General Land Use Designations & Overlays	Ensure that public or private development around existing airports allows the continued use of that facility as an airport. Land within aircraft approach and departure zones will be protected from inappropriate development.	No change.	N/A
8.3 13.3	General Land Use Designations & Overlays	Ensure that new land uses which would attract or accommodate large concentrations of people will not be permitted to locate within approach or departure zones and/or Accident Potential Zones of existing airports.	No change.	N/A
8.4 13.4	General Land Use Designations & Overlays	Help to minimize the number of people exposed to very high aircraft noise levels in areas near airports through compatible land uses. In the highest airport noise level areas open/undeveloped space will be encouraged and land use densities shall remain low. The objective is to achieve the greatest degree of compatibility and the least public annoyance which can be attained.	No change.	N/A
8.5 13.5	General Land Use Designations & Overlays	Preserve the right of airport owners and operators to continue present operations and allow for future air transportation and airport facility needs. It is also important to consider the present and future use of private property and the rights of private property owners.	No change.	N/A
8.6 13.6	General Land Use Designations & Overlays	New dwellings in moderate and high aircraft noise areas will be built to a noise level reducing standard that is higher than that which is obtained by building to current minimum building code standards. Structural noise attenuation standards in the higher noise areas (NAS/OLF) will be greater than that required in moderate aircraft noise areas.	No change.	N/A

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
8.7 13.7	General Land Use Designations & Overlays	Island County will notify the airport operator, state and federal aviation agencies, at the time of initial application, of any proposed actions or projects, which would lead to development near an airport that is not compatible with the airport's operations. The airport operator shall notify Island County, and potentially affected citizens, of any proposed operational changes which would have a significant impact on existing land uses.	No change.	N/A
8.8 13.8	General Land Use Designations & Overlays	Land use proposals, structures, or objects that would interfere with the safe operation of aircraft will be examined for compatibility as defined in CFR Title 14, FAR Part 77 and FAA Terminal Instrument Procedures (TERPS) Chapter 12, and WA 31. The object is to permit land uses which allow safe aircraft operations as defined in the documents referenced above.	No change.	N/A
8.9 13.9	General Land Use Designations & Overlays	A public site plan review is required in the event airport operations exceed an operational growth rate of 30% in 3 years which necessitates expansion of existing airport boundaries.	No change.	N/A
8.10 13.10	General Land Use Designations & Overlays	Island County will require a Comprehensive Plan Amendment for the establishment of any proposed new airport.	No change.	N/A
8.11 13.11	General Land Use Designations & Overlays	Require advance notification of future owners or renters of properties within noise impact areas of potentially significant noise impacts.	No change.	N/A
8.12 13.12	General Land Use Designations & Overlays	Overlay policies and development regulations shall be implemented in addition to those associated with the underlying land use designation. When there is a conflict in policy statements or development regulations, the more restrictive shall apply	No change.	N/A
		Policies Applicable to Military Airports Only	No change.	N/A

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
8.13 12,13	General Land Use Designations & Overlays	Island County will discourage residential development in Aircraft Accident Potential Zones (APZ). To protect the operational use of military airports, Island County will ensure that future development in Accident Potential Zones (APZs) around Ault Field and Outlying Field Coupeville is at the lowest possible density consistent with the underlying land use designation.	No change.	N/A
8.14 12,14	General Land Use Designations & Overlays	If the Department of Defense should declare surplus any portion of NAS Whidbey Island, the County will work closely with federal and state officials, the City of Oak Harbor, and other appropriate entities to ensure that the base capital facilities are put to the best economic use, consistent with city and county comprehensive plans.	No change.	N/A
8.15 13,15	General Land Use Designations & Overlays	Island County will continue to work with NAS Whidbey Island to ensure land use will remain compatible with the changing needs and uses of NAS Whidbey Island.	No change.	N/A
8.16	<u>General Land Use</u> <u>Designations & Overlays</u>	<u>New policy.</u>	<u>When applicable, Island County will take action on updated AICUZ and APZ standards provided by NAS Whidbey Island within two (2) years of their production.</u>	New policy.
9.14	<u>Special Review</u> <u>Districts</u> General Land Use Designations & Overlays	Provide for unique areas in the County where special review shall be required through the master plan process to protect lands and structures that have historical, archaeological or environmental significance.	No change.	N/A
9.14.1	<u>Special Review</u> <u>Districts</u> General Land Use Designations & Overlays	A master plan shall be required for all developments.	No change.	N/A
9.214.2	<u>Special Review</u> <u>Districts</u> General Land Use Designations & Overlays	Protect lands and structures that have historical, archaeological or environmental significance while allowing a unique combination of uses that enhance, conserve or highlight these features of significance.	No change.	N/A

Goal or Policy	Theme/Subheading	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
9.3 14.3	<u>Special Review</u> <u>Districts</u> General Land-Use Designations & Overlays	Discourage public facilities and buildings unless their function or service area is best served by a location outside of a UGA.	No change.	N/A
9.4 14.4	<u>Special Review</u> <u>Districts</u> General Land-Use Designations & Overlays	Prohibit the creation of new lots unless they have adequate area outside of tsunami hazards, flood areas, geohazards, and other critical areas.	Prohibit the creation of new lots unless they have adequate area outside of tsunami hazards, flood areas, geohazards, and other critical areas.	Remove. Policy exists as code in ICC 14.02A.040.4.d, 16.06, and 17.02B.410.A.

