

- c. Maximum building coverage—
Based on the amount of square footage allowed in Area 1, Area 2, Area 3 and Area 4.
- 3. Development in the SR-GF Zone shall comply with the general standards for nonresidential use of section 17.03.180.A., except that subsections G.1. and 2. shall not apply.
- 4. Signage standards shall be the same as those set forth in the following subsections of section 17.03.180.R.:
 - a. Subsections 2.a. through 2.d.;
 - b. Subsections 2.g.(ii) through 2.g.(v); and
 - c. Subsections 3, 4 and 6.
- 5. Lighting shall comply with the standards set forth in section 17.03.180.R.
- 6. Building design shall comply with the following standards set forth in section 17.03.180.P.:
 - a. Subsection 1.;
 - b. Subsection 3.a.; and
 - c. Subsections 3.b.(i) through 3.b.(iv).

(Ord. C-91-02 [PLG-014-02], December 16, 2002, vol. 46, p. 408; amended by Ord. C-123-13, December 23, 2013, vol. 2013, p. 230)

(Ord. No. C-75-14 [PLG-006-14], Exh. E, 9-22-2014; Ord. No. C-86-17 [PLG-009-17], Exh. A, 8-15-2017)

17.03.170 Potential UGA expansion area overlay. (Reserved)

(Ord. C-123-98 [PLG-037-98], September 29, 1998, vol. 43, p. 6; accepted by Res. C-133-98 [PLG-043-98], October 19, 1998, vol. 43, p. 38; amended by Ord. C-136-98 [PLG-042-98], November 9, 1998, vol. 43, p. 65)

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.
2. Except for those essential public facilities for which alternative requirements are stated herein, structures and uses shall comply with lighting, site coverage and non-residential design and screening guidelines set forth in this section.
3. Smoke, toxic gases, and emissions. Emissions shall comply with the regulations of the Northwest Air Pollution Control Authority.
4. Dust and dirt. Emissions of fugitive dust, dirt, fly ash, or other airborne solids shall comply with the requirements of the Northwest Air Pollution Control Authority and all Washington state and federal standards as currently exist or as may be amended.
5. Vibration. Ground vibration inherently and/or recurrently generated from use and/or equipment, other than vehicles, shall not be perceptible without instruments at any point beyond the property boundary in which such use is located.

6. Glare, heat and other radiation. Activities which may create offensive glare, heat, electromagnetic and other radiation shall be conducted and contained in an enclosed building, unless otherwise mitigated.
 7. Odors. The emission of obnoxious odors of any kind beyond the lot boundaries is prohibited. Particular industries may be required to present comprehensive statements of measures to be taken for elimination of obnoxious odors for department staff review before approvals are granted.
 8. Liquid wastes. Emission of liquid wastes shall require an industrial waste discharge permit issued by the Washington State Department of Ecology or the Federal Environmental Protection Agency.
 9. Solid wastes. Procedures for the collection, control, and disposal of any solid wastes peculiar to the industrial operation shall be approved by the Island County Health and Public Works Departments prior to the issuance of any permits and shall meet all standards of the State Department of Ecology.
 10. Water supply/waste disposal/surface water. Water supply, waste disposal, including sewage, and surface water shall meet applicable federal, state and county standards, provided that, no dangerous or hazardous wastes may be discharged into surface or groundwater.
 11. Utilities. To the extent feasible, all on-site utilities shall be located underground.
 12. Noise emissions shall not exceed levels as established by WAC 173-60-040. More restrictive standards may be established for specific NR uses in the Rural, Rural Residential, Rural Agriculture, Rural Forest, or Commercial Agricultural Zones.
 13. For any use the county shall impose such reasonable conditions as are found necessary to ensure that the proposed activity is compatible with the character of surrounding permitted uses.
- B. Bed and breakfast.**
1. Bed and breakfast inns (three (3) to six (6) rooms) may be established in the Rural, Rural Agricultural, Rural Forest, Commercial Agricultural Zones provided that:
 - a. Minimum parcel size shall be two and one-half (2.5) acres;
 - b. A site plan is approved pursuant to chapter 16.15;
 - c. There shall be no more than six (6) attached or detached guest rooms;
 - d. The owner shall be domiciled in the single family dwelling unit;
 - e. No more than two (2) full-time non-family member employees;
 - f. Bed and breakfast inns in Commercial Agricultural or Rural Agricultural zoned parcels shall be:
 - (i) Located so as to minimize the amount of agricultural land loss and shall not be located on prime soils;
 - (ii) Clearly subordinate to the agricultural activities on site.
 2. Bed and breakfast rooms may be established outright in any single family dwelling unit or detached ADU, provided the gross square footage of the detached ADU, including the bed and breakfast room, does not exceed 1,200 square feet, in any Rural, Rural Residential, Rural Forest, Rural Agriculture, or Commercial Agriculture Zones provided that:
 - a. The owner is domiciled within the single family dwelling unit;
 - b. No more than two (2) bedrooms or attached or detached guest rooms, are devoted to the bed and breakfast on the parcel;

3. For either type of bed and breakfast facility the county shall impose such reasonable conditions as may be found necessary to ensure that the operation of the bed and breakfast use does not disrupt adjacent dwelling units including:
 - a. For bed and breakfast facilities the use of the lot for single family residential purposes is the predominant use;
 - b. Parking of vehicles shall be accommodated on the premises in conformance with this section;
 - c. Accommodations shall not require the extension of public sewer and water services. On-site sewage disposal systems and water supplies shall be adequate to support the facility; and
 - d. Service of meals for bed and breakfast facilities shall be limited to registered guests only.
 - e. Bed and breakfast facilities shall comply with the non-residential rural design, landscape, open space, screening, buffering, signage, and lighting standards set forth in this section.
 4. All bed and breakfast facilities shall be registered with the Island County Health Department to assure that Health Department standards are met.
- C. **Mini storage.** Mini storage in the Non-Residential Zones are subject to the requirements of chapter 16.15 and the non-residential design, landscape and screening guidelines of this chapter. Mini storage may be established in the Rural Zone provided that:
1. A site plan is approved pursuant to chapter 16.15.
 2. The parcel is at least ten (10) acres in size.
 3. All mini storage facilities shall take primary access, in order of priority, off a county arterial, county collector road, or state highway.
 4. The total aggregate gross area of the footprints of all building foundations shall not exceed 17,000 square feet for parcels less than twenty (20) acres in size, and 25,000 square feet for parcels twenty (20) acres or greater.
 5. There shall be a 100-foot setback from all roads, and a fifty-foot setback from all property lines. With the exception of the caretaker residence, security fencing, and the primary driveway that serves the facility, no structures, buildings, gravel, pavement or any other physical improvement is permitted within these setbacks. Vegetation may be modified if it is necessary to achieve better screening. All structures shall be screened in conformance with section 17.03.180.P.
 6. Outside storage shall be limited to boats, recreational vehicles, and similar vehicles.
 7. Mini storage shall be limited to dead storage. The whole facility shall be fully screened. If new landscaping is proposed as part of the screening of the facility, the new landscaping shall provide full screening within five (5) years. If full screening is not achieved within five (5) years, the facility shall be subject to closure until landscaping achieves a level where it provides full screening.
 8. An occupied on-site caretaker residence shall be required. The caretaker residence shall be located at the main entrance, shall be designed to look like a house and shall be used as one (1) of the methods for screening the facility. The caretaker does not need to be the

- owner of the facility. This will be the only single family residence located on the parcel.
9. There shall be only one (1) access from each adjacent road.
 10. The facility shall comply with the non-residential rural design, landscape, open space, screening, buffering, signage, and lighting standards set forth in this section.
 11. Exterior video surveillance equipment and an alarm system must be installed on the premises to monitor all storage lockers and outdoor storage.
 12. Security fencing shall be installed around the perimeter of the mini storage facility and shall include a security gate that allows restricted access to the site. Fencing shall be designed and located in a manner that is subtle in appearance. This may be achieved by providing landscaping or natural vegetation on exterior of the fence, by providing dark brown or black vinyl coating to metal fences, and/or by utilizing natural materials such as wood.
 13. Stormwater generated from impervious surfaces shall be collected and managed on site. Infiltration shall be utilized when soil conditions make it possible.
 14. The guidelines for what is permitted within individual storage units shall be established through a plan that is approved by the Island County Health Department. Signage shall be posted in multiple conspicuous locations within the facility that informs customers that they are prohibited from storing hazardous and dangerous materials.
 15. Hours of operation shall be restricted from 6:00 a.m. to 10:00 p.m.
 16. Individual storage units may not be used by tenants to conduct a business.
- Tenants shall be notified of this restriction through a signed contract with the mini storage facility operator.
- D. Country inns.** Country inns (seven (7) to forty (40) rooms) may be established in the Rural Zone provided that:
1. The proposed parcel size is at least:
 - a. Seven (7) to twenty (20) rooms—Ten (10) acres.
 - b. Twenty-one (21) to thirty (30) rooms—Fifteen (15) acres.
 - c. Thirty-one (31) to forty (40) rooms—Twenty (20) acres.
 2. A site plan is approved pursuant to chapter 16.15.
 3. Country inns, twenty (20) or less rooms in size, do not require a community meeting pursuant to chapter 16.19.
 4. Country inns shall comply with the non-residential rural design, landscape, open space, screening, buffering, signage, and lighting standards set forth in this section.
 5. No more than one (1) country inn or bed and breakfast room or bed and breakfast inn operation per contiguous ownership.
 6. Minimum structural setback (including parking area) shall be established by use of the supplemental setback provisions of this section.
 7. When a proposed country inn is for an existing structure that cannot meet the required setbacks, the decision making authority may adjust setbacks, subject to the applicant demonstrating compatibility with the rural environment.
 8. All country inns shall take primary access, in order of priority, off a county arterial, county collector road highway, or state highway.

E. Density bonus system.

1. The density bonus system is designed to provide incentives for cluster development in order to:
 - a. Reserve opportunities for future urban development;
 - b. Provide permanent preservation of open space, critical areas, wildlife habitat and natural lands; and
 - c. Protect agricultural and forest resource lands.
2. Bonus densities are as follows:

Zone	Maximum Density Bonus	Minimum Open Space Ratio
Rural		
Parcels under 20 acres	None	30%
Parcels 20 up to 40 acres	100%	65%
Parcels 40 up to 80 acres	125%	80%
Parcels over 80 acres	None	30%
UGA PRD Bonus	200%	75%*
Shoreline Restoration PRD Bonus	[Reserved]	
Rural AG, Commercial AG		
Standard PRD Bonus	None	50%
Rural Forest		
Parcels 20 acres up to 80 acres	100%	85%
Parcels over 80 acres	None	50%
Rural Residential		
Shoreline Restoration PRD Bonus	[Reserved]	

* Note the UGA PRD open space is treated as an urban reserved.

3. In acting on a request for bonus densities, the director or hearing examiner, as appropriate, may, in order to ensure protection of critical areas and RA, RF, CA and AP lands, require the clusters to be located away from such critical areas and lands or may increase buffers around the critical areas and lands.
4. The use of density bonuses is authorized through the approval of a PRD pursuant to chapter 16.17. Specific open space and site lay-out standards are established in that chapter. See also section 17.03.180.R. for site coverage requirements when density bonuses are used.
5. The PRD bonus density will be calculated based on the size in acres of the open space area committed in a perpetual conservation easement with fractional units rounded upward.
6. Density bonus for a parcel is calculated as follows:

$$\begin{matrix} \text{Open Space} & \div & \text{Base Density} & \times & \text{Permitted Bonus} & = & \text{Allowed Density Bonus} \\ \text{(in Acres)} & & \text{(in Acres)} & & \text{(in Percent)} & & \text{(in Units)} \end{matrix}$$

7. Allowed density is calculated as follows:

$$\begin{matrix} \text{Base Density} & + & \text{Density Bonus} & = & \text{Allowed Density} \\ \text{(in Units)} & & \text{(in Units)} & & \text{(in Units)} \end{matrix}$$

- F. **Earned development units.** An owner of CA zoned property may be allocated earned development units upon approval of a farm management plan. EDUs may be located and used on R, RA, RF or CA

zoned properties as specified in an approved management plan and provided the following standards are met:

1. EDUs shall be allocated only after a conservation easement for the CA zoned parcel is recorded encompassing at least eighty-five (85) percent of the parcel and when the term of the easement is in perpetuity.
2. EDUs may be added to base density and shall be allocated at the rate of 0.20 EDU per acre of conservation easement.
3. EDUs may be used on no more than fifteen (15) percent of the parcel and may not be used on lands containing prime agricultural soils. Prime agricultural soils are soils that have the best combination of physical and chemical characteristics for producing food, feed, food production related storage, fiber and oilseed crops and that is available for these uses. Prime agricultural soils have the combination of soil properties, growing season, and moisture supply needed to produce sustained high yields of crops in an economic manner if it is treated and managed according to acceptable farming methods. Upon approval of a management plan the area(s) allocated EDUs zoned CA will be reclassified RA subject to the restrictions imposed by the management plan.
4. EDUs may be allocated only to lands zoned R, RA, or CA held in one (1) ownership as of the date of approval of the management plan.
5. EDUs may also be used on R, RA, or CA lands acquired after approval of the management plan so long as the land area of the conservation easement never is less than eighty-five (85) percent as specified above and the management plan is amended to include these lands.
6. After the farm management plan has been approved, lots created for single family residential use through the use of EDUs shall:
 - a. Be established using the applicable land division process provided for in chapter 16.06; and
 - b. Comply with the applicable standards found in titles 8, 11, 13, 16 and 17.
7. Upon approval of the farm management plan by the board, that portion of land where the EDUs have been allocated may be sold or transferred but may not be used in combination with any density bonuses. On R and RA lands, use of residential EDUs may not exceed a density greater than 100 percent of base density.
8. EDUs may be used for residential or non-residential uses as follows:
 - a. Single family residential—One (1) EDU per lot;
 - b. Non-residential:
 - (i) Campground—One (1) EDU per acre;
 - (ii) Boat launches—One (1) EDU per lot;
 - (iii) Country inn—One (1) EDU per 2,500 s.f. of gross floor area;
 - (iv) Churches—One (1) EDU per 2,500 s.f. of gross floor area;
 - (v) Gun clubs and shooting ranges—One (1) EDU per acre;
 - (vi) Fire stations—One (1) EDU per lot;
 - (vii) Mini storage—One (1) EDU per 2,500 s.f. of gross floor area;
 - (viii) Restaurants—One (1) EDU per 2,500 s.f. of gross floor area;
 - (ix) Model hobby parks—One (1) EDU per lot.

