

History of Freeland Subarea Planning

Designation as an Urban Growth Area

An Urban Growth Area (UGA) is a term of art in the Washington State Growth Management Act (GMA), a law passed by the legislature in 1990. The intent of the GMA is to balance the need for economic development and environmental preservation. UGAs are areas where growth will be encouraged and can be supported with adequate facilities, such as sewer and water. UGAs are created, in large part, to accommodate growth in a cost-effective manner.



On September 29, 1998 the Board of Island County Commissioners (BICC) adopted Ordinance C-123-98, (approving the Island County Comprehensive Plan), which designated Freeland as a Rural Area of More Intense Development (RAID). On November 9, 1998 the BICC adopted Findings of Fact and legislative intent pertaining to the Island County Comprehensive Plan (ICCP). The Findings state that due to historical development and existing land use patterns, Freeland is a logical choice for consideration as an Urban Growth Area (UGA). The findings also suggested that a subarea planning group be established to explore the possibility of designating Freeland as a Non-Municipal Urban Growth Area (NMUGA). Additionally, the BICC emphasized the goal of the ICCP and County Wide Planning Policies (CWPP) to achieve a 50% urban and 50% rural split in acquiring population growth and recognized that the designation of Freeland as a NMUGA would help achieve this goal. The BICC findings also stated that if Freeland was designated as a NMUGA, the 2020 population projection would be 4,000.

Following the adoption of the ICCP, the Citizen's Growth Management Coalition appealed the Freeland RAID designation, boundary, and development standards to the Western Washington Growth Management Hearings Board (WWGMHB). On June 2, 1999 the WWGMHB concluded that the Freeland RAID designation did not comply with the Growth Management Act (GMA). The WWGMHB indicated that Freeland has urban characteristics and that the boundaries and allowed densities constitute non-municipal urban growth.

On March 22, 2000, following several briefings between the County and the Citizen's Growth Management Coalition, the WWGMHB issued a Compliance Order for Freeland. The Order revised the June 2, 1999 Order by establishing a schedule to "[r]eassess the designations, densities and uses allowed in Freeland and Clinton RAIDS." The WWGMHB stated that the County should do a proper analysis, make provision for urban services and designate Freeland as a NMUGA or restrict the boundaries, uses and densities allowed. The BICC restricted the boundaries, uses and densities allowed and also initiated a process to conduct the proper analysis, make provision for urban services, and designate Freeland as a NMUGA.

Creating a Freeland Subarea Plan

In 1999 the BICC established the Freeland Sub Area Planning Committee (FSAPC). The Committee was charged with the responsibility of writing a twenty year growth management plan for Freeland. After 74 meetings the Committee forwarded its recommendation to the Island County Planning Commission in 2004. The Planning Commission held public hearings on August 28 and September 11, 2007. After the completion of comprehensive plans for providing sewer and stormwater services, and after completion of an evaluation of potential environmental impacts and methods to mitigate those impacts, the Planning Commission voted on October 2, 2007 to recommend to the BICC that Freeland be designated as a NMUGA and incorporate the Freeland Subarea Plan into the County's Comprehensive Plan. On November 21, 2007 the Island County Planning Commission's recommendation for adoption of the Freeland Subarea Plan and designation of Freeland as a Non-Municipal Urban Growth Area (NMUGA) was transmitted to the Board of Island County Commissioners. On December 10, 2007, the BICC approved and adopted the Freeland Subarea Plan, the Planning Commission Findings of Fact, and incorporated the Freeland Subarea Plan into the Island County Comprehensive Plan. At that time, it was recognized that the Freeland Subarea Plan only contained a land use element, and that other elements would need to be prepared and adopted.

Following the 2007 adoption of the Freeland Subarea Plan (FSAP), an appeal was filed with the Western Washington Growth Management Hearings Board (WWGMHB) challenging that aspects of the Plan violate the GMA. This appeal (Case No. 08-2-0015) was heard by the WWGMHB on August 21, 2008. On September 29, 2008 the WWGMHB issued their Final Decision and Order upholding the County's approval of the FSAP.

In 2009, the County, in conjunction with local steering committees, began drafting development regulations to implement the 2007 FSAP. In late 2009 this effort was halted, as it was deemed necessary by the Planning Department to complete the 2007 FSAP before implementing development regulations were created in order to be in compliance with state law.

