

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF ISLAND COUNTY, WASHINGTON**

IN THE MATTER AMENDING CHAPTER
17.03 ICC: ALLOWING RURAL EVENT
CENTERS IN THE RURAL FOREST (RF)
ZONE

**ORDINANCE NO. C-93 -19;
PLG-011-19**

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, as part of the 2016 periodic update of the Island County Comprehensive Plan, the County received significant public input regarding the need to update regulations for non-residential activities in rural areas; and

WHEREAS, on December 11, 2018 the Board of County Commissioners amended ICC 17.03 to allow for rural commercial event venues and updates to regulations affecting public interest events and rural event centers;

WHEREAS, at that time the Board of County Commissioners considered a recommendation from the Planning Commission to allow rural event centers in the Rural Forest (RF) Zone and made the decision to defer consideration of this change until a later date when this change could be more thoroughly evaluated;

WHEREAS, the Board of County Commissioners has reviewed public input and applicable state and local regulations related to this proposal;

WHEREAS, the Island County Comprehensive Plan, adopted in 2016, provides the following goals and policies related to rural lands and forestry activities:

Land Use Element

Goal 12. Ensure the long-term conservation of natural resource lands, and preclude land uses and developments that are incompatible within natural resource lands, while allowing existing and ongoing resource management operations and preserving long-term commercial viability of those areas.

LU 12.1 Create an area where rural forestry activities are encouraged to occur with residential uses while preserving rural character and maintaining open space as the dominant characteristic.

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.

Natural Resources Element

Goal 15. Protect existing and ongoing resource management operations and preserving long-term commercial viability of those areas.

NR 15.2 Encourage the conservation of lands suitable for forestry use and support forestry as an activity valued in Island County.

NR 15.4 Encourage forestry landowners to retain their lands in timber production and to utilize incentive programs.

NR15.5 Support innovative public and private programs that provide foresters incentives to stay on the land.

Economic Development Element

ED 1.3. Acknowledge as a basis for planning that the goals of preserving rural lands and enhancing economic vitality are complementary and not mutually exclusive, as the County's rural character is a direct economic asset.

ED 1.2. Encourage a diverse range of economic activities within appropriate areas of Island County.

ED 1.19. Encourage agricultural and forestry land uses that help farmers and foresters stay on the land thus protecting the County's rural character, which in turn, attracts other economic activities.

CONCLUSION

WHEREAS, proposed regulations are consistent with the Island County Comprehensive Plan in accordance with RCW 36.70.545 which requires consistency between the Comprehensive Plan and development regulations; and

WHEREAS, proposed regulations provide new opportunities to preserve and improve the economic viability of agricultural lands and cultivate expanded agricultural activity through promotional and educational events in compliance with WAC 365-196-815; and

WHEREAS, on August 30, 2019 Island County transmitted the draft amendments to Chapter 17.03 ICC to the Washington State Department of Commerce for review by State agencies; and

WHEREAS, Island County received no comments from the Washington State Department of Commerce or other State agencies during the applicable time period; and

WHEREAS, Island County has completed environmental review under SEPA, issuing a Determination of Non-Significance on November 06, 2018, establishing a 14 day comment period following the issuance of the determination; and

WHEREAS, no comments were received during the aforementioned 14 day comment period and, to date, no appeal of the SEPA determination has been filed in accordance with the published appeal deadline of December 05, 2018; and

WHEREAS, the Island County Planning Commission held a public hearing on September 23, 2019 to review and deliberate on the proposed changes to Chapter 17.03 ICC; and

WHEREAS, on September 23, 2019, the Island County Planning Commission voted to recommend that the BOCC adopt amendments to Chapter 17.03 ICC, reaffirming their previous recommendation from November 19, 2018, to allow rural event centers in the RF Zone; and

WHEREAS, the aforementioned 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 related allowed districts for rural event, as shown on Exhibit "A", attached hereto, and hereby adopts the Board's Findings of Fact attached hereto as Exhibit "B".


