

**Exhibit A**

**CHAPTER 17.03 ISLAND COUNTY ZONING CODE AMENDMENTS EVENT  
REGULATIONS *Version 2.1***

<INSERT TABLES FROM 17.03.035>

**17.03.040 - Definitions.**

Unless expressly noted otherwise, words and phrases that appear in this chapter shall be given the meaning attributed to them by this section, other chapters of title 17, or chapters contained in title 16. When not inconsistent with the context, words used in the present tense shall include the future; the singular shall include the plural and the plural the singular; the word "shall" is always mandatory and the words "may" and "should" indicate a use of discretion in making a decision. Unless otherwise noted, the words and phrases defined in this section shall apply, unless a more specific definition is provided in another title or chapter of Island County Code.

**Accessory living quarters** means a separate living quarters contained within the primary residence. Accessory living quarters are subject to the requirements and conditions provided in section 17.03.180.

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**Event** means an organized gathering or series of gatherings held indoors or outdoors, on public property or private property that is open to the public, or limited to invited guests. Events may be either incidental to the primary use of the property or may be the primary use permitted in accordance with this section.

**Rural Commercial Events** means events occurring at a specific site ten (10) times or less in a given year and includes but is not limited to events where there is compensation to the property owner and/or where there is an agreement between a private individual or a group and the property owner. Rural Commercial Events are incidental and subordinate to the primary use on a parcel and include activities such as music/entertainment events (with or without amplified sound), receptions, meetings, weddings, and other advertised events.

**Special Events** means an event occurring at a single location annually or more frequently but in no case more than five (5) times a year. Special events include, but are not be limited to, advertised special events such as outdoor concerts, auctions, model hobby events, glider flights, hot air balloon rides, parachute events, motor boat races, carnivals, or circuses.

**Rural Event Center** means a facility located in the rural area where events, either hosted by the owner or where the facility is rented by the owner for compensation to another person or group. Limitations on frequency and other conditions of approval are set through the permit approval process and subject to the requirements set forth in 17.03.180.EE.

**Sound Equipment** means equipment including loud speakers, public address system, amplification system, or other sound producing devices using any sound amplifier that is part of or connected to any speaker system or any other sound source, when operated.

**17.03.060 - Rural (R) Zone.**

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:

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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); ~~and~~;

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;

...

s. 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; ~~and~~

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;

...

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.

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**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. Secondly, 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;

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16. Accessory living quarters; ~~and~~

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;

...

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; ~~and~~

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;

...

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; ~~and~~
- 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.

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**17.03.100 - Commercial Agriculture (CA) Zone.**

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

- 1. Accessory uses;

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- 18. Accessory living quarters;

- 19. Marijuana producer deemed a Type I land use decision in section 17.03.180.BB-; ~~and~~

20. 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;

...

- 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.

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### 17.03.120 - Rural Center (RC) Zone.

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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;

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25. Cidery;

26. Brewery; ~~and~~

27. Distillery.; and

28. 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.**

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### 17.03.130 - Rural Village (RV) Zone.

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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;

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13. Temporary uses;

14. Veterinary clinics;

15. Remote Tasting Room;

16. Winery;

17. Cidery;

18. Brewery; ~~and~~

19. Distillery; ~~and~~ [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.

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### **17.03.135 - Camano Gateway Village (CGV) Zone.**

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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;

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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; ~~and~~

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.

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

6. Events deemed a Type II or Type III land use decision in section 17.03.180.EE.

**C. Prohibited uses.**

**17.03.140 - Rural Service (RS) Zone.**

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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

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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 or Type III land use decision in section 17.03.180.EE.

**17.03.150 - Airport (AP) Zone.**

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

1. Accessory uses;

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18. Brewery; ~~and~~

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.

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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 or Type III 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.

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- F. **Setbacks and height** (Reserved.)

- G. **Access.** Access for all new facilities on private roads may be permitted subject to the approval of the County Engineer.

1. When considering approval of the private road, the County Engineer shall determine if the following standards have been met for the section of private road proposed for the new facility:

- i. That the relevant portion of the private road is located within or adjacent to an area zoned Airport (AP);
- ii. That the section of private road, at a minimum, meets design standards for a twenty-five (25) mph fire lane per Appendix D of the International Fire Code from the proposed facility to the state highway. If the use warrants, at the discretion of the County Engineer, the local road could be required to meet design standards for a twenty-five (25) mph collector road;
- iii. That the road can safely manage the number of trips generated by the introduction of the new proposed use in a manner that ensures the continued safe and convenient use of the road; and
- iv. That a Transportation Concurrency review and approved Certificate be obtained as needed per Chapter 11.04 ICC.

2. The County Engineer must also approve and determine that one of the following conditions is met:

- i) Public access to the private road is available; or
- ii) Committed funding sources are in place to provide public access to the private road and alternative temporary public access is available.