Recognizing the need complete the remaining FSAP elements, the BICC placed the FSAP on the 2010 Annual Review Docket on April 1, 2010. Placement on the Docket triggered the drafting of the remaining elements of the FSAP, and an update of the land use element. The first draft of this work was presented in a public workshop held in Freeland on September 14, 2010. Two additional public workshops followed on October 5, and 26, 2010. Following each meeting, the public comments received were incorporated into a revised draft of the FSAP.

The general theme of the comments received during the workshops focused on the following topics: future land use map, population capacity, sewer, open space, and Myrtle Street.

The Planning Commission held two public hearings regarding the FSAP. The first hearing was on December 14, 2010 and the second meeting was on February 3, 2011. During the February 3 hearing, the Planning Commission voted unanimously to recommend approval of the Plan to the Board of Island County Commissioners.

On March 21, 2011 the Board of Island County Commissioners approved the 2010 Freeland Subarea Plan update in a 2-1 vote.

2016 Update Revised NMUGA boundary

During the 2016 update of the Island County Comprehensive Plan it was determined that the Freeland NMUGA was too large and needed to be reduced. The Freeland NMUGA was revised based on a multi-year planning effort with extensive public involvement, in a manner that strives to achieve a balance between:

- GMA required and community identified boundary line criteria (see the Freeland Subarea Plan, Section 1.2.3), and
- The community's request for the "smallest possible" size, and
- Feedback from Freeland Water & Sewer District on service areas, and
- The need to be large enough for urban services to be financially viable, and
- The desire to shift growth from rural to urban areas.

The Regional population allocation for the South Whidbey Planning Area is 1,239 (20 year projection). In preparing future projected population allocations, staff utilized historic growth trends. Based on past growth trends, the County estimates that a minimum of 12% of the population growth in the South Whidbey Planning Area will occur within the Freeland NMUGA (a minimum population increase of 144 at the most conservative estimate). However, the following factors will impact Freeland growth rates relative to the rest of the South Whidbey Planning Area.

- The installation of sanitary sewer services which will likely facilitate both residential and commercial growth (See 10A, Capital Facilities Plan, Section A.3.5.4.2, and the Freeland Subarea Plan), and
- The adoption of urban zoning development regulations allowing for more intensive residential development in the Freeland NMUGA, and
- The reduction of the NMUGA by approximately 78% resulting in less possibility for land subdivision and corresponding density in those areas no longer part of the NMUGA (see Table B-33), and
- A rezoning of rural lands immediately adjacent to the NMUGA that precludes the future creation of as many as 160 rural residential lots (see Section B-6.3.1).

As a result, in Freeland, capacity for residential growth needs to be greater than the minimum to account for these factors, and to provide more flexibility and allow for new levels of growth and enhanced market options. This strategy is designed to help facilitate a population shift from the rural areas in Island County, particularly within South Whidbey, to the urbanized NMUGA of Freeland where new options for residential density are possible. These factors are equivalent to application of a market factor of approximately 33%. This market factor is tailored to this specific NMUGA to:

- Allow capacity for additional growth to occur within the Freeland NMUGA,
- To ensure adequate capacity to accommodate the anticipated increase in population created by the factors identified above,
- To incentivize growth within urbanized areas, and
- To address the key factors critical to this NMUGA's success.

A market factor of 33% represents a housing unit need of 234 units. The NMUGA as provided in the Comprehensive Plan, with a capacity of 232 units, can accommodate this anticipated increase and has been adequately sized. The approach will also help keep land prices at levels that can achieve these objectives. Island County has provided areas and densities sufficient to permit the urban growth that is anticipated to occur in the Freeland for the succeeding twenty-year period, in accordance with RCW 36.70a.110(2).

On December 13, 2016, the Island County Board of Commissioners unanimously adopted the 2016 Freeland Subarea Plan update (C-139-16).

New Freeland Zoning Code (2019)

Development Regulations were adopted in 2019 for properties within the Freeland Non-Municipal Urban Growth Area (NMUGA). Only those properties that are within the NMUGA boundary, as revised in 2016, will be subject to the new regulations.