



## Island County Planning and Community Development

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### Memo

**To:** Island County Planning Commission  
**From:** Josh Pitts  
**Date:** April 29, 2022  
**Subject:** Code Updates

### Summary

1. **Overview Code Updates**
2. **17.03.180.L.8 - Communication Towers**
3. **17.03.180.N - Mobile Homes**

### Overview Code Updates

The intention of the proposed changes to Island County's Municipal Code is to establish and maintain a rational land use pattern. Experience has demonstrated that even the best zoning ordinances do become out of date. By updating 17.03.180.L.8 - Communication Tower, Island County's Municipal Code will now align with Federal law. The proposed updates to 17.03.180.N - Mobile Homes create a more inclusive community while protecting Island County from potential lawsuits.

### 17.03.180.L.8 - Communication Tower

On February 22, 2012, Congress passed the [Middle Class Tax Relief and Job Creation Act of 2012](#), and included within that new federal legislation was a provision specific to wireless communication facilities – Section 6409(a). This provision states that a “local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station”. Congress intended this provision of the Spectrum Act to advance wireless service by expediting the deployment of the network facilities needed to provide wireless services. The purpose of the proposed changes to 17.03.180.L.8 - Communication Tower is to align Island County's Municipal Code with Federal law. The proposed changes can be viewed in Table 1 of the appendix.

### 17.03.180.N - Mobile Homes

Planning is a key factor in promoting equity and social justice, affecting residents' ability to access the housing resources they need. As such, by eliminating subsection 17.03.180.N.1.a.i,

*“The mobile/manufactured home shall be of double or multi-sectioned construction, provided that a single-wide mobile/manufactured home shall be allowed within an existing mobile/manufactured home park and/or as a replacement to an existing single-wide unit which was legally installed on the same individual lot;”*

from Island County’s Municipal Code, the County is creating a more inclusive community. This is critical for promoting a healthy environment for all residents. The goal of the proposed change is to make real, equitable improvements to the quality of life for everyone who lives, works and plays in Island County.



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### Appendix

Table 1: 17.03.180.L.8 - Communication Towers

Old Clean Code	Marked-Up Code	Proposed Clean Code
<p>8. Communication towers.</p> <p>d. Exemptions. All of the following are exempt from the regulations of this section:</p> <p>i. Emergency or routine repairs or routine maintenance of previously approved facilities, or replacement of transmitters, antennas, or other components of previously approved facilities which do not create a significant adverse change in visual impact or an increase in radio frequency emissions levels;</p> <p>ii. Amateur and citizen band transmitters and antennas;</p> <p>iii. Two-way communication transmitters used on a temporary basis (less than ninety (90) days) by "911" emergency services, including fire, police, and emergency aid or ambulance services.</p> <p>e. Existing communication towers. All existing communication towers shall be subject to the provision of section 17.03.230.F.</p>	<p>8. Communication towers.</p> <p>d. Exemptions. All of the following are exempt from the regulations of this section:</p> <p>i. Emergency or routine repairs or routine maintenance of previously approved facilities, <b>communication towers, and/or equipment,</b><del>or replacement of transmitters, antennas, or other components of previously approved facilities which</del> <b>that</b> do not create a significant adverse change in visual impact or an increase in radio frequency emissions levels;</p> <p>ii. Amateur and citizen band transmitters and antennas;</p> <p>iii. Two-way communication transmitters used on a temporary basis (less than ninety (90) days) by "911" emergency services, including fire, police, and emergency aid or ambulance services.</p> <p>e. Existing communication towers. <del>All existing communication towers shall be subject to the provision of section 17.03.230.F.</del></p> <p><b>i. All existing eligible facilities and communication towers shall comply with the existing use requirement in section</b></p>	<p>8. Communication towers.</p> <p>a. Exemptions. All of the following are exempt from the regulations of this section:</p> <p>i. Emergency or routine repairs or routine maintenance of previously approved facilities, communication towers, and/or equipment that do not create a significant adverse change in visual impact or an increase in radio frequency emissions levels;</p> <p>ii. Amateur and citizen band transmitters and antennas;</p> <p>iii. Two-way communication transmitters used on a temporary basis (less than ninety (90) days) by "911" emergency services, including fire, police, and emergency aid or ambulance services.</p> <p>b. Existing communication towers.</p> <p>i. All existing eligible facilities and communication towers shall comply with the existing use requirement in section 17.03.230.F – Maintenance and repair of existing structures.</p> <p>ii. All existing eligible facilities, communication towers, and/or equipment modification requests that do not</p>

	<p>17.03.230.F – Maintenance and repair of existing structures.</p> <p>ii. All existing eligible facilities, communication towers, and/or equipment modification requests that do not substantially change the physical dimensions of such tower or base station involves:</p> <ol style="list-style-type: none"><li>1. Collocation of new transmission equipment;</li><li>2. Removal of transmission equipment; or</li><li>3. Replacement of transmission equipment.</li></ol>	<p>substantially change the physical dimensions of such tower or base station involves:</p> <ol style="list-style-type: none"><li>1. Collocation of new transmission equipment;</li><li>2. Removal of transmission equipment; or</li><li>3. Replacement of transmission equipment.</li></ol>
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Table 2: 17.03.180.N - Mobile Homes

Old Clean Code	Marked-Up Code	Proposed Clean Code
<p>N. Mobile homes.</p> <p>1. Mobile/manufactured homes in the Rural Residential Zone and on lots smaller than two and one-half (2.5) acres in the Rural Zone shall meet the requirements of this chapter and the following standards:</p> <p>a. The size, construction, siting, and other features of the mobile/manufactured home shall be compatible with the surrounding residential properties by meeting the following minimum standards:</p> <p>i. The mobile/manufactured home shall be of double or multi-sectioned construction, provided that a single-wide mobile/manufactured home shall be allowed within an existing mobile/manufactured home park and/or as a replacement to an existing single-wide unit which was legally installed on the same individual lot;</p> <p>ii. Roof pitch shall be not less than a two and one-half (2.5) foot rise for each twelve (12) feet of horizontal run; and</p> <p>iii. Roof construction shall be of non-reflective materials.</p>	<p>N. Mobile homes/<del>Manufactured homes.</del></p> <p>1. Mobile/manufactured homes in the Rural Residential Zone and on lots smaller than two and one-half (2.5) acres in the Rural Zone shall meet the requirements of this chapter and the following standards:</p> <p>a. The size, construction, siting, and other features of the mobile/manufactured home shall be compatible with the surrounding residential properties by meeting the following minimum standards:</p> <p>i. <del>The mobile/manufactured home shall be of double or multi-sectioned construction, provided that a single-wide mobile/manufactured home shall be allowed within an existing mobile/manufactured home park and/or as a replacement to an existing single-wide unit which was legally installed on the same individual lot;</del></p> <p>ii. Roof pitch shall be not less than a two and one-half (2.5) foot rise for each twelve (12) feet of horizontal run; and</p> <p>iii. Roof construction shall be of non-reflective materials.</p>	<p>N. Mobile homes/Manufactured homes.</p> <p>1. Mobile/manufactured homes in the Rural Residential Zone and on lots smaller than two and one-half (2.5) acres in the Rural Zone shall meet the requirements of this chapter and the following standards:</p> <p>a. The size, construction, siting, and other features of the mobile/manufactured home shall be compatible with the surrounding residential properties by meeting the following minimum standards:</p> <p>i. Roof pitch shall be not less than a two and one-half (2.5) foot rise for each twelve (12) feet of horizontal run; and</p> <p>ii. Roof construction shall be of non-reflective materials.</p>