Draft Island County Comprehensive Plan Update Housing Goals and Policies Tracker

Blue and Underlined: Added content

Red and Strikethrough: Deleted content

Green and Double Underlined: Moved content

Goal or Policy	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
1	Encourage preservation of existing housing stock capacity, subsidized affordable housing units, and the character of existing communities.	Encourage preservation of existing housing stock capacity, <u>as well as</u> subsidized and affordable housing units, and the character of existing communities .	Reworded, equity concerns.
<u>1.1</u>	Sustain and enhance the vitality, diversity, and quality of life within existing neighborhoods through the promotion of development that is sensitive to the quality, design, scale, and character of those neighborhoods.	Sustain and enhance the vitality, diversity, and quality of life within existing neighborhoods through the promotion of development that is sensitive to the quality, design, scale, and character of those neighborhoods.	Removed, equity concerns.
<u>1.1</u> <u>1.2</u>	Preserve the existing housing stock to meet the changing needs of residents by continuing to improve the permitting process for remodels/additions, <u>accessory dwelling units, and guest cottages</u> .	No change	NA
<u>1.2</u> <u>1.3</u>	Monitor properties with expiring subsidies and identify strategies and resources to preserve their affordability.	Monitor properties with expiring subsidies <u>that provide affordable housing</u> and identify strategies and resources to preserve their <u>continued</u> affordability.	Reworded, applied more broadly.
<u>1.3</u> <u>1.4</u>	Identify and promote awareness of resources and programs available for housing repair and rehabilitation for homeowners with low incomes; examples may include, weatherization, septic repair or compliance with flood hazard regulations.	Identify and promote <u>Incentivize and build</u> awareness of resources and programs available for housing repair and rehabilitation for homeowners with low incomes ; examples may include, <u>reduced dependence on natural gas</u> , weatherization, septic repair or compliance with flood hazard regulations.	Reworded, more actionable.
<u>1.4</u> <u>1.5</u>	Support the preservation of manufactured home parks in Island County as a component of the County's affordable housing stock.	Support the preservation of manufactured home parks in Island County, <u>by dedication of County funds</u> , as a component of the County's affordable housing stock.	Reworded, more actionable language.
<u>1.5</u> <u>1.6</u>	Develop strategies to encourage the re-use of existing housing structures in rural areas including potential incentives for relocation to other sites.	Develop strategies to <u>accommodate</u> <u>encourage</u> the re-use of existing housing structures in <u>rural residential</u> areas including potential incentives for <u>co-living housing, intergenerational housing, and</u> relocation <u>of houses</u> to other sites.	Reworded, added co-housing per RCW 36.70A.535.
<u>1.6</u> <u>1.7</u>	Monitor the impacts of vacation rentals on housing availability in the County.	Monitor the impacts of vacation rentals on housing availability in the County. Track and monitor existing and future uses of short-term rentals in the County and establish and implement policies and regulations to reduce the impact of short-term rentals on long term housing.	Reworded, stronger language.

Goal or Policy	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
1.7 1.8	Consider development regulations for the RAIDs and NMUGAs that are compatible with residential community character, that promote pedestrian connectivity and ensure the long term vitality of Island County neighborhoods.	Consider development regulations for the <u>LAMIRDs</u> <u>RAIDs</u> and NMUGAs that are compatible with <u>moderate density housing residential community character</u> , that promote pedestrian connectivity, <u>employment locations</u> , and <u>support the County in meeting our housing allocations ensure the long-term vitality of Island County neighborhoods</u> .	Reworded, new terminology and consistency with state requirements under RCW 36.70A.070(2)(b).
2	Promote the development of different housing types, such as rentals and manufactured homes, to meet the needs of all demographic segments of the population, housing tenure choices, and income levels. Provide for these housing types in appropriate locations where infrastructure, public transit, and community services are readily accessible, planned in the near future, or are included as part of a new fully-contained community as described in RCW 36.70A.350.	Promote the development of <u>different housing types, such as rentals and affordable housing manufactured homes</u> , to meet the needs of all demographic segments of the population, housing tenure choices, and income levels. Provide for <u>more diverse these</u> housing types in <u>appropriate</u> locations where infrastructure, public transit, and community services are readily accessible, planned in the near future, or are included as part of a new <u>development fully-contained-community as described in RCW 36.70A.350</u> .	Reworded, clarity.
2.1	Encourage the construction of multi-family units, primarily rentals, in areas where higher densities are permitted and where infrastructure, including public transportation, is already available.	<u>Encourage Accommodate</u> the construction of multi-family units, primarily rentals, in areas where higher densities are permitted and where infrastructure, including <u>but not limited to</u> public transportation, <u>water, and wastewater</u> is already available <u>or can be supported</u> .	Reworded, stronger language.
2.2	Encourage housing suitable to the needs of older adults, including independent and assisted living housing, in Mixed Use RAIDs and UGAs.	<u>Encourage Support the development of</u> housing suitable to the needs of older adults, including independent and assisted living housing, in Mixed Use <u>LAMIRDs</u> <u>RAIDs</u> and UGAs.	Reworded, stronger language.
2.3	Encourage the siting of duplexes, triplexes, and fourplexes in Rural Residential zones that are near Mixed Use RAIDs and UGAs.	<u>Encourage Allow</u> the siting of duplexes, triplexes, and fourplexes in all Rural Residential zones, <u>that are near in</u> Mixed Use <u>LAMIRDs</u> <u>RAIDs</u> and UGAs, <u>and educate homeowners associations about middle housing</u> .	Reworded, stronger language.
2.4	Identify innovative housing approaches for Camano Island where the predominance of rural zones and lack of a UGA presents challenges for meeting a diversity of housing needs.	<u>Identify Support the development of</u> innovative housing approaches, <u>such as cluster housing, for Camano Island in areas of the county</u> where the predominance of rural zones and lack of a UGA presents challenges for meeting a diversity of housing needs <u>to accommodate housing for all income levels</u> .	Reworded, broader application, added cluster housing as allowed under WAC 365-196-425(5)(b), and added housing at all income levels.
2.5	Evaluate and modify as needed, Planned Residential Developments and clustered housing code provisions to ensure that they provide adequate incentives to achieve desired densities.	<u>Evaluate and modify as needed, Planned Residential Developments and clustered housing code provisions to ensure that they provide adequate incentives to achieve desired densities</u> .	Combined with 2.4