9. The use of residential EDUs must be in clusters and the location of both residential and non-residential EDUs must be buffered to protect CA and RF lands and to ensure compatibility with the rural character of surrounding permitted uses. Further, EDUs must be served by rural governmental services and the future need for urban governmental services must be precluded.
 10. Should action by the county or another governmental agency render allocated EDUs unusable, then the county shall reconvey all or a portion of the conservation easement that has been conveyed to the county, proportioned in area to the number of allocated EDUs that have been rendered unusable. With the specific location of the proportioned area to be reconveyed to be determined by the property owner.
- G. Farm management plan.** Upon the request of a farm, the board may approve a master plan for the long term management of a parcel designated CA. The plan shall be processed as a Type IV decision pursuant to chapter 16.19. The plan:
1. Shall establish the general location for the use of earned development units.
 2. Shall identify the action(s) or uses to be permitted by the county to enhance the commercial viability of the parcel.
 3. Shall identify the prime soils contained in the parcel designated CA.
 4. Shall identify the area to be protected by conservation easement and describe how the plan will conserve productive lands.
 5. A farm management plan may be approved only if the conservation easement is in perpetuity and covers at least eight-five (85) percent of the parcel(s) subject to the management plan.
 6. Shall be recorded with the auditor and run with the land.
 7. Shall be approved upon finding that the plan enhances the commercial viability of the farm parcel and that the plan will conserve prime agricultural soils.
- H. Farm produce stands, seasonal farmer's markets, and forest product stands.** Farm produce stands and forest products stands may be established outright in the Rural Agriculture, Commercial Agriculture and Rural Forest Zones. Seasonal farmer's markets may be established as temporary use in the Rural, Rural Agriculture, and Commercial Agriculture Zones subject to the requirements of this chapter.
1. Farm produce, seasonal farmer's market and forest products stands shall meet the land use standards of this chapter and the following requirements:
 - a. The structures are designed and used for the sale of farm crops or forest products grown/processed on farms/forest land in the local area;
 - b. The structure is no greater than 2,500 gross square feet in size in the RA or RF Zones;
 - c. No less than seventy (70) percent of the gross square feet of selling space shall be for perishable farm produce and plants, forest products, products made or assembled by the owner and operator of the stand, private label foods, and seeds, books related to farm and/or rural life, locally made or harvested products and traditional hand-made products;
 - d. No more than thirty (30) percent of the gross square feet of selling space may be used for the sale of items generally associated with retail sales of non-local farm or forestry products;

- e. The farm produce, seasonal farmer's markets or forest products stand does not include structures designed for occupancy as a residence;
- f. The activities at a farm produce, seasonal farmer's market or forest product stand are limited to promotion and sale of products and educational activities directly related to agriculture and forestry; and
- g. Farm produce, seasonal farmer's market and forest products stands shall comply with the non-residential rural design, landscape, open space, screening, buffering, signage, and lighting standards set forth in this section.

I. Accessory dwelling units (ADUs), attached and detached.

- 1. A detached ADU or an attached ADU may be established in the Rural, Rural Residential, Rural Agriculture, Rural Forest, and Commercial Agriculture Zones.
- 2. No more than one (1) ADU, attached or detached, shall be allowed per single family dwelling unit.
- 3. Addresses for ADUs shall be assigned in accordance with section 14.04A.120.I.
- 4. All ADUs are subject to applicable Health Department standards for potable water verification and sewage disposal per Chapters 8.09 and 8.07D.
- 5. The applicant must apply for a building permit for an ADU to be established as a legal use. All ADUs shall comply with applicable building, fire, and health and safety codes.
- 6. Detached ADU. In order to encourage the provision of a variety of housing options, a detached ADU may be established as a permitted use in the

Rural, Rural Residential, Rural Agriculture, Rural Forest, and Commercial Agriculture Zones, subject to the following criteria:

- a. No more than one (1) ADU, attached or detached, shall be allowed per single family dwelling unit.
- b. A permit application for an attached or detached ADU must be in the name of the owner of the lot or parcel.
- c. No individual shall receive more than one (1) detached ADU permit per calendar year not to include consultants or agents acting on the behalf of individuals.
- d. A detached ADU shall not exceed 1,200 square feet of gross floor area.
- e. A detached ADU must share a common access, from the public right-of-way, with the single family dwelling to which it is an accessory dwelling.
- f. No home occupation or home industry shall be permitted for the residents of the detached ADU.
- g. Detached ADUs cannot be segregated or separately sold, transferred, given or otherwise conveyed unless the lot is of sufficient size to meet base density and other County Code requirements.
- h. No more than thirty-five (35) building permits for detached ADUs shall be issued by the county each calendar year for properties located outside of urban growth areas.
- i. The detached ADU area shall be calculated pursuant to the description provided for in the definition of gross floor area located in section 17.03.040. However, when

- measuring gross floor area for a detached ADU, garage/shop space that is not living space shall not be counted in the overall floor area calculation. Internal access to any garage/shop space may be permitted provided any future conversions shall comply with the adopted detached ADU requirements.
- j. A detached ADU is allowed within PRDs, provided all the criteria of section 17.03.180.I.6 is met.
 - k. The detached ADU must be setback no more than 100 feet from the primary residence, or be located where the environmental impact is the least, and maintain the rural character.
7. Attached ADU. In order to encourage the provision of a variety of housing options, attached ADUs may be established as a permitted use in the Rural, Rural Residential, Rural Agriculture, Rural Forest, and Commercial Agriculture Zones, subject to the following criteria:
- a. No more than one (1) ADU, attached or detached, shall be allowed per single family dwelling unit;
 - b. No home occupation or home industry shall be permitted for the residents of the attached ADU;
 - c. An attached ADU shall be no greater than 1,000 interior square feet;
 - d. An attached ADU may be created through:
 - (i) Internal conversion within an existing single family dwelling;
 - (ii) The addition of new square footage to the existing single family dwelling; or
- (iii) Inclusion in the development plans for, or as part of, the construction of a new single-family dwelling unit.
 - e. An attached ADU may have an internal access connection provided between the main dwelling and the ADU.
 - f. An attached ADU is allowed within a PRD, provided all the criteria of section 17.03.180.I.7 is met.
 - g. Attached ADUs cannot be segregated or separately sold, transferred, given or otherwise conveyed unless the lot is of sufficient size to meet base density and other County Code requirements.
- J. **Home industry—Purpose and standards.** To provide for small-scale commercial or industrial activities on Rural, Rural Agricultural, Rural Forest, or Commercial Agricultural zoned parcels, accessory to the primary residential/agricultural/forestry use. The scale of the proposals to be considered through this mechanism is typically greater than could be accommodated as a home occupation. Uses that are larger than a home industry must locate in a nonresidential zone.
1. The following list of uses is not intended to be exhaustive, but rather is intended to be illustrative of the types of uses which the approval authority may consider:
 - a. Antique shops;
 - b. Art or photography studios;
 - c. Auto repair with a maximum of two (2) service bays;
 - d. Blacksmith shop;
 - e. Construction office;
 - f. Furniture repair or refinishing;
 - g. Portable lumber mill;
 - h. Small day care center;
 - i. Kennel;
 - j. Pottery shop;

- k. Woodworking shop;
 - l. Bed and breakfast inn;
 - m. Winery without a tasting room;
 - n. Cidery without a tasting room;
 - o. Distillery without a tasting room;
and
 - p. Brewery or micro-brewery without on-site consumption.
2. A home industry shall meet the requirements of this chapter and the following standards:
- a. In order to establish a new home industry the property owner shall sign an agreement that:
 - (i) Acknowledges the requirements of this section; and
 - (ii) Agrees that the home industry will be discontinued or brought into strict conformance with the requirements of this section upon notification from the director of any violation of this section.
 - (iii) The owner(s) of a home industry shall certify compliance with conditions of approval.
 - (iv) When the business no longer complies with the criteria established above and the conditions included in any approval, the business shall relocate to a zoning classification which would permit the activity. Such conditions shall be recorded by the owner against the title of the property with the Island County Auditor.
 - b. Minimum parcel size shall be two and one-half (2.5) acres gross site area if no more than two (2) full time, non-family employees are employed on site; otherwise the minimum parcel size shall be five (5) acres.
 - c. A site plan is approved pursuant to chapter 16.15.
 - d. To qualify as a Type II application, no more than two (2) full-time non-family member employees who reside off the subject property may be employed on-site. More than a total of five (5) full-time employees who reside off the subject property and either work on-site or report to work on-site is prohibited.
 - e. More than one (1) home industry may be authorized on a single parcel provided that the total number of employees and gross square feet is not exceeded.
 - f. The owner(s) of the business(es) shall be a full-time resident of the lot, tract or parcel proposed for the home industry, except in the Commercial Agricultural Zone where the owner shall be a full-time resident of the contiguous ownership in the vicinity.
 - g. No on-site direct retail sales of products not produced on-site are allowed, except for antiques.
 - h. All activity related to the conduct of the business or industry shall be conducted within an enclosed structure unless totally screened from view, as approved on the site plan. The outside storage of vehicles, supplies, or materials shall be justification for the imposition of additional requirements as a condition of site plan approval.
 - i. A Type II application shall be limited fifty (50) percent of the gross floor area of the dwelling unit but no greater than 800 square feet. A Type III application, shall be required for activities greater than 800 square feet or fifty (50) per-

cent of the gross floor area of the dwelling unit limit but less than a maximum 4,000 square feet gross floor area. Properties which are ten (10) acres or greater may exceed the 4,000 square foot maximum allowable area, provided that the use complies with all applicable county standards.

- j. More restrictive noise standards may be established for specific NR uses in the Rural, Rural Residential, Rural Agriculture, Rural Forest, or Commercial Agricultural Zones.
- k. There shall be no external evidence of any incidental commercial activities taking place within the building.
- l. Only those buildings or areas specifically approved by the county may be used in the conduct of the business.
- m. All home industry activities, parking areas and structures shall be totally screened from the view of adjacent properties, using landscaping, fencing, the retention of native vegetation, or a combination thereof.
- n. The minimum building setback for nonresidential structures from all property lines is fifty (50) feet, which may be increased at the discretion of the approving authority to specific minimize impacts.

- o. Home industries shall comply with the non-residential rural design, landscape, open space, screening, buffering, signage, parking, and lighting standards set forth in this section.
 - p. For any home industries the county shall impose such reasonable conditions as may be found necessary to ensure that the activity or use does not disrupt adjacent permitted uses.
- K. Home occupation standards.** Home occupations are accessory to the primary residential use and are permitted in any dwelling unit or accessory structure.
1. The following list of uses is not intended to be exhaustive, but rather is intended to be illustrative of the types of uses:
 - a. Artists, photographer and sculptors;
 - b. Authors and composers;
 - c. Dressmakers, seamstresses and tailors;
 - d. Day care nursery;
 - e. Home crafts, such as model making, rug weaving, lapidary work, woodworking and ceramics;
 - f. Office facility of a minister, rabbi, priest or other similar person associated with a religious organization;
 - g. Business office facility of a salesman, sales representative or manufacturer's representative, architect, artist, broker, dentist, physician, engineer, planner, landscape architect, public relations practitioner, instructor in music, arts and crafts, insurance agent, land surveyor, lawyer, musician, real estate agent or typist;
 - h. Classes of specialized instruction;
 - i. Barbershops and beauty parlors;
 - j. Bed and breakfast rooms;
 - k. Winery without a tasting room;
 - l. Cidery without a tasting room;
 - m. Distillery without a tasting room; and
 - n. Brewery or micro-brewery without on-site consumption.
 2. A home occupation shall meet the requirements of this chapter and the following standards:
 - a. Is clearly incidental and secondary to the use of the property for residential purposes.
 - b. May be conducted in the principle dwelling unit or accessory structure.
 - c. The area devoted to the home occupation does not exceed fifty (50) percent of the gross floor area of the dwelling unit or 800 square feet, whichever is less. The home occupation may be located in an attached or detached structure.
 - d. More than one (1) home occupation may be authorized on a single parcel provided that the total gross square feet and number of employees are not exceeded.
 - e. The business must be owned and operated only by full-time residents of the parcel on which the proposed use is being requested.
 - f. Has neither outside storage nor other exterior indication of the home occupation or variation from the residential character of the property.
 - g. Retail sales are limited to products and services produced on the subject premises or items accessory to a service (i.e., hair care products for beauty salon).
 - h. No mechanical equipment shall be used that is not customarily used for residential uses.

