



**ISLAND COUNTY  
PLANNING & COMMUNITY DEVELOPMENT**

**ISLAND COUNTY PLANNING COMMISSION**

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**~FINDINGS AND CONCLUSIONS~**

**TO: Board of Island County Commissioners**

**FROM: Island County Planning Commission**

**DATE: May 17, 2021**

**REGARDING: Recommendation to the Board of County Commissioners regarding transmittal of: draft proposed code amendments to Chapters 17.03 and 17.05A of Island County Code, Element 3 of the Comprehensive Plan, and the Shoreline Environment Designation Map to the Washington State Department of Ecology for initial review, as a part of the periodic update of the Island County Shoreline Master Program in accordance with the optional joint review process of WAC 173-26-104.**

**SUMMARY**

December 15, 2015 Island County adopted Ordinance C-107-15 comprehensively updating the Shoreline Master Program pursuant to RCW 90.58.080 and consistent with the guidelines established by the Washington State Department of Ecology (Ecology) through Chapter 173-26 WAC. This comprehensively updated Shoreline Master Program went into effect January 2016.

WAC 173-26-090 requires periodic reviews and updates of local Shoreline Master Programs every eight years following the comprehensive updates required by RCW 90.58.080. Island County locally adopted the last comprehensive update of the SMP December 27, 2012 via Resolution C-125-12. However, several points of contention came up before the ordinance was adopted at the state level, delaying the effective date until 2016.

WAC 173-26-090 establishes a periodic update deadline of June 30, 2020 for Island County. On February 7, 2020, Island County entered into a grant agreement with Ecology for \$84,000, which extended the periodic update deadline to June 30, 2021.

Island County established a Scope of Work for the periodic review and update, which focused on staff-initiated revisions, changes to address amendments to state law, rules, and guidelines, corrections to shoreline mapping, and changes to address sea level rise.

Ecology, via WAC 173-26-104, established an optional joint review process for periodic updates of local shoreline master programs. Utilizing this process, and after a joint 30-day public comment period and public comment hearing, Island County has prepared draft amendments to the Shoreline Master Program for Ecology initial review.

## **FINDINGS**

1. The State of Washington Shoreline Management Act of 1971, Chapter 90.58 RCW (Act), requires counties and cities to prepare shoreline master programs (SMPs) to prevent the uncoordinated and piecemeal development on shorelines of the state.
2. Pursuant to RCW 90.58.050, Island County and the Washington State Department of Ecology (Ecology) are to work together cooperatively, with the local government having the primary responsibility for initiating the planning required and Ecology acting primarily in a supportive and review capacity.
3. In 2003, Ecology adopted new rules pursuant to RCW 90.58.200, which gave procedural and substantive direction to local jurisdictions for updating shoreline uses and regulations, which became effective January 17, 2004.
4. The SMP Guidelines (Chapter 173-26 WAC) are the standards and guidance that establish minimum standards for updating local shoreline master programs.
5. RCW 90.58.080(2) required counties and cities to develop or amend a master program for regulation of uses of the shorelines of the state consistent with the required elements of the guidelines adopted in Chapter 173-26 WAC.
6. On December 15, 2015 Island County adopted Ordinance C-107-15, In the Matter of Updating and Adopting Amendments to the Shoreline Management Element of the Island County Comprehensive Plan and Adoption of Chapter 17.05A ICC to Replace Chapters 16.21 and 17.05 ICC.
7. January 19, 2016, Ordinance C-107-15 became effective establishing Island County's Shoreline Master Program under the new guidelines of Chapter 173-26 WAC.
8. WAC 173-26-090 requires that following the comprehensive updates required by RCW 90.58.080(2), each local government conduct a review of their master program at least once every eight years on a schedule established in the act. Following the review, local governments shall, if necessary, revise their master programs. This review and revision is referred to as a periodic review.
9. An agreement was entered into on February 7, 2020 between the State of Washington, Department of Ecology, and Island County, Washington to provide state funds of up to \$84,000 for the County to review and prepare associated updates to the locally adopted Shoreline Master Program consistent with the conditions of Agreement No. SEASMP-1921-IsICo-00005.
10. The Island County Planning and Community Development Department prepared proposed amendments to the Island County Shoreline Master Program, consisting of amendments to the goals and policies of the Shoreline Management Element of the

Comprehensive Plan and amendments to Chapters 17.03 and 17.05A ICC, the implementing shoreline regulations.

11. The Island County Planning and Community Development Department prepared a revised Shoreline Environment designations map, correcting inaccuracies to the mapping of shoreline jurisdictional and shoreline associated wetlands as well as applying the criteria of 17.05A.070 to map all Historic Beach Communities.
12. The Island County Planning and Community Development Department prepared guidance for individual property owners and shoreline communities on planning for Sea Level Rise.
13. Island County formed a Technical Review Committee (TRC) consisting of property owners, stakeholders, development professionals, land use consultants, and representatives from environmental organizations, the conservation districts, and ports to gather input on the proposed updates.
14. The TRC held 6 advisory group meetings during the course of the update, the Planning Commission held 10 public meetings, and the Board of Island County Commissioners (BOCC) held 11 public meetings.
15. Island County and Ecology held a joint 30-day public comment period from March 26, 2021 through April 25, 2021 during which a joint public comment hearing was held to receive comments on the proposed draft.
16. During the 30-day public comment period, Island County received written comments from 13 unique individuals or organizations. Six of those individuals or organizations also provided spoken comments during the joint hearing.
17. The Island County Planning and Community Development Department prepared a public comment matrix documenting the comments received and any resulting changes made to the draft, which was then presented during a public meeting to the Planning Commission on April 26, 2021 and to the Board of County Commissioners on April 21, 2021.

## **CONCLUSION**

The Island County Planning Commission has reviewed the proposed changes to the Island County Code and Comprehensive Plan, and hereby recommends that the Board of County Commissioners adopt a resolution to formally transmit the proposed Draft amendments enclosed hereto as Exhibits A, B, C, D, E and F to the Washington State Department of Ecology for initial review of consistency with RCW 90.58.020 and applicable guidelines, per the optional joint review process outlined in WAC 173-26-104.

Respectfully submitted through the Island County Planning Department to the Board of Island County Commissioners, pursuant to RCW 36.70.430, this \_\_\_\_\_ day of \_\_\_\_\_, 2021 by,

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Darin Hand  
Chair, Island County Planning Commission