Goal or Policy	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
<u>2.5</u> 2.6	Evaluate regulations to determine appropriate locations, provide expanded opportunities, determine potential incentives, and remove unnecessary barriers and/or impediments to the development of the following housing types: permanent and seasonal farm worker housing; accessory dwelling units and guest cottages; manufactured housing communities and manufactured homes; small multi-unit structures; cottage housing; and other small dwelling unit types.	Evaluate regulations to determine appropriate locations, provide expanded opportunities, determine potential incentives, and remove unnecessary barriers and/or impediments to the development of the following housing types: <u>co-living housing</u> , permanent and seasonal farm worker housing, accessory dwelling units and guest cottages , manufactured housing communities and manufactured homes, <u>rural clusters</u> small multi-unit structures , cottage housing, and other small dwelling unit types <u>like tiny homes and recreational vehicles</u> .	Reworded, added co-housing per RCW 36.70A.535 and other housing examples.
<u>2.6</u> 2.7	Encourage infill development in RAIDs and UGAs through zoning regulations and incentives with specific attention to the incentives identified under RCW 36.70A.540.	<u>Encourage Accommodate</u> infill development in <u>LAMIRDs</u> RAIDs and UGAs <u>through zoning regulations</u> <u>by implementing minimum density requirements and increase height limits</u> , and <u>consider</u> incentives with specific attention to the incentives identified under RCW 36.70A.540.	Reworded, more specificity and new terminology.
<u>2.7</u> 2.8	Explore options to allow temporary housing structures to accommodate short-term housing needs related to limited-term employment and the homeless population.	<u>Explore Pursue</u> options to allow temporary housing structures to accommodate short-term housing needs related to limited-term employment and for the unhoused homeless population.	Reworded, more actionable and new terminology.
<u>2.8</u> 2.9	Monitor Island County's housing development and periodically compare to housing development targets in the Comprehensive Plan and buildable land supply.	Monitor Island County's housing development and periodically compare to housing development targets in the Comprehensive Plan and buildable land supply. <u>Require municipalities to submit an activities report for tracking purposes annually</u> .	Reworded, more actionable.
<u>2.9</u> 2.11	Ensure that innovative housing options are considered and addressed in county housing policies, programs, funding, and local zoning regulations.	<u>Ensure that Incentivize</u> innovative housing options, <u>such as pilot programs to encourage specific types of innovating housing</u> , are considered and addressed in county housing policies, programs, funding, and local zoning regulations.	Reworded, more actionable.
<u>2.10</u> 2.11	Develop and allow "pre-approved" or "permit ready" house plans for accessory dwelling units, guest cottages, cottage housing and other potential housing types in appropriate locations.	Develop and allow "pre-approved" or "permit ready" house plans for <u>detached</u> accessory dwelling units, guest cottages, cottage housing and other potential housing types in appropriate locations.	Reworded, new terminology.
<u>2.11</u> 2.12	Identify opportunities to lower labor and materials costs by supporting and encouraging alternative housing designs, materials and construction, such as self-help/sweat-equity housing, owner-built housing, and the use of existing or reclaimed building materials.	Identify opportunities to lower labor and materials costs by supporting and encouraging alternative housing designs, materials and construction, such as self-help/sweat-equity housing, owner-built housing, <u>tiny homes, manufactured homes, recreational vehicles, community sewage infrastructure, community drinking water</u> , and the use of existing or reclaimed building materials.	Reworded, more flexibility in housing types.
<u>2.12</u> 2.13	Provide additional locations for, and encourage the siting of, recreational vehicle parks as a temporary lodging option.	Provide <u>funding for identified sites or partner with non-profit or community based organization to create</u> additional locations for, and encourage the siting of, recreational vehicle parks as a temporary lodging option.	Reworded, more actionable.

Goal or Policy	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
2.13 2.14	Continue to identify and evaluate opportunities to streamline interdepartmental permitting review where possible.	Continue to identify and evaluate opportunities to streamline interdepartmental permitting <u>and create a one-stop-shop for affordable housing developments</u> <u>review where possible</u> .	Reworded, more actionable.
2.14	<u>New policy</u>	<u>Provide flexibility for recreational vehicles to be used as temporary housing in residential zones with adequate utilities including but not limited to water, septic, and electricity.</u>	Added, addresses equity concerns.
2.15	<u>New policy</u>	<u>Utilize 1590 funds (10th of 1% sale tax) to demonstrate the County's commitment to affordable housing initiatives.</u>	Added, actionable policy.
2.16	<u>New policy</u>	<u>Allow provisions for accessory dwelling units (ADUs), consistent with RCW 36.70A.681, to support ADUs as an affordable housing type.</u>	Added, addresses ADUs in meeting housing needs per RCW 36.70A.681.
2.17	<u>New policy</u>	<u>Pursue innovative public and private partnership models for infrastructure development to support affordable housing.</u>	Added, addresses infrastructure needs for housing.
3	Promote fair access to housing and shelter for all persons.	<u>Promote fair access to housing and shelter for all persons. Collect race and ethnicity data and analyze for racial disparities in access to affordable rent, rental cost burden, home ownership, and displacement.</u>	Reworded, stronger equity language.
3.1	Identify appropriate locations to support and facilitate transitional housing, coordinated with critical support services, for youth, adults, seniors, families, and those with disabilities.	<u>Identify appropriate locations to support the development of</u> and facilitate transitional housing, coordinated with critical support services, for youth, adults, seniors, families, and those with disabilities.	Reworded, stronger language.
3.2	Identify appropriate locations to support and facilitate the development of emergency shelters and short-term housing for those in need.	<u>Identify appropriate locations to support and facilitate the development of</u> emergency shelters and short-term housing for those in need <u>through public private partnerships and commitment of County funding</u> .	Reworded, stronger language.
3.3	Ensure that community housing and shelter needs are considered and addressed in county housing policies, programs, funding, and local zoning regulations.	No change	NA
3.4	Evaluate and consider implementing the recommendations of the Tri-County Consortium's 2018 Analysis of Impediments to Fair Housing Choice and successor Fair Housing Plans to affirmatively further Fair Housing in Island County.	No change	NA
3.5	Promote community and landlord awareness of and compliance with federal and state Fair Housing laws.	Promote community and landlord awareness of and compliance with federal and state Fair Housing laws <u>through training in cultural awareness for housing providers.</u>	Reworded, equity concerns.

