

### **17.06.140 - Zoning Amendments.**

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

- A. Purpose. This section provides a process to apply for zoning reclassifications when such zoning amendments are compliant with the Freeland Subarea Plan. Zoning amendments that require a Comprehensive Plan Amendment shall only occur once per year on an annual basis and shall be a Comprehensive Plan amendment, processed as a Type IV decision pursuant to Chapter 16.26 ICC.
- B. Application requirements. The application shall contain the following requirements:
  - 1. The name, location, street address, and legal description of the affected parcel or property, together with the names, addresses and telephone numbers of the applicant or applicants, the owners of record of the land, and any associated professional consultants such as architects or engineers;
  - 2. A description of the existing use or uses of the land and uses of any existing buildings;
  - 3. A description of the specific proposed amendment;
  - 4. A description of each proposed use of land and buildings to be undertaken with the development;
  - 5. A general site plan drawn to a scale of not less than one (1) inch to twenty (20) feet and not greater than one (1) inch to 100 feet showing building envelopes, access, circulation (both vehicle and pedestrian), and open space or an application for site plan approval pursuant to Chapter 16.15 ICC or PRD approval pursuant to Chapter 16.17 ICC;
  - 6. A description of the reasons for the amendment; and
  - 7. A description of how the rezoning meets the criteria in ICC 17.06.140.D.
- C. Review process.
  - 1. Zoning amendments that are within the Freeland NMUGA shall be a Type III application and processed pursuant to ICC 16.19.170.
  - 2. Any expansion of the Freeland NMUGA boundary will also require a rezoning to a Freeland zoning district. The rezoning, processed in conjunction with the Comprehensive Plan Amendment application for the boundary expansion, both of which shall be processed as a Type IV decision pursuant to Chapter 16.26 ICC.
- D. General criteria for evaluation of rezoning request. The Hearing Examiner shall recommend to the Board of Island County Commissioners the denial or approval of each application for an amendment to the official zoning maps based on consideration of the following general factors.
  - 1. Compatibility with the existing Freeland Subarea Plan.
  - 2. No zoning amendment will be approved where the requested zoning district is different from the zoning on surrounding properties, excepting the following.
    - a. Where a property is zoned Low Density Residential and is immediately adjacent to Non-Residential Mixed-Use, the property may be considered for rezoning to Medium Density Residential or Non-Residential Mixed-Use.
    - b. Reclassification to Low-Density Residential (LD) shall only be allowed when applying Freeland Subarea zoning districts with an expansion of the NMUGA boundary. When expanding the NMUGA boundary, no Low Density Residential will be created along Hwy 525.
  - 3. The impact of the proposed zoning classification on available and projected traffic patterns, water and septic/sewer systems, and other public facilities and utilities.

4. Rezoning shall not be approved in any of the following conditions.
  - a. Rezoning would result in an increase in commercial traffic where such traffic must travel through residential districts (Low-Density Residential and Medium-Density Residential) to reach the parcel.
  - b. Rezoning would results in the creation of a lot that cannot support the minimum density for the requested zoning district.
  - c. Rezoning would result in a violation of policies in any element of the Comprehensive Plan, Freeland Subarea Plan, or elsewhere in Island County Code, including, but not limited to the following.
    - (i) Rezoning would create a non-conforming lot (size or setbacks).
    - (ii) Rezoning would create more than one zoning district on any tax parcel.
    - (iii) The rezoning would have an adverse impact on the View Corridors (see ICC 17.06.150.A).
  - d. The request is to rezone to Light Industrial (LI).
- E. After county action on an application, no new application for reclassification of the same property may be submitted for one (1) year from the date of approval or denial.

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