



**ISLAND COUNTY  
PLANNING & COMMUNITY DEVELOPMENT**

**ISLAND COUNTY PLANNING COMMISSION**

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

**TO: Board of Island County Commissioners**

**FROM: Island County Planning Commission**

**DATE: June 18, 2018**

**REGARDING: Chapter 17.03 Island County Code Amendments related to Wineries, Cideries, Breweries, and Distilleries**

**SUMMARY**

In 2016, Island County updated its Comprehensive Plan in accordance RCW 36.70.130.5.b. As part of that update, significant public comments were received regarding the need for review of the County's rural land use regulations. Many comments addressed the impacts of commercial and industrial (home industries) uses, large public gatherings associated with those uses, events and activities at wineries, and other special events in the rural areas. Citizens raised concerns over impacts of these events and other commercial activities on their rural lifestyles, privacy, and tranquility. Others were supportive of these activities, which they view as a form of economic development appropriate for Island County. At that time, it was determined that regulatory updates addressing rural lands fell outside the scope of the Comprehensive Plan periodic update and were deferred for future inclusion on the Planning and Community Development work plan.

Initial staff efforts focused primarily on regulations for wineries, however, an inventory of Island County local adult beverage facilities demonstrated a need to address wineries, cideries, breweries and distilleries as a group to be studied, in addition to events in the rural area. The BOCC agreed to this approach and appointed a Planning Commission subcommittee (Rural Lands Subcommittee) on September 6, 2017, to research and provide direction on proposed updates to these uses in the rural area. On November 7, 2017, The Board of Island County Commissioners (BOCC) passed Resolution C-110-17 placing updates to rural lands regulations on the docket and establishing this work as one of the highest priorities of the in the Planning Department work plan.

The following goals and objectives were identified by the Rural Lands Subcommittee and presented for review to the Planning Commission.

1. Establish clear definitions and eliminate regulatory inconsistencies;
2. Find a balance between impacts to surrounding property owners, rural character, and economic development;
3. Separate event regulations from other zoning uses;
4. Establish different regulations for special (one-time) events and other commercial events (recurring);
5. Develop clear, scalable codes that are based on intensity and impact of uses; and
6. Consider similar regulations for wineries, breweries, cideries, and distilleries.

The Planning Commission recommended that the BOCC review and consider these goals and objectives for the first phase of updates to regulations in the rural area. The BOCC approved these goals and objectives at their work session on November 8, 2017.

The Rural Lands Subcommittee met for a period of four months to research other community regulations, review background information, and guide staff in initial regulatory development and continued to help guide the larger Planning Commission discussion over subsequent months of regulation development.

This ordinance introduces new regulations for wineries, cideries, breweries, and distilleries. As part of the update, numerous stakeholder and industry meetings were conducted in addition to multiple work sessions which took place over a ten month period where public input was encouraged and integrated into the final proposed regulations.

## **FINDINGS OF FACT**

1. As part of the 2016 the periodic update of the Island Comprehensive Plan, Island County received significant public input regarding the need to update regulations for activities in rural lands.
2. On September 6, 2017, the Board of Island County Commissioners (BOCC) appointed a Planning Commission Rural Lands Subcommittee to research and help make recommendations for revisions to rural lands regulations.
3. On November 8, 2017, the BOCC passed Resolution C-110-17 placing updates to rural lands regulations on the annual docket and establishing this work as one of the highest priorities for the Planning Department work plan.
4. On November 7, 2017 the BOCC identified objectives for the update to include the following objectives related to wineries, cideries, breweries and distilleries:
  - a. Establish clear definitions and eliminate regulatory inconsistencies (Goal 1);
  - b. Find a balance between impacts to surrounding property owners, rural character, and economic development (Goal 2);
  - c. Develop clear, scalable codes that are based on intensity and impact of uses (Goal 5); and

- d. Consider similar regulations for wineries, breweries, cideries, and distilleries (Goal 6).
5. Since November 2017, planning staff has worked with the Rural Lands Subcommittee, the Planning Commission, the BOCC, Industry representatives, local residents, and other interested community members to construct and refine proposed updates to regulations for wineries, cideries, breweries, and distilleries.
6. The Planning Commission finds that proposed regulations achieve the objectives identified for the regulatory update by:
  - a) Providing new definitions for all such facilities where no definitions were previously provided and by referencing applicable state regulations;
  - b) By ensuring that development regulations provide landscaping and screening requirements that protect rural character and minimize impacts to surrounding property owners;
  - c) By clearly identifying districts where such facilities are appropriate and providing new opportunities for facilities in commercial Rural Areas of Intense Development (RAIDS);
  - d) By providing clear regulations that improve process and permitting predictability and consistent development outcomes for wineries, cideries, breweries and distilleries;
  - e) By providing regulations and minimum criteria for safe and appropriate access for winery, cidery, brewery, and distillery facilities;
  - f) By prescribing permit decision types, parcel sizes, and level of public engagement that is appropriately scaled to address the intensity of use and the proximity of new facilities to residential structures and uses; and
  - g) By developing similar regulations and processes for all such facilities where possible.
7. The Planning Commission finds that proposed regulations are consistent with the following provisions of the Island County Comprehensive Plan in accordance with RCW 36.70.545.

**LU 3.2** Provide for other small scale recreation and tourist uses in rural land use designations, such as golf courses, model hobby parks, restaurants, wineries and breweries on parcels of an appropriate size. All activities shall be screened from the view of adjacent neighbors and the use shall not disrupt the character of any surrounding permitted uses. Residential development around golf courses, if any, must meet all requirements for residential development in the rural land use designation.

**LU 6.9.1** Isolated Non Residential. The intensification of development on lots in the rural area containing existing isolated non-residential uses shall be permitted according to development standards which address impacts on surrounding properties.

**LU 6.9.2.** Home Occupations. Allow the intensification or development of home occupations in RAIDs.

**LU 6.9.3.** Home Industries. Allow the intensification or development of home industries in RAIDs taking into account the size of the parcel where it is permitted and the associated impacts of the use. Provided that if a home industry grows too large or adversely impacts neighbors, it shall be required to relocate to a non-residential or mixed use land use designation.

8. The Planning Commission finds that proposed regulations are consistent with state licensing regulations provided in Chapter 66.24 RCW.
9. The Planning Commission finds that sufficient public outreach has occurred to inform and refine regulatory changes to include: comments provided in multiple stakeholder meetings with industry representatives and neighboring properties; multiple planning commission work sessions beginning in September to 2017; and community presentations on Camano Island and in Freeland.

### **Conclusion**

The Island County Planning Commission has reviewed the proposed changes to Island County Code Chapters 17.03, and, after holding a public hearing, hereby recommends that the Board of County Commissioners adopt an ordinance(s) to incorporate the proposed amendments, attached hereto as Exhibit A into Island County Code.

Respectfully submitted through the Island County Planning Department to the Board of Island County Commissioners, pursuant to RCW 36.70.430, this \_\_\_\_\_ day of \_\_\_\_\_, 2018 by,

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Darin Hand  
Chair, Island County Planning Commission

### **Enclosures:**

Exhibit A

CHAPTER 17.03 ISLAND COUNTY ZONING CODE AMENDMENTS WINERIES, CIDERIES, BREWERIES, AND DISTILLERIES