Goal or Policy	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
3.6	Promote diverse representation on boards and committees that make recommendations concerning housing-related policies, programs or funding.	Promote diverse Increase the representation of people of color, low-income, and marginalized voices on boards and committees that make recommendations concerning housing-related policies, programs or funding.	Reworded, equity concerns.
3.7	<u>New policy</u>	Protect existing affordable housing from redevelopment and displacement of residents.	Added, addresses displacement.
3.8	<u>New policy</u>	Establish requirements and/or add incentives for new housing developments to include a percentage of the project for affordable housing and/or for seniors, veterans, and people with disabilities.	Added, meets needs of all residents.
4	Promote policies that facilitate the reduction in the share of cost burdened households by increasing the supply of subsidized housing.	Promote changes policies that facilitate the reduction in reduce the share amount of cost burdened households by 15%. by increasing the supply of subsidized housing.	Reworded, simplified language and added a measurable target.
4.1	Define subsidized and low-income housing needs and establish measurable subsidized and low-income housing targets relative to those needs.	Define subsidized and Utilize the Housing for All Planning Tool (HAPT) to establish the low-income housing needs by income level for communities across the County, and establish measurable subsidized and low-income housing targets relative to those needs. Each jurisdiction is responsible for meeting the housing needs at each income level.	Reworded, consistency with new state requirements.
4.2	Encourage a range of permanent subsidized housing options through small project-based structures, administration of rental assistance, and supportive housing.	Encourage Support the development of a range of permanent subsidized-affordable housing options through small demonstration projects-based structures, administration of rental assistance, and supportive housing.	Reworded, stronger language.
4.3	Ensure publicly-funded, low-income housing is located in appropriate locations where infrastructure, public transit, and community services are readily accessible, planned in the near future, or are included as a part of a new fully-contained community as described in RCW 36.70A.350.	Ensure publicly-funded, low-income-affordable housing is located in appropriate locations where infrastructure, public transit, and community services are readily accessible, planned in the near future, or are included as a part of a new development fully-contained community as described in RCW-36.70A.350.	Reworded, new terminology.
4.4	Review existing surplus public land owned by Island County and other public agencies to determine if any such lands are appropriate to be transferred to a non-profit housing agency for subsidized or low-income housing.	Review Prioritize the use of existing surplus and buildable public land owned by Island County and other public agencies to support determine if any such lands are appropriate to be transferred to a non-profit housing agency for subsidized or low-income affordable or subsidized housing.	Reworded, new terminology.
4.5	Evaluate opportunities to reduce or eliminate permit fees for subsidized and low-income housing.	Evaluate opportunities to reduce or eliminate permit fees for subsidized and low-income housing.	Combined with 4.6
4.6	Implement incentives for subsidized housing projects within non-municipal urban growth areas and mixed use RAIDs.	Implement incentives, including reducing or eliminating fees , for subsidized-affordable housing projects within non-municipal urban growth areas and mixed use LAMIRDs-RAIDs .	Combined with 4.5 and updated terminology.

Goal or Policy	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
4.7	Ensure coordination between the policies addressed in the Comprehensive Plan and those outlined in Island County's Homeless Housing Plan.	No change	NA
4.8	Collaborate with municipal jurisdictions to develop mutual policies and agreements that facilitate the siting and subsequent annexation of subsidized housing in unincorporated UGAs.	Collaborate with municipal jurisdictions to develop mutual policies and agreements that facilitate the siting and subsequent annexation of <u>subsidized-affordable</u> housing in unincorporated UGAs.	Reworded, new terminology.
4.9	<u>New policy</u>	<u>Incentivize churches, other faith based organizations, non profits, and NGOs in developing and providing affordable housing on their land including the infrastructure needed to support the housing.</u>	Added, addresses faith based housing projects.
5	Collaborate with other jurisdictions and housing organizations to address county-wide housing issues.	No change	NA
5.1	Actively convene committees to coordinate county-wide housing issues.	<u>Actively convene committees to coordinate county-wide housing issues <u>and include representatives from under served communities and individuals who have previously experienced homelessness or housing insecurity.</u></u>	Reworded, more inclusive.
5.2	Evaluate the potential for a Transfer of Development Rights (TDR) program for the Freeland NMUGA, or in conjunction with incorporated communities, that allows higher densities within city boundaries and urban growth areas.	<u>Evaluate the potential for implement a Transfer of Development Rights (TDR) program for the Freeland NMUGA, or in conjunction with municipal jurisdictions incorporated communities, that allows higher densities within city boundaries and urban growth areas <u>and evaluate opportunities for using the TDR program to preserve existing affordable housing.</u></u>	Reworded, stronger language.
5.3	Continue to maintain partnerships and support collaboration with the Housing Authority of Island County, the Opportunity Council, local industries, major employers, and different groups including nonprofit, faith-based, public, and private interests in ongoing efforts to fund and sustain existing subsidized and low-income housing projects in Island County.	Continue to <u>build</u> maintain partnerships and support collaboration with <u>housing groups, the Housing Authority of Island County, the Opportunity Council,</u> local industries, major employers, and different groups including nonprofit, faith-based, public, and private interests in ongoing efforts to fund and sustain existing <u>subsidized and low-income affordable</u> housing projects in Island County.	Reworded, broader application.
5.4	Support collaboration between private developers, public agencies, and non-profit organizations so that a variety of housing options are dispersed throughout the county and develop these partnerships to collaboratively advocate for more financial resources from the federal and state government for subsidized, low-income housing.	Support collaboration between private developers, public agencies, and non-profit organizations so that a variety of housing options are dispersed throughout the county and develop these partnerships to collaboratively advocate for more financial resources from the federal and state government for subsidized, <u>low-income and affordable</u> housing.	Reworded, new terminology.
5.5	Continue to coordinate with, and provide staff support for the Housing Provider Network and other housing-related committees.	No change	NA

Goal or Policy	Existing Goal or Policy Text	Proposed Policy Revision	Reasoning for Proposed Change
5.6	Support applications for federal, Low-Income Housing Tax Credits and other available incentives for the acquisition, rehabilitation, or new constructions of rental housing targeted to lower-income households.	No change	NA
5.7	The Board shall consider housing related policy implementation actions as part of the annual work plan review.	No change	NA

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF LAND USE
REGULATIONS; DECLARING AN
EMERGENCY; ADOPTING AN
IMMEDIATE EMERGENCY
MORATORIUM ON THE PROCESSING
OF APPLICATIONS FOR AND
CONSTRUCTION IN MIXED-USE RAID
ZONES OF RURAL CENTER, RURAL
VILLAGE, AND CAMANO GATEWAY
VILLAGE; AND SETTING TWELVE
MONTHS AS THE EFFECTIVE PERIOD
OF THE MORATORIUM.