- i. For non-farm home occupation, no outdoor storage of goods or materials shall be permitted.
 - j. The proposed use shall not generate traffic in excess of that normally generated by typical uses found within the particular zone.
 - k. The home occupation does not employ on-site or report to work on-site, more than one (1) full time person other than those of the immediate resident family.
 - l. There is no external or internal alteration affecting the character of the dwelling unit or accessory buildings.
 - m. Home occupations shall comply with the non-residential rural design, landscape, open space, screening, buffering, signage, parking, and lighting standards set forth in this section.
 - n. For any home occupation the county shall impose such reasonable conditions as may be found necessary to ensure that the activity or use does not disrupt adjacent permitted uses.
- L. Institutional uses.** Institutional uses may be established as permitted or conditional uses as specifically enumerated in the applicable zone. Provisions shall be made for multi-modal access including transit access or transit stops, and include provisions for non-motorized access to the development as appropriate for the nature and scale of the project. An institutional use shall meet the requirements of this chapter and the following standards:
- 1. Churches in the RR, R, RF, and RA Zones.
 - a. The proposed parcel is at least two and one-half (2.5) acres in size.
 - b. Churches in the RR Zone must be located adjacent to a mixed use rural center RAID or non-municipal UGA.
 - c. Churches that are limited to a seating capacity of no more than 150 or fewer persons or a 2,000-square foot assembly area are not subject to the community meeting requirements of chapter 16.19.
 - d. A site plan is approved pursuant to chapter 16.15.
 - e. Churches shall comply with the non-residential rural design, landscape, open space, screening, buffering, signage, parking, and lighting standards set forth in this section.
 - f. All churches shall take primary access, in order of priority, off a county arterial, county collector road highway, or state highway.
 - g. One (1) single family dwelling located in conjunction with a church shall be considered an accessory structure and comply with the provisions governing residential uses of the zone in which it is located.
 - h. The facilities, including parking and accessory structures, shall not be located on lands identified prime agricultural soils.
 - 2. Schools.
 - a. See table [17.03.180.L.2.a.].
 - (i) Schools of thirty-six (36) to 1,000 students. Site plan review of a school designed for thirty-six (36) to 1,000 students shall be a Type III decision pursuant to chapter 16.19 Island County Code.
 - (1) Buildings setback—Fifty (50) feet from all property lines.

- (2) Playgrounds setback—
Ten (10) feet from all property lines.
- (3) Playgrounds setback—
Fifty (50) feet from all roads, excluding interior circulation.
- (4) Access shall only be via a county arterial or county collector road.

- (5) Shall be exempt from the residential/agricultural style requirement of section 17.03.180.P.1.a. Island County Code.
- (6) Natural habitat must be retained and incorporated into the instructional facilities to the extent practical.
- (7) Schools of thirty-six (36) to 1,000 students shall provide delineated safe pedestrian access on school property adjacent to public roads.
- (8) Prior to submittal of a site plan review application, the applicant shall coordinate with Island Transit to determine the appropriate location and facilities for a public transit stop(s) adjacent to or on the proposed school site. These public transit stops must be included on the site plan.
- (9) Minimum lot size: The minimum acreage of the site should be five (5) usable acres and one (1) additional usable acre for each 100 students or portion thereof of projected maximum enrollment plus an additional five (5) usable acres if the school contains any grade above grade six (6). A district may consider the use of a site that is less than the minimum usable acreage provided that:
 - (A) The health and safety of the students will not be in jeopardy;
 - (B) The internal spaces within the proposed facility will be adequate for the proposed educational program;
 - (C) The neighborhood in which the school facility is or will be situated will not be detrimentally impacted by lack of parking for students, employees, and the public; and
 - (D) The physical education and recreational program requirements will be met.
- (ii) Schools of seven (7) to thirty-five (35) students. Site plan review of a school designed seven (7) to thirty-five (35) students shall be a Type II decision pursuant to chapter 16.19 Island County Code, unless any one (1) standard exceeds the threshold for Type II decisions, thereby making it a Type III decision pursuant to chapter 16.19 Island County Code.
 - (1) Fifty (50) feet of undisturbed buffer shall be maintained along all property lines not fronting roads.
 - (2) Building setback from property lines—Fifty (50) feet.
 - (3) Playground setback from property lines—Ten (10) feet.
 - (4) Playground setback from roads—Seventy-five (75) feet

- (iii) All schools shall comply with the following provisions:
- (1) A site plan must be approved pursuant to chapter 16.15 Island County Code.
 - (2) Schools shall comply with all applicable local, state, and federal regulations concerning educational facilities and programs.
 - (3) Schools shall comply with the non-residential rural design, landscape, screening, buffering, signage, parking, and lighting standards set forth elsewhere in chapter 17.03, if such standards are not set forth in this section.
 - (4) Schools shall comply with the height requirements of the underlying zone.
 - (5) Off-street pickup and drop-off spaces shall be provided commensurate with the number of individuals served by the facility so that the neighborhood will not be adversely impacted or children endangered. Areas for school bus pickup and drop-off must be separate from areas for automobile pickup and drop-off.
 - (6) Screening shall be provided in the form of plantings, walls, berms, or fencing of such a nature and density as proscribed in the non-residential design guidelines as a condition of issuance of a building permit. Particular attention shall be paid towards maximum screening along those property lines that are adjacent to R and RR zoned lands.

17.03.180.L.2.a.

Zone	1—6 Students	7—35 Students	36—99 Students	100—249 Students	250—499 Students	500—1,000 Students	Specialty Instructional Facilities
R	Home occupation, see section 17.03.180.K.	Home industry, see section 17.03.180.J.	<ul style="list-style-type: none"> Maximum impervious surface ratio 50% Minimum open space ratio 40% Maximum building coverage ratio 30% Not permitted	<ul style="list-style-type: none"> Maximum impervious surface ratio 50% Minimum open space ratio 40% Maximum building coverage ratio 30% Not permitted	<ul style="list-style-type: none"> Maximum impervious surface ratio 40% Minimum open space ratio 40% Maximum building coverage ratio 25% Not permitted	<ul style="list-style-type: none"> Maximum impervious surface ratio 35% Minimum open space ratio 40% Maximum building coverage ratio 25% Not permitted	Home occupation, see section 17.03.180.K.
RR	Home occupation, see section 17.03.180.K.	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted	Home occupation, see section 17.03.180.K.
RF	Home occupation, see section 17.03.180.K.	Home industry, see section 17.03.180.J.	<ul style="list-style-type: none"> Maximum impervious surface ratio 50% Minimum open space ratio 40% Maximum building coverage ratio 30% 	<ul style="list-style-type: none"> Maximum impervious surface ratio 50% Minimum open space ratio 40% Maximum building coverage ratio 30% 	<ul style="list-style-type: none"> Maximum impervious surface ratio 40% Minimum open space ratio 40% Maximum building coverage ratio 25% 	<ul style="list-style-type: none"> Maximum impervious surface ratio 35% Minimum open space ratio 40% Maximum building coverage ratio 25% 	Home occupation, see section 17.03.180.K.
RA	Home occupation, see section 17.03.180.K.	Home industry, see section 17.03.180.J.	<ul style="list-style-type: none"> Maximum impervious surface ratio 50% Minimum open space ratio 40% Maximum building coverage ratio 30% 	<ul style="list-style-type: none"> Maximum impervious surface ratio 50% Minimum open space ratio 40% Maximum building coverage ratio 30% 	<ul style="list-style-type: none"> Maximum impervious surface ratio 40% Minimum open space ratio 40% Maximum building coverage ratio 25% 	<ul style="list-style-type: none"> Maximum impervious surface ratio 35% Minimum open space ratio 40% Maximum building coverage ratio 25% 	Home occupation, see section 17.03.180.K.
CA	Home occupation, see section 17.03.180.K.	Home industry, see section 17.03.180.J.	<ul style="list-style-type: none"> Maximum impervious surface ratio 50% Minimum open space ratio 40% Maximum building coverage ratio 30% 	<ul style="list-style-type: none"> Maximum impervious surface ratio 50% Minimum open space ratio 40% Maximum building coverage ratio 30% 	<ul style="list-style-type: none"> Maximum impervious surface ratio 40% Minimum open space ratio 40% Maximum building coverage ratio 25% 	<ul style="list-style-type: none"> Maximum impervious surface ratio 35% Minimum open space ratio 40% Maximum building coverage ratio 25% 	Home occupation, see section 17.03.180.K.

3. Water tank in the R and RR Zone.
 - a. For water tank over thirty-two (32) feet in height or diameter, a site plan is approved pursuant to chapter 16.15;
 - b. The water tank will be set back from property lines a distance equal to one-half ($1/2$) the height of the water tank; and
 - c. Landscape and lighting standards set forth in section 17.03.180 are met; except that the approving authority may modify the screening/buffering requirements when the water tank is proposed for siting on existing lots owned by the water purveyor or existing lots occupied by an existing water system facility.
4. Daycare nurseries and group homes are permitted uses in the R, RR, RA, RF, or CA Zones and shall comply with the following standards:
 - a. The following land use standards listed here in this subsection a. apply only to group homes:
 - (i) Is clearly incidental and secondary to the use of the property for residential purposes.
 - (ii) May be conducted in the principal dwelling unit or accessory structure.
 - (iii) The business must be owned and operated only by full-time residents of the parcel on which the proposed use is being requested.
 - (iv) Has neither outside storage nor other exterior indication of the business or variation from the residential character of the property, with the exception that a single 2 ft. X 3 ft. sign may be placed on the exterior wall of the dwelling or within the front yard, which identifies the proposed use.
 - (v) No outdoor storage of goods or materials shall be permitted.
 - (vi) There is no external or internal alteration affecting the character of the dwelling unit or accessory buildings.
- b. The following land use standards apply both to daycare nurseries and group homes:
 - (i) Off-street pickup and delivery spaces shall be provided commensurate with the number of individuals served by the facility so that the neighborhood will not be adversely impacted or children endangered.
 - (ii) When such a use is located in or adjacent to an existing residential use, screening in the form of plantings, walls, or fencing shall be provided of such a nature and density as determined by the director as a condition of issuance of a building permit.
 - (iii) Shall be located so as to minimize the amount of agricultural land loss and shall not be located on prime soils.
 - (iv) Day care nurseries shall comply with the non-residential rural design, landscape, open space, screening, buffering, signage, parking, and lighting standards set forth in this section.
 - (v) For any group home or daycare nursery the county shall impose such reasonable conditions as may be found

- necessary to ensure that the activity or use does not disrupt adjacent permitted uses.
5. Small day care center (seven (7) to twelve (12) persons) or group homes (seven (7) to twelve (12) persons) in the Rural, Rural Residential, Rural Agricultural, Rural Forest, or Commercial Agricultural Zones:
 - a. The proposed parcel is at least two and one-half (2.5) acres;
 - b. All small day care centers or group homes shall take primary access, in order of priority, off a county arterial, county collector road highway, or state highway;
 - c. Conducted on the parcel on which the caregiver resides;
 - d. Equipment used in the day care operations shall comply with all building setback requirements;
 - e. An off-street area shall be provided for vehicles to drop off and pick up of users;
 - f. No structural or decorative alteration is allowed which would alter the residential character of an existing residential structure used as a day care;
 - g. Shall be located so as to minimize the amount of agricultural land loss and shall not be located on prime soils; and
 - h. Small day care centers and group homes shall comply with the non-residential rural design, landscape, open space, screening, buffering, signage, parking, and lighting standards set forth in this section.
 6. Day care center (greater than twelve (12) persons) or group homes (greater than twelve (12) persons) are permit-

ted in the Rural Center and Rural Village Zones and shall comply with the following standards:

- a. As required by this chapter, a site plan is approved pursuant to chapter 16.15.
 - b. Access is provided directly to a public road.
 - c. Structures shall comply with the landscape, lighting, site coverage, and non-residential design, landscape and screening guidelines set forth in section 17.03.180.P.
7. Utilities. (Reserved)
8. Communication towers.
- a. Purpose. In addition to implementing the general purposes of the comprehensive plan and zoning ordinance, this communication facilities section is intended to:
 - (i) Provide for a wide range of locations and options for wireless communication providers while minimizing the visual impacts to surrounding properties and broader viewscapes associated with wireless communication facilities;
 - (ii) Encourage creative approaches in designing and locating wireless communication facilities to be compatible with land uses in the area;
 - (iii) Require, to the extent possible, co-location of antennas, support structures and related equipment for wireless communication providers, public service communications, and emergency service communications.
 - b. General requirements. A land use permit for a communication tower shall become null, void and non-renewable if the facility is not constructed and placed into service within one (1) year of the date of the issuance of the permit. A new permit will be required for subsequent use of the site.
 - (i) The county shall be notified of changes in ownership of a communication tower within ninety (90) days.
 - (ii) All communication towers shall comply with state and local mechanical, electrical and building codes, FCC requirements, FAA requirements (including FAR Part 77 "Objects Affecting Navigable Airspace").
 - (iii) All communication towers must comply with the seismic and wind safety standards specified in the Uniform Building Code.
 - (iv) No on-premises storage of material or equipment shall be allowed other than that used in the operation and maintenance of the wireless communication facility.
 - c. Permit requirements.
 - (i) Roof-mounted wireless communication antenna arrays that do not project more than ten (10) feet above the height of a legal building, measured at any point along the roof shall be reviewed as a Type I decision pursuant to chapter 16.19 in all zones. All roof-mounted arrays must be fully camouflaged using a decorative chimney structure or a similar technique that fully conceals the array.
 - (ii) Side-mounted wireless communication antenna arrays that

do not project more than forty-two (42) inches away from a building's facade may be permitted as follows:

