

Findings of Fact

1. On December 10, 2007 the Board of Island County Commissioners adopted Ordinance C-129-07 which designated Freeland as a Non-Municipal Urban Growth Area and incorporated the Land Use element Freeland Subarea Plan into the Island County Comprehensive Plan.
2. Ordinance C-129-07 recognized that it may take several years to prepare and adopt other policy elements needed to support and implement the land use element of the Freeland Subarea Plan.
3. On February 11, 2008 the Board of Island County Commissioners adopted findings of fact under Ordinance C-12-08, establishing their rationale for the NMUGA designation and adoption of the Freeland Subarea Plan. The findings of fact for C-12-08 included a schedule whereby the development regulations were scheduled to be completed by the end of 2008 and the remaining comprehensive plan amendments to be completed by the end of 2009.
4. In 2009, the Board recognized that the implementation schedule set forth in Ordinance C-12-08 would not be achieved in the time scheduled, particularly because of reduced resources in the county and especially because the implementation schedule envisioned that the development regulations would be completed before the controlling policies in the Freeland Subarea Plan were developed, which is contrary to traditional planning practice wherein development regulations are a tool to implement the comprehensive plan policies, as set forth in RCW 36.70, RCW 36.70A. and ICC 16.26.
5. During work session in 2009, the BICC concurred with the Planning and Community Development Department recommendation to stop work on the development regulations for Freeland and instead focus solely on the remaining elements of the Freeland Subarea Plan, and that this work effort was included in the 2010 and 2011 Annual Review Dockets for Island County.
6. On March 22, 2010 the BICC approved the 2010 Annual Review Docket which listed the update of the Freeland Subarea Plan as a priority project and tasked Planning and Community Development with drafting the outstanding elements of the Freeland Subarea Plan.
7. Over a period of months Planning and Community Development staff drafted the outstanding elements. Revisions were also incorporated into the Land Use element of the Freeland Subarea Plan to provide clarity and ensure consistency and with the newly drafted elements.

8. On September 14, October 5, and October 26, 2010 Planning and Community Development held a series of public workshops at the Trinity Lutheran Church in Freeland to present the updated Freeland Subarea Plan. Numerous oral and written public comments were received that resulted in changes to the proposed plan.
9. On December 3, 2010 Planning and Community Development forwarded the 2010 Freeland Subarea Plan to state agencies to initiate the GMA mandated 60 day state agency review. The 60 day review expired on February 2, 2011 and no state agency comments were received in opposition to the plan.
10. On December 8, 2010 Planning and Community Development issued a SEPA Determination of Nonsignificance. A public comment deadline of December 22, 2010 was noticed in the local newspaper, by mail to agencies with jurisdiction, and by mail to the State Department of Ecology.
11. On December 14, 2010 the 2010 Freeland Subarea Plan was transmitted to the Island County Planning Commission. The Planning Commission held a public hearing and received oral and written comments. After deliberation, a motion was made and carried to accept the Freeland Subarea Plan as a workable solution with minor revisions to be made.
12. On December 22, 2010, after review of the public comments submitted, Planning and Community Development notified SEPA interested parties of the decision to retain the DNS. No appeals were filed.
13. On February 3, 2011 the Planning Commission held a second public hearing regarding the 2010 Freeland Subarea Plan updates. Public comments were received. The Planning Commission closed the public comment period and deliberated on the 2010 Freeland Subarea Plan. At the conclusion of the deliberation process the Planning Commission voted unanimously to forward to the Board of Island County Commissioners the 2010 Freeland Subarea Plan, as amended, for their approval.
14. On February 7, 2011 the Planning Commission signed their findings of fact, forwarding their recommendation to the Board.
15. On March 21, 2011, the Board conducted a public meeting.
16. The Board finds that minor changes to the Planning Commission recommendation are needed to ensure consistency with the GMA and incorporate new information into the Freeland Subarea Plan. The following list provides the location and subject matter of the changes:
 - a. Introduction, page 11: Conflict resolution.

- b. Land Use & Housing, pages 26, 147: 2010 Census population counts.
- c. Capital Facilities, Figure 4.2, pages 81-82: Updated financial planning for surface water improvements.
- d. Capital Facilities, Figure 4.6, pages 74, 90: 2010 amendments to the Freeland Comprehensive Sewer Plan and engineering Report/Facility Plan.
- e. Capital Facilities, Map 4.1, 91: Identification of Sewer Districts.
- f. Transportation, pages 116,120, 122, 130: Copy edits

17. The Board finds that further planning for Freeland NMUGA is required prior to full implementation of the Freeland Subarea Plan. The tasks remaining include:

- a. Create and adopt “housekeeping” amendments to the Island County Comprehensive Plan for consistency with the Freeland Subarea Plan.
- b. Amendment and future adoption of the Capital Facilities element of the Freeland Subarea Plan.
- c. Create and adopt development regulations for the Freeland NMUGA.
- d. Completion of sewer and stormwater infrastructure funding and construction.
- e. Continuation of Interim Development Regulations until the Freeland Subarea Plan can be fully implemented.
- f. Create and adopt amendments to the FSAP Transportation element when the next period update to the Island County Comprehensive Plan Transportation Element is completed.

18. The Board hereby adopts by reference the remainder of the Planning Commission’s findings of fact.