BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF ISLAND COUNTY, WASHINGTON

WHEREAS, Island County conducts planning activities in accordance with Chapter 36.70 RCW, the Planning Enabling Act; and

WHEREAS, the planning process and the Island County Comprehensive Plan are further governed by Chapter 36.70A RCW, the Growth Management Act (GMA) and, specifically, RCW 36.70A.040 which requires the adoption of a comprehensive plan and development regulations that are consistent with and implement the comprehensive plan; and

WHEREAS, proposed amendments are consistent with Chapter 36.70 of the Revised Code of Washington (RCW) (The Planning Enabling Act) which provides that the county, by ordinance, may establish classifications, within each of which, specific controls are identified, and which will regulate the use of buildings, structures, and land as between agriculture, industry, business, residence, and other purposes; and

WHEREAS, proposed amendments are consistent with the provisions of Chapter 36.70A RCW - The Growth Management Act (GMA), which requires that development regulations be consistent with the adopted Comprehensive Plan; and

WHEREAS, amendments to Chapter 17.03 ICC are needed to simplify what uses are permitted in county zoning districts and to ensure greater transparency and more consistent and predictable application of the zoning regulations; and

WHEREAS, every effort has been taken to ensure that new reformatted regulations are as consistent as possible with existing regulations and that changes were only made when needed to resolve conflicts or inconsistencies; and
WHEREAS, per Washington State Administrative Code (WAC) 197-11-800 this action would be considered a "Procedural Action" and is therefore exempt from SEPA (WAC 197-11-800(19)); and

WHEREAS, the Island County Planning Commission held a public hearing on May 13, 2019, to review and deliberate on the proposed changes to Chapter 17.03 ICC related to consolidation of Section 17.03.35 ICC Use Tables; and

WHEREAS, on May 13, 2019, the Island County Planning Commission voted to recommend that the BOCC adopt revisions to Chapter 17.03 ICC; and

WHEREAS, the amendments to Chapter 17.03 ICC, recommended by the Island County Planning Commission, are attached hereto as Exhibit A [which marks as stricken, material to be deleted, and marks as underlined, material to be added]; and

WHEREAS, the BOCC's Findings of Fact and Legislative Intent statement setting forth the factors considered at the hearing and found to be controlling are attached hereto as Exhibit B; and

WHEREAS, the Planning Commission's signed Findings of Fact and Recommendation on Amendments to Chapter 17.03 ICC are attached hereto as Attachment 1 to Exhibit B,

NOW, THEREFORE,

IT IS HEREBY ORDAINED that the Board of County Commissioners adopts amendments to Chapter 17.03 ICC; and

BE IT FURTHER ORDAINED that Sections 17.03.035A, 17.03.035B, 17.03.035C, 17.03.035D, and 17.03.035E of the Island County Code are hereby repealed in their entirety; and

BE IT FURTHER ORDAINED that revisions to Chapter 17.03 ICC shall have immediate effect.

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ADOPTED this 25th day of June 2019.

BOARDS OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

Jill Johnson, Chair
Janet St. Clair, Member
Helen Price Johnson, Member

ATTEST:

Debbie Thompson
Clerk of the Board

APPROVED AS TO FORM:

DALTON LEE PENCE
Civil Deputy Prosecuting Attorney and
Island County Code Reviser
Exhibit A
Amendments to ICC 17.03
Chapter 17.03
Island County Zoning Code

17.03.035 – Use Tables

A. How to use these tables. These tables are intended to assist you in identifying allowable uses within the zoning districts of Island County. These tables will also provide applicable information about permit types, land use decision types, and conditions and limitations for specific land uses at various levels of intensity. Table Components include:

- Permit Types, Conditional Uses, and Prohibited Uses
- Decision Types
- Footnotes and References
- APZ Allowed Uses

1. Permit Types: This section represents all prescriptive uses allowed in one or more zoning districts that have been adopted into the Island County Zoning code. Each table will have a list of uses that intersect with each zoning district, outlining whether the use is permitted, requiring a type one review process or conditional, requiring a Type II or Type III review process. You will notice that some uses are both permitted and conditional and still other uses are listed as both a Type II and a Type III decision. This means that land use standards other than zoning will dictate if and how the use may be established. For definitions see ICC 17.03.040.

2. Permitted Uses (P/I): Uses labeled as “P/I” are reviewed as a Type I Ministerial decision pursuant to chapter 16.19.

3. Conditional Uses (C/II or C/III): Uses labeled as “C/II or C/III” require a site plan approval pursuant to chapter 16.15 and are required to be processed as an Administrative (Type II) or Quasi-Judicial (Type III) decision pursuant to chapter 16.19. The land use standards that may govern the siting of the specific use which is found in ICC 17.03.180.

4. Prohibited Uses (x): Uses expressly prohibited by this chapter are depicted with an “x”. Urban Growth Areas: Expressly prohibited uses are not shown in the use table. These uses will remain listed within each the specific zoning district.

5. Decision Types: In the consolidated tables, each permit type will have an associated decision type. The decision type refers to the type of review process required for a specific use. A detailed description of the land use decision process can be found in chapter 16.19 ICC.

- I = Type I permitted use—Ministerial decision.
- II = Type II conditional use—Administrative decision.
- III = Type III conditional use—Hearing Examiner decision.
- IV = Type IV conditional use—Requires Board of County Commissioners approval.

6. Footnotes and References: Each table has related Footnotes and References. These identify or reference any additional standards or conditions associated with a specific use. Standards can be limitations and or thresholds that trigger requirements for higher levels of review. Conditions outline criteria that must be met in order for a specific use to be allowed in a certain zoning district.
a. Footnote: The table footnotes state any additional standard or condition for a particular use that is not found in any other section or chapter of this code. The number of a footnote will always correspond with a number in the table.

b. Reference: The reference column shows relevant sections of code that contain additional standards or conditions for the use. The references will cite specific sections related to a specific use. These sections may outline limitations, threshold triggers for higher levels of review, and/or other additional criteria associated with the use.

7. Aircraft Accident Potential Zone (APZ): A section of each table is dedicated to uses allowed within the Accident Potential Zone (APZ). Within the APZ section there are three separate zones: Clear Zone, APZ I, and APZ II. Within the consolidated land use tables each APZ zone will intersect with each of the listed uses showing if the use is allowed, not allowed or unlisted.

a. Allowed Uses: a use that is allowed in a specific section of the APZ will show a “Yes” at the intersection point of the use and the zone.

b. Not Allowed Uses: a use that is not allowed within a specific section of the APZ will show a “No” at the intersection of the use and the zone.

c. UGA APZ: The APZ table for the Urban Growth Area was not consolidated into the comprehensive use table, and can be found in the APZ land use standards section (ICC 17.03.180.Z.2).

8. Unlisted Uses:

a. All uses not explicitly allowed or explicitly prohibited will be considered an unlisted use. All unlisted uses should be classified into an allowed or not allowed use through a code interpretation pursuant to section 17.03.190.

b. APZ: Any use that has an asterisk under the APZ section is considered unlisted. These uses were not identified or considered at the time the Accident Potential Zone was adopted into Island County Code. Unlisted uses shall follow the zoning code interpretation process (ICC 17.03.190) with consideration of the most recent AICUZ Study Update for Naval Air Station Whidbey Island's Ault Field and Outlying Landing Field Coupeville.
B. Rural Lands Use Table. Uses in the Rural (R), Rural Agriculture (RA), Rural Forest (RF), Commercial Agriculture (CA), and Parks (PK) zoning districts shall be as shown in Table 17.03.035.B.

<table>
<thead>
<tr>
<th>Type I Permitted Use – Ministerial Decision</th>
<th>Type II Conditional Use - Administrative Decision</th>
<th>Type III Conditional Use - Quasi - Judicial Decision</th>
<th>APZ Overlay</th>
<th>DC Code</th>
<th>ZONING DISTRICT</th>
<th>ICC References</th>
<th>APZ</th>
<th>APZ II</th>
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</thead>
<tbody>
<tr>
<td><strong>R</strong></td>
<td><strong>RA</strong></td>
<td><strong>RF</strong></td>
<td><strong>CA</strong></td>
<td><strong>PK</strong></td>
<td><strong>Rural</strong></td>
<td><strong>Rural Agriculture</strong></td>
<td><strong>Rural Forest</strong></td>
<td><strong>Commercial Agriculture</strong></td>
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<td>Accessory living quarters</td>
<td>P/I</td>
<td>P/I</td>
<td>P/I</td>
<td>P/I</td>
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<td>No</td>
<td>Yes</td>
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<tr>
<td>Accessory use or building</td>
<td>P/I</td>
<td>P/I</td>
<td>P/I</td>
<td>P/I</td>
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<td>Yes</td>
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<td>Farm worker housing</td>
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<td>P/I</td>
<td>P/I</td>
<td>P/I</td>
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<td>Group home</td>
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<td>C/II</td>
<td>P/I</td>
<td>C/II</td>
<td>P/I</td>
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<td>Guest cottage</td>
<td>P/I</td>
<td>C/II</td>
<td>P/I</td>
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<td>Yes</td>
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<tr>
<td>Mobile/ manufactured home(s)</td>
<td>P/I</td>
<td>P/I</td>
<td>P/I</td>
<td>P/I</td>
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<td>No</td>
<td>Yes</td>
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<tr>
<td>Mobile/manufactured home park</td>
<td>C/II</td>
<td>C/II</td>
<td>P/I</td>
<td>P/I</td>
<td>17.03.180.O</td>
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<tr>
<td>Single family dwelling</td>
<td>P/I</td>
<td>C/II</td>
<td>C/II</td>
<td>C/II</td>
<td>P/I</td>
<td>17.03.180.O</td>
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<table>
<thead>
<tr>
<th><strong>COMMERIAL USES</strong></th>
<th><strong>R</strong></th>
<th><strong>RA</strong></th>
<th><strong>RF</strong></th>
<th><strong>CA</strong></th>
<th><strong>PK</strong></th>
<th><strong>See Also...</strong></th>
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<th><strong>APZ I</strong></th>
<th><strong>APZ II</strong></th>
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<td>Home occupation</td>
<td>P/I</td>
<td>P/I</td>
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<td>P/I</td>
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<td>Home industries</td>
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<td>Bed and breakfast inn</td>
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<td>C/II</td>
<td>C/II</td>
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<td>Bed and breakfast rooms</td>
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<td>P/I</td>
<td>P/I</td>
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<td>Buildings normally associated with low intensity park development</td>
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<tr>
<td>Campground and recreation vehicle park</td>
<td>C/II</td>
<td>C/II</td>
<td>P/I</td>
<td>P/I</td>
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<tr>
<td>Community center</td>
<td>C/II</td>
<td>C/II</td>
<td>P/I</td>
<td>P/I</td>
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<td>Country inn</td>
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<td>C/II</td>
<td>P/I</td>
<td>P/I</td>
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<td>Critical areas archaeological or historical education and/or interpretative areas</td>
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<td>P/I</td>
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<td>Equestrian center</td>
<td>C/II</td>
<td>C/II</td>
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<td>P/I</td>
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<td>Facilities for the performance and teaching of arts and crafts</td>
<td>C/II</td>
<td>C/II</td>
<td>P/I</td>
<td>P/I</td>
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<td>Gun club and shooting range</td>
<td>C/II</td>
<td>C/II</td>
<td>P/I</td>
<td>P/I</td>
<td>17.03.180.C</td>
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<td>Yes</td>
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<td>Marijuana processor</td>
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<td>P/I</td>
<td>P/I</td>
<td>P/I</td>
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<td>Yes</td>
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<td>Marijuana producer</td>
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<td>P/I</td>
<td>P/I</td>
<td>P/I</td>
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<td>Mini storage</td>
<td>C/II</td>
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<td>C/II</td>
<td>C/II</td>
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### Table 17.03.035.B. Rural Lands Uses