### **17.03.180 - Land use standards.**

The land use standards contained in this section supplement the general land use regulations of this chapter and the specific development standards contained in other chapters of the Island County Code.

- A. **General standards for nonresidential uses in the Rural, Rural Residential, Rural Forest, Rural Agriculture and Commercial Agriculture Zones.**

1. On Rural Agriculture, Rural Forest, or Commercial Agricultural lands, the maximum area of nonresidential development which is not related to agricultural or forestry uses, processing, and

activities shall be less than two (2) acres per twenty (20) acres of land which comprise the farm or forest unit, regardless of the assigned density. This restriction does not apply to surface mines in the Rural Agriculture or Rural Forest Zones. Surface mines are prohibited in the Commercial Agriculture Zone.

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T. **Small-scale recreation and tourist uses.** Small-scale recreational and tourist uses may be conducted in the Rural Zone upon approval of a site plan pursuant to chapter 16.15, processed as Type II or Type III decision pursuant to chapter 16.19.

1. The following uses illustrate small-scale recreation or tourist uses:
  - a. Golf courses including clubhouses and other support facilities not exceeding eighteen (18) holes, provided that any associated residential development shall comply with the requirements of the Rural Zone.

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f. Recreational aerial activities such as balloon rides, glider and parachute events.

g. ~~Rural event centers.~~

2. A small-scale recreation or tourist use shall meet the land use standards of this chapter and the following requirements:

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7. Recreational aerial activities may be approved as a small scale recreation use in all zones except RR upon approval of a site plan processed as a Type II decision, provided the following standards are met:

...

8. ~~Rural event centers. The design, size, and location of each rural event center will be unique and must be determined on a case by case basis. The review must ensure adequate separation from adjacent uses to minimize potential impacts from factors such as the number of people, the noise, and the traffic; safe access from a major public road; and provision of basic infrastructure to ensure the public's health, safety and welfare. A rural event center may be allowed when the following standards and conditions are met:~~

~~a. A site plan is approved pursuant to chapter 16.15. A facility for seventy five (75) people and under is reviewed as a Type II decision. A facility for more than seventy five (75) people shall be reviewed as a Type III decision and shall meet the requirements for a community meeting. All applications are subject to the requirement for a pre-application conference.~~

~~b. Rural event centers are allowed in the Rural (R) and Rural Agriculture (RA) Zone districts as conditional uses. A rural event center is allowed in an RA Zone if the majority of the RA site remains available for agriculture uses. The use is allowed in other districts using EDUs associated with a farm management plan.~~

~~c. Structures and grounds, including the parking area, that are used as part of the facility shall be adequately separated from all adjacent uses and structures on adjacent parcels as follows:~~

~~(i) For relatively flat, open areas, the separation shall be at least 500 feet;~~

- ~~(ii) For proposals adjacent to a Rural Residential RAID, the separation shall be at least 1,000 feet; and~~
- ~~(iii) The minimum separations listed above may be reduced if the applicant can show that impacts are minimized by factors such as major changes in topography, by areas of solid screening under his control, by particular land forms.~~
- ~~d. It is likely that the total area that will be used as a rural event center will probably be relatively small; however, the required size of the parcel for each rural event center shall be determined by the following factors:~~
  - ~~(i) The number, location, size, and width of the contiguous parcels in the ownership and/or control of the applicant; and~~
  - ~~(ii) The location, size, and width of surrounding parcels that are zoned RA, CA, or RF. Future development, especially of residences, in these zones will be limited. Also, the area in these zones may serve to separate and buffer existing or future residences from potential impacts of the activities at the rural event center. A small parcel such as two and one half (2.5) acres may be adequate if buffered by areas of these zones.~~
- ~~e. All structures and grounds that will be used as part of the activities for a rural event center, including the parking, shall be designated on the site plan and limited to those areas.~~
- ~~f. The use may be indoor and/or outdoor. Temporary structures, tents and tarps may be used.~~
- ~~g. A formally constructed parking lot with a gravel and/or asphalt surface shall be completely screened from views from roads and adjacent properties. A field that is used for parking but surfaced with plant materials or planting blocks shall be buffered with some plant materials. No off street parking or loading area shall be permitted within fifty (50) feet of a side or rear property.~~
- ~~h. Parking shall be provided at a rate of one (1) space for every two (2) guests.~~
- ~~i. Adequate health facilities shall be provided. This includes, water, waste disposal, and solid waste disposal. The site shall be cleared of all debris at the end of each event.~~
- ~~j. Structures used as part of the rural event center shall comply with Building Code regulations, the ADA rules, the WA State Handicap Code, fire separation and exiting requirements, and life/safety guidelines.~~
- ~~k. Sleeping accommodations are allowed only in conjunction with an approved bed and breakfast inn or country inn.~~
- ~~l. A rural event center located on the same site with an approved farmhouse style restaurant may be able to share the kitchen and the rest room facilities; however, the restaurant use may not use the rural event center facilities for an expanded food service area.~~
- ~~m. The review of a proposed rural event center will determine limitations and conditions that would be necessary to protect the surrounding neighborhood from the impacts of the use. The following factors are some that shall be included:~~
  - ~~(i) The size of the parcel;~~
  - ~~(ii) The required separation between the use and adjacent uses;~~
  - ~~(iii) The total number of people that may attend an event at a facility, except the number shall not exceed 200 people;~~
  - ~~(iv) The duration of functions allowed a specific facility, including the maximum number of days and the hours of operation that shall be allowed shall be specified in the site plan;~~
  - ~~(v) Set times when all outdoor activities must cease and all indoor activities may cease;~~