ORDINANCE NO. C-29-25
PLG-003-25

WHEREAS, the Board of Island County Commissioners (“the Board”) asked staff to explore all options in seeking solutions to the County’s housing crisis as a part of the 2025 Comprehensive Plan Periodic Update; and

WHEREAS, through a series of focused discussions, staff identified several approaches that could result in increases housing for people of all ages, abilities, and incomes. Key to these discussions was the Board’s direction to find ways to increase density in the County’s already dense areas, such as Mixed-Use RAID zones; and

WHEREAS, for the purposes of this document, “Mixed-Use RAID zones” include the Mixed-Use Rural Areas of More Intensive Development (RAID) zones in Island County zoning code named Rural Center, Rural Village, and Camano Gateway Village.

WHEREAS, staff’s analysis of housing options indicated that many areas zoned Mixed-Use RAIDs have been significantly underdeveloped with densities much less than what’s intended in the Island County Comprehensive Plan. In many cases, these areas have been developed predominantly with lower density single family homes or with only commercial components; and

WHEREAS, changes to the Island County Code (ICC) to facilitate the uses envisioned for Mixed-Use RAID zones have the potential to not only result in a broader range of housing types, but to also advance the goals and policies of the Comprehensive Plan, including those related to affordable and context-sensitive housing and efficient land use; and

WHEREAS, staff are currently undertaking the 2025 Comprehensive Plan Periodic Update and associated Development Regulation updates, including updates for Mixed-

Use RAID zones that will include increased housing density allowable uses, development regulations, and minimum/maximum densities; and

WHEREAS, during the 2025 Comprehensive Plan Periodic Update, RCW 36.70A.020(4) requires counties to “plan for and accommodate housing affordable to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock”; and

WHEREAS, when reviewing the 2016 Comprehensive Plan Housing Element on March 13, 2024, the Board directed County staff to identify areas where density supporting housing across all income levels may be appropriately developed; and

WHEREAS, the County hired a consultant to analyze the current situation in all Mixed-Use RAIDs and propose land use and development regulation changes to support the 20-year planning period housing allocation; and

WHEREAS, on November 15, 2024, the consultant submitted a memo to the County outlining the proposed changes to the Mixed-Use RAIDs; and

WHEREAS, on December 18, 2024, staff presented an overview of the updates to the Mixed-Use RAID zones to the Board and Planning Commission and was directed to further identify the necessary changes to facilitate intended development in Mixed-Use RAID zones; and

WHEREAS, on April 9, 2025, staff presented a memo identifying necessary changes to facilitate a variety of residential densities across the County, including Mixed-Use RAID zones; and

WHEREAS, the Mixed-Use RAID Zone Development Regulation update will include amendments to the ICC, which are subject to a legislative process, including public hearings with the Planning Commission and the Board; and

WHEREAS, an emergency exists necessitating adoption of a moratorium concerning the processing of all applications and construction in Mixed-Use RAID zones in order to preserve opportunities for achieving new densities required to meet our housing targets for the comprehensive plan update; and

WHEREAS, a moratorium enacted under RCW 36.70A.390 is one way local governments may preserve the status quo so that new plans and regulations will not be rendered moot by intervening development; and

WHEREAS, RCW 36.70A.390 authorize the enactment of a moratorium, interim zoning map, interim zoning ordinance, or interim official control without holding a public hearing as long as the public hearing is held within at least 60 days of its enactment; and

WHEREAS, RCW 36.70A.390 provides that “A county or city governing body that adopts a moratorium, interim zoning map, interim zoning ordinance, or interim official control without holding a public hearing on the proposed moratorium, interim zoning map, interim zoning ordinance, or interim official control, shall hold a public hearing on

the adopted moratorium, interim zoning map, interim zoning ordinance, or interim official control within at least sixty days of its adoption, whether or not the governing body received a recommendation on the matter from the planning commission or department. If the governing body does not adopt findings of fact justifying its action before this hearing, then the governing body shall do so immediately after this public hearing. A moratorium, interim zoning map, interim zoning ordinance, or interim official control adopted under this section may be effective for not longer than six months, but may be effective for up to one year if a work plan is developed for related studies providing for such a longer period. A moratorium, interim zoning map, interim zoning ordinance, or interim official control may be renewed for one or more six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal?; and

WHEREAS, pursuant to WAC 197-11-880, the adoption of this moratorium ordinance is exempt from the requirements of a threshold determination under the State Environmental Policy Act (SEPA) and future permanent zoning regulations will be reviewed in accordance with SEPA Rules; and

WHEREAS, the moratorium will provide the County with additional time to review and amend its land use regulations related to the establishments of minimum/maximum densities, allowed uses, and applicable development regulations in the Mixed-Use RAID zones; and

WHEREAS, the Board concludes that it has the authority to establish an emergency moratorium and that the County must adopt an emergency moratorium on the processing of all applications and construction in the County's Mixed-Use RAID zones in order to preserve the status quo in the Mixed-Use RAID zones while it considers options for achieving the intended densities in these zones; and

WHEREAS, the Board adopts the foregoing recitals as its findings of facts justifying the adoption of this ordinance; and **NOW, THEREFORE**,

IT IS HEREBY ORDAINED by the Board of Island County Commissioners:

Section 1. Findings of Fact. The Board adopts the above "WHEREAS" recitals as findings of fact in support of its action as required by RCW 36.70A.390.

Section 2. Purpose. The purpose of this moratorium is to allow the County adequate time to draft new regulations for Mixed-Use RAID zones that may include affordable housing density bonuses, allowable uses, development regulations, and minimum/maximum densities.

Section 3. Moratorium Imposed. The Board hereby establishes an immediate twelve-month moratorium on the acceptance, processing, review, or issuance of any land use or building application or permit for the construction, use change, or land divisions in all Mixed-Use RAID zoned areas unless in compliance with this ordinance.

