

Draft 1.0 | October 9, 2017

200 - PERMITTED USES

17.06.200 - Use charts.

How to use this chart: This chart is intended to assist you in learning what uses may be established in the Freeland NMUGA Zones and the type of permit that may be required. Within the table you will see a I, II, III or IV. These numbers indicate the type of land use decision that is required in order to establish the use. These land use decisions have the following meaning:

I = Type I permitted use—Ministerial decision.

II = Type II conditional use—Administrative decision.

III = Type III Conditional use—Hearing examiner decision.

The Use Charts must be combined with the Building Types chart (17.06.410), with the required permit type the most restrictive of the combined use and building type requirements. For example, if the intended use requires a Type III but the building a Type II, then the required permit is the Type III permit, or if the use a Type I, but the building a Type II, then a Type II permit is required.

For more information on the land use decision process please refer to Chapter 16.19.

The definition of the use is found in section 17.03.040.

17.06.205 – Transitional Uses

17.06.210 - Residential use charts.

Table 17.06.210.A Use Chart – Residential & Residential Accessory Uses							
DEVELOPMENT TYPE	LD	MD	BV	BG	NM	IND	NOTES & RELATED CODE(S)
	Single Family Residential, detached (1 unit)	I	I				
Cottage housing	II ^{6,7}	I	II ²				17.06.310.C
Duplex (2 units)	II ^{6,7}	I	II ¹				
Single Family Residential, attached (3 – 4 units)	II ^{6,7}	I ³					
Multi-Family Residential (5+ units)	II ⁷	II ³	II ^{2,3,5}	II ^{2,3,5}	II ^{2,3,5}		
Mixed-Use Residential (1 – 4 units)		II ^{3,5,7}	II ³	II ³	II ³		
Mixed-Use Residential (5+ units)			II ³	II ³	II ³		
Group Home / Adult Family Home	II ^{8,9}	II ⁹	II ^{1,3,9}				17.03.180(L)(4)
Assisted Living / Nursing Home	II ^{3,7,9}	II ⁹	II ^{1,3,9}				
Accessory Dwelling Unit	I ¹	I ¹	II ¹				17.03.180(I)(2)
Guest Cottage	I ¹	I ¹					17.03.180(I)(1)
Home Occupation	I ¹	I ¹	I ¹				17.03.180(K)
Home Industry	II ¹	II ¹	II ¹				17.03.180(J)
Residential Care Home	II ^{1,3,9}	II ^{1,3,9}					No more than 6 clients
<p>NOTES:</p> <ol style="list-style-type: none"> 1. Allowed as an accessory use only. 2. Not allowed on Main Street or Harbor Avenue frontages. 3. Not allowed within 500-ft of Industrial (IND) district. 4. Not allowed within 300-ft of a residential district (LD or MD). 5. Allowed as a component of a mixed-use development (separate building or attached) if fully integrated and the commercial component is developed at the same time as, or before, the residential; prohibited as a stand-alone use. 6. Allowed as a component of a cluster development, under the Planned Residential Development provisions in ICC 16.17. 7. Allowed at intersections where adjacent to NM, BG, or BV district. 8. Type II approval if SEPA required (per RCW...), Type I approval if SEPA Exempt. 9. Number of rooms shall be limited by the septic/sewer capacity. 							

17.06.220 - Non-residential uses.

Non-residential uses must comply with the general standards listed in [ICC 17.03.180\(A\)](#), [lines items 2 thru 13](#) and [Section 17.06.300](#).

Comment [BF22]: do they conflict?