~~(vi) A plan for noise management shall be established;~~

~~(vii) The location and size of the required parking area. Also, a plan for traffic management shall be established. The Island County Sheriff's Office, the State Patrol or WSDOT may require traffic control for events of a certain size. If so, the traffic control shall be arranged by the applicant; and~~

~~(viii) The location, size, and type of any required screening and buffering anywhere on the site.~~

U. **Surface mining.** The purpose of this subsection is to protect from encroachment reserves of nonrenewable resources and minimize increases in costs of new construction. Also the purpose of this chapter is to establish standards which minimize the impacts of extractive operations upon surrounding properties by: ensuring adequate review of operating aspects of extractive sites; requiring project phasing on large sites to minimize environmental impacts; and requiring minimum site areas large enough to provide setbacks and mitigations necessary to protect environmental quality. Surface mining is prohibited in the Commercial Agriculture Zone.

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V. **Temporary uses.** The following temporary uses may be conducted upon temporary use approval. Each use shall meet the requirements of this chapter and the following standards:

1. In all zones except RS and LM ~~events of public interest and~~ seasonal farmer's markets **(including seasonal sales of pumpkins, Christmas trees, etc.)** are subject to the following conditions. ~~Special events include outdoor concerts, auctions, model hobby events, glider flights, hot air balloon rides, parachute events, motor boat races, carnivals and circuses. Provided that a proposed entertainment, amusement or assembly of persons, wherein the primary purpose will be the presentation of outdoor, live or recorded musical entertainment which may attract 100 or more persons shall be processed not under this chapter but rather shall be processed under chapter 5-08.~~
  - a. All uses shall be confined to the dates specified in the certificate of temporary use;
  - b. Hours and duration of operation shall be confined to those specified in the certificate;
  - c. The site shall be cleared of all debris at the end of the event and cleared of all temporary structures within thirty (30) days after the closing event. A cash bond, the sum of which is to be determined by the county engineer, or a signed contract with a disposal firm, shall be required as part of the application for a certificate of temporary use when determined necessary by the county engineer or Planning Director to ensure that the premises will be cleared of all debris during and after the event;
  - d. Public parking for the exclusive use of the facility shall be provided, and an adequate driveway to the parking area subject to approval of the county engineer shall be maintained. The parking area shall be maintained in a dust-free manner. It shall be the responsibility of the applicant to provide all necessary traffic and parking control attendants in a manner approved by the Island County Sheriff's Office;
  - e. Traffic control required by the Island County Sheriff's Office, the State Patrol or WSDOT shall be arranged by the applicant;
  - f. A cash bond, the sum of which is to be determined by the county engineer, may be required to insure the repair of any damage to any public right-of-way as a result of the event;
  - g. Adequate sanitation facilities shall be provided by the applicant; and

- h. Structures for seasonal farmer's markets are subject to the building design standards of this chapter for NR structures in the R, RR, RA, RF, and CA Zones.

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EE. Events.

1. Applicability. The regulations set forth in this section shall apply to all new applications for Special events, Rural Commercial Events, and Rural Event Centers.
  - a. It is the intent of this section to:
    - i. Provide a regulatory framework for approving event uses; and
    - ii. Replace the Temporary Event Permit (TEVP) procedure established under Policy No. 002/13 (Revised August 5, 2015);
    - iii. Provide an opportunity for existing TEVP holders to come into compliance with new regulations recognizing the level of activity approved under an active TEVP.
  - b. No applications for Temporary Event Venue Permits (TEVP) under Policy No. 002/13 (Revised August 5, 2015) shall be accepted upon or after the effective date of this section.
  - c. Holders of approved Temporary Event Venue Permits issued under Policy No. 002/13 (Rev. 8/5/15), on the effective date of this section may continue to operate under the approved TEVP until its date of expiration. Active Temporary Event Venue permit holders may apply for one renewal of such permit upon its expiration, provided that the following conditions have been met:
    - i. An active permit application has been submitted within six months of the effective date of this section for either a Rural Commercial Event Permit or a Rural Event Center Permit; and
    - ii. The applicant can show compliance with any conditions placed on the permit holder upon the original issuance of the TEVP, including but not limited to compliance with all applicable laws and regulations in place on the date of issuance, subject to subsection (d) below.
  - d. Any original application for a new Temporary Event Permit submitted (i.e. by an inactive or non-holder of a TEVP) but pending review prior to the effective date of this chapter may be approved subject to the conditions placed on active TEVP holders applying for renewal under (1)(c) above, except that any new permit issued shall not be eligible for renewal.
  - e. Once a final decision has been issued to an applicant on a Rural Commercial Event permit, Rural Event Center, or renewal application for a TEVP allowed under this section, Temporary Event Venue Permits will no longer be valid and will not be eligible for renewal by that applicant.
  - f. If the application of the regulations contained in this section results in a more restrictive number of events than previously allowed to a permit holder under Policy No. 002/13 (Rev. 8/5/15) or requires that additional improvements be made as a condition of approval of the Rural Commercial Event permit or Rural Event Center permit, the Administrator may choose to allow, as part of his decision, a onetime extension of the Temporary Event Venue Permit, if the applicant can demonstrate that events have been scheduled and that those events can