Exceptions to this moratorium include:

1. Additions, repairs, remodels, or other alterations that do not result in a cumulative increase of 50% or greater of the market value of the structure before the start of construction of the improvement to existing, lawfully constructed, residential structures; or
2. Applications or permits to replace in-kind, repair, maintain, or otherwise improve an existing mobile home or manufactured home; or
3. The reconstruction of a single-family residence on a like-for-like basis when destroyed or damaged by earthquake, flood, fire, vehicular collision, or similar accidental cause; or
4. Land use or building applications or permits that are deemed complete or have received approval by the effective date of this moratorium.

Section 4. Applicability. This moratorium shall apply to the use of land within areas which have been designated by ICC 17.03.155 as a Mixed-Use RAID within the Rural Center, Rural Village, and Camano Gateway Village zones, and as identified in EXHIBIT A.

Section 5. Duration of Moratorium. This moratorium shall be in effect for one year, beginning on April 15, 2025, and ending on April 15, 2026, unless an ordinance is adopted amending the Island County Code and rescinding the moratorium before April 14, 2026, or unless it is renewed for one or more six-month periods, as allowed by RCW 36.70A.390.

Section 6. Public Hearing Required. As required by RCW 36.70A.390, within 60 days of passage of this ordinance, the Board will hold a public hearing on this moratorium.

Section 7. Work Plan. During the moratorium period, County staff will study the issues concerning the nature of the Mixed-Use RAID zones and will include that work in the ongoing legislative review process for the 2025 Comprehensive Plan Periodic Update. Staff will prepare a draft ordinance with appropriate revisions to the County's land use regulations, perform SEPA review of the draft ordinance, and conduct a public review process for the amendments, which includes public hearings before the County's Planning Commission and Board.

Section 8. Declaration of Emergency. The Board hereby declares an emergency exists necessitating that this ordinance take effect immediately and that this moratorium ordinance must be imposed as an emergency measure to prevent development that would result in densities incompatible with those established for Mixed-Use RAID zones, and to prevent the submission of applications to the County that might vest incompatible development rights for an indefinite period of time.

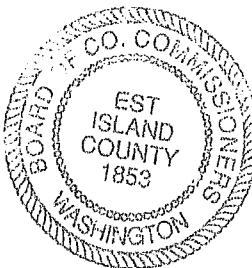
Section 9. Effective Date. This ordinance shall take effect and be in full force and effect immediately upon passage, as set forth herein, as long as it is approved by a majority of the entire membership of the Board.

Section 10. Conflict with Other ICC Provisions. If the provisions of this moratorium are found to be inconsistent with other provisions of the Island County Code, this moratorium shall control.

Section 11. Severability. If any section, sentence, clause, or phrase of this moratorium ordinance shall be held unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this moratorium ordinance.

ADOPTED this 15th day of April, 2025

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON



Melanie Bacon
Melanie Bacon, Chair

Jarlet St. Clair
Jarlet St. Clair, Member

Jill Johnson
Jill Johnson, Member

"Opposed"

ATTEST:

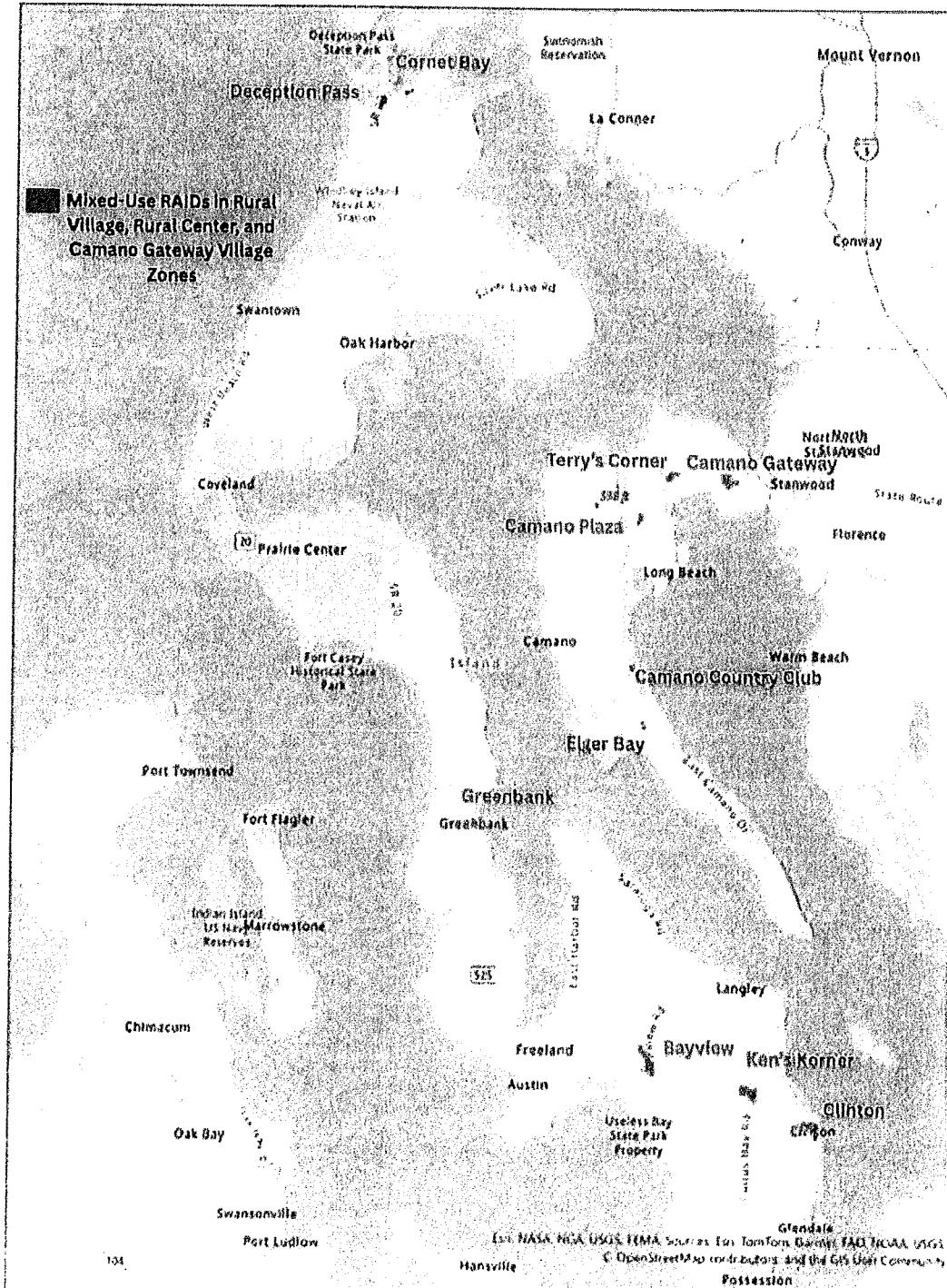
Jennifer Roll
Jennifer Roll,
Clerk of the Board