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


ADOPTED this 9th day of October, 2019.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

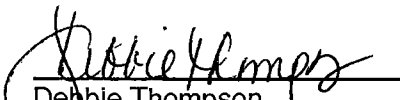



Jill Johnson, Chair


Helen Price Johnson, Member


Janet St. Clair, Member

ATTEST:


Debbie Thompson
Clerk of the Board

APPROVED AS TO FORM:

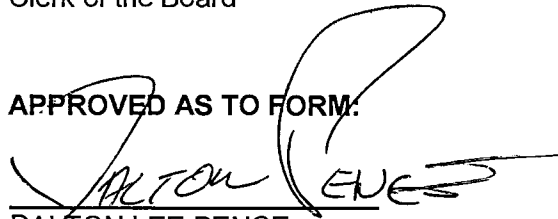

DALTON LEE PENCE
Civil Deputy Prosecuting Attorney and Island County Code Reviser

Exhibit A

ICC Chapter 17.03 Amendments

17.03.180 Land Use Standards

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EE. Events.

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12. **Rural event centers.** The design, frequency, 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 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), Rural Forest (RF), and Rural Agriculture (RA) zoning districts as conditional uses.
 - i. Rural Event Center in RA Zone. A rural event center is allowed in an RA Zone if the majority of the RA site remains available for agriculture uses.
 - ii. Rural Event Center in RF Zone. A rural event center is allowed in an RF Zone subject to the following conditions:
 - (1) The proposed lot, parcel, or site is compliant with the standards set forth in section 17.03.180 A General standards for nonresidential uses in the Rural, Rural Residential, Rural Forest, Rural Agriculture and Commercial Agriculture Zones.
 - (2) A Timber Management Plan is on file with the County Tax Assessor if the lot, parcel, or site is Designated Forest Land per Chapter 84.34 RCW and such use will not impair or impede such plan.
 - (3) The proposed use is compliant with section 17.03.270 Forest Practices.
 - (4) The proposed use does not interfere with the efficient management or productivity of Forest Management Uses in accordance with ICC 17.03.110 A Rural Forest (RF) Zone.
 - c. Minimum separation. Structures and grounds, including the parking area, that are used for event activities as part of the facility shall be adequately separated from all residences on adjacent parcels as follows:

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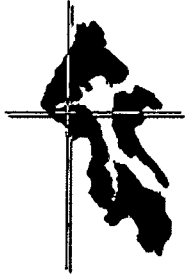
Exhibit B

Board of Island County Commissioners Findings of Fact

The Board of County Commissioners approves of and incorporates, in full, the Findings of Fact of the Planning Commission attached as Attachment 1 to Exhibit B.

Attachment 1 to Exhibit B

Planning Commissioners Finding of Fact



ISLAND COUNTY
PLANNING & COMMUNITY DEVELOPMENT
ISLAND COUNTY PLANNING COMMISSION

Darin Hand, Chairperson

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~ FINDINGS OF FACT AND LEGISLATIVE INTENT ~

TO: Board of Island County Commissioners

FROM: Island County Planning Commission

DATE: September 23, 2019

REGARDING: Chapter 17.03 ICC: Amending ICC 17.03.035 Land Use Tables and ICC 17.03.180 Land Use Standards to allow rural event centers in Rural Forest (RF) zone.

SUMMARY

Island County 2016 Comprehensive Plan Periodic Review

In 2016, Island County updated its Comprehensive Plan in accordance RCW 36.70.A.130.5.b. As part of that update, significant public comments called for a review of the County's rural land use regulations. 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. Over a one-year period, beginning in November 2017, the County received additional public comments urging Island County to allow for expanded opportunities for rural commercial event venues. Simultaneously, members of the public urged county officials to ensure that rural character is preserved and that the off-site impacts of events are managed and mitigated.