be verified by the Administrator. In no case, shall the total number of events exceed ten (10) for a calendar year.

2. Special events, Rural Commercial Events, and Rural Event Centers shall be permitted in accordance with the following standards.

**Zoning Districts Minimum Requirements and Decision Types**

<u>Event Use Standards</u>	<u>Public Interest Special Events</u>	<u>Rural Commercial Events</u>	<u>Rural Event Center</u>
<u>Zoning District</u>	<u>All zones except RS and LM; RR will be limited to neighborhood block parties</u>	<u>All zones except RR</u>	<u>R, RA</u>
<u>Minimum Lot Size</u>	<u>None</u>	<u>5 acres</u>	<u>17.03.180.EE.14.d</u>
<u>Permit Type Required</u>	<u>Type I: ≥10 acres &lt;100 attendees and no sound equipment Type II all others</u>	<u>Type II</u>	<u>≤ 75 people Type II &gt; 75 people Type III</u>
<u>Maximum Number of Events per Calendar Year:</u>	<u>5 Duration – multi-day events (1-3 days)</u>	<u>10 Duration - one day in length</u>	<u>Subject to Permit Conditions</u>

3. **Permit Limitations.** Event permits are limited to one event type per parcel, lot, or site. No applicant may hold simultaneous permits for special events, rural commercial events, or rural event centers.

4. **Exceptions.** The following events are exempt from the requirements of this section but must still comply with ICC Title VIII Health, Welfare, and Sanitation and noise management best management practices identified in this section.

- a. Uses that are accessory to a single family residential use including private parties, family events, holiday gatherings, and similar activities that are not subject to an agreement between a private individual or a group and the property owner and where there is no direct or indirect compensation to the property owner.
- b. Events at a parcel where all necessary County land use approvals and permits have been obtained which allow the particular use (fairground, restaurants, parks, libraries, theatres, schools, churches, community halls, etc.)
- c. Industry wide events occurring on multiple business sites simultaneously such as artists' festivals, farm tours, and wine tours.
- d. Small scale farm and agricultural educational events focused on locally grown products, including tours, workshops, and seminars. Small events associated with seasonal farm sales are subject to ICC 17.03.180.H & ICC 17.03.180.V.1 and therefore are exempt from

this section, excepting that events that may attract 50 or more persons are subject to an event permit under this section.

**5. Site Plan Review.** A site plan is required pursuant to chapter 16.15. In addition to the requirements of Chapter 16.15, the following must be provided on the site plan:

- a. The location, size, type of any required screening or buffering anywhere on the site. (Moved from Rural Event Center)
- b. Areas designated for portable sanitation facilities.
- c. Areas designated for other temporary structures such as tents, canopies, dancing platforms etc.
- d. All structures and grounds that will be used as part of the activities for a rural event center, rural commercial event or special event, including the parking, shall be designated on the site plan and limited to those designated areas. (Moved from rural event center)
- e. The duration of functions allowed at a specific facility, including the maximum number of days and the hours of operation that shall be allowed shall be specified in the site plan.
- f. The duration of functions allowed a specific facility, including the maximum number of days and the hours of operation that shall be allowed shall be specified in the site plan. (Moved from rural event center)

**6. Maximum Attendance.** Attendees shall be limited to the number identified in the approved permit and site plan based on available on-site parking, existing and proposed (locations) of sanitation facilities, access, and the following table:

<u>Event Type</u>	<u>Maximum Attendees</u>	<u>Conditions</u>
<u>Special Events</u>	<u>Subject to approved permit conditions</u>	<u>Section 19.03.180 EE.11.a</u>
<u>Rural Commercial Events</u>	<u>≤ 150</u>	
<u>Rural Event Center</u>	<u>≤ 200</u>	<u>Section 19.03.180 EE.13.j</u>