- (1) If located in a Non-Residential Zone it may extend twenty (20) feet above the mounting bracket and shall be appropriately camouflaged to blend with its surroundings and permitted as a Type I permit pursuant to section 16.19. In no case shall an array project into an easement, driveway or setback.
 - (2) Facilities located in all other zones may extend ten (10) feet above the mounting bracket and shall be camouflaged using a decorative chimney structure or a similar technique that fully hides the array. These facilities shall be reviewed as a Type I permit pursuant to section 16.19 and in no case shall an array project into an easement, driveway or setback.
 - (iii) The placement of whip antennas or flush mount arrays on existing structures such as power poles, light poles for street and parking lots, and light standards for recreational fields is the preferred option. The existing structure may be replaced with a similar diameter pole not exceeding one and one-half (1.5) times the height of the original pole. The pole extension may not exceed the diameter of the pole at the mounting point. Setback and site coverage requirements of chapter 17.03 shall not apply to these projects. If the project meets these standards it shall be processed as a Type I application pursuant to chapter 16.19 in all zones.
 - (iv) Wireless communication facilities utilizing one (1) monopole structure shall be reviewed as a Type II decision pursuant to section 16.19 in all zones except the Rural Residential Zone. Mono-pole facilities in the Rural Residential Zone shall be reviewed as a Type III decision pursuant to section 16.19.
 - (v) Any wireless communication facility with lights or signals on the tower shall be reviewed as a Type III decision pursuant to section 16.19.
 - (vi) Any other wireless communication facility not described in this section shall be reviewed as a Type III decision pursuant to section 16.19.
 - (vii) All Type II and Type III applications shall be subject to the community meeting requirements listed in section 16.19.050.
 - (viii) Prior to permit approval, a signed copy of the FAA Form 7460-1 must be submitted to the county if the facility is located within five (5) miles of any airport. The county may incorporate comments provided in the FAA Form 7460-1 into its decision as conditions.
- d. Exemptions. All of the following are exempt from the regulations of this section:
- (i) Emergency or routine repairs or routine maintenance of pre-

- viously approved facilities, or replacement of transmitters, antennas, or other components of previously approved facilities which do not create a significant adverse change in visual impact or an increase in radio frequency emissions levels;
- (ii) Amateur and citizen band transmitters and antennas;
 - (iii) Two-way communication transmitters used on a temporary basis (less than ninety (90) days) by "911" emergency services, including fire, police, and emergency aid or ambulance services.
- e. Existing communication towers. All existing communication towers shall be subject to the provision of section 17.03.230.F.
 - f. Electromagnetic field/radio-frequency radiation standards. Installation of a wireless communication facility shall conform to standards required by the Federal Communication Commission's (FCC) regulations and the Telecommunications Act of 1996.
 - g. Screening and siting standards. Every effort shall be made by the applicant to locate towers within an area of mature tall trees or clearly demonstrate why that is not possible. Communication towers and associated structures shall be surrounded by existing mature native vegetation equal to the required setbacks. The setback area shall be contained in a recorded buffer retention agreement with provisions to preserve the screen trees.
The wireless communication facility shall not protrude more than
- forty-five (45) feet above the surrounding average tree height and average tree height shall equal or exceed two-thirds ($\frac{2}{3}$) of the overall height of the tower. For example, a ninety-foot communication facility would have to be sited in an area where the average tree height was at least sixty (60) feet. Topping is allowed to maintain this dimension. Excessive topping shall be grounds for permit revocation. Where siting among a dense stand of mature trees is not possible concealment technology shall be employed. All landscaping required shall be maintained to promote normal and healthy growth. The county may require installation of additional vegetation if needed to effectively screen the base of the facility as needed to ensure visual compatibility with surrounding property.
- h. Height and setback standards. Communication towers in the Rural Residential Zone may not exceed sixty (60) feet above ground level. All new communication towers shall maintain a setback on all sides equal to the total height of the tower or a fifty-foot minimum setback on all sides measured from property boundaries whichever is greater. The setback may be achieved by recording a mutually agreed easement with neighboring property owners. The county may reduce the setback requirements in those cases where a site has been found that will provide excellent visual compatibility with surrounding properties without the need for the required setback.

- i. Co-location. Existing communication towers within the intended service area shall provide for co-location unless the tower is not structurally or technologically feasible for co-location or is not made available at a market rate cost or the site is not made available for sale or lease by the landowner.
 - (i) Applicants shall demonstrate a good faith effort to co-locate with other carriers by:
 - (1) Contacting all the other licensed carriers for wireless communications within the intended service area.
 - (2) Sharing information necessary to determine if co-location is feasible under the design configuration most accommodating to co-location.
 - (3) In the event co-location is found to be feasible, the applicant shall utilize the existing facility.
 - (4) The county may deny a land use permit if the applicant does not demonstrate a good faith effort to co-locate on an existing facility.
 - (ii) Communication towers permitted under this chapter shall design the facility to accommodate co-location. The following provisions shall apply:
 - (1) All new communication towers shall accommodate co-location for two (2) additional carriers. If this is not possible a detailed technical analysis must be submitted demonstrating why co-location is not possible. Island County may deny a project for a communication tower if co-location is not provided.
 - (2) An owner of a communication tower approved under this chapter may not deny a wireless provider the ability to co-locate on their facility at a fair market rate or at another cost basis agreed to by the affected parties.
 - (3) In the event co-location is found to be not feasible, a detailed written statement or report demonstrating the reasons for the unfeasibility shall be prepared by the applicant. The county and the applicant may retain a mutually acceptable technical expert in the field of RF engineering to review the applicant's unfeasibility report. The technical expert will provide comments on the unfeasibility report and provide comments on how the facility could be designed to accommodate co-location if possible. The cost for such a technical expert will be at the expense of the applicant.
- j. Facility color. Communication towers and related equipment facilities shall be in colors visually compatible with their surrounding. The color shall be determined through the permit process to help ensure the facility blends with its surroundings. If the facility pene-

- trates (FAR) Part 77 airspace then the color may be prescribed by the FAA to address air traffic safety concerns. Wooden poles are not required to be painted.
- k. Signage. No signs shall be permitted on towers except those required by state or federal laws. One (1) non-illuminated identification sign listing 24-hour emergency telephone numbers shall be required per development site.
 - l. Security barrier. Communication Towers and associated structures shall be surrounded by fencing for the security of the facility and the aesthetics of the surrounding area. Fencing shall be at least six (6) feet high and the lighting shall comply with the lighting standards of chapter 17.03. The county may require a solid wooden fence face if needed to help ensure visual compatibility.
 - m. Lights and signals. No lights or signals shall be permitted on towers unless required by the FCC or the FAA. All building-mounted lighting and aerial-mounted lighting, shall be shielded so that the direct illumination is confined to the property boundaries of the sight source unless such shielding is prohibited by the FAA or other federal or state authority. If lighting is required on the tower it shall be designed so that it, to the full extent possible, minimizes impacts on neighboring property. Unless otherwise required by federal or state authorities tower mounted lights shall be intermittent rather than steady.
 - n. Noise. No equipment shall be operated so as to produce noise in violation of the maximum noise levels set forth in WAC 173-60.
 - o. Special application requirements. All Type I, II and III applications shall provide all minimum application requirements listed in section 16.15.040 and the following:
 - (i) Vicinity map at a scale of one (1) inch equals forty (40) feet showing the following:
 - (1) Property lines for the subject property and all properties within 300 feet of the subject property;
 - (2) If the applicant has purchased an easement or is leasing a portion of a site owned in fee simple by a third party, the boundaries of the easement or leased area shall be shown;
 - (3) Structures located on all properties shown on the vicinity map;
 - (4) Location of all public and private roads;
 - (5) If the site is owned fee simple by the applicant a statement of intent on whether excess space on the site will be leased;
 - (6) Proof of ownership of the proposed site or authorization to utilize it;
 - (7) Copies of lease agreements, and/or easements.
 - (ii) Siting elevations or views at-grade from the north, south, east and west. Elevations shall be at either one-quarter-inch equals one (1) foot or one-eighth-inch equals one (1) foot scale and show the following:
 - (1) Antennas, mounts and equipment cabinet(s);
 - (2) Security barrier. If the security barrier will block

- views of the wireless facility, the barrier drawing shall be cut away to show the view behind the barrier; and
- (3) Grade changes, or cuts and fills, to be shown as original grade and new grade line.
 - (4) A cross section of the facility shall be provided showing locations and apparatus associated with collocation as required.
- (iii) Design submittals.
- (1) Appearance shown by photographs of the subject property on one (1) or more superimposition of a scaled representation of the tower. The scaled representation shall include the antennas, mounts, equipment cabinets and security barrier, if any;
 - (2) Landscape plan including existing trees and shrubs and proposed trees and shrubs to be added, identified by size of specimen at installation and species; and
 - (3) Maintenance specifications and projected maintenance schedule.
- p. Criteria for approval. All Type II and III applications shall meet the following review criteria:
- (i) All applications shall meet the requirements of this chapter except for the site coverage/open space requirements specified in section 17.03.180; and
 - (ii) All applications shall meet the requirements applicable to a communication tower facility that are listed in section 16.15.060 (Criteria for approval); and
- (iii) Prior to permit approval all applications shall be accompanied with a completed Federal Aviation Regulation (FAR) 7460-1 Airspace Form with applicable agency comments if the facility is located within five (5) miles of any airport. The county may incorporate comments provided in the (FAR) Part 77 Airspace Form into its decision as conditions; and
 - (iv) A location shall be found that will to the extent possible allow the facility to blend with and not substantially disturb the visual character of its setting; and
 - (v) The silhouette of the personal wireless facility shall be reduced to accommodate minimum visual impact. The latest technology related to the system utilized by the provider shall be utilized to reduce the silhouette, height, noise and general visual impact of the facility; and
 - (vi) When there is a technical disagreement relating to location, height or related issues the county and the applicant may retain a mutually acceptable technical expert in the field of RF engineering to provide technical advice to the county on the proposal. The cost for such a technical expert will be at the expense of the applicant; and

- (vii) Carriers shall employ bird warning devices/flight diverters on all facilities extending above the average tree height. Applications shall include specifications of such devices including proposed mounting locations.
 - q. If technology should change and communication towers become obsolete, and the use of the tower abandoned or discontinued the applicant shall remove all structures and buildings within 180 days of the abandonment or discontinuation of use.
9. Fire stations.
- a. The minimum lot size shall be five (5) acres for all fire stations having more than two (2) bays or having 4,000 square feet or more of gross floor area and site plan review of these fire stations shall be processed as a Type II decision pursuant to chapter 16.19. There shall be no minimum lot size for fire stations of one (1) or two (2) bays and smaller than 4,000 square feet of gross floor area and these fire stations shall be processed as a Type I decision pursuant to chapter 16.19.
 - b. A site plan must be approved pursuant to chapter 16.15. A letter stating that co-location of police facilities has been discussed with the Island County Sheriff and must be attached to the site plan application. If co-location is not planned, then the reasons for that determination must be enumerated in the attached letter.
 - c. Primary access for emergency use of station equipment must be to and from a county arterial, county collector road highway, or state highway. If a fire station abuts more than one (1) road type, then all access shall be via the higher class of road, when practical, i.e. if a fire station abuts a county arterial and a county collector, then all access shall be via the county arterial.
 - d. A signal must be located at the primary access to control traffic during emergency responses.
 - e. Fire stations shall comply with the non-residential rural design, landscape, open space, screening, buffering, signage, parking, and lighting standards set forth in this chapter, unless noted in this section.
 - f. Fire station design and layout should be "layered" in order to integrate buffering into the station design and layout. Vehicle bays shall be closest to the road and farthest from adjacent properties. Residential or dormitory facilities shall be located closest to adjacent properties. Meeting rooms, offices, or other similar facilities shall be located between the two (2) other primary uses of the fire station.
 - g. Any building from which fire-fighting equipment emerges onto a street shall have a minimum setback of thirty-five (35) feet from such street.
 - h. Within the Camano Gateway Village (CGV) Zone the following alternative standards shall apply:
 - (i) Fire stations may include storage facilities, maintenance facilities, administrative facilities, temporary emergency housing, meeting room facilities, communications towers, and training towers; and