APPROVED AS TO FORM:

Gregory M. Banks

Prosecuting Attorney and
Island County Code Reviser

EXHIBIT A



BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF LAND USE
REGULATIONS; DECLARING AN
EMERGENCY; ADOPTING AN
IMMEDIATE EMERGENCY
MORATORIUM ON THE PROCESSING
OF LAND USE AND BUILDING
APPLICATIONS FOR AND
CONSTRUCTION IN MIXED-USE RAID
ZONES OF RURAL CENTER, RURAL
VILLAGE, AND CAMANO GATEWAY
VILLAGE; AND SETTING TWELVE
MONTHS AS THE EFFECTIVE PERIOD
OF THE MORATORIUM.

ORDINANCE NO. C-35-25
PLG-005-25

WHEREAS, the Board of Island County Commissioners (“the Board”) asked the Department of Planning and Community Development (PCD) to explore all options in seeking solutions to the County’s housing crisis as a part of the 2025 Comprehensive Plan Periodic Update; and

WHEREAS, through a series of focused discussions, PCD staff identified several approaches that could result in increases housing for people of all ages, abilities, and incomes. Key to these discussions was the Board’s direction to find ways to increase density in the County’s already dense areas, such as Mixed-Use RAID zones; and

WHEREAS, for the purposes of this document, “Mixed-Use RAID zones” include the Mixed-Use Rural Areas of More Intensive Development (RAID) zones in Island County zoning code named Rural Center, Rural Village, and Camano Gateway Village.

WHEREAS, PCD staff’s analysis of housing options indicated that many areas zoned Mixed-Use RAIDs have been significantly underdeveloped with densities much less than what’s intended in the Island County Comprehensive Plan. In many cases, these areas have been developed predominantly with lower density single family homes or with only commercial components; and

WHEREAS, changes to the Island County Code (ICC) to facilitate the uses envisioned for Mixed-Use RAID zones have the potential to not only result in a broader range of housing types, but to also advance the goals and policies of the Comprehensive Plan, including those related to affordable and context-sensitive housing and efficient land use; and

WHEREAS, staff are currently undertaking the 2025 Comprehensive Plan Periodic Update and associated Development Regulation updates, including updates for Mixed-Use RAID zones that will include increased housing density allowable uses, development regulations, and minimum/maximum densities; and

WHEREAS, during the 2025 Comprehensive Plan Periodic Update, RCW 36.70A.020(4) requires counties to “plan for and accommodate housing affordable to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock”; and

WHEREAS, when reviewing the 2016 Comprehensive Plan Housing Element on March 13, 2024, the Board directed County staff to identify areas where density supporting housing across all income levels may be appropriately developed; and

WHEREAS, the County hired a consultant to analyze the current situation in all Mixed-Use RAIDs and propose land use and development regulation changes to support the 20-year planning period housing allocation; and

WHEREAS, on November 15, 2024, the consultant submitted a memo to the County outlining the proposed changes to the Mixed-Use RAIDs; and

WHEREAS, on December 18, 2024, staff presented an overview of the updates to the Mixed-Use RAID zones to the Board and Planning Commission and was directed to further identify the necessary changes to facilitate intended development in Mixed-Use RAID zones; and

WHEREAS, on April 9, 2025, staff presented a memo identifying necessary changes to facilitate a variety of residential densities across the County, including Mixed-Use RAID zones; and

WHEREAS, the Mixed-Use RAID Zone Development Regulation update will include amendments to the ICC, which are subject to a legislative process, including public hearings with the Planning Commission and the Board; and

WHEREAS, an emergency exists necessitating adoption of a moratorium concerning the processing of all land use and building applications and construction in Mixed-Use RAID zones in order to preserve opportunities for achieving new densities required to meet our housing targets for the comprehensive plan update; and

WHEREAS, a moratorium enacted under RCW 36.70A.390 is one way local governments may preserve the status quo so that new plans and regulations will not be rendered moot by intervening development; and

WHEREAS, RCW 36.70A.390 authorize the enactment of a moratorium, interim zoning map, interim zoning ordinance, or interim official control without holding a public hearing as long as the public hearing is held within at least 60 days of its enactment; and

WHEREAS, RCW 36.70A.390 provides that “A county or city governing body that adopts a moratorium, interim zoning map, interim zoning ordinance, or interim official

control without holding a public hearing on the proposed moratorium, interim zoning map, interim zoning ordinance, or interim official control, shall hold a public hearing on the adopted moratorium, interim zoning map, interim zoning ordinance, or interim official control within at least sixty days of its adoption, whether or not the governing body received a recommendation on the matter from the planning commission or department. If the governing body does not adopt findings of fact justifying its action before this hearing, then the governing body shall do so immediately after this public hearing. A moratorium, interim zoning map, interim zoning ordinance, or interim official control adopted under this section may be effective for not longer than six months, but may be effective for up to one year if a work plan is developed for related studies providing for such a longer period. A moratorium, interim zoning map, interim zoning ordinance, or interim official control may be renewed for one or more six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal”; and

WHEREAS, pursuant to WAC 197-11-880, the adoption of this moratorium ordinance is exempt from the requirements of a threshold determination under the State Environmental Policy Act (SEPA) and future permanent zoning regulations will be reviewed in accordance with SEPA Rules; and

WHEREAS, the moratorium will provide the County with additional time to review and amend its land use regulations related to the establishments of minimum/maximum densities, allowed uses, and applicable development regulations in the Mixed-Use RAID zones; and