**7. Event Facilities, Structures, and Site Improvements**

- a. Only those buildings or areas specifically approved in the Site Plan may be used as event space.
- b. Structures used as part of the rural event center for events shall comply with Building Code regulations, the ADA rules, the WA State Handicap Code, fire separation and exiting requirements, and life/safety guidelines. (Moved from rural event center)
- b. Tents, canopies, and other similar temporary structures necessary for a commercial event may be allowed, provided all such structures are erected or placed on the subject parcel no more than two days before the event and removed no more than two days after the event. Alternatively, temporary structures may remain in place for up to ninety days if they are fully screened from adjacent property owners.
- c. Structures shall comply with the landscape, lighting, signage, site coverage, and non-residential design, landscape, and screening guidelines set forth in this chapter.

d. Adequate health facilities shall be approved by the IC Department of Public Health in accordance with ICC Title VIII and attendance shall be limited to capacity approved. This includes water, waste disposal, and solid waste disposal. The site shall be cleared of all debris at the end of each event.

## **8. Noise Management**

### a. Minimum requirements.

- i. Sound equipment is permitted within structures fully enclosed by a permanent wall and roof subject to noise management best management practices in this section.
- ii. In no case, shall the decibel level exceed 60dBA at the exterior boundaries of the property line of the event location.

b. Noise Management Plan Required. The following activities may be permitted with an approved Noise Management Plan and may be submitted as part of the Special Event, Rural Commercial Event, or Rural Event Center permit, or applied for separately for existing uses as a Type II Noise Management Plan permit. (Note this might be better as an amended permit for existing uses).

- i. Sound equipment utilized indoors where the facility is within 500 feet of a Residential RAID.
- ii. Outdoor events with or without sound equipment. For the purposes of this section, outdoor events include events where bay doors, removable sliding doors and such

c. Noise Management Plan. The Noise Management Plan must provide, at minimum, the following information.

- i. The expected sources of sound during events (types of equipment and sound during events).
- ii. For outside events, a description of the maximum number of attendees and anticipated frequency of outside.
- iii. A site plan that provides location of the events, neighboring land-use details, location and orientation of stages and public address, and/or sound equipment.
- iv. A description of the type of sound equipment and location of sound equipment that will be utilized including maximum sound levels proposed.
- v. Utilization of sound equipment not provided at the venue to include sound equipment utilized by DJs or bands.
- vi. Steps that will be taken to minimize the risk of nuisance.
- vii. Details of acoustic monitoring during the event.
- viii. Measures and provisions to be taken to avoid exceeding maximum decibel levels at the exterior property lines. This may include but is not limited to:
  - (1) Berms,
  - (2) Fences or walls which include continuous landscaping screening components (including both shrubs and trees) consistent with the provisions of section 17.03.180. P.3., provided on the exterior side where it is visible to the neighboring property, or



(3). Vegetative screening – full visual screening.

viii. How complaints received before, during, and after the event will be addressed.

d. Noise Management Plan Minimum Requirements

i. In no case shall outdoor sound equipment be allowed within 300 feet of a neighboring residential structure.

ii. In no case, shall the decibel level exceed 60dBA at the exterior boundaries of the property line of the event location.

e. Best Management Practices. The following best management practices should be referenced in developing your Noise Management Plan:

Source	Possible Effects on Impact	Mitigation
<u>Inside music noise, films etc.</u>	<u>Hours and no. of events</u>	<u>Specify hours and consider how often</u>
	<u>Doors and Windows</u>	<u>Keep closed at all or certain times/self-closers</u> <u>Keep retractable and bay doors closed</u>
	<u>Vents</u>	<u>Acoustic baffles</u>
	<u>Building design and construction</u>	<u>Sound insulation improvement and lobbies</u>
	<u>Location of speakers</u>	<u>Away from doors/windows, avoid party walls</u>
	<u>Bass control</u>	<u>Limit</u>
<u>Outside Music</u>	<u>Hours</u>	<u>Limit</u>
	<u>Direction of Speakers</u>	<u>Point away from neighboring residents</u>
	<u>Location of Speakers</u>	<u>As far away from residents as possible and in no case closer than 300 feet from nearest residence</u>
	<u>Bass control</u>	<u>Limit</u>
<u>Smoking shelters, external seating and eating areas</u>	<u>Location</u>	<u>Site away from noise sensitive locations, no music</u>
	<u>Tables and chairs</u>	<u>Provide rubber feet to chairs and tables when located on a hard surface.</u> <u>Don't collect tables/chairs from outside late at night</u>
<u>Customers and Car Parks</u>	<u>Leaving customers</u>	<u>No car stereo rule.</u> <u>No entry policy after specified "late" Hour.</u> <u>Re-entry policy for smoking.</u>
	<u>Smokers and Noise</u>	<u>Designated smoking areas away from neighboring residential property</u>