<table>
<thead>
<tr>
<th>ZONING DISTRICT</th>
<th>Rural</th>
<th>Rural Agriculture</th>
<th>Rural Forest</th>
<th>Commercial Agriculture</th>
<th>Parks</th>
<th>ICC References</th>
<th>APZ</th>
<th>CLEAR ZONE</th>
<th>APZ I</th>
<th>APZ II</th>
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<tr>
<td><strong>PARKS &amp; SMALL-SCALE RECREATIONAL AND TOURIST USES</strong></td>
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<tr>
<td>Public/community boat launch</td>
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<td>C/I</td>
<td>C/I</td>
<td>P/I</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>Recreation area or use</td>
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<tr>
<td>Recreational aerial activities</td>
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<td>C/I</td>
<td>C/I</td>
<td>C/I</td>
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<td>Rural event center</td>
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<td>C/I</td>
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<td>Yes</td>
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<tr>
<td>Rural Winery, Cidery, Distillery facilities</td>
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<td>C/I</td>
<td>C/I</td>
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<td>Small scale recreation and tourist uses</td>
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<td>Special Events, Rural Commercial Events</td>
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<td>C/I</td>
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<td>Surface mining</td>
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<td>Temporary uses</td>
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<td><strong>INSTITUTIONAL USES</strong></td>
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<tr>
<td>Animal shelter</td>
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<td>C/I</td>
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<tr>
<td>Church</td>
<td>C/I</td>
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<td>Day care center (small)</td>
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<td>Day care nursery (6 or fewer persons)</td>
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<td>Fire station</td>
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<td>Kennel</td>
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<td>Libraries and museums</td>
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<td>Veterinarian clinic</td>
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<td><strong>AGRICULTURE AND FORESTRY USES</strong></td>
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<td>Agricultural products—Growing, harvesting, managing, selling and processing</td>
<td>P/I</td>
<td>C/I</td>
<td>C/I</td>
<td>17.03.180.L(2)</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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</tbody>
</table>
Table 17.03.035.B. Rural Lands Uses

<table>
<thead>
<tr>
<th>ZONING DISTRICT</th>
<th>Rural Agriculture</th>
<th>Rural Forest</th>
<th>Commercial Agriculture</th>
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* Use is currently not identified in the Accident Potential Zone 17.03.180.Z. Exemptions: Through the conditional use process an applicant may review the AICUZ Study for Naval Air Station Whidbey Island's Ault Field and Outlying Landing Field Coupeville and provide an analysis of the compatibility of the proposed use.

Table Notes:
1) Accessory uses are allowed without existing permitted uses in the Rural Zone only.
2) For uninhabitable structures greater than or equal to 800 square feet (gross floor area) in size on lots less than 2.5 acres in size that do not have existing permitted uses.
3) Group homes (seven (7) to twelve (12) persons) 17.03.180.L(5)
4) Community meeting is not required if seating capacity is less than or equal to 150 persons or a 2,000 square foot assembly area is proposed.
5) Community meeting is not required if 20 rooms or less is proposed.
6) Community meeting is not required if 20 rooms or less is proposed.
7) Covered Equestrian centers.
8) Larger than two bays or 4,000 square feet or larger (gross floor area).
9) Subject to the Standards of Home Industry 17.03.180.L(10). 
10) Agricultural processing in structures that are 4,000 square feet or larger (gross floor area).
11) Including seasonal sales.
12) Forest products processing in structures that are 4,000 square feet or larger (gross floor area).
13) Including livestock, provided raising of large livestock on lots less than 2.5 acres in size requires approval of an animal management plan.
14) Including livestock, provided raising of large livestock on lots less than 2.5 acres in size requires approval of an animal management plan.
15) Forest products processing not permitted in RA or CA zone.
16) Structures area utilized to support wineries, cidery and distillery manufacturing, production, sales, or tasting is ≥ 8,000 square feet (gross floor area).
17) Major Utilities require a conditional use and are only allowed in the Rural Zone.
18) Major Utilities not allowed.
19) Winery allowed in APZ II.
20) Seasonal sales of produce and Agricultural processing are not allowed in the APZ Clear Zone.
21) In accordance with Washington Forest Practices Act and regulations adopted pursuant thereto, including but not limited to: timber, Christmas trees, nursery stock, and floral vegetation.
22) Limited to use as a caretaker’s residence.
23) Interpretive centers require a conditional use permit.
24) Greater than or equal to 32 feet in diameter and if not cylindrical in shape, when surface area exceeds the ground area encompassed by a tank thirty-two (32) feet in diameter.
25) In accordance with the Washington Forest Practices Act and regulations adopted pursuant thereto, including, but not limited to: timber, Christmas trees, nursery stock, and floral vegetation.
C. Rural Areas of More Intensive Development (RAID) Use Table. Use in the RAID zoning districts - Rural Residential (RR), Rural Center (RC), Rural Village (RV), Rural Service (RS), Camano Gateway Village (CGV), Airport (AP), and Light Manufacturing (LM) – shall be as shown in Table 17.03.035.C.

<table>
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<tr>
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**INSTITUTIONAL USES AND UTILITIES**

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* Use is currently not identified in the Accident Potential Zone 17.03.180 Z
** In the Rural Center Zone structures greater than 10,000 square feet gross floor area are prohibited
*** In the Rural Service Zone permitted uses are limited to 4,000 square feet gross floor area
**** In the Camano Gateway Village structures greater than 10,000 square feet are prohibited

**Table Notes:**

1. Including lots without existing permitted uses in the RR zone (structures limited to < 800 square feet on lots < 2.5 acres)
2. Any permitted use that exceeds 10,000 square feet gross floor area is a Type I Conditional Use.
3. Any permitted use that exceeds 4,000 square feet gross floor area requires a Type II Conditional Use.
4. Group homes (seven (7) to twelve (12) persons) 17.03.180.L(5)
5. Only allowed on parcels greater than one acre.
6. Any permitted use that exceeds 6 dwelling units.
7. No more than 6 dwelling units.
8. Including associate overnight lodging.
9. Except that drive-through food service is prohibited.
10. Small scale retail sales and services such as boutiques, clothing stores, bakeries, ice cream shops, food markets, beauty salons, craft stores, and art galleries, except that convenience services such as gas stations, convenience stores, grocery stores and bus stations are prohibited.
11. Sales of outdoor bulk goods such as bark, topsoil, and rock.
12. Rural residential is limited to Special Events per 17.03.180 EE
13. On RR Zone property located within a Residential RAID contiguous to a Mixed Use RAID or Non-municipal UGA, except that a community meeting is not required if seating capacity is no more than 150 or fewer persons or a 2,000 square foot assembly area is proposed.
15. Limited to the standards for roof-mounted wireless communication antenna arrays found in 17.03.180.L.8.c.
16. Camano Gateway Village is limited to Small scale health care services.
17. Public and private (1 to 6 students) consolidate with schools.
18. Less than or equal to .22 Floor Area Ratio.
19. Less than or equal to .24 Floor Area Ratio.
20. With residential not to exceed eight (8) dwelling units per lot or parcel in a mixed-use building.
21. Not to exceed 20 units per acre.
22. In the Rural Center Zone structures greater than 50,000 square feet gross floor area are prohibited.
23. In the Rural Service Zone permitted uses are limited to 4,000 square feet gross floor area.
24. In the Camano Gateway Village structures greater than 10,000 square feet are prohibited.
25. Any permitted use that exceeds 6 dwelling units.
26. No more than 6 dwelling units.
27. Including associate overnight lodging.
28. Except that drive-through food service is prohibited.
29. Small scale retail sales and services such as boutiques, clothing stores, bakeries, ice cream shops, food markets, beauty salons, craft stores, and art galleries, except that convenience services such as gas stations, convenience stores, grocery stores and bus stations are prohibited.
30. Sales of outdoor bulk goods such as bark, topsoil, and rock.
31. Rural residential is limited to Special Events per 17.03.180 EE
32. On RR Zone property located within a Residential RAID contiguous to a Mixed Use RAID or Non-municipal UGA, except that a community meeting is not required if seating capacity is no more than 150 or fewer persons or a 2,000 square foot assembly area is proposed.
33. Always a Conditional use in the Rural Residential.
34. Limited to the standards for roof-mounted wireless communication antenna arrays found in 17.03.180.L.8.c.
35. Camano Gateway Village is limited to Small scale health care services.
36. Public and private (1 to 6 students) consolidate with schools.
37. Less than or equal to .22 Floor Area Ratio.
38. Less than or equal to .24 Floor Area Ratio.
39. With residential not to exceed eight (8) dwelling units per lot or parcel in a mixed-use building.
40. Not to exceed 20 units per acre.
D. Municipal Urban Growth Areas Use Table. Uses for properties in the Oak Harbor and Langley Urban Growth Areas, but not incorporated into the city limits, shall be as shown in Table 17.03.035.D: properties in the Oak Harbor Residential (OH-R), Oak Harbor Industrial (OH-I), Oak Harbor Highway Service Commercial (OH-HSC), Oak Harbor Planned Business Park (OH-PBP), Oak Harbor Planned Industrial Park (OH-PIP), and UGA Langley (UGA-L) zoning districts.

For uses inside the Freeland Non-Municipal Urban Growth Area, see ICC 17.06.

