

## Island County ‘Code Clean-up’: July 25, 2016 Planning Commission workshop

#	Code Section	COMMENTS & NOTES	Proposal
1	17.03.040	Farm Housing – definition includes ‘single-family dwellings’ which are considered site-built. Provision allows density provisions of the zone to be exceeded. Creates a ‘loop-hole’ for ag operators to create multiple homes on one parcel, despite low-density limitations of ag zones.	To be determined, based on public input and further discussion. This could be placed in the “parking lot”.
8	17.03.180(F.3)	EDU program/density bonus system - need definition of “prime agricultural soils”	Make reference to NRCS soils manual.
9	17.03.180(L.4)	Requires Group Homes to comply with the standards for Home Occupations in ICC 17.03.180(k.2). Not all of the standards for home occupations are relevant to group homes.	Select the standards for Home Occupations that should apply. See subsection 17.03.180(K) – attached.
10	17.03.100(A.14)	Allows wineries as a Type 1 decision in the CA zone. 17.03.180T(1.d): this subsection states that wineries on parcels 10 acres or larger zoned Commercial Agriculture or Rural Agriculture may be allowed, processed as a Type II or Type III decision.	The review process for wineries should be consistent in agricultural zones. They Type I process should apply, unless environmental review is necessary.
12	17.03.035	Use tables in 17.03.035 all refer to a 120-day permit review period for Type 1 and II permits. This has been confusing for the public, as the department intends much shorter turnaround periods for these permits.	The use tables should refer to the statute: RCW 36.70B, removing the need for updating in case the statute changes.
14	17.03.060.C.5	Provision has been used to allow reduced lot sizes for newly created lots in the 5-acre (Rural) zone. This reduction in lot size does not provide for required dedication of right-of-way for road purposes, or other required dedication of land by the reviewing authority. Current definition of lot size does not include any accounting for situations where County or State buys up ROW, resulting in lot sizes now under the minimum lot size for purposes of re-division.	Include reference allowing land area dedicated for road, right-of-way, open space or other purposes to be included in the gross area of the lot.
17	17.03 (several)	Building height is regulated in each zone – Department <i>policy</i> currently establishes how to measure it. Would like to see this in code; best established in a single section focused on how to measure height, setbacks, distance to OHWM, etc.	Establish that height measurement shall be as calculated in the building code.

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18	17.03.040	Lot Area – currently defined as ‘the total land area within the lot lines’. This often includes private tidelands, which are not buildable, for the purposes of meeting minimum lot size.	For the purposes of calculating lot area, lands seaward of OHWM would not be included in the calculation of lot size, as they are not buildable.
20	16.06.070	Expiration of boundary line adjustments. Currently, boundary line adjustments approvals become final upon recording. Some approved BLAs have not been recorded in a timely fashion, properties have been sold subsequent to the approval, but the boundary line remains the same between properties, now with one (or more) owners who were not part of the original application.	Require that boundary line adjustments be recorded within six (6) months of final approval.
21	17.03.040	Winery definition needed –Island County needs a definition of “winery”. There is no definition of “winery” in Snohomish County or Whatcom County codes. Skagit County would deem the vineyard a farm and winery an agricultural processing facility – other uses to promote ‘local agricultural products’ on site are deemed an Ag accessory use. Kitsap County includes viticulture and wineries in definition of Ag uses. Chelan includes ‘places of public or private assembly’ in definition of winery.	Propose definition of “winery” that leaves discussion about special events to a future date.  The definition of “winery” in State statute (RCW 66.04.010(50)) is: A business conducted by any person for the manufacture of wine for sale, other than a domestic winery.
22	17.03.040	Camping – needs a definition. Camping is only referenced in Health code and Greenbank Farm.	Adopt Webster’s definition of “camping”. Also include a definition of “temporary” .
27	17.03.060	Kennels are a Conditional Use in the R zone, but allowed as a Home Industry, which actually has more restrictions because of the on-site residency requirement. Animal control would like to see more stringent regulation of puppy mills, home breeders. Control officer cites Snohomish County code as good example.	For further discussion.  It may be appropriate to require a Conditional Use Permit in all zones, with specific performance standards for kennels.
31	17.03.040	Definition of ‘applicant’ should not be limited to ‘land division’ only.	Remove the words “for land division” in the definition under 17.03.040.
33	17.03.180.T.1	Preamble of this section refers to the Rural zone, but it goes on to list uses in other zones as examples. Since this section refers to uses, and specifically calls out zones for some, preamble reference should be stricken.	Reference to Rural zone in the preamble should be stricken.
34	16.13.110.E	This subsection provides that the Hearing Examiner shall have no jurisdiction over Type I decisions.	Ordinance C-47-16, adopted on 5/24/16, amended Island County’s administrative appeals process and provided for appeals of Type 1 decisions to be heard by the Hearing Examiner. Subsection E should be stricken.
35	17.03.180T(5)	Suggest amendment to language re: Equestrian Centers: “... breeding <u>or</u> rental of horses...”	Revise: Strike and, replace with <u>or</u> .