9. Notice. Public Posting of all events must be posted in the lot, parcel, or site or on the venue website at least 1 ten days before the scheduled event if the following conditions are applicable:
- a. Proposed events are within 500 feet of a Rural Residential RAID; or
  - b. Proposed events are within 200 feet of a residential structure; and
  - c. Proposed events are not permitted as part of a Rural Event Center permit (such events shall be exempt from posting requirements but are a recommended best practice).
10. Public interest Special events include large scale events such as harvest festivals, outdoor concerts, auctions, model hobby events, glider flights, hot air balloon rides, parachute events, motor boat races, carnivals and circuses.
- a. Provided Special Events proposed that propose entertainment, amusement or assembly of persons, wherein the primary purpose will be the presentation of outdoor, live or recorded musical entertainment which may attract 100 or more persons shall be processed not under this chapter but rather shall be processed under in coordination with the Island County Sheriff's office pursuant to Chapter 5.08 ICC.
  - b. All uses shall be confined to the dates specified in the certificate of temporary event permit;
  - c. Hours and duration of operation shall be confined to those specified on the certificate approved site plan;
  - d. The site shall be cleared of all debris at the end of the event and cleared of all temporary structures within thirty (30) days after the closing event. A cash bond, the sum of which is to be determined by the county engineer, or a signed contract with a disposal firm, shall be required as part of the application for a public interest special event when determined necessary by the county engineer or Planning Director to ensure that the premises will be cleared of all debris during and after the event;
  - e. Parking. Public parking for the exclusive use of the facility shall be provided, and an adequate driveway to the parking area subject to approval of the county engineer shall be maintained. The parking area shall be maintained in a dust-free manner. It shall be the responsibility of the applicant to provide all necessary traffic and parking control attendants in a manner approved by the Island County Sheriff's Office;
  - f. Traffic control required by the Island County Sheriff's Office, the State Patrol or WSDOT shall be arranged by the applicant;
  - g. A cash bond, the sum of which is to be determined by the county engineer, may be required to insure the repair of any damage to any public right-of-way as a result of the event;
  - h. All activities shall be set back from all property lines at least fifty (50) feet;
  - i. Structures shall comply with the landscape, lighting, signage, site coverage, and non-residential design, landscape and screening guidelines set forth in this section; and
  - j. For any event use, the county shall impose such reasonable conditions as are found necessary to ensure that the activity or use does not disrupt the character of any surrounding permitted uses.
  - k. Access must be adequate for the scale and intensity of the proposed event. Special event locations must maintain an emergency vehicle access "fire lane" with a minimum width of 20 feet, allowing emergency vehicle access to all areas of the event.

l. Special events that occur annually such as Cider Festivals, Flea Markets, Tour de Whidbey, the Ragnar relay, and other concerts or annual festivals that meet the following conditions may be considered reoccurring special events and may valid for a period of ten years provided they meet the following conditions:

- i. A special event permit has been approved for the site;
- ii. The scale and scope of the event has not materially changed over time;
- iii. The applicant provide yearly notification to the Planning and Community Development Department if the number of attendees exceeds 150 and/or there will be an outdoor concert associated with the event; and
- iv. There have been no verified complaints that the special event has caused new any significant impacts that were not anticipated with the approved special event permit. (this language is from policy 002/12)

m. Combined Special Event Permit for multiple small-scale events.

i. Applicability. An event organizer may choose to apply for a Combined Special Event Permit for small-scale events in lieu of submitting for a Special Event Permit for each such individual event, subject to the requirements of this section. Events with an anticipated attendance of 50 persons or more must apply for an individual Special Event Permit. A combined special event permit may be approved for:

- (1) Multiple small-scale events at a single location (not more than 5 a year);
- (2) Multiple small-scale events at multiple locations; or
- (3) A combination of the above.

ii. Permit Requirements.

- (1) Application must be submitted a minimum of 30 (thirty) days prior to the first event proposed under the permit application.
- (2) The application must include location, date, time, duration, and maximum anticipated attendance for each event.
- (3) Review will include, but not be limited to, septic and parking on-site capacity and provisions for additional capacity, if needed.
- (4) All outdoor events are subject to applicable noise management best practices (ICC 17.03.180.EE.8.e) and must be outside of all critical areas and their buffers.

## 11. Rural Commercial Events

a. Minimum Separation. Structures and grounds, including the parking area, that are used as part of the facility shall be adequately separated in accordance with the following:

- (i) The separation shall be at least 200 feet from all adjacent residential uses and structures;
- (ii) The separation shall be at least 500 feet from any Residential RAIDs; and

(iii) The minimum separations listed above may be reduced if the applicant can show that impacts are minimized by factors such as major changes in topography (drop offs, hills, etc.) areas of solid screening under the owner's control, or particular land forms. Solid screening in lieu of the full separation will only be considered if the following criteria is met: a six (6) foot wall or fence is provided with continuous landscaping screening components on the exterior side and visible to the neighboring property, including both shrubs and trees, consistent with the provisions of section 17.03.180.P.3. In no case shall the separation be less than 300 feet from a Rural Residential RAID.