Table 17.03.035.D. UGA Uses

<table>
<thead>
<tr>
<th>RESIDENTIAL USES</th>
<th>OH-R</th>
<th>OH-I</th>
<th>OH-HSC</th>
<th>OH-PBP</th>
<th>OH-PIP</th>
<th>UGA-L</th>
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<th>OH-HSC</th>
<th>OH-PBP</th>
<th>OH-PIP</th>
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### Table 17.03.035.D. UGA Uses

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<th>ZONING DISTRICT</th>
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#### Commercial, Manufacturing and Industrial Uses

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<th>Planned Industrial Park</th>
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<td>Assembly, manufacture, packaging, compounding or treatment of articles or merchandise</td>
<td>P/I(7)</td>
<td>P/I(7)</td>
<td>C/II(2)</td>
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<td>Assembly, manufacture, rebuilding, compounding, processing, preparation, or treatment</td>
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<td>C/II(14)</td>
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<td>Auto repair</td>
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<td>Automobile sales and service</td>
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<td>C/II(14)</td>
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<td>Bed and breakfast inn</td>
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<td>Bedding, carpet and pillow manufacture, cleaning and renovating</td>
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<td>Boat sales and boat repair</td>
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<td>Bottling and processing of non-alcoholic beverages</td>
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<td>Canning, processing and freezing of fruit and vegetables</td>
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<td>Cement and asphalt plants</td>
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<td>Cold storage plants</td>
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<td>Drive-in banks</td>
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<td>C/II(1)</td>
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<td>Electroplating</td>
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<td>Feed and seed store, retail or wholesale</td>
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<td>Food and drug processing</td>
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<td>Machine, welding, or metal working shop</td>
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<td>Manufacture and assembly of light and small items made from previously prepared materials</td>
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Ord. No. C-53-19, PLG-005-19
Chapter 17.03 ICC Amendments – Land Use Table Consolidation
15 of 57
## Table 17.03.035.D. UGA Uses

<table>
<thead>
<tr>
<th>Type I Permitted Use – Ministerial Decision</th>
<th>APZ Overlay</th>
<th>Residential</th>
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<th>Oak Harbor UGA</th>
<th>Langley UGA</th>
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<td>Manufacture or processing of non-durable goods</td>
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<td>Mixing plants for concrete or paving material</td>
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17.03.086
### Table 17.03.035.D. UGA Uses

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#### ZONING DISTRICT

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#### UTILITIES AND ESSENTIAL PUBLIC FACILITIES

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#### PROHIBITED USES

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#### Table Notes:

1. Any permitted use that exceeds 12,000 square feet of gross floor area may be allowed upon site plan approval processed as a Type II decision pursuant to chapter 16.19.
2. From the following previously prepared materials: cloth, glass, lacquer, leather, paper, plastics, precious or semi-precious metals or stones, wood (excluding sawmills, lumber mills and planing mills), paint, clay, sand, rubber.
3. Of such articles or products as: bathtubs, bottles, mattresses, furniture, tools, hardware, and paper products, but not the manufacture of paper itself.
4. Of all kinds, including body and fender work, provided there shall be no wrecking, junking, dismantling, or salvaging operations, including service stations.
5. The production of which is devoid of fumes, noxious odors, or waste products.
6. Occupying no more than twenty-five (25) percent of the gross floor area or a maximum of 600 square feet in a detached single family dwelling unit.
7. Retail or wholesale, including building supplies, hardware, and related items.
8. But not including punch presses, drop hammers, or other noise and vibration producing equipment.
9. Includes operations which do not create noise, smoke, odor, vibration or other objectionable nuisances to the extent that they are detrimental to surrounding uses.
10. Goods such as: chemical and allied products, petroleum products, fertilizers, but excluding explosives and ammonia.
11. Provided that such facilities meet the state siting criteria adopted pursuant to the requirements of RCW 70.105.210.
12. Except those having a chief activity carried on for monetary gain.
13. Including but not limited to music, dance, martial arts, photography, health clubs.
14. Food, pharmaceuticals, toiletries, cosmetics, optical goods, scientific instruments and equipment, and precision instruments and equipment.
15. Shall not exceed 12,000 square feet to gross floor area per lot, tract or parcel and shall be processed as a Type I decision pursuant to chapter 16.19.
- Section 17.03.035A - Permitted and conditional uses in the Rural Agriculture and Commercial Agriculture Zones.
  (Repealed)
- Section 17.03.035B - Permitted and conditional uses in the Rural Forest Zone.
  (Repealed)
- Section 17.03.035C - Permitted and conditional uses in the Rural Residential Zone.
  (Repealed)
- Section 17.03.035D - Permitted and conditional uses in the Rural Zone.
  (Repealed)
- Section 17.03.035E - Permitted and conditional uses in the Rural Center, Rural Village and Rural Service Zone.
  (Repealed)

17.03.060 - Rural (R) Zone.[7]

The Rural Zone is the principal land use classification for Island County. Limitations on density and uses are designed to provide for a variety of rural lifestyles and to ensure compatible uses.

A. Permitted uses. Processed as Type I decisions pursuant to chapter 16.19:

1. Accessory uses and buildings on lots with existing permitted uses;
2. Accessory uses in uninhabitable buildings less than 800 square feet in size on lots less than two and one-half (2.5) acres in size that do not have existing permitting uses;
3. All accessory uses in uninhabitable buildings on lots two and one-half (2.5) acres in size or larger that do not have existing permitted uses;
4. Bed and breakfast room;
5. Farm or forest products stand;
6. Fire station (two (2) bays or smaller or less than 4,000 square feet) of gross floor area;
7. Home occupation;
8. The growing, harvesting, sale and managing of agricultural products including horticulture and livestock, provided raising of large livestock on lots less than two and one-half (2.5) acres in size requires approval of an animal management plan;
9. The growing, harvesting, sale and managing of forest products or any forest crop, in accordance with the Washington Forest Practices Act and regulations adopted pursuant thereto, including, but not limited to, timber, Christmas trees, nursery stock, and floral vegetation;
10. Group home (no more than six (6) persons);
11. Day care nursery (no more than six (6) persons);
12. Guest cottage;
13. Minor utilities;
14. Temporary uses;
15. The processing of agricultural or forest products in structures that are less than 4,000 square feet of gross floor area;
16. Seasonal sale of farm produce, with any associated structures subject to the accessory building requirements stated herein and signage requirements set pursuant to section 17.03.180;
17. Single family dwelling unit;
18. Accessory living quarters;
19. Water tanks thirty-two (32) feet or smaller in diameter or height and if not cylindrical in shape, then the surface area shall not exceed the ground area encompassed by a tank thirty-two (32) feet in diameter;
20. Marijuana producer deemed a Type I land use decision in section 17.03.180.BB; and
21. Events deemed a Type I land use decision in section 17.03.180.EE.

B. Conditional uses:

1. Uses allowed upon site plan approval pursuant to chapter 16.15 processed as Type II decisions pursuant to chapter 16.19:
   a. Accessory uses and uninhabitable buildings 800 square feet of gross floor area or greater in size on lots less than two and one-half (2.5) acres in size that do not have existing permitted uses;
   b. Bed and breakfast inn;
   c. Public/community boat launch;
   d. Campground and recreation vehicle park which do not exceed three (3) sites per gross acre of the parcel;
   e. Communication tower;
   f. Equestrian center as specified in section 17.03.180;
   g. Group home and small day care center (greater than six (6) but less than twelve (12) children or adults);
   h. Fire station (larger than two (2) bays or 4,000 square feet or larger of gross floor area);
   i. Home industries as specified in section 17.03.180;
   j. Kennel, subject to the home industry standards in section 17.03.180.J. as well as applicable institutional uses standards in section 17.03.180.L.10.;
   k. Major utilities;
   l. The processing of agricultural or forest products in structures that are 4,000 square feet or larger of gross floor area;
   m. Small-scale recreation uses as specified in section 17.03.180;
n. Small-scale tourist use as specified in section 17.03.180;

o. Water tanks (larger than a permitted use);

p. Animal shelters;

q. Marijuana producer and/or processor deemed a Type II land use decision in section 17.03.180.BB;

r. Rural winery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is less than 8,000 square feet as specified in section 17.03.180.DD;

e. Rural cider facilities where the gross floor area utilized to support cider manufacture, production, sales, or tasting is less than 8,000 square feet as specified in section 17.03.180.DD;

t. Rural distillery facilities where the gross floor area utilized to support distilled spirits manufacture, production, sales, or tasting is less than 8,000 square feet as specified in section 17.03.180.DD; and

u. Events deemed a Type II decision in section 17.03.180.EE.

2. Uses allowed upon site plan approved pursuant to chapter 16.15 processed as Type III decisions and requiring a community meeting pursuant to chapter 16.19, unless otherwise specified:

a. Church except that a community meeting is not required if seating capacity is no more than 150 or fewer persons or a 2,000 square foot assembly area is proposed;

b. Country inn, except that a community meeting is not required if twenty (20) or less rooms are proposed;

c. Covered equestrian center as specified in section 17.03.180;

d. Essential public facilities;

e. Gun club and shooting range;

f. Mobile/manufactured home park;

g. Private or public school;

h. Surface mine;

i. Home industries as specified in section 17.03.180, except that a community meeting is not required;

j. Small-scale recreation uses as specified in section 17.03.180;

k. Small-scale tourist use as specified in section 17.03.180;

l. Mini storage facility;

m. Marijuana producer and/or processor deemed a Type III land use decision in section 17.03.180.BB;

n. Rural winery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is equal to or more than 8,000 square feet as specified in section 17.03.180.DD;
o. Rural cidery facilities where the gross floor area utilized to support cider manufacture, production, sales, or tasting is equal to or more than 8,000 square feet as specified in section 17.03.180.DD.

p. Rural distillery facilities where the gross floor area utilized to support distilled spirits manufacture, production, sales, or tasting is equal to or more than 8,000 square feet as specified in section 17.03.180.DD; and

q. Events deemed a Type III decision in section 17.03.180.EE.

A.C. Designation criteria and areas. Parcels that meet the following criteria qualify as Rural land and shall be classified in the Rural classification:

... 

B.D. Lot/density. Lot/density requirements shall be as follows:

... 

C.E. Setbacks. Unless otherwise provided in this chapter, setback requirements shall be as follows:

... 

D.F. Height. Maximum building height shall not exceed thirty-five (35) feet. Chimneys, smokestacks, fire or parapet walls, ADA-required elevator shafts, flagpoles, utility lines and poles, water tanks, skylights, silos, communication sending and receiving devices, HVAC and similar equipment, and spires associated with places of worship are exempt from height requirements.

17.03.070 - Rural Residential (RR) Zone.[8]

The purpose of the Rural Residential Zone is to define the logical outer boundary of a pattern of development and density that is more intensive than the density permitted in the R Zone.