USE CHART - NON-RESIDENTIAL									
		LD	MD	BV	BG	NM	IND	PB	
I = Type I permitted use II = Type II conditional use III = Type III conditional use									
DEVELOPMENT TYPE		LD	MD	BV	BG	NM	IND	PB	NOTES & RELATED CODES(S)
Lodging	Bed & Breakfast Room (1 - 2 rooms)	I ^{1,9}	I ^{1,9}	I					
	Bed & Breakfast Inn (3 to 6 rooms)		II ^{7,9}	II					17.03.180(B), except (B)(1)(a) & (f)
	Country Inn (7 to 40 rooms)		III ^{7,9}	III ⁹	III ⁹				17.03.180(D), (2) thru (6)
	Emergency Shelter / Transitional Housing		III ⁹	II ⁹	II ⁹				
	Hotel / Motel			II ⁹	II ⁹	III ⁹			
Office	Flex Office			II	II	II			
	Health Care Facilities		II ⁷	II	II	II	II		
	Office Building		II ⁷	II	II	II	II		
Services	Banks / Financial Institutions			II	II	II			
	Civic / Institutional		II ⁷	II	II	II	II		17.03.180(L)
	Convenience Store		II ⁷		II	II			(w/ or w/o Gas Pumps)
	Cultural Centers		II ⁷	II	II	II	II		
	Dry Cleaners					II	II		
	Day Care / Day Care Center, Small	II ¹	II						
	Day Care Center		II ^{2,7}	II ²	II ²	II ²	III ³		17.03.180(L)(4),(5) & (6)
	Police / Fire Station				II	II	II		17.03.180(L)(9)
Kennel						III ⁴		17.03.180(L)(10)	
Food Service	Restaurant, no Drive-Thru		II ⁷	II	II	II			
	Restaurant, w/ Drive-Thru				II				
	Commercial Kitchen (Stand-Alone)				II ⁷	II	II		
	Coffee Shops, including w/ Drive-Thru		II ⁷	II	II	II			
	Farm Stand or Push Cart			II ⁷	I	I			17.03.180(H)(1)
	Food Truck (inc. Food Truck Court)			II ⁷	II	II			
	Farmers Market			II ⁷	II	II			
	Grocery Store			II ⁷	II	II			
Retail	Farmers Market				I				
	Garden Center / Lumber Yard					II ⁷	II		
	Marijuana, Retail Sales				III ¹⁰	III ¹⁰			
	Retail Sales & Services		II ⁷	II	II	II			

Comment [BF23]: Do we want any more Type I (easiest permit, encourages development)? Or any Type IIs that should be a III (discourage)?

Comment [BB24]: Where would vacation rentals fall under here? Is it an issue at all here?

Comment [BF25]: Add definition

DEVELOPMENT TYPE		LD	MD	BV	BG	NM	IND	PB	NOTES & RELATED CODES(S)
Entertainment / Recreation	Bar / Nightclub			II 10	II 10	II 10			
	Assembly / Event Center				II	II	II		
	Outdoor Auditorium				II	II			
	Community Center / Library / Museum			II	II	II			
	Health Club / Gymnasium				II	II	II		
	Amusement, Indoor				II 7	II	II		
	Amusement, Outdoor					II	II		
	Theatre, Live			II	II	II			
	Water-Dependent Uses (Marina, Launch)						III		Per SMP - 17.05A
Industrial	Automotive Repair				II 7	II			
	Boat Building, Repair, & Related Industry						III		
	Brewery / Distillery / Coffee Roaster				II 4,7	II 4	II 4		
	Data Center					II 7	II 4		
	Light Manufacturing					II 7	II		
	Research & Development					II 7	II		
	Storage, Commercial or Mini-Storage						II		17.03.180(C)
	Storage, Outdoor								17.03.180(M)
	Warehousing and Distribution Centers					II	II		
Utilities	Communications Tower				III	III	III		17.03.180(L)(8)
	Essential Public Facilities				III	III	III		16.19.060
	Major Utilities					III	III		
	Minor Utilities					III	III		
	Water Tank					III	III		17.03.180(L)(3)
<p>NOTES:</p> <ol style="list-style-type: none"> 1. Allowed as an accessory use only. 2. Not allowed on Main Street or Harbor Avenue frontages. 3. Not allowed within 500-ft of Industrial (IND) district. 4. Not allowed within 300-ft of a residential district (LD or MD). 5. Allowed as a component of a mixed-use development (separate building or attached) if fully integrated and the commercial component is developed at the same time as, or before, the residential; prohibited as a stand-alone use. 6. Allowed as a component of a cluster development, under the Planned Residential Development provisions in ICC 16.17. 7. Allowed at intersections where adjacent to NM, BG, or BV district. 8. Type II approval if SEPA required (per RCW...), Type I approval if SEPA Exempt. 9. Number of rooms shall be limited by the septic/sewer capacity. 10. Not allowed within 1,000-ft of a Elementary or secondary school; Playground; Recreation center or facility; Child care center; Public park; Public transit center; Library; or any Game Arcade (where admission is not restricted to persons age twenty-one or older) 									