- (ii) Fire stations that exceed the square footage standard for permitted uses, or that exceed the standard height limit of the CGV Zone, or that include a helipad will be processed as a Type II conditional use; and
 - (iii) There is no minimum lot size for fire stations in the CGV Zone; and
 - (iv) The maximum building size shall be 20,000 square feet; and
 - (v) The maximum height of communication towers shall be 100 feet; and
 - (vi) The maximum height of training towers shall be fifty (50) feet; and
 - (vii) The maximum size of a helipad shall be 1,000 square feet; and
 - (viii) For fire stations that exceed 4,000 square feet, or that exceed the standard height limit, or that include a helipad, more rigorous architectural and landscaping standards shall be required that help mitigate the visual impact of these features; and
 - (ix) Alternative site coverage ratios may be applied through the site plan review permit process. Low impact development, on-site infiltration, or other methods to mitigate impacts of more impervious surface, less open space, and increased building coverage must be included and reviewed through the site plan review process.
10. Kennels and animal shelters are subject to the following standards:
- a. The minimum parcel size shall be five (5) acres.
 - b. All kennels, runs and other facilities shall be designed, constructed, and located on the site in a manner that will minimize the adverse effects upon the surrounding properties. Among the factors that shall be considered are the relationship of the use to the topography, natural and planted horticultural screening, the direction and intensity of the prevailing winds, the relationship and location of residences and public facilities on nearby properties, and other similar factors.
 - c. Animals being kept on the premises shall be allowed outside only between the hours of 7:00 a.m. and 7:00 p.m.
 - d. Animals shall be sheltered in suitable, noise attenuating, clean structures.
 - e. All waste shall be disposed of in a sanitary manner as approved by the Island County Health Department.
 - f. If animals are kept or let outside unleashed, they shall be kept in a fenced and screened enclosure.
 - g. Kennels and animal shelters shall comply with the non-residential rural design, landscape, open space, screening, buffering, signage, parking, and lighting standards set forth in this section.
 - h. Visual screening, increased setback, increased lot size and other conditions may be required by the approval authority taking into account safety, noise and odor factors.
- M. Outdoor storage of junk and junk vehicles.**
The purpose of this subsection is to expand the county's authority to regulate outdoor storage of junk and junk vehicles.

Controlling outdoor storage of junk and eliminating junk vehicles from view will help preserve the safety and rural character and maintain the esthetic value of our neighborhoods in Island County. This subsection shall be liberally construed to implement its purpose.

1. Outdoor storage of junk vehicles may be permitted in association with, and secondary to, a legally established permitted use. In order for outdoor storage of junk vehicles to be considered secondary the following standards shall be adhered to:
 - a. Not more than one (1) junk vehicle may be placed or situated on a parcel that is one (1) acre or less in size.
 - b. Not more than two (2) junk vehicles may be placed or situated on parcels that are one (1) to five (5) acres in size.
 - c. Not more than five (5) junk vehicles may be placed or situated on a parcel that is greater than five (5) acres in size.
 - d. Junk vehicles shall have all batteries and fluids properly removed and disposed of to protect the groundwater supply pursuant to applicable Island County Health Department regulations.
2. Outdoor storage of junk is subject to the following standards:
 - a. Outdoor storage of junk is permitted at a scale and intensity that is commonly associated with, and secondary to, a legally established permitted use; or
 - b. At a scale and intensity that exceeds what is commonly associated with and secondary to a permitted use, which may be permitted if all items are completely screened

from view through the use of berms, landscaping, fencing and/or existing native vegetation.

3. The following are exceptions to the above standards:
 - a. Storage of junk and/or junk vehicles which is completely enclosed within a legally constructed building.
 - b. Outdoor storage of junk vehicles may exceed the thresholds established in subsection M.1. above provided that:
 - (i) It is secondary to a legally established permitted use, including agricultural equipment; and
 - (ii) All vehicles are completely screened from view through the use of berms, landscaping, fencing and/or existing native vegetation;
 - c. Outdoor storage of junk and/or junk vehicles or parts thereof which are stored or parked in a lawful manner on private property in connection with a business of a licensed dismantler or licensed vehicle dealer that is a legally established permitted or conditional use and is fully screened.
- N. Mobile homes.**
1. Mobile/manufactured homes in the Rural Residential Zone and on lots smaller than two and one-half (2.5) acres in the Rural Zone shall meet the requirements of this chapter and the following standards:
 - a. The size, construction, siting, and other features of the mobile/manufactured home shall be compatible with the surrounding residential properties by meeting the following minimum standards:
 - (i) The mobile/manufactured home shall be of double or

- multi-sectioned construction, provided that a single-wide mobile/manufactured home shall be allowed within an existing mobile/manufactured home park and/or as a replacement to an existing single-wide unit which was legally installed on the same individual lot;
- (ii) Roof pitch shall be not less than a two and one-half (2.5) foot rise for each twelve (12) feet of horizontal run; and
 - (iii) Roof construction shall be of non-reflective materials.
- b. Mobile/manufactured homes shall be installed with full skirting which is compatible in material, color, and pattern with the siding of the mobile/manufactured home or by using a perimeter masonry foundation. This condition shall be met within thirty (30) days of placement of the mobile/manufactured home on a lot;
 - c. All mobile/manufactured homes shall be placed on permanent foundations;
 - d. Wheels and towing tongues shall be removed;
 - e. All clearance and tail lights shall be removed; and
 - f. All mobile/manufactured homes shall be provided with permanent electrical and plumbing connections and facilities and sewage disposal systems.
2. Mobile/manufactured homes in all zones shall meet all of the standards and requirements of the State of Washington, Island County, and any other applicable government regulations in effect at the time of installation. The mobile/manufactured home shall bear an insignia issued by a state or federal regulatory agency indicating that the mobile/manufactured home complies with all applicable construction standards of the U.S. Department of Housing and Urban Development or that it passed a state systems inspection at the time it was constructed or has since passed a state alteration/fire safety inspection.
- O. **Mobile/manufactured home parks.** Mobile/manufactured home parks may be developed in the Rural Zone, processed as a Type III decision pursuant to chapter 16.19, on parcels ten (10) acres or larger in size but not greater than twenty (20) acres in size subject to the following standards:
 1. Maximum park density. Maximum density for mobile/manufactured home parks shall be one and one-half (1.5) dwelling units per acre.
 2. Roadways and multi-modal access. All interior roadways shall be built in accordance with the provisions of chapter 11.01 and access and circulation requirements of section 17.03.180.Q.6.
 3. Setbacks. All mobile/manufactured homes within a park, together with their additions, appurtenant structures, accessory structures and other structures on the site, excluding fences, shall meet the roadway setback requirements of this chapter and the structure separation criteria of chapter 8.03A, provided that carports, garages and/or personal storage units may abut a mobile/manufactured home. The side and rear yard setback shall be fifty (50) feet from the exterior boundary of the park and shall apply to all structures.
 4. Minimum space per mobile/manufactured home.
 - a. Single-wide units—3,200 square feet.

- b. Double-wide units—4,300 square feet.
 - c. Triple-wide units—5,400 square feet.
5. Installation requirements. All homes sited in mobile/manufactured home parks shall meet the installation requirements of chapter 14.01A and the requirements of sections 17.03.180.N.1.b. and 17.03.180.N.2.
6. Landscaping/buffering/perimeter requirements. Landscaping in accordance with an approved detailed landscape plan shall include the following as necessary to assure visual compatibility with surrounding uses:
 - a. Berms for noise screening;
 - b. A minimum fifty-foot-wide planting strip of evergreen trees and shrubs along the exterior site boundary;
 - c. Where abutting a county roadway, the planting strip shall be a minimum of fifty (50) feet wide, provided that a minimum twenty-five-foot strip may be considered sufficient when it can be demonstrated that, with earth sculpturing and recontouring, the development is adequately buffered;
 - d. Proposed interior plantings of native vegetative species;
 - e. Those areas to be preserved in their natural state; and
 - f. Proposed fencing.
7. Community recreation/open space. All mobile/manufactured home parks shall reserve a minimum of thirty-five (35) percent of the site area for common, functional open space. The planting strips required in [subsection] O.6., above, shall not be counted as open space. Open space may include community recreational areas and facilities such as playgrounds and swimming pools.
8. Individual storage sheds. Individual storage units are encouraged in mobile/manufactured home parks. No outside storage of household item and equipment shall be permitted within a park. It shall be the responsibility of the park management to ensure compliance with this requirement.
9. Bulk storage and parking for RVs, boats, trailers, etc. A bulk storage/parking area shall be provided within a mobile/manufactured home park. A minimum of 300 square feet of space, exclusive of driveways, shall be provided for every ten (10) home spaces. Said area shall be separated from all other parking facilities, shall be provided with some means of security and shall be visually screened with a vegetative buffer or fence. The requirements of this subsection may be waived by the hearing examiner when the mobile/manufactured home park developer/owner agrees to prohibit the storage of such items within the park.
10. Laundry facilities. Such facilities shall be provided pursuant to section 8.03A.040.I.
11. Parking requirements. Parking spaces shall be provided in compliance with the requirements of this chapter, provided that off-street guest parking shall also be provided at the ratio of one (1) parking space for each four (4) mobile/manufactured home spaces and shall be distributed for convenient access to all spaces. Such parking may be provided by a parking lane and/or separated parking areas.
12. Lighting. Adequate lighting shall be provided to illuminate streets, driveways and walkways for the safe movement of pedestrians and vehicles.
13. Signage. All signs in a mobile/manufactured home park shall comply with the requirements of this chapter.

14. Utilities. All water, sewer, electrical and communication service lines shall be located underground.
15. No home occupation or home industries shall be conducted within a mobile/manufactured home park.

P. Non-residential design, landscape and screening guidelines.

The guidelines set forth in this section apply to all non-residential buildings, including institutional uses and essential public facilities in the R, RR, RA, RF, CA, RC, RV, CGV and RS Zones. Unless otherwise specified, the standards are intended as general guidelines to ensure that a proposal is visually compatible with adjacent uses. The purpose of these guidelines is to protect and enhance rural character. Visual compatibility shall be achieved by building or structural design, landscaping, site modifications such as berms or any combination thereof. In the R, RR, RA, RF, and CA Zones, the applicant has the option of complying fully with building design standards or totally screening the development from the view of adjacent properties and shoreline and roadway vistas. These guidelines are illustrated in Appendix C* to this chapter.

1. Building design in the R, RR, RA, RF, and CA Zones:
 - a. Buildings shall be designed to appear similar in height, size, placement, style, materials, color and design to residential or agricultural structures, except that for essential public facilities the approving authority may waive design requirements as determined by the approving authority to be necessary and appropriate to the type and location of the essential public facility.

- b. Bright or brilliant colors shall not be used. Materials used for exterior surfaces of all structures shall blend in color, hue and tone with the characteristics of the surrounding natural terrain to avoid high contrast.
 - c. Structures of varying heights clustered together are preferred to one (1) large structure or the repetition of structural design.
 - d. Maximum building height is thirty-five (35) feet (excluding existing structures). Chimneys, smokestacks, fire or parapet walls, ADA-required elevator shafts, flagpoles, utility lines and poles, skylights, communication sending and receiving devices, HVAC and similar equipment, and spires associated with places of worship are exempt from height requirements.
 - e. Large doors and blank walls visible from the adjacent public road or adjoining private property shall be avoided. Windows, wall modulation, materials of varying texture and landscaping shall be used to break up blank walls.
2. Building design in the RC, RV, CVG and RS Zones:
 - a. Buildings should use weather protection such as awnings or porches, large windows and clearly defined doorways.
 - b. The appearance of buildings should be of painted or natural wood, or materials that simulate wood, with sloped roofs, with regularly spaced windows with contrasting trim. Buildings of stucco and fake mansard roofs that dominate the structure are discouraged.

*Editor's note—Appendix "C", "Illustrative Non-Residential Design Guidelines," may be obtained from the Island County Planning Department.

- c. Mixed use buildings are encouraged and second floors devoted to residential or non-residential uses that are different than ground floor uses are preferred.
 - d. Street front blank walls should be avoided.
 - e. Building design requirements specific to the CGV Zone:
 - (i) Where no roof top gardens, roofscape and enhanced roof top design are incorporated, flat roofs with parapets or railings may be used; and
 - (ii) Street front blank walls shall be avoided by architectural techniques that break up the facade.
3. Landscaping, buffering, and screening in the R, RR, RA, RF, and CA Zones:
- a. The section prescribes the purposes and standards for screening and buffering. These goals are:
 - (i) To preserve and enhance the natural environment and aesthetic qualities of the county;
 - (ii) To preserve and enhance the appearance, character and value of surrounding properties;
 - (iii) To minimize the visual impacts of developed parking areas;
 - (iv) To provide cover, corridors, and habitat for wildlife;
 - (v) To minimize the negative impacts of erosion, noise and air pollution, wind and glare; and
 - (vi) To ensure the following:
 - (1) Compatibility of non-residential uses with residential uses;
 - (2) Buffers between incompatible land uses;
 - (3) Screening of objectionable light;
 - (4) Softening of building masses;
 - (5) To attenuate and contain noise;
 - (6) Preserving privacy;
 - (7) Attractive appearance along county roads; and
 - (8) Enhancement of the quality of life and general welfare.
 - b. Landscape and screening in the R, RR, RA, RF, and CA zones:
 - (i) Regional native vegetation should be retained to the extent possible and also used to supplement existing vegetation.
 - (ii) Berms are encouraged if needed to screen non-residential structures and parking lots from adjacent properties or public roads.
 - (iii) Buffers adjacent to public roads and/or overhead utilities shall be increased in size to ensure that the buffer width is maintained where the right-of-way of the adjoining public roadway is less than the standard specified in chapter 11.01 and when either the public agency does not purchase the additional right-of-way or the applicant does not dedicate the additional right-of-way in conformance with chapter 11.01.
 - (iv) Existing regional native vegetation and additional landscaping as needed should screen security fencing visible from public roads.