A. Permitted uses. Processed as Type I decisions pursuant to chapter 16.19:

1. Accessory uses and buildings on lots with existing permitted uses;

2. Accessory uses in uninhabitable buildings less than 800 square feet of gross floor area in size on lots less than two and one-half (2.5) acres in size that do not have existing permitted uses;

3. All accessory uses in uninhabitable buildings on lots two and one-half (2.5) acres in size or larger that do not have existing permitted uses;

4. Bed and breakfast room;

5. Day care nursery (no more than six (6) persons);

6. Home occupation;

7. Guest cottage on parcels one (1) acre or greater in size;

8. The growing, harvesting, sale and managing of agricultural products including horticulture and livestock provided raising of large livestock on lots less than two and one-half (2.5) acres in size requires approval of an animal management plan;

9. Minor utilities;
10. Single family dwelling unit, duplex, triplex and fourplex;
11. Temporary uses;
12. Water tanks (thirty-two (32) feet or smaller in diameter or height and if not cylindrical in shape, then the surface area shall not exceed the ground area encompassed by a tank thirty-two (32) feet in diameter);
13. Accessory living quarters;
14. Group home (no more than six (6) persons); and
15. Special events deemed a Type I decision in section 17.03.180.EE.

B. Conditional uses.

1. Uses allowed upon site plan approval pursuant to chapter 16.15 processed as Type II decisions pursuant to chapter 16.19:
   a. Bed and breakfast inn;
   b. Public/community boat launch;
   c. Fire station;
   d. Water tanks (larger than a permitted use);
   e. Small day care center (seven (7) to twelve (12) persons); and
   f. Group home (seven (7) to twelve (12) persons).

2. Uses allowed upon site plan approved pursuant to chapter 16.15 processed as Type III decisions and requiring a community meeting, depending upon size, pursuant to chapter 16.19:
   a. Churches on RR Zone property located within a Residential RAID contiguous to a Mixed Use RAID or Non-municipal UGA, except that a community meeting is not required if seating capacity is no more than 150 or fewer persons or a 2,000 square foot assembly area is proposed.

3. Special events deemed a Type II decision in section 17.03.180.EE.

C. Prohibited uses.

1. Helipads; and
2. Marijuana producer, processor and retailer as defined in this chapter and subject to section 17.03.180.BB.

A.D. Designation criteria and areas. Areas with a predominant pattern of development and density existing on July 1, 1990 that is greater than the base density permitted in the R Zone may be designated RR when the criteria set forth below are met. The areas designated Rural Residential are listed in section ICC 17.03.075 and depicted in the zoning atlas. Specific conditions can be found in Appendix A.

B.E. Lot/density. Lot/density requirements shall be as follows:
C.F. **Setbacks and lot dimensions.** Unless otherwise provided in this chapter, setback requirements shall be as follows:

...  

D.G. **Height.** Maximum building height shall not exceed thirty-five (35) feet. Chimneys, smokestacks, fire or parapet walls, ADA-required elevator shafts, flagpoles, utility lines and poles, water tanks, skylights, silos, communication sending and receiving devices, HVAC and similar equipment, and spires associated with places of worship are exempt from height requirements.

**17.03.072 - Parks (PK) Zone.**

The purpose of the Parks Zone is to implement the parks and recreation element of the Island County Comprehensive Plan. The zone is further intended to ensure the continued public provision of a variety of services, optimizing public investments, conserving recreation, critical areas and open space resources. Uses and activities allowed in the Parks Zone are intended to provide services and recreation opportunities for local residents as well as visitors to the county while preserving, promoting or enhancing natural lands, open spaces and critical areas.

A. **Permitted uses.** Processed as Type I decisions pursuant to chapter 16.19.

1. Public parks;
2. Playgrounds;
3. Parking;
4. Critical areas education and/or interpretative areas;
5. Restrooms, picnic shelters, tool and equipment storage, and similar buildings normally associated with low intensity park development;
6. Single family dwelling used as a caretaker’s residence;
7. Public boat launching ramps, docks, fishing piers, swimming docks and floats;
8. Hiking, jogging, walking and bicycle paths;
9. Outdoor tennis and basketball, baseball, soccer, rugby courts for day use; and
10. Events deemed a Type I decision in section 17.03.180.EE.

B. **Conditional uses.** Uses allowed upon site plan approval pursuant to chapter 16.15 processed as Type II decisions pursuant to chapter 16.19.

1. All uses described in section 17.03.180.T. (small scale recreation and tourist uses);
2. Community center;
3. Unenclosed stadium;
4. Facilities for the performance and teaching of arts and crafts;
5. Critical areas, archaeological or historical interpretive centers;
6. Libraries and museums; and
7. Events deemed a Type II decision in section 17.03.180.EE.
A.C. Designation criteria and areas. Parcels that meet the following criteria qualify as Park land and shall be classified in the Park classification:

... 

B.D. Lot/density. The minimum lot size shall be consistent with the area required to meet the building setbacks, lot coverage, open space, and development standards of this zone.

C.E. Setbacks. Setbacks shall be consistent for single family dwelling setback requirements specified in section ICC 17.03.180.S. Setbacks may be increased by the director to ensure that permitted and conditional uses do not interfere with adjacent permitted uses.

D.F. Height. Maximum building height shall not exceed thirty-five (35) feet. Chimneys, smokestacks, parapet walls, ADA required elevator shafts, flagpoles, utility lines and poles, water tanks, skylights shall not be included in the thirty-five (35) feet.

E.G. Lot coverage. Impervious surface and building coverage for development in the Park Zone shall comply with the standards set forth in section ICC 17.03.180.S.1. for non-residential uses in the R, RA, RF and CA Zones.

F.H. Open space. At least seventy-five (75) percent of any parcel shall be utilized as open space.

G.I. A landscape plan for all permitted, accessory, or conditional uses shall be submitted to the director for approval.

H.J. The director may impose additional requirements as deemed necessary to ensure compatibility between any permitted, accessory, or conditional use.

... 

17.03.081 Oak Harbor—Residential (OH-R) Zone.

The purpose of the Oak Harbor Residential Zone (OH-R) is to provide for the residential development of the lands inside the City of Oak Harbor's Municipal Urban Growth Area at densities and uses that will provide for the efficient provision of municipal water and sewer services.

A. Permitted uses. Uses permitted outright. Processed as Type I decisions pursuant to chapter 16.19:

1. Single family detached dwellings;
2. Accessory uses and buildings on lots with legally permitted uses;
3. Bed and breakfast room;
4. Day care nursery;
5. Home occupation occupying no more than twenty-five (25) percent of the gross floor area or a maximum of 600 square feet in a detached single family dwelling unit;
6. Guest cottage or accessory dwelling unit subject to site coverage requirements of section 17.03.180.P.;
7. Minor utilities;
8. Temporary uses.
B. Conditional uses. Uses allowed upon site plan approval pursuant to chapter 16.15 processed as Type II decisions pursuant to chapter 16.19:

1. Bed and breakfast inn with not more than six (6) guest rooms;
2. Fire station;
3. Foster homes; and

Uses allowed upon site plan approval pursuant to chapter 16.15 processed as Type III decisions pursuant to chapter 16.19:

1. Group home;
2. Libraries and museums;
3. Nursing homes;
4. Day care centers;
5. Senior retirement facility;
6. Churches; and
7. Private or public schools.

A.C. Prohibited uses.

... 

B.D. Designation criteria and areas.

... 

C.E. Lot/density. Lot/density requirements shall be as follows:

... 

D.F. Setbacks and lot dimensions. Setback requirements shall be as follows:

... 

E.G. Maximum height. Maximum height shall be thirty (30) feet.

17.03.082 - Oak Harbor—Industrial (OH-I) Zone.

The OH-I district is intended to accommodate certain industrial structures and uses having physical and operational characteristics, which might adversely affect adjoining residential and commercial uses. Regulations are designed to permit those industrial uses that can be operated in a clean, quiet and safe manner compatible with adjoining land uses.

A. Permitted uses. Shall not exceed 12,000 square feet to gross floor area per lot, tract or parcel and shall be processed as a Type I decision pursuant to chapter 16.19.

1. Accessory uses;
2. Bedding, carpet and pillow manufacture, cleaning and renovating;
3. Bottling and processing of non-alcoholic beverages, the production of which is devoid of fumes, noxious odors, or waste products;

4. Canning, processing and freezing of fruit and vegetables;

5. Cold storage plants;

6. Food and drug processing;

7. Retail sales and services;

8. Storage, outdoor and mini storage;

9. Warehousing and distribution centers;

10. Manufacture and assembly of light and small items made from previously prepared materials and includes operations which do not create noise, smoke, odor, vibration or other objectionable nuisances to the extent that they are detrimental to surrounding uses;

11. Assembly, manufacture, rebuilding, compounding, processing, preparation, or treatment of such articles or products as: batteries, bottles, mattresses, furniture, tools, hardware, and paper products, but not the manufacture of paper itself;

12. Machine, welding, or metal working shop, but not including punch presses, drop hammers, or other noise and vibration producing equipment;

13. Woodworking shop;

14. Minor utilities; and

15. Marijuana producer deemed a Type I land use decision in section 17.03.180.BB.

B. Conditional uses. The following uses may be permitted in the OH-I upon site plan approval processed as a Type II decision pursuant to chapter 16.19.

1. Marijuana producer and/or processor deemed a Type II land use decision in section 17.03.180.BB.

The following uses may be permitted in the OH-I upon site plan approval processed as a Type III decision pursuant to chapter 16.19.

1. Any conditional use permitted in the OH-I Zone;

2. Cement and asphalt plants;

3. Electroplating;

4. Manufacture or processing of such non-durable goods as: chemical and allied products, petroleum products, fertilizers, but excluding explosives and ammonia;

5. Metal fabrication and boiler or tank works;

6. Mixing plants for concrete or paving material;

7. Off-site hazardous waste treatment and storage facilities, provided that such facilities meet the state siting criteria adopted pursuant to the requirements of RCW 70.105.210;

8. Oxygen manufacture and/or storage;

9. Tire retreading;
10. Produce stand;

11. Rodenticide, insecticide and pesticide mixing plants; and

12. Marijuana producer and/or processor deemed a Type III land use decision in section 17.03.180.BB.

C. A. Prohibited uses. No building, structure or premise or a portion thereof, established after the effective date of this chapter, shall be used for human habitation, permanent, transient or temporary except as quarters for a caretaker, guard or other person whose permanent residency on the premises is required for operational safety or protective purposes.

D. B. Designation criteria and areas. Areas designated potential industrial on the Island County Future Land Use Map. Specific areas are also designated as Industrial on the 1998 Oak Harbor Comprehensive Plan Land Use Element Map.

E. C. Lot/density. Lot size requirements shall be the minimum lot size required by County Health Department requirements.

E. D. Setback and height. Setback and height requirements shall be as follows:

1. Minimum lot area: No limitation.

2. Minimum lot width: No limitation.

3. Minimum lot depth: No limitation.

4. Minimum front yard: Thirty-five (35) feet.

5. Minimum side yard: No limitation, except when abutting a residentially zoned property then ten (10) feet each. For corner lots, a side yard abutting a public street shall be thirty-five (35) feet except that the director may approve a setback reduction of not less than twenty (20) feet or the established building line on adjoining property, whichever is greater.