17.06.230 - Prohibited uses.

- A. Junk and/or salvage yard.
- B. Marijuana, outdoor grow.
- C. Shooting Gallery / Gun Club

17.06.150 - Zoning amendments.

An application for a zoning amendment for a property within the Freeland NMUGA shall be processed pursuant to this section.

- A. Purpose. This section provides a process to apply for individual parcel zoning reclassifications when such zoning amendments are compliant with the Freeland Subarea Plan. All other zoning amendments require a Comprehensive Plan Amendment and shall only occur once per year on an annual basis and shall be processed as a Comprehensive Plan amendment, pursuant to chapter 16.26 ICC.
- B. Application requirements. The application shall contain those requirements set forth in section 17.03.190.B.3.a. and:
 1. A description of the specific proposed amendment;
 2. A description of the reasons for the amendment; and
 3. A description of how the rezoning meets the criteria in Sections 17.06.150(D) and (E).
- C. Review process.
 1. Zoning amendments that are within the Freeland Subarea Plan shall be a Type III application and processed pursuant to ICC 16.19.170.
 2. Any expansion of the Freeland NMUGA will require a rezoning to a Freeland zoning district, which shall be a Type IV application and processed pursuant to ICC 16.26.
- D. General criteria for evaluation of rezoning request. The Hearing Examiner shall recommend to the Board of Island County Commissioners the denial or approval of each application for an amendment to the official zoning maps based on consideration of the following general factors (see also the specific zoning amendment criteria in 17.06.150(E)).
 1. Compatibility of the proposed zoning classification with the existing land use plans for the surrounding area.
 - a. A rezoning will only be considered to a district currently applied to one or more adjacent parcels (no zoning will be approved that is different from the zoning for all surrounding properties).
 - b. No downzoning shall be allowed within the NMUGA.
 2. The impact of the proposed zoning classification on available and projected traffic patterns, water and septic/sewer systems, and other public facilities and utilities.
 - a. No rezoning that would result in an increase in commercial traffic shall be allowed where such traffic must travel through residential districts (Low-Density Residential and Medium-Density Residential).
 - b. Rezoning shall not create a lot that cannot support the minimum density allowed in the requested zoning district (based on septic or sewer capacity).
 3. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan or elsewhere in this chapter.
 - a. Rezoning shall not create a non-conforming lot (size or setbacks).
 - b. Rezoning shall not create more than one zoning district on any tax parcel.

4. The suitability of the land for the types of development allowed in the proposed district.
 - a. A rezoning to a more intensive zoning district shall not take place if the property is extensively constrained with critical areas unless those areas are permanently protected from development.
 - b. The rezoning will not cause unreasonable air or water pollution, soil erosion, or adverse impacts on critical areas. ???
 - c. The rezoning would have an adverse impact on the View Corridors. ????
5. Reclassification to Low-Density Residential (LD) allowed when applying NMUGA zoning districts with an expansion of the NMUGA.
6. Reclassification to Industrial (IND) is prohibited.