- (v) Completion of all landscape plans shall be assured as follows:
 - (1) The applicant may post a surety bond or provide other financial assurances, equal to 200 percent of the estimated cost of materials and installation, or may enter into other implementation agreements as are approved by the director.
 - (2) Release of any surety for completion of landscaping shall not occur until a final landscape inspection, and a plan completion sign-off has been made by the director. Any portion of the landscaping not completed in accordance with the approved landscaping plan shall be cause for the plan not to be signed and/or cause for the surety to be used by the county to complete the installation.
 - (3) At such time as the design is agreed upon by the applicant and the director, both shall sign the site design, attesting to that agreement.
 - (4) At such time as the landscape improvements have been completed in accordance with the approved plan, the applicant shall notify the director thereof, and upon satisfactory inspection, the director shall sign and date the plan, attesting to its completion.
 - (vi) Landscape maintenance.
 - (1) Dead or dying vegetation must be replaced immediately or if in winter, within the next planting season; and
 - (2) Landscape structures in disrepair or destroyed must be repaired or replaced to serve original purpose.
 - c. Rural character buffer [in] the R, RR, RA, RF, and CA Zones. For NR uses/structures a "full screen" that functions as a complete visual barrier shall be provided, if the applicant chooses full screening in lieu of complete conformance to the design requirements of this section.
 - d. Screening may be combined with design to achieve visual compatibility. A project must be screened with native vegetation, landforms, natural features, and undisturbed open space to ensure that the proposed non-residential structures and activity are compatible with the character of surrounding permitted uses. Landscaping may be required for privacy, visual screening, sound deadening, appearance enhancement or other purposes determined desirable by the director for the purpose of insuring compatibility of the proposed use with that of existing and anticipated future uses in the zone.
4. Landscaped and screening in the RC, RV, CGV and RS Zones:
- a. Open storage, trash or recycling areas shall be screened by fencing and/or landscaping.
 - b. Parking lots of ten (10) vehicles or more shall contain internal plant-

- ing islands with landscaping and street trees at the rate of one (1) tree per four (4) parking spaces.
- c. Landscaping including street trees spaced no further than ten (10) feet on center shall be required in all front and side yards between the structures and for parking areas and the abutting public road.
 - d. Benches or seating areas in setbacks are encouraged.
 - e. Landscaping and screening requirements specific to the CGV Zone:
 - (i) Street (sidewalk) scape of brick or stone inlaid paving and landscaping placed in undulating or standard areas in setbacks are encouraged.
 - (ii) Roof top and ground level mechanical equipment shall be visually screened with either man-made enclosures or landscaping.
 - (iii) Non-native invasive species shall not be permitted.
5. Screening: When no specific screening requirements are established in this chapter, any project must be screened with landscaping, landforms, natural features, undisturbed open space areas and/or fences to ensure that the proposed activity, structures and use are compatible with the character of surrounding permitted uses.
6. Significant tree retention in the OH-I, OH-HSC, OH-PBP, OH-PIP, and non-residential development, short subdivision and subdivision in the OH-R Zones shall meet the following standards:
- a. Applicants should retain fifteen (15) percent of the significant trees found on the property except for those trees found in building footprints, access roads, parking areas and utility lines trenches. Applicants should give attention to the following:
 - (1) Preservation of significant trees along the perimeter of the property; and
 - (2) Preservation of significant trees near or adjacent to critical areas; and
 - (3) Preservation of significant trees, which create a distinctive skyline, feature; and
 - (4) Preservation of Garry Oak Trees; and
 - (5) Trees that may constitute a safety hazard should be removed; and
 - (6) Special attention shall be given to the preservation of significant trees on properties identified in the 1995 Oak Harbor Comprehensive Plan, Environmental Element, Woodlands Map.
 - b. An inventory of significant trees shall be submitted with all applications for subdivision, short subdivision or site plan review.
7. Landscaping screening and buffering in the OH-I, OH-HSC, OH-PBP and OH-PIP Zones shall meet the following standards:
- a. Open storage, trash or recycling areas shall be screened by fencing and/or landscaping; and
 - b. Landscaping including street trees spaced no further than twenty (20) feet on center shall be required in all front yards and the abutting public road; and
 - c. Buffers between industrial zones and adjacent residential properties shall be planted along the common boundary. The plantings

should include coniferous shrubs, trees and native vegetation. Fencing may be incorporated to help ensure an effective visual buffer.

8. Landscaping for OH-I, OH-PIP, OH-PBP and OH-HSC lands abutting Goldie Road and Oak Harbor Road shall meet the following standards:
 - a. A twenty-foot landscape setback shall be established; and
 - b. The area between the property line and drainage swale shall be planted with low profile foliage; and
 - c. The landscape area shall be planted with a mixture of native evergreen trees containing a variety of species, colors and textures for a year-round green attractive appearance; and
 - d. If the landscape buffer setback does not have existing significant vegetation, the buffer will be planted with native evergreen trees. If deciduous trees are desired they may be planted at a rate of two (2) evergreen to one (1) deciduous tree; and
 - e. Maximum spacing of trees shall be ten (10) feet on center or equivalent grouping or equivalent as determined by site and existing conditions; and
 - f. Roadway and intersection requirements shall prevail if a conflict arises with the landscape standards listed herein.

Q. Parking, access, and circulation.

1. Off-street parking, loading and unloading: In all zones space for the off-street storage and parking of vehicles shall be reserved and improved for use at the time any building or structure is erected, enlarged, or expanded in height or ground coverage. Provision shall also be made when an existing use or struc-

ture is modified, altered or changed such that the number of required parking spaces is increased by more than ten (10) percent over the number required by the use or building prior to the change or alteration.

2. Minimum requirements: Unless otherwise provided, the minimum required off-street parking spaces for allowed uses, exclusive of employee parking spaces, shall be as follows:
 - a. Single-family, mobile/manufactured home, duplexes, and triplexes: Two (2) spaces for each dwelling unit.
 - b. Business or professional offices, medical or dental clinics: One (1) space for each 250 square feet of gross floor area.
 - c. Church, mortuary, funeral home: One (1) space for each six (6) seats in the chapel or nave.
 - d. Bowling alleys: Two (2) spaces for each lane.
 - e. Dance hall, place of assembly and exhibition halls without fixed seats: One (1) space for each 100 square feet of gross floor area.
 - f. Attached or detached ADUs: One (1) space.
 - g. Food stores, drug stores, and neighborhood shopping centers: If gross floor area is less than 3,000 square feet, one (1) space for each 300 square feet of gross floor area; if gross floor area is 3,000 square feet or more, one (1) space for each 300 square feet of gross floor area.
 - h. Country inns, hotels and motels: One (1) space for each room or suite plus required spaces for any restaurant, assembly rooms or other associated uses.

- i. Hospitals, sanitariums, convalescent homes, nursing homes and rest homes: One (1) space for every three (3) patient beds.
 - j. Furniture, appliance, hardware stores, household equipment, personal service, clothing, and other retail stores: One (1) space for each 400 square feet of gross floor area and a minimum of four (4) spaces.
 - k. Eating and drinking establishments serving both inside and outside the building: One (1) space for each 150 square feet of gross floor area.
 - l. Bed and breakfast room and inns: Two (2) spaces plus one (1) space per guest room.
 - m. Skating rinks and other commercial recreation uses: One (1) space for each 150 square feet of gross floor area.
 - n. Wholesale stores, warehouses, storage buildings, motor vehicles, or machinery sales: One (1) space for each employee with a minimum of four (4) spaces.
 - o. Mixed-use: The sum of the requirements for the various uses computed separately.
 - p. Multifamily and fourplexes: One and one-half (1.5) spaces per dwelling unit.
 - q. Entertainment: One (1) space for each 300 square feet of gross floor area.
 - r. Light manufacturing: One (1) space for each 1,000 square feet of gross floor area.
 - s. Schools: This rule does not apply to schools of less than thirty-six (36) students. Schools, except high schools, shall provide a number of parking spaces at least equal to twenty-five (25) percent of the school's student capacity. High schools shall provide a number of parking spaces at least equal to fifty (50) percent of the school's student capacity. Schools are limited to a maximum amount of parking spaces equal to 110 percent of the minimum parking required for the school. Consideration shall be given to use of pervious surfaces for parking areas.
 - t. Unspecified uses: In the case of a use not specifically mentioned in this section, the Planning Director shall establish the minimum number of spaces for off-street parking facilities.
 - u. Shared parking: Joint use of parking facilities is encouraged and when two (2) or more uses share parking, the Planning Director may modify parking requirements based on parking demand studies prepared by an applicant.
3. Location of parking spaces: Required off-street parking spaces shall be located as follows:
- a. For any type of dwelling unit: On the same lot with the building or use to be served.
 - b. For any other use except one (1) served by an approved joint-use parking facility: On the same lot with, or not more than 300 feet from the building or use to be served.
 - c. In the RC Zone, when feasible, parking shall be located in the rear yard.
 - d. In the RV Zone, when feasible, parking shall be located in the rear or side yard except one (1) internal circulation road with one (1) perpendicular row of parking is allowed in the front yard.

- e. In the RS, LM and AP Zones parking shall be located adjacent to the permitted use when feasible.
4. Standards: Any parking facility for ten (10) or more vehicles shall be developed in accordance with the following requirements:
 - a. The parking facility shall be surfaced, graded and drained so as to dispose of surface water to the satisfaction of the county engineer, and shall be maintained in good condition, repair and free of weeds, dust, trash, and debris.
 - b. The location and design of all entrances and exits on public roads shall be approved by the county engineer.
 - c. Each parking space for a standard size car shall have a minimum area of 162 square feet, and a minimum width of nine (9) feet. Each space for a compact car shall have a minimum area of 128 square feet and a minimum width of eight (8) feet. Spaces for the compact cars shall not exceed thirty (30) percent of the total spaces, and shall be distributed throughout the parking facility.
 - d. Parking lots in the R, RA, RF and CA Zones may be gravel.
 - e. In the RC and RV Zones, shared driveways are encouraged and drive through lanes are discouraged.
 - f. In all zones, if county road access is available to the lot, tract or parcel no driveway connection shall be permitted to a state highway.
 5. Within the Camano Gateway Village (CGV) Zone, parking shall not be located between the structures and public roads or adjacent properties that are not zoned for commercial use unless the following criteria can be met:
 - a. A plan is approved that utilizes natural features for screening the surface area of parking lots from all public roads and adjacent properties that are not zoned for commercial use. Topography and landscaping shall be utilized to achieve this standard and the form shall be designed to appear natural rather than man-made. This standard does not apply to paved walking trails, sidewalks, patios or entryways.
 - b. Parking between structures and public roads or adjacent properties that are not zoned commercial shall not exceed one (1) drive aisle with parking spaces on both sides of the aisle.
 - c. The area located on the interior of the site is designated and utilized as community gathering space, e.g., benches, tables, attractive landscaping, porches, walking trails, art, etc.
 - d. Where the conditions of the site do not make it possible to achieve these standards, landscaping shall be utilized to fully screen the parking area.
 6. Loading and unloading: Each commercial or industrial use, public or semi-public building or use, or school larger than thirty-five (35) students, shall provide space, either inside or outside a building, for the loading and the unloading of goods and materials. Such space shall have a minimum width of ten (10) feet, a minimum length of twenty-five (25) feet and, if covered, a minimum height of fifteen (15) feet. Such space shall be provided with ac-

cess to an alley, or a street and shall be screened from adjoining non-commercial, non-industrial uses and public rights-of-way.