6. Minimum rear yard: No limitation except when abutting a public street, then thirty-five (35) feet.

7. Maximum building height: Thirty-five (35) feet.

8. Maximum lot coverage: No limitation.

E. E. Land use standards. All projects shall comply with applicable use standards of section 17.03.180 unless modified by this section; critical area standards, chapter 17.02B; and Island County AICUZ Standards.

17.03.083 - Oak Harbor—Highway Service Commercial (OH-HSC) Zone.

The Highway Service Commercial Zone (OH-HSC) is intended to permit the establishment of facilities within the Oak Harbor Municipal Urban Growth Area oriented toward uses dependent upon highway location. It is intended that such districts should be placed at locations providing the highest degree of usefulness to the traveling public and maintain an attractive, functional and safe highway corridor within the Oak Harbor UGA.

A. Permitted uses. Shall not exceed 12,000 square feet of gross floor area per lot, tract or parcel and shall be processed as a Type I decision pursuant to chapter 16.19.

1. Accessory uses;
2. Automobile and truck service stations;
3. Automobile sales and service;
4. Boat sales and boat repair;
5. Drive-in banks;
6. Restaurants;
7. Real estate sales; governmental services; and
8. Self-storage warehouse.

B. Conditional uses.

1. Any permitted use that exceeds 12,000 square feet of gross floor area may be allowed upon site plan approval processed as a Type II decision pursuant to chapter 16.19.
2. Major utilities and essential public facilities may be allowed upon site plan approval processed as a Type III decision pursuant to chapter 16.19.

C. A. Prohibited uses.

1. Junk and salvage yards;
2. Single family dwelling units.

D. B. Designation criteria and areas. Areas designated as potential industrial lands on the Island County Future Land Use Map in the Oak Harbor UGA. Specific areas are also designated as Highway Service Commercial on the 1998 Oak Harbor Comprehensive Plan Land Use Element Map.

E. C. Lot/density. Minimum lot size shall be the minimum lot size required by County Health Department requirements provided that no residence for a caretaker, guard or other person whose permanent residency on the premises is required for operational safety of protective purposes shall be erected, maintained or enlarged on a lot which is less than 6,000 square feet.

F. D. Setbacks and heights. Setback and height requirements shall be as follows:

1. Front setback shall be thirty-five (35) feet.
2. There is no side setback except as follows:
3. Along side lot lines abutting residentially zoned property there shall be a ten-foot setback.
4. For corner lots the side setback shall be fifteen (15) feet unless modified by section 17.03.180.S.6.
5. There is no minimum rear setback except where abutting a street. In the case of a lot where the rear lot line abuts a street the rear setback shall be fifteen (15) feet.
6. Maximum building height shall be thirty-five (35) feet.
7. There is no restriction as to the amount of lot which may be covered.

G. E. Land use standards. All projects shall comply with applicable use standards of section 17.03.180 unless modified by this section; critical area standards, chapter 17.02B; and Island County AICUZ Standards.
17.03.084 - Oak Harbor—Planned Business Park (OH-PBP) Zone.

The purpose and intent of the Planned Business Park is to:

... 

7. Provide a guide for developers, county and city officials and the Planning Commission in meeting the purpose and provisions of this section.

A. Conditional uses. Uses allowed upon site plan approval pursuant to chapter 16.15 processed as Type II decisions pursuant to chapter 16.19:

1. Accessory uses;

2. Assembly, manufacture, packaging, compounding or treatment of articles or merchandise from the following previously prepared materials: cloth, glass, lacquer, leather, paper, plastics, precious or semi-precious metals or stones, wood (excluding sawmills, lumber mills and planing mills), paint, clay, sand, rubber;

3. Printing, publishing and book binding;

4. Manufacturing, processing and packaging of food, pharmaceuticals, toiletries, cosmetics, optical goods, scientific instruments and equipment, and precision instruments and equipment;

5. Scientific research, testing and experimental development laboratories;

6. Corporate headquarters, regional headquarters and administrative offices of commercial, industrial, financial, charitable or governmental institutions;

A.7. Uses not shown in Table 17.03.035.D. Uses similar to, or related to, or compatible with those listed or described in this chapter, Table 17.03.035.D are permitted upon a finding by the Planning Director that a proposed use does not conflict with the intent of this section or the policies of the Oak Harbor Comprehensive Plan. The criteria for such finding of similarity, relationship or compatibility shall include, but is not limited to the following:

a. 1. The proposed use will not unreasonably adversely impact surrounding uses.;

b. 2. The development standards for permitted uses can be met by the proposed use.; and

c. 3. Impacts, such as traffic, noise and air quality will not be significantly different than those generated by permitted uses.

B. Prohibited uses.

1. All uses or activities which would require extraordinary equipment, devices or technology for the control of odors, dust, fumes, smoke, noise or other wastes and/or byproducts which, if uncontrolled, would contaminate the environment to a degree unacceptable by contemporary community standards; or which would exceed the acceptable limits established by competent and recognized public and quasi-public agencies for the protection of industrial and/or environmental health. Such uses include, but are not limited to the following:

...
17.03.085 - Urban Growth Area—Langley (UGA-L) Zone.

The purpose of the Urban Growth Area—Langley Zone (UGA-L) is to provide for the development of the lands inside the City of Langley’s Municipal Urban Growth Area at densities and uses that will provide for the efficient provision of municipal water and sewer services.

A. Permitted uses. Uses permitted outright. Processed as Type I decisions pursuant to chapter 16.19:

1. Single family detached dwellings;
2. Accessory uses and buildings on lots with legally permitted uses;
3. Bed and breakfast room;
4. Day care nursery;
5. Foster homes;
6. Adult family home;
7. Home occupation occupying no more than twenty-five (25) percent of the gross floor area or a maximum of 600 square feet in a detached single family dwelling unit;
8. Guest cottage or accessory dwelling unit subject to site coverage requirements of section 17.03.180.Q.;
9. Minor utilities; and
10. Temporary uses.

B. Conditional uses.

1. Uses allowed upon site plan approval pursuant to chapter 16.15 processed as Type II decisions pursuant to chapter 16.19:
   a. Bed and breakfast inn with not more than six (6) guest rooms;
   b. Fire station; and
   c. Water tanks.

2. Uses allowed upon site plan approval pursuant to chapter 16.15 processed as Type III decisions pursuant to chapter 16.19:
   a. Group home;
   b. Social service facilities;
   c. Libraries and museums;
   d. Nursing homes;
   e. Day care centers;
   f. Senior retirement facility;
   g. Churches; and
   h. Private or public schools.

A.C. Prohibited uses.

1. Helipads; and
2. Marijuana producer, processor and retailer as defined in this chapter and subject to section 17.03.180.BB.

**B.D.** Designation criteria and areas. Areas within the designated boundaries of the Langley Municipal Urban Growth Area.

**C.E.** Lot/density. Lot/density requirements shall be as follows:

1. Base density, shall be one (1) dwelling unit (d.u.) per five (5) acres;
2. A density of up to three (3) dwelling units per five (5) acres is allowed provided that the public sewer, water and stormwater facilities conforming to City of Langley utility plans and design standards are installed or, installation is secured by a bond or other form of approved security along the frontage of the portion of the property to be developed under this provision; and
3. For land divisions approved after the execution of the Langley Interlocal Agreement, lot sizes for single family detached dwellings shall be established pursuant to the potential municipal zoning classification except in no event shall lot size exceed 15,000 square feet and lot clustering shall be required when necessary to carry out this provision.

**D.F.** Setbacks and lot dimensions. Setback requirements shall be as follows:

1. Street or front yard: Twenty (20) feet;
2. Side yard: Five (5) feet on each side; and
3. Rear yard: Twenty-five (25) feet.

**E.G.** Maximum height. Maximum height shall be thirty (30) feet. The maximum height for accessory structures shall be fifteen (15) feet.

**17.03.086 - Oak Harbor—Planned Industrial Park (OH-PIP) Zone.**

The purpose and intent of the OH-PIP is to:

...  

6. Provide a guide for developers and city officials in meeting the purpose and provisions of this section.

**A.** Conditional uses. Uses allowed upon site plan approval pursuant to chapter 16.15 processed as Type II decisions pursuant to chapter 16.19.

1. Accessory uses;
2. Assembly, manufacture, packaging, compounding or treatment of articles or merchandise from the following previously prepared materials: cloth, glass, lacquer, leather, paper, plastics, precious or semi-precious metals or stones, wood (excluding sawmills, lumber mills and planing mills), paint, clay, sand, rubber;
3. Printing, publishing and book binding;
4. Manufacturing, processing and packaging of food, pharmaceuticals, toiletries, cosmetics, optical goods, scientific instruments and equipment, and precision instruments and equipment;
5. Scientific research, testing and experimental development laboratories;
6. Corporate headquarters, regional headquarters and administrative offices of commercial, industrial, financial, charitable or governmental institutions;
7. Upholstery shop;
8. Auto repair of all kinds, including body and fender work, provided there shall be no wrecking, junking, dismantling, or salvaging operations;
9. Feed and seed store, retail or wholesale;
10. Gun club and shooting range;
11. Marine craft, equipment and supply sales, and repair and service of small craft;
12. Nursery and landscape material including greenhouses;
13. Plumbing shop;
14. Sign shop;
15. Lumber yard, retail or wholesale, including building supplies, hardware, and related items;
16. Storage, outdoor and mini storage;
17. Vocational and technical schools;
18. Private club, lodge, convent, social or recreational building or community assembly hall, (except those having a chief activity carried on for monetary gain);
19. Training facilities, including but not limited to music, dance, martial arts, photography, health clubs;
20. Warehousing and distribution centers;
21. Retail sales and services;

A. Uses not shown in Table 17.03.035.D. Uses similar to, or related to, or compatible with those listed or described in this section Table 17.03.035.D are permitted upon a finding by the Planning Director that a proposed use does not conflict with the intent of this section or the policies of the Oak Harbor Comprehensive Plan. The criteria for such finding of similarity, relationship or compatibility shall include, but not be limited to the following:
   a. The proposed use will not unreasonably adversely impact surrounding uses;
   b. The development standards for permitted uses can be met by the proposed use; and
   c. Impacts, such as traffic, noise and air quality will not be significantly different than those generated by permitted uses.

22. Overnight lodging;
23. Minor and major utilities and essential public facilities;
24. Temporary uses; and
25. Marijuana producer and processor deemed a Type II land use decision in section 17.03.180.BB.

B. Prohibited uses.
17.03.090 - Rural Agriculture (RA) Zone.

The primary purpose of the Rural Agriculture (RA) Zone is to protect and encourage the long term productive use of Island County's agricultural land resources of local importance. It is established to identify geographic areas where commercial farming practices can be conducted in an efficient and effective manner; and to help maximize the productivity of the lands so classified. Secondarily, lands classified RA provide scenic open space, wildlife habitat and watershed management to the extent such use is consistent with the primary purposes of the zone.

