



**ISLAND COUNTY  
PLANNING & COMMUNITY DEVELOPMENT  
ISLAND COUNTY PLANNING COMMISSION**

Darin Hand, Chairperson

PHONE: (360) 679-7339 ■ from Camano (360) 629-4522 ■ from S. Whidbey (360) 321-5111

FAX: (360) 679-7306 ■ P. O. Box 5000, Coupeville, WA 98239-5000

Internet Home Page: <https://www.islandcountywa.gov/planning>

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**~ FINDINGS OF FACT AND LEGISLATIVE INTENT ~**

**TO: Board of Island County Commissioners**

**FROM: Island County Planning Commission**

**DATE:**

**REGARDING: Amending the Island County Zoning Atlas from Water to Rural zoning  
and amending the Comprehensive Plan Future Land Use Map from Water  
to Rural Lands for parcels R33221-502-5080 and R33221-520-4710**

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**SUMMARY/BACKGROUND**

During the 2016 update, a mapping error zoned the parcels R33221-502-5080 and R33221-520-4710 to Water. As shown in the 1999 atlas, the parcels did not have previous zoning designations. In 2005, Island County applied adjacent Rural zoning standards to parcel R33221-502-5080 for the purpose of approving a building permit for a new single-family residence. The following changes are proposed:

1. Amend the Island County Official Zoning Atlas to rezone parcels R33221-502-5080 and R33221-520-4710 from Water to Rural zoning.
2. Amend the Island County Comprehensive Plan Future Land Use Map to amend the designation on parcels R33221-502-5080 and R33221-520-4710 from Water to Rural Lands.

On November 5, 2019 the Island County Board of County Commissioners placed the requested Type IV rezoning of the subject parcels on the 2020 Annual Review Docket for Comprehensive Plan.

## **FINDINGS AND CONCLUSIONS**

1. Island County conducts planning activities in accordance with Chapter 36.70 of the Revised Code of Washington (RCW), the Planning Enabling Act.
2. The planning process and the Island County Comprehensive Plan are further governed by RCW 36.70A, the Growth Management Act. (GMA).
3. RCW 36.70.720 allows for the adoption of zoning maps to control the areas covered by a comprehensive plan.
4. ICC 17.03.050.C.2 requires adoption and maintenance of an official zoning atlas.
5. On February 18, 1937 the State of Washington sold certain second class tide lands to private property owners.
6. Those certain second class tide lands are now parcels R33221-502-5080 and R33221-520-4710 (subject parcels).
7. The subject parcels were not provided a zoning designation until 2016 with Ordinance C-141-16, when they were inadvertently zoned Water.
8. Water zone has been an established zone since prior to 1984 but the 1998 Zoning code (chapter 17.03 ICC) does not contain code citations for Water zoning.
9. In 2005 Island County applied adjacent Rural zoning standards to parcel R33221-502-5080 for the purpose of approving a building permit for a new single-family residence.
10. July 1, 2019, the current owner of the subject parcels, Scott R. Price, requested the Island County Planning Department rezone the subject parcels from Water to Rural zoning.
11. November 5, 2019 the Island County Board of County Commissioners placed the requested Type IV rezoning of the subject parcels on the 2020 Annual Review Docket for Comprehensive Plan Amendments
12. On August 5, 2020, the draft amendments were transmitted to the Department of Commerce for review/notice as required by Chapter 26.70A RCW.
13. Pursuant to ICC 17.14C.180 and Washington Administrative Code Sections 197-11-800, Island County, acting as Lead Agency, issued a SEPA DNS on August 5, 2020.
14. The Planning Commission finds the proposed amendments are consistent with the development activities in the area and on the subject parcels.
15. The Planning Commission finds that the subject parcels meet Goal 9 of the Land Use Element of the Island County Comprehensive Plan for designated Rural Lands. Which is to, “maintain low residential densities to preserve rural character and provide buffers between urban activities and agricultural & forestry uses.”

**CONCLUSION**

The Island County Planning Commission has reviewed and held a public hearing on the proposed changes to the Zoning Atlas Map and Future Land Use Map, and hereby recommends that the Board of County Commissioners adopt an ordinance to incorporate the proposed amendments, enclosed hereto as Exhibits A, B, C, and D.

Respectfully submitted through the Island County Planning Department to the Board of Island County Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, 2020 by,

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Darin Hand  
Chair, Island County Planning Commission

**Enclosures:**

- Exhibit "A" – Existing Land Use Map
- Exhibit "B"- Proposed Land Use Map
- Exhibit "C"- Existing Zone Map
- Exhibit "D"- Proposed Zone Map