On December 18, 2018, the Board of County Commissioners (BOCC) held a public hearing to consider new and amended regulations for special events, rural commercial events, and rural event centers. The proposed ordinance was intended to strike a balance between promoting economic development and protecting rural character. At the December 18, 2018 public meeting, the BOCC considered a recommendation from the Planning Commission to amend event regulations with a specific recommendation to allow rural event centers in the Rural Forest (RF) zone and the Commercial Agriculture (CA) zone. At the time, the BOCC made a decision to proceed with all the

recommended amendments but to defer consideration of rural event centers in RF and CA until a later date when state restrictions on resource lands and public input could be better understood.

Staff has evaluated this topic further and proposes the attached amendments which will allow for rural event centers in the RF Zone. By allowing rural event centers in the RF Zone, Island County is responding to public comments, which have encouraged the BOCC to consider enhanced opportunities for small-scale economic development that is compatible with rural character. Additionally, Island County is encouraging activities compatible with forestry land uses that help foresters to retain forested land, enhance their economic return from the land, and preserve the long-term commercial viability of those resource lands. The following local and state regulations establish conditions for uses in the RF Zone:

1. ICC 17.03.035 Use Tables
2. ICC 17.03.110
 - a. Lot/Density
 - b. Setbacks
 - c. Height
3. ICC 17.03.180A General standards for nonresidential uses in the Rural, Rural Residential, Rural Forest, Rural Agriculture, and Commercial Agriculture Zones.

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.
4. ICC 11.02.270 Standards for Class IV general forest practices permits, and conversion option harvest plans, and for any lands harvested without a forest practices permit when a permit was required.
5. ICC 17.03.270 Forest Practices - standards that apply to Class IV and Conversion Option Harvest Plans (COHP) forest practices conducted in Island County.
6. Title 222 WAC – FOREST PRACTICES BOARD (including but not limited to:)
 - a. Definitions;
 - b. Practices and procedures;
 - c. State Environmental Policy Act guidelines; and
 - d. Application and notification requirements.
7. Chapter 84.34 RCW - OPEN SPACE, AGRICULTURAL, TIMBERLANDS—CURRENT USE—CONSERVATION FUTURES

Any proposal for a rural event center in the RF zone would have to comply with all applicable state and local regulations.

FINDINGS OF FACT

1. The Planning Commission finds that the proposed regulations provide new opportunities to preserve and improve the economic viability of forest practices and cultivate expanded agricultural activity through promotional and educational events in compliance with WAC 365-196-815.
2. The Planning Commission finds that the proposed regulations are consistent with the following provisions of the Island County Comprehensive Plan in accordance with RCW 36.70.545.

Land Use Element

Goal 12. Ensure the long-term conservation of natural resource lands, and preclude land uses and developments that are incompatible within natural resource lands, while allowing existing and ongoing resource management operations and preserving long-term commercial viability of those areas.

LU 12.1 Create an area where rural forestry activities are encouraged to occur with residential uses while preserving rural character and maintaining open space as the dominant characteristic.

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ED 1.19. Encourage agricultural and forestry land uses that help farmers and foresters stay on the land thus protecting the County's rural character, which in turn, attracts other economic activities.

3. The Planning Commission finds that sufficient public outreach has occurred during the past two years to inform and refine regulatory changes.
4. The Planning Commission reaffirms their recommendation provided in on November 18, 2019 to allow rural event centers in the RF Zone.

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 23rd day of Sept., 2019 by,



Darin Hand
Chair, Island County Planning Commission

Enclosure:

- Exhibit A - CHAPTER 17.03 ISLAND COUNTY ZONING CODE AMENDMENTS - RURAL EVENT CENTERS



COMMISSIONERS AGENDA

ISLAND COUNTY PLANNING & COMMUNITY DEVELOPMENT

October 8, 2019

REGULAR AGENDA:

Receive the Planning Commission recommendation via the attached ordinance C- -19; PLG-11-19, amending ICC 17.03.035 Land Use Tables and ICC 17.03.180 Land Use Standards to allow Rural Event Centers in the Rural Forest (RF) zoning district.