A. Permitted uses. Processed as Type I decisions pursuant to chapter 16.19:

1. Accessory uses;
2. All uses which are necessary to the production, harvesting, sale or processing of agricultural products or have the principal purpose of carrying out or facilitating the practice of farming;
3. Bed and breakfast room;
4. Dwelling units for farm workers employed by the farm operator;
5. Farm produce stand and forest products stand;
6. The growing, harvesting, sale and managing of agricultural products including horticulture and livestock;
7. The growing, harvesting, sale (including seasonal sales) and managing of forest products or any forest crop, in accordance with the Washington Forest Practices Act and regulations adopted pursuant thereto, including, but not limited to, timber, Christmas trees, nursery stock, and floral vegetation;
8. Guest cottage;
9. Home occupation;
10. Minor utilities;
11. Single family dwelling unit;
12. Temporary uses;
13. Water tanks;
14. Day care nursery (no more than six (6) persons);
15. Group home (no more than six (6) persons);
16. Accessory living quarters;
17. Marijuana producer and processor deemed a Type I land use decision in section 17.03.180.BB; and
18. Events deemed a Type I land use decision in section 17.03.180.EE.

Provided that any permitted use shall be disapproved upon finding that it will interfere with efficient management or productivity of agricultural uses.

B. Conditional uses.
1. Uses allowed upon site plan approval pursuant to this chapter 16.15 processed as Type II decisions, pursuant to chapter 16.19:
   a. Communication towers;
   b. Equestrian center as specified in section 17.03.180;
   c. Home industry as specified in section 17.03.180;
   d. Kennels;
   e. Bed and breakfast inn;
   f. Small day care center;
   g. Recreational aerial activities as specified in section 17.03.180;
   h. Rural event center as specified in section 17.03.180.T.8.a. as a Type II decision;
   i. Marijuana producer and/or processor deemed a Type II land use decision in section 17.03.180.BB;
   j. Rural winery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is less than 8,000 square feet as specified in section 17.03.180.DD;
   k. Rural cidery facilities where the gross floor area utilized to support cider manufacture, production, sales, or tasting is less than 8,000 square feet as specified in section 17.03.180.DD;
   l. Rural distillery facilities where the gross floor area utilized to support distilled spirits manufacture, production, sales, or tasting is less than 8,000 square feet as specified in section 17.03.180.DD; and
   m. Events deemed a Type II land use decision in section 17.03.180.EE.

2. Uses allowed upon site plan approval pursuant to chapter 16.15, processed as Type III decisions and requiring a community meeting pursuant to chapter 16.19, unless otherwise specified:
   a. Gun club and shooting range;
   b. Surface mine;
   c. Church, except that a community meeting is not required if seating capacity is no more than 150 or fewer persons or a 2,000 square foot assembly area is proposed;
   d. Covered equestrian center as specified in section 17.03.180;
   e. Essential public facilities;
   f. Home industries as specified in section 17.03.180, except that a community meeting is not required;
   g. Rural event center as specified in section 17.03.180.T.8.a. as a Type III decision;
   h. Marijuana producer and processor deemed a Type III land use decision in section 17.03.180.BB;
i. Rural winery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is equal to or more than 8,000 square feet as specified in section 17.03.180.DD;

j. Rural cidery facilities where the gross floor area utilized to support cider manufacture, production, sales, or tasting is equal to or more than 8,000 square feet as specified in section 17.03.180.DD;

k. Rural distillery facilities where the gross floor area utilized to support distilled spirits manufacture, production, sales, or tasting is equal to or more than 8,000 square feet as specified in section 17.03.180.DD; and

l. Events deemed a Type III land use decision in section 17.03.180.EE.

3. Earned development units after approval by the board of a commercial agriculture farm management plan as set forth in section 17.03.180.G.

4. Certain uses allowed in the R Zone identified in section 17.03.035A as specified in an approved commercial agriculture farm management plan as set forth in section 17.03.180.G.

A.C. Designation criteria. Parcels that meet the following criteria qualify as Rural Agricultural land and shall be classified in the Rural Agricultural classification:

... 

B.D. Lot/density. Lot or density requirements shall be as follows:

...

C.E. Setbacks. Unless otherwise provided in this chapter, setback requirements shall be as follows:

...

D.F. Height. Maximum building height shall not exceed thirty-five (35) feet. Chimneys, smokestacks, fire or parapet walls, ADA-required elevator shafts, flagpoles, utility lines and poles, water tanks, skylights, silos, communication sending and receiving devices, HVAC and similar equipment, and spires associated with places of worship are exempt from height requirements.

17.03.100 - Commercial Agriculture (CA) Zone.

The primary purpose of the Commercial Agriculture (CA) Zone is to protect and encourage the long term commercially productive use of Island County's agricultural resource lands of long term commercial significance that have been designated pursuant to RCW 36.70A.170. It is established to identify geographic areas where a combination of soil, and topography allow commercial farming practices to be conducted in an efficient and effective manner; to help maximize the productivity of the lands so classified; to protect farming operations from interference by non-farmers; and to maintain agricultural land areas for agriculture use free from conflicting non-farm uses. Otherwise, the purposes of the zoning classification are the same as the RA Zone.

A. Permitted uses. Processed as Type I decisions pursuant to chapter 16.19:

1. Accessory uses;
2. All uses which are necessary to the production, harvesting, sale or processing of agricultural products or have the principal purpose of carrying out or facilitating the practice of farming and farm activities;

3. Bed and breakfast room;

4. Dwelling units for farm workers employed by the farm operator;

5. Farm produce stand and forest products stand;

6. The growing, harvesting, sale and managing of agricultural products including horticulture and livestock;

7. The growing, harvesting, sale (including seasonal sales) and managing of forest products or any forest crop, in accordance with the Washington Forest Practices Act and regulations adopted pursuant thereto, including, but not limited to, timber, Christmas trees, nursery stock, and floral vegetation;

8. Guest cottage;

9. Home occupation;

10. Minor utilities;

11. Single family dwelling unit;

12. Temporary uses;

13. Water tank;

14. Farm equipment storage and repair facilities;

15. Veterinarian clinic;

16. Day care nursery and small day care center (no more than six (6) persons);

17. Accessory living quarters;

18. Marijuana producer deemed a Type I land use decision in section 17.03.180.BB;

19. Rural winery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is less than 8,000 square feet as specified in section 17.03.180.DD;

20. Rural cidery facilities where the gross floor area utilized to support cider manufacture, production, sales, or tasting is less than 8,000 square feet as specified in section 17.03.180.DD;

21. Rural distillery facilities where the gross floor area utilized to support distilled spirits manufacture, production, sales, or tasting is less than 8,000 square feet as specified in section 17.03.180.DD; and

22. Events deemed a Type I land use decision in section 17.03.180.EE.

Provided that any permitted use shall be disapproved upon finding that it will interfere with efficient management or productivity of commercial agricultural uses.

B. Conditional uses.

1. Uses allowed upon site plan approval pursuant to chapter 16.15 processed as Type II decisions pursuant to chapter 16.19:
a. Communication towers;
b. Home industry as specified in section 17.03.180;
c. Equestrian center as specified in section 17.03.180;
d. Small day care center;
e. Bed and breakfast inn;
f. Recreational aerial activities as specified in section 17.03.180;
g. Marijuana producer and/or processor deemed a Type II land use decision in section 17.03.180.BB;
h. Rural winery facilities where the gross floor area utilized to support wine manufacture, production, sales, or tasting is equal to or more than 8,000 square feet as specified in section 17.03.180.DD;
i. Rural cidery facilities where the gross floor area utilized to support cider manufacture, production, sales, or tasting is equal to or more than 8,000 square feet as specified in section 17.03.180.DD;
j. Rural distillery facilities where the gross floor area utilized to support distilled spirits manufacture, production, sales, or tasting is equal to or more than 8,000 square feet as specified in section 17.03.180.DD; and
k. Events deemed a Type II land use decision in section 17.03.180.EE.

2. Uses allowed upon site plan approval processed as Type III decisions and requiring a community meeting pursuant to chapter 16.19:
   a. Covered equestrian center as specified in section 17.03.180; and
   b. Home industries as specified in section 17.03.180, except that a community meeting is not required.
   c. Marijuana producer and processor deemed a Type III land use decision in section 17.03.180.BB.

3. Earned development units after approval by the board of a commercial agriculture farm management plan as set forth in section 17.03.180.G., processed as a Type IV decision, pursuant to chapter 16.19.

4. Certain use allowed in the R Zone identified in section 17.03.035A as specified in an approved commercial agriculture farm management plan as set forth in section 17.03.180.G., processed as a Type IV decision, pursuant to chapter 16.19.

C. Prohibited uses.
   1. Surface mines; and
   2. Essential public facilities.

A.D. Designation criteria. Parcels that meet the following criteria qualify as resource agricultural land and shall be classified in the Commercial Agriculture classification:

   ...
**C.F.** - Setbacks.

**D.G.** - Height. Maximum building height shall not exceed thirty-five (35) feet. Chimneys, smokestacks, fire or parapet walls, ADA-required elevator shafts, flagpoles, utility lines and poles, water tanks, skylights, silos, communication sending and receiving devices, HVAC and similar equipment, and spires associated with places of worship are exempt from height requirements.

### 17.03.110 - Rural Forest (RF) Zone.

The primary purpose of the Rural Forest (RF) Zone is to protect and encourage the long term productive use of Island County’s forest land resources of local significance. It is established to identify geographical areas where commercial forest management practices can be conducted in an efficient manner; and to help maximize the productivity of the land so classified. Secondarily, lands classified RF provide recreation opportunities, scenic open space, wildlife habitat and watershed management to the extent such use is consistent with the primary purposes of the zone.

**A.** Permitted uses. Process as Type I decisions pursuant to chapter 16.19:

1. Accessory uses;
2. All uses and activities necessary to the production of forest products and/or the harvesting and processing of timber or which have the principal purpose of carrying out or facilitating forestry;
3. Bed and breakfast room;
4. Farm produce stand and forest products stand;
5. The growing, harvesting, sale and managing of forest products or any forest crop, in accordance with the Washington Forest Practices Act and regulations adopted pursuant thereto, including, but not limited to, timber, Christmas trees, nursery stock, and floral vegetation;
6. Guest cottage;
7. Home occupation;
8. Livestock husbandry;
9. Minor utilities;
10. Single family dwelling unit;
11. Temporary uses;
12. Water tank;
13. Day care nursery (no more than six (6) persons);
14. Group home (no more than six (6) persons);
15. Accessory living quarters;
16. Marijuana producer deemed a Type I land use decision in section 17.03.180.BB; and
17. Events deemed a Type I land use decision in section 17.03.180.EE.