**b. Access**

- i. All new facilities shall have adequate access from a state highway, county arterial, or county collector. A county local road may be approved by the County Engineer. Primary access, in order of priority, shall be off a state highway, county arterial, county collector, approved county local road subject to the requirements of RCW 47.50, and WAC 468-52-040.
- ii. When considering approval of local county roads, the County Engineer shall determine if the following standards have been met for the section of county local road from the proposed facility to the state highway or county arterial or collector road:
  - (1). That the local road, at a minimum, meets design standards for a twenty-five (25) mph fire lane per Appendix D of the International Fire Code. If the use warrants, at the discretion of the County Engineer, the local road could be required to meet design standards for a twenty-five (25) mph collector road;
  - (2). That the road can safely manage the number of trips generated by the introduction of the new proposed use in a manner that ensures the continued safe and convenient use of the road; and
  - (3). That a Transportation Concurrency review and approved Certificate be obtained as needed per Chapter 11.04 ICC.

**c. Parking**

- i. Parking, access, and circulation shall be provided in accordance with standards set forth in section 17.03.180.Q. and shall be clearly identified and delineated on the site plan.
- ii. Reinforced turf may be provided as an alternative parking surface subject to the approval of the County Engineer.
- iii. Parking shall be provided at a rate of one (1) space for every two (2) guests.
- iv. All parking shall be contained on-site and shall be limited to areas identified as dedicated parking space on the approved site plan. The Administrator may consider off-site parking subject to the following conditions:
  - (1) A minimum of 50% of the required vehicle parking spaces are provided on-site.
  - (2) All required handicap and bicycle parking spaces are provided on-site;
  - (3) The site designated for off-site parking meets all the parking, access, and circulation standards set forth in section 17.03.180.Q.

(4) Shuttle loading, unloading, and parking zones shall be clearly delineated and identified on the site plan.

(4) Attendees will be limited to the number approved on the Rural Commercial Event permit subject to adequate provision of health facilities approved by the IC Department of Public Health in accordance with ICC Title VIII; building occupancy; off-site impacts, and other applicable development regulations.

**d. Screening**

i. **General Screening.** Screening of non-residential uses shall be provided in accordance with section 17.03.180. P. non-residential design, landscape, and screening guidelines.

ii. **Parking Screening Required.** All facility parking areas shall be screened from view from adjacent residential property in accordance with the requirements set forth in section 17.03.180.P.3. If a full visual screen (wall or fence) is utilized, it must include continuous landscaping screening components (including both shrubs and trees) consistent with the provisions of section 17.03.180. P.3., provided on the exterior side where it is visible to the neighboring property.

iii. Where parking facilities are located 1,500 feet or more from the nearest residential structure or where topographic features such as hills, valleys, berms, ridges, or nonresidential structures are present between parking areas and residential structures, the Planning Director may waive required parking screening.

iv. The selected plant materials and configuration must provide a full yearlong visual screen within five years of planting. This requirement will account for the size of materials and the growth rate.

e. **Frequency of Events.** Rural Commercial Events shall be limited to ten (10) events per calendar year. During the months of June through September, no more than six outdoor events may be held, and no more frequently than two consecutive weekends per month. An applicant may request additional outdoor events for the months of June through September (although still limited to a total of 10 events per calendar year) provided that they meet all of the following conditions:

i. That structures and grounds, including the parking area, that are used as part of the facility, are separated at least 1000 feet from all adjacent residential uses and structures on adjacent parcels;

ii. That the subject lot, parcel, or site has an approved Noise Management Plan that identifies such uses in accordance with the requirements set forth in this section.

f. **Charitable Events.** Up to five (5) charitable events held for the specific purpose of benefitting a not-for-profit organization, exempt from federal income tax under section 501(c) of Title 26 of the United States Code, that meet one of the following conditions will not be counted towards the maximum number of events allowed on a lot, parcel, or site:

i. Events completely contained indoors in accordance with the Noise Management BMPs identified in this section; or

- ii. Events with outdoor components held during the months of October through May where the location has an approved Noise Management Plan that identifies such potential uses.

12. Rural event centers. The design, size, and location of each rural event center will be unique and must be determined on a case by case basis. The review must ensure adequate separation from adjacent uses to minimize potential impacts from factors such as the number of people, the noise, and the traffic; safe access from a major public road; and provision of basic infrastructure to ensure the public's health, safety and welfare. A rural event center may be allowed when the following standards and conditions are met:

~~a. A site plan is approved pursuant to chapter 16.15.~~ A facility for seventy-five (75) people and under is reviewed as a Type II decision. A facility for more than seventy-five (75) people shall be reviewed as a Type III decision and shall meet the requirements for a community meeting. All applications are subject to the requirement for a pre-application conference.

b. Rural event centers are allowed in the Rural (R), and Rural Agriculture (RA) Zone districts as conditional uses. A rural event center is allowed in an RA Zone if the majority of the RA site remains available for agriculture uses.

c. Minimum separation. Structures and grounds, including the parking area, that are used as part of the facility shall be adequately separated from all residential adjacent uses and structures on adjacent parcels as follows:

(i) For relatively flat, open areas, the separation shall be at least 500 feet;

(ii) For proposals adjacent to a Rural Residential RAID, the separation shall be at least 1,000 feet; and

(iii) The minimum separations listed above may be reduced if the applicant can show that impacts are minimized by factors such as major changes in topography (hills, valleys, berms, ridges, or nonresidential structures), ~~by~~ areas of solid screening under the owner's ~~his~~ control, or, ~~by~~ particular land forms. Solid screening in lieu of the full separation will only be considered if the following criteria is met: a six (6) foot wall or fence is provided with continuous landscaping screening components on the exterior side and visible to the neighboring property, including both shrubs and trees, consistent with the provisions of section 17.03.180, P.3. In no case shall the separation be less than 500 feet from a Rural Residential RAID.

d. Minimum Area. It is likely that the total area that will be used as a rural event center will probably be relatively small; however, the required size of the parcel for each rural event center shall be determined by the following factors:

(i) The number, location, size, and width of the contiguous parcels in the ownership and/or control of the applicant; and

(ii) The location, size, and width of surrounding parcels that are zoned RA, CA, or RF. Future development, especially of residences, in these zones will be limited. Also, the area in these zones may serve to separate and buffer existing or future residences from potential impacts of the activities at the rural event center. A small parcel such as two and one-half (2.5) acres may be adequate if buffered by areas of these zones.

e. Access

i. All new facilities shall have adequate access from a state highway, county arterial, or county collector. A county local road may be approved by the County Engineer. Primary access, in order of priority, shall be off a state highway, county arterial, county

collector, approved county local road subject to the requirements of RCW 47.50, and WAC 468-52-040.

- ii. When considering approval of local county roads, the County Engineer shall determine if the following standards have been met for the section of county local road from the proposed facility to the state highway or county arterial or collector road:
  - (1). That the local road, at a minimum, meets design standards for a twenty-five (25) mph fire lane per Appendix D of the International Fire Code. If the use warrants, at the discretion of the County Engineer, the local road could be required to meet design standards for a twenty-five (25) mph collector road;
  - (2). That the road can safely manage the number of trips generated by the introduction of the new proposed use in a manner that ensures the continued safe and convenient use of the road; and
  - (3). That a Transportation Concurrency review and approved Certificate be obtained as needed per Chapter 11.04 ICC.

**f. Parking**

- i. Parking, access, and circulation shall be provided in accordance with standards set forth in section 17.03.180.Q. and shall be clearly identified and delineated on the site plan.
- ii. Reinforced turf may be provided as an alternative parking surface subject to the approval of the County Engineer.
- iii. All parking shall be contained on-site and shall be limited to areas identified as dedicated parking space on the approved site plan.
- iv. No off-street parking or loading area shall be permitted within fifty (50) feet of a side or rear property line.
- iv. Parking shall be provided at a rate of one (1) space for every two (2) guests.

**g. Screening.**

- i. General Screening. Screening of non-residential uses shall be provided in accordance with section 17.03.180. P. non-residential design, landscape, and screening guidelines.
- ii. Parking Screening Required. All facility parking areas shall be screened from view from adjacent residential property in accordance with the requirements set forth in section 17.03.180.P.3. If a full visual screen (wall or fence) is utilized, it must include continuous landscaping screening components (including both shrubs and trees) consistent with the provisions of section 17.03.180. P.3., provided on the exterior side where it is visible to the neighboring property.
- iii. Where parking facilities are located 1,500 feet or more from the nearest residential structure or where topographic features such as hills, valleys, berms, ridges, or nonresidential structures are present between parking areas and residential structures, the Planning Director may waive required parking screening.

iv. The selected plant materials and configuration must provide a full yearlong visual screen within five years of planting. This requirement will account for the size of materials and the growth rate.

h. Sleeping accommodations are allowed only in conjunction with an approved bed and breakfast inn or country inn.

i. A rural event center located on the same site with an approved farmhouse style restaurant may be able to share the kitchen and the rest room facilities; however, the restaurant use may not use the rural event center facilities for an expanded food service area.

j. The review of a proposed rural event center will determine limitations and conditions that would be necessary to protect the surrounding neighborhood from the impacts of the use. The following factors are some that shall be included:

i. The size of the parcel;

ii. The required separation between the use and adjacent uses;

iii. The total number of people that may attend an event at a facility, except the number shall not exceed 200 people;

iv. Set times when all outdoor activities must cease and all indoor activities may cease;

v. ~~A plan for noise management~~ Noise Management Plan shall be established in accordance with this section.

k. ~~The location and size of the required parking area. Also~~ A plan for traffic management shall be established. The Island County Sheriff's Office, the State Patrol or WSDOT may require traffic control for events of a certain size. If so, the traffic control shall be arranged by the applicant.

~~(viii) The location, size, and type of any required screening and buffering anywhere on the site.~~