7. Access and circulation: Design or configure the project or site plan so that:
 - a. Vehicular access is designed and located to minimize interference with traffic flow on adjacent roads;
 - b. Access points to the site do not interfere with access to adjacent and nearby properties;
 - c. Interior roads are designed to minimize conflicts between pedestrian and vehicular circulation;
 - d. Interior roadways and parking areas shall be designed so there are not conflicts between the maneuvering areas for the parking spaces and the major circulation through the site;
 - e. For projects located along existing transit routes, consideration shall be given to multi-modal access including, transit stops, transit access and nonmotorized access and facilities, as appropriate to the nature and scale of the project;
 - f. Driveways, roads and parking areas shall be designed so exiting vehicles are not required to back out into a public or private road that is external to the site plan; and
 - g. Loading bays and docks shall not require truck traffic to cross high pedestrian or vehicular traffic.
- R. **Signs and outdoor lighting standards.** This section regulates outdoor lighting as well the construction, erection, maintenance, illumination, type, size, number, and locations of signs in order to protect the health, safety, property, and welfare of the public as well as to protect the rural character of Island County.
 1. Signs—Purpose and intent. Signs are a necessary element for business visi-

bility and viability. Signs should be visible to motorists but should be non-obtrusive and reflective of the rural character of Island County. The sign regulations established in this section are designed and intended to promote the following principles:

- a. Utilize signs as a means of communication for the convenience of the public, while simultaneously preventing their over concentration, improper placement, or excessive size;
 - b. Minimize the possible adverse effects of signs on nearby public or private property;
 - c. Protect and enhance the rural character of the county by requiring new and replacement signs to be:
 - (i) Compatible with their surroundings; and
 - (ii) An integral component of the style and character of the building to which each sign relates; and
 - (iii) Appropriate to the type of activity to which they pertain; and
 - (iv) Protective of the view of the night sky; and
 - (v) Expressive of the identity of the individual proprietors or of the community as a whole; and
 - (vi) Appropriately sized for its context; and
 - d. Promote the fair and consistent enforcement of these sign and lighting standards.
2. Applicability. The provisions of this section shall apply to all zones within unincorporated Island County unless otherwise stated.

3. Exemptions. The following sign types are exempt from the requirements of this section:
 - a. Agricultural signs indicating farm products for sale, such as "eggs for sale," "hay for sale," signs identifying the type of crops being grown, or signs advertising produce stands. Such signs shall not exceed nine (9) square feet in sign area, shall not be illuminated, and must meet all general standards for signs;
 - b. Construction signs, provided they are associated with an active permit, do not exceed thirty-two (32) square feet in sign area, and are removed immediately upon issuance of a certificate of occupancy or certificate of completion;
 - c. Directional on-premise signs, provided they do not exceed two (2) square feet in sign area;
 - d. Flags, emblems, or insignias of governmental units or non-profit organizations;
 - e. Governmental signs, including way finding signs authorized by the Washington State Department of Transportation;
 - f. Holiday and seasonal decoration signs;
 - g. House numbers;
 - h. Memorial signs or tablets, names of buildings, stained glass windows, and dates of erection when cut into the surface of the facade of the building or when projecting not more than two (2) inches;
 - i. Murals and artistic expressions, provided they do not constitute commercial advertising that would otherwise be prohibited or require a sign permit under these regulations;
 - j. Political signs in accordance with state law;
 - k. Public and legal notice signs;
 - l. Real estate signs not exceeding nine (9) square feet in sign area, provided such signs are posted on the property advertised for sale, rent, or lease;
 - m. Sandwich signs in the following zoning districts: RC, RV, RS, LM, OH-I, OH-HSC, OH-PBP, OH-PIP, and AP provided they do not exceed six (6) square feet in sign area, and are not placed in the public right-of-way. Only one (1) exempt sandwich sign is permitted for each business;
 - n. Signs required by law;
 - o. Signs of public utility companies indicating danger or which serve as an aid to public safety or which show the location of underground facilities or of public telephones;
 - p. Special event or temporary signs for periods not to exceed thirty (30) calendar days, after which they must be removed, and not for more than one (1) thirty-day period in any calendar year. All special event and temporary signs are required to obtain a temporary sign permit to verify and monitor the above time restrictions;
 - q. Temporary construction signs, provided they do not exceed thirty-two (32) square feet in sign area, are located on the site for which a valid permit is active, do not exceed one (1) sign per permitted project, and are removed immediately upon issuance of a certificate of occupancy or certificate of completion;
 - r. Traffic signs, traffic control devices, and signals; and

- s. Window signs and other signs located wholly within an enclosed building, including neon "open signs" and other similar interior signs.
4. Prohibited signs. The following sign types are prohibited:
- a. Animated signs and signs that move, flash, or strobe;
 - b. Electronic messaging center signs;
 - c. Neon signs on the exterior of any building or structure;
 - d. Off-premise signs, except as expressly permitted by this chapter;
 - e. Pole signs, either new or replacement, that exceed eighteen (18) feet in height or the height of the building associated with the sign, whichever is less;
 - f. Portable signs, except as expressly permitted as temporary signs by this chapter;
 - g. Signs causing a traffic hazard. Signs shall not for any reason impair, interfere with the view of, or be confused with any emergency vehicle lighting, or interfere with, mislead, or confuse traffic;
 - h. Signs in waterways, unless otherwise permitted by law or Island County Code;
 - i. Signs mounted on roofs, except those as expressly permitted by this chapter;
 - j. Signs within roadway or driveway visibility triangles; and
 - k. Unpermitted signs. Any temporary or permanent sign which was erected without a valid permit.
5. Permit required—County. All new or replacement signs that are not exempt from the requirements of this section shall require a building permit. Signs may also be reviewed and approved in conjunction with a site plan review application. The county may impose such reasonable conditions and standards as may be found necessary to ensure that signs and lighting are compatible with the definition of "rural character" and the requirements of this section.
6. Permit required—State. All signs along state highways within Island County are also subject to sign regulations and permit requirements established by the State of Washington. Property owners and sign installers should familiarize themselves with these requirements. See Chapter 468-66 Washington Administrative Code.
7. General standards for all signs.
- a. Abandoned signs.
 - (i) The county shall reserve the right to remove or require the removal of an abandoned sign or existing (i.e., nonconforming) signs, as described in subsection R.9. below, when their useful life has ended.
 - (ii) In the event that a business ceases operation, all signs shall be removed within ninety (90) days of closing its doors to the public.
 - b. Design.
 - (i) Each sign structure, exclusive of the sign copy, shall be architecturally integrated with the building that houses the advertised activity; considering form, color, and building materials.
 - (ii) Fluorescent colors and reflective surfaces in the background area of the sign are prohibited.
 - c. Illumination.
 - (i) In the Rural Center, Rural Village, Rural Service, and Camano Gateway Village

- Zones, signs may be either internally illuminated or externally illuminated. In all other zones signs that are illuminated shall be illuminated by external lighting fixtures only.
- (ii) Lighting fixtures shall be pointed downward and angled toward the sign.
 - (iii) Lighting fixtures shall be shielded to prevent light pollution from projecting onto neighboring properties and roadways.
 - (iv) Light projection shall be stationary.
 - (v) Light bulbs and tubes shall not be visible from adjacent properties or roadways.
 - (vi) The intensity of lighting shall not exceed that necessary to illuminate and make legible a sign from the adjacent right-of-way.
- d. Maintenance of signs.
- (i) Signs shall be maintained in the same condition as when the sign was installed. Normal wear and tear of aged signs shall be repaired when they detract from the visible quality of the sign, as determined by the Planning Director. When signs are repaired, all repair work must be done in a manner that is consistent with the approved sign permit and the requirements of this section.
 - (ii) Any sign determined by the Planning Director to be a hazard to the health, safety, and welfare of the public by reason of inadequate maintenance, dilapidation, or electrical malfunction shall be remedied by the owner of the sign within fourteen (14) days of notification by the county.
- e. Measurement of sign area.
- (i) The area of a sign shall be computed by measuring the entire extent of the sign copy and including any logos or corporate trademarks, as enclosed by the smallest square, triangle, rectangle, or combination thereof.
 - (ii) Signs painted on buildings shall be measured by the smallest polygon enclosing all of the letters and symbols of the sign.
 - (iii) Any support structures, boarding trims, and decorative embellishments will not be counted against total sign area as long as these support structures, boarding trims, or decorative embellishments are proportionately scaled to the size of the sign and copy, as determined by the Planning Director.
 - (iv) The practice of measuring individual letters or rows of text on a sign is not an allowable methodology for measurement of sign area.
- f. Measurement of sign height.
- (i) The height of a sign structure shall mean the vertical distance from the finished grade at the base of the sign to the top of the highest component of the sign, exclusive of any on-site fill, mounding, landscaping, or excavating solely for the purpose of locating the sign.
 - (ii) When the land slopes downward in elevation from an ad-

joining roadway, the maximum sign height will be measured from the nearest edge of the adjoining roadway. Any sign support structure below the elevation of the adjoining roadway will not be counted toward the measurement of sign height.

g. Placement.

- (i) No sign shall be placed within a public right-of-way unless specifically authorized by Island County in accordance with section 12.24.020.
- (ii) Signs attached to buildings shall not exceed the height of the building or structure to which they are attached.
- (iii) Signs attached to a building shall not extend above or be-

yond the eave, rake, or parapet line of the wall on which it is mounted.

- (iv) Any sign projecting beyond six (6) inches from a perpendicular wall shall be at least six (6) feet, eight (8) inches above grade.
- (v) No more than one (1) free standing sign may be located on the property, except for multi-tenant premises, where no more than two (2) free standing signs are allowable. Sandwich signs, pursuant to section 17.03.180.R.3.m., are not considered free standing signs for purposes of this chapter.

h. Size and height. The maximum sign area and height is set forth in the table below:

Sign Type	Maximum Sign Area (in square feet) By Zoning District											
	Rural (R) Rural Ag (RA) Comm Ag (CA) Rural Forest (RF)	Rural Residential (RR)	Rural Center (RC) Rural Village (RV) Rural Service (RS)	Camano Gateway (CGV)	LM	OH-R	OH-L OH-HSC OH-PBP OH-PIP	UGA-L	Airport (AP)	Pacific Rim Institute (SD-PR)	Greenbank Farm (SR-GF)	Parks (PK)
Home Industry/Occupation	9	9				9		9				
Commercial/Office	9		40/100 ¹	40/100 ¹	40/100 ¹		40/100 ¹		12		40/100 ¹	
Multi-Tenant Premises			40/200 ²	40/200 ²	40/200 ²		40/200 ²		24		40/200 ²	
Community Identification Signs	12	12	12	12	12	12	12	12	12	12	12	12
Subdivision Signs	48	48	48	48	48	48	48	48	48	48	48	
Public Use Signs	48	48	48	48	48	48	48	48	48	48	48	48
Agriculture Directional Signs ³	1.5	1.5	1.5		1.5				1.5	1.5	1.5	1.5

Sign Type	Maximum Sign Area (in square feet) By Zoning District											
	Rural (R) Rural Ag (RA) Comm Ag (CA) Rural Forest (RF)	Rural Residential (RR)	Rural Center (RC) Rural Village (RV) Rural Service (RS)	Camano Gateway (CGV)	LM	OH-R	OH-I OH-HSC OH-PBP OH-PIP	UGA-L	Airport (AP)	Pacific Rim Institute (SD-PR)	Greenbank Farm (SR-GF)	Parks (PK)
Maximum Sign Height												
Free Standing Signs ⁴	8	8	18	18	18	8	18	8	18	8	8	8
Fixed Signs	May not extend above or beyond the eave, rake, or parapet of wall on which it is mounted											
¹ Total sign area shall not exceed 100 sq. ft. per business. No individual sign shall exceed 40 sq. Ft. ² Total sign area shall not exceed 200 sq. ft. per business. No individual sign shall exceed 40 sq. Ft. ³ Per sign blade ⁴ Shall not exceed height of building housing the advertised business												

- i. Variations for superior design. Signs that do not comply with the design and dimensional requirements set forth in this chapter may be approved, if the applicant can demonstrate to the sole discretion of the Planning Director, that the proposed sign represents a superior design for the sign and site in question. Any applicant proposing such a sign must receive a written determination of a superior design from the Planning Director, following a pre-application conference, and prior to submitting any associated land use or building permit for such a sign.
8. Agriculture directional signs—Special provisions. The purpose of this subsection is to allow for off-premise signage for certain uses while preventing a proliferation of signs from diminishing the rural character of the county. In addition to the provisions of this section, agriculture directional signs shall conform to the following standards of this subsection:
- a. Agriculture directional signs may be permitted only in conjunction with the following lawful and legally established uses:
 - (i) Bed and breakfast inns;
 - (ii) Farm produce stands, farmer’s markets, and forest product stands;
 - (iii) Home industries;
 - (iv) Home occupations;
 - (v) Wineries and craft distilleries;
 - (vi) Rural event centers;
 - (vii) Nurseries; and
 - (viii) Any other use listed as a permitted or conditional use in the Rural, Rural Agriculture, Commercial Agriculture, or Rural Forest Zones.
 - b. Joint use of agriculture directional signs is required, as follows:
 - (i) Agriculture directional signs must be designed to accommo-

date directional blades for at
least four (4) different busi-
nesses;

- (ii) The owner or initial installer of an agriculture directional sign must allow additional businesses to affix their directional blades to the sign post for a reasonable and proportional share of the original construction cost; and
- (iii) Failure to adhere to this provision may result in revocation of the sign permit by the Planning Director.
- c. Placement of agricultural directional signs shall be as follows:
 - (i) Agriculture directional signs shall not be permitted within any urban growth area or designated rural area of intense development (RAID);
 - (ii) Agriculture directional signs shall not be placed within sight-triangles;
 - (iii) No more than one (1) agriculture directional sign may be placed on any given lot, tract, parcel, or site;
 - (iv) No more than one (1) agriculture directional sign shall be utilized by any business on agriculture directional signs that are placed along Highways 525, 20, and 532;
 - (v) Agriculture directional signs shall only be permitted at intersections of public rights-of-way and at the intersections of a public right-of-way and the entrance to the premise on which a permitted use is located; and
 - (vi) Only one (1) agriculture directional sign shall be permitted per intersection of a public right-of-way and the intersection of a public right-of-way and the entrance to the premises on which a permitted use is located.
- d. Agriculture directional signs shall not exceed eight (8) feet in height and each individual blade shall not exceed a dimension of six (6) inches in height by thirty-six (36) inches in width.
- e. Agriculture directional signs shall be made primarily of wood.
- f. Agriculture directional signs shall not be illuminated.
- g. The Planning Department shall maintain a handout illustrating examples of agricultural directional signs that conform to the standards of this section.
- 9. Existing signs.
 - a. All signs that lawfully existed prior to the date of this chapter amendment that do not comply with the provisions of this chapter shall come into compliance when:
 - (i) The sign is relocated; or
 - (ii) More than fifty (50) percent of the sign structure is damaged, replaced, or repaired, altered, or changed in any way from its original condition.
 - b. When the plastic panel of a lawfully existing sign is no longer utilized, any replacement panel facing shall utilize a solid dark colored background with light colored lettering.
 - c. Normal maintenance such as cleaning, painting, and light bulb replacement is allowed outright, so long as the maintenance does not modify or alter the sign structure in any way. "Normal maintenance" does not include any of the items contained in subsection (a) or (b) of this section.