Provided that any permitted use shall be disapproved upon finding that it will interfere with efficient management or productivity of forest management uses.

B. Conditional uses.

1. Uses allowed upon site plan approval pursuant to chapter 16.15 processed as Type II decisions, pursuant to chapter 16.19:
   a. Public boat launch;
   b. Campground and recreation vehicle park which do not exceed three (3) sites per gross acre of the site area;
   c. Communication towers;
   d. Equestrian center as specified in section 17.03.180;
   e. Home industry as specified in section 17.03.180;
   f. Kennel;
   g. Bed and breakfast inn;
   h. Small-day care center;
   i. Recreational aerial activities as specified in section 17.03.180;
   j. Marijuana producer and processor deemed a Type II land use decision in section 17.03.180.BB; and
   k. Events deemed a Type II land use decision in section 17.03.180.EE.

2. Uses allowed upon site plan approval processed as Type III decisions and requiring a community meeting pursuant to chapter 16.19:
   a. Gun club and shooting range;
   b. Surface mine;
   c. Covered equestrian center as specified in section 17.03.180;
   d. Churches except that a community meeting is not required if seating capacity is no more than 150 or fewer persons or a 2,000-square-foot assembly area is proposed;
   e. Essential public facilities;
   f. Home industries as specified in section 17.03.180, except that a community meeting is not required; and
   g. Marijuana producer and processor deemed a Type III land use decision in section 17.03.180.BB.

A.C. Designation criteria. Parcels that meet the following criteria qualify as rural forest land and shall be classified in the Rural Forest classification:

B.D. Lot/density. Lot requirements shall be as follows:
... 

**C.E.- Setbacks.** Unless otherwise provided in this chapter, setback requirements shall be as follows:

... 

**D.F.- Height.** Maximum building height shall not exceed thirty-five (35) feet. Chimneys, smokestacks, fire or parapet walls, ADA-required elevator shafts, flagpoles, utility lines and poles, water tanks, skylights, silos, communication sending and receiving devices, HVAC and similar equipment, and spires associated with places of worship are exempt from height requirements.

17.03.120 - Rural Center (RC) Zone.[10]

The Rural Center (RC) Zone is applied to existing areas of intense non-residential and mixed-use development and encompasses the logical outer boundary of the existing pattern of development.

This zone permits a range of commercial, light manufacturing and multi-family uses that serve a broad geographic area. Mixed-use structures are encouraged. All uses within a rural center must comply with land use standards, including non-residential design landscape and screening guidelines set forth in section ICC 17.03.180.O. Rural areas of more intense development (RAID) must also comply with the table in Appendix A establishing specific standards for each RAID listed in Appendix A. In certain instances, the specific RAID standards are more restrictive than general zoning standards. *(See Appendix A at the end of chapter 17.03.)*

A. Permitted uses. Permitted uses shall not exceed 12,000 square feet of gross floor area or eight (8) dwelling/living units per lot, tract or parcel and shall be processed as Type I decisions pursuant to chapter 16.19.

1. Accessory uses;
2. Banking and financial services;
3. Churches and schools;
4. Cultural center;
5. Day care centers;
6. Eating and drinking establishments;
7. Entertainment uses;
8. Fire station;
9. Governmental services;
10. Group home;
11. Health care services;
12. Light manufacturing uses;
13. Minor utilities;
14. Mixed-use;
15. Multi-family housing;
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16. Office including research and development uses;
17. Overnight lodging;
18. Retail sales and services;
19. Storage, outdoor and mini storage;
20. Temporary uses;
21. Veterinary clinics;
22. Warehouses;
23. Water tanks;
24. Remote tasting room;
25. Winery;
26. Cidery;
27. Brewery;
28. Distillery; and
29. Events deemed a Type I land use decision in section 17.03.180.EE.

B. Conditional uses.

1. Any permitted use that exceeds 12,000 square feet of gross floor area or eight (8) dwelling/living units may be allowed upon site plan approval processed as a Type II decision pursuant to chapter 16.19.
2. Communication towers may be allowed upon site plan approval processed as a Type II decision pursuant to chapter 16.19.
3. Major utilities and essential public facilities may be allowed upon site plan approval processed as a Type III decision pursuant to chapter 16.19.
4. Marijuana retailer deemed a Type II land use decision in section 17.03.180.BB.
5. Events deemed a Type II land use decision in section 17.03.180.EE.

C. Prohibited uses.

1. Junk and salvage yards;
2. Single family dwelling units; and
3. Any building greater than 50,000 square feet of gross floor area, unless Appendix A is more restrictive in limiting building size within a particular Rural Center.

A.D. Designation criteria and areas. Areas with a predominant pattern of mixed-use development existing on July 1, 1990 may be designated RC when all of criteria set forth below are met. Specific areas are listed in section ICC 17.03.155 and depicted in the zoning atlas. Specific conditions can be found in Appendix A:

B.E. Lot/density. Lot and density requirements shall be as follows:

...
Setbacks and height. Setback and height requirements shall be as follows:

17.03.130 - Rural Village (RV) Zone.

The Rural Village (RV) Zone is applied to existing areas of mixed-use or intense non-residential or commercial development and encompasses the logical outer boundary of the existing pattern of mixed-use or non-residential development located on a state highway or county arterial. This zone permits a range of commercial services that are limited in scale, intensity and size that typically serve a localized geographic area. Mixed-use structures are encouraged. All uses within a Rural Village must comply with land use standards, including non-residential design, landscape and screening guidelines set forth in section ICC 17.03.180.

A. Permitted uses. Permitted uses shall not exceed 4,000 square feet of gross floor area, processed as Type I decisions pursuant to chapter 16.19.

1. Accessory uses;
2. Banking and financial services;
3. Cultural center, including associate overnight lodging;
4. Day care centers;
5. Eating and drinking establishments;
6. Fire stations;
7. Governmental services;
8. Health care services;
9. Mixed-use (with residential not to exceed eight (8) dwelling units per lot or parcel in a mixed-use building);
10. Minor utilities;
11. Retail sales and services;
12. Single family dwelling;
13. Temporary uses;
14. Veterinary clinics;
15. Remote tasting room;
16. Winery;
17. Cidery;
18. Brewery;
19. Distillery; and
20. Events deemed a Type I land use decision in section 17.03.180.EE.

B. Conditional uses.

1. Any permitted use that exceeds 4,000 square feet of gross floor area may be allowed upon site plan approval, processed as Type II decisions pursuant to chapter 16.19.
2. Major utilities and essential public facilities may be allowed upon site plan approval processed as a Type III decision pursuant to chapter 16.19.

3. Marijuana retailer deemed a Type II land use decision in section 17.03.180.BB.

4. Events deemed a Type II land use decision in section 17.03.180.EE.

C. Prohibited uses.

1. All uses not expressly permitted by this chapter or through Code interpretation pursuant to section 17.03.190.

2. Any building greater than 10,000 square feet of gross floor area.

A.D. Designation criteria and areas. Areas with a predominant pattern of mixed-use or non-residential development existing on July 1, 1990 may be designated RV when all of the following criteria set forth are met. Specific areas are listed in section ICC 17.03.155 and depicted in the zoning atlas. Specific conditions can be found in Appendix A.

... 

B.E. Lot/density. Lot size requirements shall be the minimum lot size required by County Health Department requirements.

C.F. Setback and height. Setback and height requirements shall be as follows:

...

17.03.135 - Camano Gateway Village (CGV) Zone.

The Camano Gateway Village (CGV) Zone is applied to the Camano Gateway and Terry's Corner existing areas of mixed use, non-residential or commercial development. This zone permits a range of uses that are limited in scale, intensity and size that provide commercial services to local residents and uses that support local commerce.

A. Permitted uses. Permitted uses shall not exceed 4,000 square feet of gross floor area, processed as a Type I decision pursuant to chapter 16.19.

1. Finance, real estate and banking services;

2. Small scale health care services;

3. Veterinary clinics;

4. Office space;

5. Small scale retail sales and services such as boutiques, clothing stores, bakeries, ice cream shops, food markets, beauty salons, craft stores, and art galleries, except that convenience services such as gas stations, convenience stores, grocery stores and box stores are prohibited;

6. Eating and drinking establishments such as restaurants, cafes and coffee shops, including drive-through espresso stands, except that drive-through food service is prohibited;

7. Overnight lodging, not to exceed twenty (20) units per acre;

8. A mixed-use development with eight (8) or fewer units where the residential component is located on the second floor or, if it is detached, the residential component
is fully integrated into a commercial development where there is a physical and functional connection between the commercial and residential uses;

9. Fire stations;
10. Government services;
11. Temporary uses such as festivals, music events, Christmas tree sales, and outdoor movies;
12. Uses and structures that are accessory or secondary to a primary permitted or conditional use;
13. Lumberyards;
14. Remote tasting room;
15. Winery;
16. Cidery;
17. Brewery;
18. Distillery; and
19. Events deemed a Type I land use decision in section 17.03.180.EE.

B. Conditional uses.

1. Any structure that exceeds 4,000 square feet of gross floor area,
2. Overnight lodging that exceeds eight (8) units; not to exceed twenty (20) units per acre (nine (9) to twenty (20) units is a Type II decision and twenty-one (21) to forty (40) units is a Type III decision).
3. Retail sales of outdoor bulk goods such as bark, topsoil, and rock.
4. A mixed use development that exceeds eight (8) residential units.
5. Marijuana retailer deemed a Type II land use decision in section 17.03.180.BB.
6. Events deemed a Type II land use decision in section 17.03.180.EE.

C. Prohibited uses.

1. All uses not expressly permitted by this chapter or through Code interpretation pursuant to section 17.03.190.
2. Any building greater than 10,000 square feet of gross floor area, unless other specific regulations govern the use (e.g., fire stations and overnight lodging).
3. Major utilities such as sewer treatment plants or power sub-stations.
4. Large scale retail sales and services such as large department and box stores, warehouse stores, grocery stores, etc.
5. Wholesale sales of outdoor bulk goods such as bark, topsoil, and rock.
6. Drive-through food service (not including espresso stands) and grocery stores.
7. Essential public facilities (these are defined in the Code and include jails, universities, military bases, etc.).
8. Convenience stores and gas stations.

9. Outdoor commercial storage and/or retail sales of trailers, mobile homes, manufactured homes, pre-fabricated structures, recreational vehicles, heavy equipment, automobiles, boats, etc.

10. Rock and gravel pits.

11. Disconnected mixed use where there is no physical or functional connection or relationship between the residential use and a commercial use.

12. Overnight lodging exceeding forty (40) units.

A.D. Designation criteria. Areas with a predominant pattern of mixed use or non-residential development existing on July 1, 1990 may be designated CGV when all of the following criteria are met. (Specific areas are listed in section ICC 17.03.155 and depicted in the zoning atlas):

... 