WHEREAS, the Board concludes that it has the authority to establish an emergency moratorium and that the County must adopt an emergency moratorium on the processing of all land use or building applications and construction in the County’s Mixed-Use RAID zones in order to preserve the status quo in the Mixed-Use RAID zones while it considers options for achieving the intended densities in these zones; and

WHEREAS, the Board enacted an emergency moratorium, with specific permitting and construction exemptions, on April 15, 2025 (Ordinance No. C-29-25), for which a public hearing was held on June 3, 2025, pursuant to RCW 36.70A.390; and

WHEREAS, the moratorium in Ord. C-29-25 did not include exemptions for emergency repairs and minor maintenance of commercial structures; and

WHEREAS, commercial property owners should be allowed to make emergency repairs and perform minor maintenance activities, where doing so will not undermine the purpose of this moratorium to preserve opportunities for achieving new densities required to meet housing targets for the comprehensive plan update; and

WHEREAS, limited exemptions applicable to residential structures, and mobile or manufactured homes, and for like-for-like replacement of single family residences destroyed by catastrophic causes, as provided in Ord. C-29-25, ought to be allowed; and

WHEREAS, the County is authorized to enact interim zoning codes and moratoria, pursuant to its police power under Wash. Const. Art. XI, Sec. 11, and explicit authority under RCW 36.70A.390; and

WHEREAS, adoption of this moratorium, after a public hearing, makes the prior emergency moratorium in Ord. C-29-25 redundant and unnecessary; and

WHEREAS, the Board adopts the foregoing recitals as its findings of facts justifying the adoption of this ordinance; and **NOW, THEREFORE**,

IT IS HEREBY ORDAINED by the Board of Island County Commissioners:

Section 1. Findings of Fact. The Board adopts the above “**WHEREAS**” recitals as findings of fact in support of its action as required by RCW 36.70A.390.

Section 2. Purpose. The purpose of this moratorium is to allow the County adequate time to draft new regulations for Mixed-Use RAID zones that may include affordable housing density bonuses, allowable uses, development regulations, and minimum/maximum densities.

Section 3. Moratorium Imposed. The Board hereby establishes an immediate moratorium on the acceptance, processing, review, or issuance of any land use or building application or permit for the construction, use change, or land divisions in all Mixed-Use RAID zoned areas unless in compliance with this ordinance, and for the duration specified herein.

Exceptions to this moratorium include:

1. Additions, repairs, remodels, or other alterations that do not result in a cumulative increase of 50% or greater of the market value of the structure before the start of construction of the improvement to existing, lawfully constructed, residential structures; or
2. Applications or permits to replace in-kind, repair, maintain, or otherwise improve an existing mobile home or manufactured home; or
3. The reconstruction of a single-family residence on a like-for-like basis when destroyed or damaged by earthquake, flood, fire, vehicular collision, or similar accidental cause; or
4. Land use or building applications or permits that are deemed complete or have received approval by the effective date of this moratorium; or
5. Building applications, permits, or construction performed for emergency repairs or minor maintenance to existing lawfully constructed commercial structures, where such applications, permits, or construction projects do not impair opportunities for achieving new densities through zoning code amendments required to meet housing targets for the comprehensive plan update.

Section 4. Applicability. This moratorium shall apply to the use of land within areas which have been designated by ICC 17.03.155 as a Mixed-Use RAID within the Rural Center, Rural Village, and Camano Gateway Village zones, and as identified in EXHIBIT A.

Section 5. Duration of Moratorium. This moratorium shall be in effect for one year from the date Ord. C-29-25 became effective (April 15, 2025), and terminates on April 14, 2026, unless an ordinance is adopted amending the Island County Code and rescinding the moratorium before April 14, 2026, or unless it is renewed for one or more six-month periods, as allowed by RCW 36.70A.390.

Section 6. Work Plan. During the moratorium period, County staff will study the issues concerning the nature of the Mixed-Use RAID zones and will include that work in the ongoing legislative review process for the 2025 Comprehensive Plan Periodic Update. Staff will prepare a draft ordinance with appropriate revisions to the County's land use regulations, perform SEPA review of the draft ordinance, and conduct a public review process for the amendments, which includes public hearings before the County's Planning Commission and Board.

Section 7. Declaration of Emergency. The Board hereby declares an emergency exists necessitating that this ordinance take effect immediately and that this moratorium ordinance must be imposed as an emergency measure to prevent development that would result in densities incompatible with those established for Mixed-Use RAID zones, and to prevent the submission of applications to the County that might vest incompatible development rights for an indefinite period of time.

Section 8. Effective Date. This ordinance shall take effect and be in full force and effect immediately upon passage, as set forth herein, as long as it is approved by a majority of the entire membership of the Board.

Section 9. Conflict with Other ICC Provisions. If the provisions of this moratorium are found to be inconsistent with other provisions of the Island County Code, this moratorium shall control.

Section 10. Severability. If any section, sentence, clause, or phrase of this moratorium ordinance shall be held unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this moratorium ordinance.

Section 11. Repeal of Ordinance C-29-25. By adoption of this ordinance, the Board hereby repeals Island County Ordinance C-29-25 (PLG-003-25) effective immediately upon passage by a majority of the Board.

ADOPTED this _____ day of _____, 2025.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

Melanie Bacon, Chair

Janet St. Clair, Member

Jill Johnson, Member

ATTEST:

Jennifer Roll,
Clerk of the Board

APPROVED AS TO FORM:



Gregory Banks
Prosecuting Attorney and
Island County Code Reviser

EXHIBIT A

Mixed-Use RAIDs in Rural Village, Rural Center, and Camano Gateway Village Zones

Deception Pass State Park

Deception Pass

Cornet Bay

La Conner

Conway

Swantown

Oak Harbor

Coveland

Prairie Center

Port Townsend

Fort Flagler

Historical State Park

Greenbank

Elger Bay

Langley

Clinton

Ken's Korner

Bayview

Terry's Corner Camano Gateway

Stanwood

Florence

Long Beach

Warm Beach

Camano

Camano Plaza

North Fork Skagit River

Skagit River