B.E. Lot/density/intensity.

... 

C.F. Setbacks and height.

... 

D.G. Utilities.

... 

17.03.140 - Rural Service (RS) Zone.

The Rural Service (RS) Zone is applied to isolated existing mixed-use, retail or retail service businesses located in the Rural Zone that typically are not permitted or conditional uses in that zone. This zone permits a very limited range of mixed-use or non-residential uses that provide convenience shopping and services to a localized geographic area. Mixed-use structures are encouraged. All uses within a Rural Service Zone must comply with land use standards, including non-residential, landscape and screening design guidelines set forth in section ICC 17.03.180.

A. Permitted uses. Permitted uses shall not exceed 4,000 square feet of gross floor area, processed as Type I decisions pursuant to chapter 16.19.

1. Accessory uses;

2. Day-care centers;

3. Mixed-use (with residential not to exceed six (6) dwelling units per lot or parcel in a mixed-use building. The residential component of the mixed use shall not be included in the 4,000-square foot size limit);

4. Retail sales and services;

5. Water tanks;

6. Marijuana producer deemed a Type I land use decision in section 17.03.180.BB;
7. Remote tasting room;
8. Winery;
10. Cidery;
11. Brewery; and
12. Distillery.

B. Conditional uses.
1. Marijuana producer and/or processor deemed a Type II or III land use decision in section 17.03.180.BB.
2. Marijuana retailer deemed a Type II land use decision in section 17.03.180.BB.
3. Events deemed a Type II land use decision in section 17.03.180.EE.

C. Prohibited uses. All uses not expressly permitted.

A.D. Designation criteria and areas. Isolated mixed-use or non-residential uses on lots less than two and one-half (2.5) acres existing on July 1, 1990 may be designated RS. Specific areas are listed in section ICC 17.03.155 and depicted in the zoning atlas. Specific conditions can be found in Appendix A.

B.E. Lot/density. Lot size requirements shall be the minimum lot size required by County Health Department requirements but shall not exceed two and one-half (2.5) acres.

C.F. Setbacks and height. Setback and height requirements shall be as follows:

17.03.145 - Light Manufacturing (LM) Zone.

The Light Manufacturing Zone is applied to existing areas of non-residential use that do not meet the designation criteria for the RC, RV or RS Zones. The Camano Annex and SR 20 (South of Coupeville) industrial area are both designated LM Zones. All uses within the LM Zone must comply with land use standards set forth in section ICC 17.03.180.

A. Permitted uses. Processed as Type I decisions pursuant to chapter 16.19:
1. Accessory uses;
2. Fire stations;
3. Governmental services;
4. Light manufacturing uses;
5. Minor utilities;
6. Research and development uses;
7. Storage, outdoor and mini storage;
8. Warehouses;
9. Water tanks; and
10. Marijuana producer deemed a Type I land use decision in section 17.03.180.BB.
B. Conditional uses.

1. Communication towers may be allowed upon site plan approval processed as a Type II decision pursuant to chapter 16.19.

2. Major utilities and essential public facilities may be allowed upon site plan approval processed as a Type III decision pursuant to chapter 16.19.

3. Marijuana producer and/or processor deemed a Type II or III land use decision in section 17.03.180.BB.

C. Prohibited uses. All uses not expressly permitted by this chapter or through Code interpretation pursuant to section 17.03.190.

A.D. Designation criteria and areas. Areas with a predominant pattern of non-residential development existing on July 1, 1990 may be designated LM when the criteria set forth in section ICC 17.03.130 are met and have direct access to a state highway or county arterial. Specific areas are listed in section ICC 17.03.155 and depicted in the zoning atlas.

B.E. Lot/density. Lot size requirements shall be the minimum lot size required by County Health Department requirements.

C.F. Setback and height. Setback and height requirements shall be the same as those set forth in section ICC 17.03.130. Larger setbacks may be required to screen structures and other improvements so that visibility is obscured from state highways.

17.03.150 - Airport (AP) Zone.

The Airport (AP) Zone is applied to existing non-military airports. This zone allows airport related uses and other non-residential uses that are compatible with airport operations. The airport, aviation support activities and accessory uses are treated as essential public facilities. All uses within the AP Zone must comply with land use standards set forth in section ICC 17.03.180.

A. Permitted uses. Processed as Type I decisions pursuant to chapter 16.19.

1. Accessory uses;
2. Airport facilities;
3. Airport support facilities;
4. Eating and drinking establishments;
5. Fire stations;
6. Light manufacturing uses;
7. Minor utilities;
8. Research and development uses;
9. Single family dwelling;
10. Storage, outdoor and mini storage;
11. Temporary uses;
12. Warehouses;
13. Water tanks;
14. Marijuana producer deemed a Type I land use decision in section 17.03.180.BB;
15. Remote tasting room;
16. Winery;
17. Cidery;
18. Brewery;
19. Distillery; and
20. Events deemed a Type I land use decision in section 17.03.180.EE.

B. Conditional uses.

1. Uses allowed upon site plan approval pursuant to this chapter and chapter 16.15 processed as Type II decisions pursuant to chapter 16.19.
   a. Any permitted use that exceeds 12,000 square feet in gross floor area; and
   b. Junk and salvage yards.
   c. Marijuana producer and/or processor deemed a Type II land use decision in section 17.03.180.BB.

2. Major utilities and essential public facilities may be allowed upon site plan approval processed as a Type III decision pursuant to chapter 16.19.

3. Marijuana producer and/or processor deemed a Type III land use decision in section 17.03.180.BB.

4. Events deemed a Type II land use decision as specified in section 17.03.180.EE.

C. Prohibited uses. All uses not expressly permitted by this chapter or through Code interpretation pursuant to section 17.03.190.

A.D. Designation criteria and areas. Areas that encompass a non-military airport existing on July 1, 1990 may be designated AP when the criteria set forth below are met. Specific areas are listed in section ICC 17.03.155 and depicted in the zoning atlas.

... 

B.E. Lot/density. Lot size requirements shall be the minimum lot size required by County Health Department requirements.

C.F. Setback and height. (Reserved.)

...

17.03.180 - Land use standards.

... 

Z. Aircraft Accident Potential Zone. The primary purpose of the Aircraft Accident Potential Zone (APZ) Overlay is to promote the public health, safety, and general welfare by
minimizing the hazards incident to development in the immediate vicinity of aircraft paths of arrival and departure associated with NAS Whidbey.

1. The following table describes uses that may be established on non-UGA parcels that are located within Accident Potential Zones.

<table>
<thead>
<tr>
<th>Uses</th>
<th>Clear Zone</th>
<th>APZ-I</th>
<th>APZ-II</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory living quarters</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Accessory uses</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Agriculture or forest products processing</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Agricultural products—Growing, harvesting, managing and selling</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Animal shelter</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Bed and breakfast room (no more than 2 rooms)</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Bed and breakfast inn (3 to 6 rooms)</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Public/community-boat launch</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Campground and recreation vehicle park</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Church</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Communication tower 2</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Country inn (7 to 40 rooms)</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Day care nursery (6 or fewer persons)</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Small day care center (7 to 12 persons)</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Equestrian center</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Essential public facilities</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Seasonal farmer’s market</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Farm produce stand and forest product stand</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Fire station</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Forest products—Growing, harvesting, managing and selling</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>Group home</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>Guest cottage</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Gun club and shooting range</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Home industry</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<tr>
<td>Home occupation</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<tr>
<td>Kennel</td>
<td>No</td>
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<td>Yes</td>
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<tr>
<td>Livestock husbandry</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Marijuana processor</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Marijuana producer</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Minor utilities</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Major utilities</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Activity</td>
<td>No</td>
<td>Yes</td>
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</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
</tr>
<tr>
<td>Mobile homes (for single wide homes - must have at least 2.5 acres)</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Mobile/manufactured home park</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Schools, public and private</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Seasonal sale of farm produce</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Single-family dwelling</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Small scale recreation use</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Small scale tourist use</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Mini-storage</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Surface mine</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Temporary uses</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Water tank</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Recreational aerial activities</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Veterinarian clinic</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Winery</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Dwelling units for farm workers</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Rural event center</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Earned development units</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Farm equipment storage and repair facilities</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Farm management plan</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Day-care centers</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Mixed-use (residential portion is based on number of dwelling units rather than square feet)</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Retail sales and services</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Banking and financial services</td>
<td>No</td>
<td>Yes</td>
<td>Yes-22 FAR</td>
</tr>
<tr>
<td>Cultural center, including associated overnight lodging</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Eating and drinking establishments</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Governmental services</td>
<td>No</td>
<td>No</td>
<td>Yes-24 FAR</td>
</tr>
<tr>
<td>Health care services</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

2. Communication towers are further regulated by section 17.03.180.L.8. 1 The growing, harvesting, and managing of agricultural products is allowed in all zones. However, the sale of agricultural products shall be limited to APZ-I and APZ-II.

a. Should any of the above uses be listed twice (e.g., a bed and breakfast inn is also considered a home industry), the more restrictive standard shall apply.

2.b. Additional conditions of development:
a.(i) No subdivision of lands shall occur within the Clear Zone or APZ-I unless said lands contain more than one (1) existing single family dwelling unit legally established prior to the effective date of this chapter, in which case subdivision may be permitted so each dwelling unit is on a separate lot.

b.(ii) For all utilities and communication development in APZ-I, no above ground transmission lines are permitted.

c.(iii) For parcels completing farm management plans, earned development units (EDUs) may be earned on parcels located within APZ-I and APZ-II. However, those EDUs earned on parcels within the APZs may be allocated only to parcels outside of the APZs as consistent with section ICC 17.03.180.F.

d.(iv) No PRDs shall occur within the Clear Zone, APZ-I or APZ-II.

2-3. The following table describes use that may be established within the Oak Harbor UGA on parcels located within Accident Potential Zones. If applicable, allowed uses indicate a maximum floor area ratio.

... 

3-4. Should dwelling units for farm workers be located on a subject property, the maximum density will be one (1) dwelling unit per acre.

4-5. Designation criteria. All areas within any of the Aircraft Accident Potential Zones as delineated on Map C of the Island County Comprehensive Plan and defined in this chapter, shall be subject to the provisions of this chapter.

5-6. All lands regulated by this subsection shall not exceed the land use and density recommendations as outlined in Table 6-3 of the AICUZ Study Update for Naval Air Station Whidbey Island’s Ault Field and Outlying Landing Field Coupeville, Washington dated March 2005, unless allowed herein nor the standards of the policy plan and land use element.

6-7. Exceptions. Through the conditional use process an applicant may review the AICUZ Study Update for Naval Air Station Whidbey Island’s Ault Field and Outlying Landing Field Coupeville, Washington dated March 2005 and provide an analysis of the compatibility of the proposed use.