10. Specific use or zoning district sign standards—Purpose and intent. The purpose of this section is to prescribe additional standards for the placement, design, color, illumination, height, and size of all signs in certain zoning districts or signs associated with specific land uses. These requirements are established in order to protect the unique natural beauty and rural character of the county, the county's primary assets, to promote compatibility amongst land uses, and to mitigate or ameliorate possible adverse impacts of signs. The county may impose such reasonable conditions and standards as may be found necessary to ensure that signs and lighting are compatible with the character of surrounding permitted uses.
- a. Freeland Non-Municipal Urban Growth Area (Freeland NMUGA)—Special sign provisions. Until such time as specific development regulations are adopted for the Freeland NMUGA, the following standards shall apply:
 - (i) Signs located in areas of the Freeland NMUGA zoned Rural Center (RC) shall utilize the standards applicable to the Camano Gateway Village (CGV) Zone;
 - (ii) Signs located in all other areas of the Freeland NMUGA shall be consistent with the standards applicable to the underlying zoning designation; and
 - (iii) Upon adoption of specific development regulations for the Freeland NMUGA, all new or replacement signs shall comply with the Freeland NMUGA regulations.
 - b. Ebey's Landing National Historical Reserve—Special sign provisions. All signs within Ebey's Landing National Historical Reserve must comply with the design guidelines for signs in the reserve and be installed in accordance with a certificate of appropriateness for the sign(s).
 - c. Master planned resorts. All signs for master plan resorts (e.g., Camp Casey) shall be consistent with the approved master plan for the resort.
 - d. Special review districts. All signs located in special review districts (e.g., Au Sable Institute, Greenbank Farm) shall be consistent with the approved master plan for the special review district, or in the absence of applicable sign regulations or standards in the approved master plan, the requirements of this section.
 - e. Camano Gateway Village (CGV) Zone. All new or replacement signs shall meet the following conditions unless it is a public use sign:
 - (i) For individual businesses that are not located within a commercial complex:
 - (1) Signs shall be limited to monument and goal post style signs. No individual sign can exceed thirty-two (32) square feet. Total square footage of signs shall be limited to seventy (70) square feet;
 - (2) Where a development would benefit from having two (2) monument or goal post style signs, one (1) sign shall be limited to twenty-four (24) square feet and

- the second sign shall be limited to twelve (12) square feet;
- (3) Where a property has two (2) monument and goal post signs, they shall be prohibited from being located along the same public road. Signs located at the corner of an intersection are not subject to this standard. The corner of an intersection is defined by drawing an equilateral triangle where each side is forty (40) feet. The starting point for drawing the triangle is where the rights-of-way for two (2) roads intersect;
 - (4) For vehicular access points where there are no monument or goal post signs proposed, signs are limited to directional entry and exit information which shall not exceed two (2) square feet per sign. For vehicular access points where a monument or goal post sign is proposed, directional information shall be placed on the same sign, but shall not be counted towards the square footage described in subsections (1) and (2);
 - (5) Pole signs are prohibited;
 - (6) The business shall be allowed an additional twenty (20) square feet of sign area that may be affixed to the structure in which the business is located and shall not exceed the height of the building or structure to which they are attached by more than four (4) feet;
 - (7) [Signs] shall be limited to twelve (12) feet in height, as measured from the crown of the adjoining roadway, plus an additional three (3) feet for the crown of the sign. Crowns may include artwork, designs, and logos, but may not include the name of the business;
 - (8) Each sign shall be architecturally integrated with existing or proposed structures, considering form, color, and building materials;
 - (9) When illuminated from above or below, the light source must be shielded to avoid spill-over of light onto adjacent properties, public roads, or into the night sky;
 - (10) When signs are not illuminated from above or below, lighting shall utilize channel lighting technology, box signs, lettering, or panel signs;
 - (11) Whether fixed or portable, flashing signs, moving light signs and off-premise signs are prohibited (except time-temperature-date signs);
 - (12) Signs in windows such as logos, "Open," "Beer," etc. do not count toward the allowed sign area; and
 - (13) In the event that a business ceases operation, all

signs shall be removed within ninety (90) days of closing its doors to the public.

(ii) For a commercial complex:

- (1) Each complex shall identify a primary sign which shall be a monument or goal post style sign. The primary sign shall not exceed forty (40) square feet in size except that complexes with more than five (5) businesses are allowed an additional four (4) square feet of sign area per business. The primary sign may be located anywhere on the property;
- (2) Each complex may also identify a secondary or tertiary monument or goal post style sign which shall not exceed thirty (30) square feet in size. The secondary and tertiary signs shall be located at vehicular access points;
- (3) Other than signs described in subsections (5), (7), (9), and (14) below, no additional signs are permitted;
- (4) Where a property has multiple monument and goal post signs, they shall be prohibited from being located along the same public road. Signs located at the corner of an intersection are not subject to this standard. The corner of an intersection is defined by drawing an equilateral triangle where each side is forty (40) feet. The start-

ing point for drawing the triangle is where the rights-of-way for two (2) roads intersect;

- (5) For vehicular access points where there are no monument or goal post signs proposed, signs are limited to directional entry and exit information which shall not exceed two (2) square feet per sign. For vehicular access points where a monument or goal post sign is proposed, directional information shall be placed on the same sign, but shall not be counted towards the square footage described in subsections (1) and (2) above;
- (6) Pole signs are prohibited;
- (7) Each individual business within the complex is allowed an additional twenty (20) square feet that may be affixed to the structure in which the business is located;
- (8) Signs shall be limited to twelve (12) feet in height, as measured from the crown of the adjoining roadway, plus an additional three (3) feet for the crown of the sign. Crowns may include artwork, designs, and logos, but may not include the name of the business;
- (9) Directional signs that advertise individual businesses and provide directional information are permitted at each pedes-

trian or bike path entrance. Such signs shall be at a pedestrian scale and limited to four (4) inches by eighteen (18) inches in size, per business;

- (10) Each sign shall be architecturally integrated with existing or proposed structures, considering form, color, and building materials;
- (11) When illuminated from above or below, the light source must be shielded to avoid spill-over of light onto adjacent properties, public roads, or into the night sky;
- (12) When signs are not illuminated from above or below, lighting shall utilize channel lighting technology, box signs, lettering or panel signs;
- (13) Whether fixed or portable, flashing signs, moving light signs and off-premise signs are prohibited (except time-temperature-date signs);
- (14) Signs in windows such as logos, "Open," "Beer," etc. do not count toward the allowed sign area; and
- (15) In the event that a business ceases operation, all signs shall be removed within ninety (90) days of closing its doors to the public.

11. Outdoor lighting—Purpose and intent. The purpose of this subsection is to provide outdoor lighting standards to ensure compatibility with neighbor-

ing uses while preserving the overall rural character of the county and the visibility of the night sky.

- a. Applicability. The provisions of this subsection shall apply to all zones within unincorporated Island County.
- b. Exemptions. The following lighting fixtures are exempt from the requirements of this section:
 - (i) Holiday and seasonal decorative lighting fixtures;
 - (ii) Lighting 800 lumens or less;
 - (iii) Indoor lighting provided no light projects directly out a window or other opening;
 - (iv) Lighting equipment in swimming pools, spas, fountains, and other water features;
 - (v) Lighting for public athletic fields, fairgrounds, and approved temporary special events;
 - (vi) Lighting used for architectural or landscaping purposes provided that the light is aimed and controlled so that light is confined, as much as possible, to the objects that are intended to be lit, and does not project or cause unreasonable glare onto neighboring properties, rights-of-way, critical areas, or the night sky;
 - (vii) Lighting fixtures and standards required by federal, state, or county agencies;
 - (viii) Lighting fixtures used by law enforcement, fire and rescue, the State Department of Transportation or other emergency response agencies to perform emergency or construc-

- tion repair work or to perform nighttime road construction on thoroughfares;
 - (ix) Moving vehicle lights;
 - (x) Navigation lights (i.e., radio/television towers, airports, docks, piers, buoys, light-houses);
 - (xi) Normal low intensity residential lighting fixtures that are attached to a dwelling unit, detached ADU or accessory building. For purposes of interpreting this section, normal low intensity residential lighting fixtures do not include flood lamps, lighting fixtures intended to illuminate large areas, or lighting fixtures which project a focused light onto neighboring properties and roads (whether public or private);
 - (xii) Projection equipment for outdoor movie theaters and outdoor movie events;
 - (xiii) Street lights for public rights-of-way; and
 - (xiv) Traffic control signals and devices.
- c. Prohibited lighting. The following lighting fixtures and types are prohibited:
- (i) Lighting that projects directly onto neighboring properties,

- rights-of-way, waterways, critical areas, or the night sky; and
 - (ii) Lights that blink, flash, or are of unusual brightness or intensity.
- d. General lighting standards.
- (i) Lighting fixtures must be either full cut-off, fully shielded, flush mounted, or hooded and oriented towards the ground.
 - (ii) Lighting fixtures, whether attached to a building or pole, must meet the setback requirements of the applicable zone.
 - (iii) Pole mounted light fixtures shall not exceed the building height requirements of the applicable zone.
 - (iv) Light trespass and glare onto neighboring properties, rights-of-way, waterways, critical areas, and the night sky shall be minimized through shielding of the light fixtures, use of frosted bulbs, peripheral landscaping or fencing, or another effective method.

S. Site coverage and setbacks.

1. Site coverage. Lot or parcel site coverage is established by a ratio percentage based on the gross site area of the property. Specific coverage ratios are as follows:

Site Coverage Ratios

	All Residential uses in the R Zone including Accessory Residential Uses	Rural PRD	Rural Center Uses	Rural Village Uses	Camano Gateway Village Uses	All NR or Institutional Uses in the R, RA, RF, CA Zones
a. Maximum Impervious Surface Ratio (% of Gross Site Area)		25-50%*	80%	70%	20% above total Building Coverage	25% for parcels 5 acres or less in size. 10% for parcels greater than 5 acres in size

	All Residential uses in the R Zone including Accessory Residential Uses	Rural PRD	Rural Center Uses	Rural Village Uses	Camano Gateway Village Uses	All NR or Institutional Uses in the R, RA, RF, CA Zones
b. Minimum Open Space Ratio (% of Gross Site Area)		30-75%*	20%	20%	20%	50%
c. Maximum Building Coverage of Gross Site Area	5% for parcels 5 acres or larger in size	N/A	80%	50%	50%	10%

***Editor's note**—For a Rural PRD, the Impervious Surface Ratio is 50% and Open Space Ratio is 50% if a density bonus is used. See 17.03.180.E, Density Bonus System. The Open Space Ratio does not apply to a PRD that uses EDUs in the RA, RF or CA Zones. For a PRD in a UGA, the Impervious Surface Ratio is 25% and the Open Space Ratio is 75%.

2. Within the Camano Gateway Village (CGV) Zone, the following standards shall apply:

- a. Building coverage ratios may be expanded by twenty-five (25) percent for structures that incorporate green roof tops. The twenty-five (25) percent multiplier is calculated in square feet and is applied to the square footage of green roof top (a 5,000-square-foot building with 1,000 square feet of green roof top would qualify for a 250 square foot increase in coverage [1,000 × .25 = 250]). In order to qualify for this standard, the roof top garden shall be designed and engineered using acceptable and current low impact development techniques. When the building coverage multiplier is triggered, restrictions and conditions shall be recorded on the title of property. At a minimum, the restrictions and conditions will describe the reasons for granting a building coverage increase and the requirement to maintain the applicable low impact development feature(s).
 - b. Pervious pavement used for walkways and parking is calculated as one-half (1/2) of the total impervious surface coverage ratio.
 - c. Open spaces in the CGV Zone must be functional community space that offers walkways, courtyards, gardens, benches or other park-like features that promote community gathering. Open space must be visible, accessible and functional.
 - d. Site coverage calculations can be achieved on a lot by lot basis, or on a project scale where coverage ratios are calculated over multiple lots.
 - e. These ratios can be modified through the use of innovative low impact development practices.
3. Setbacks/yard requirements for the Rural and Rural Residential Zones.
- a. The front yard, street rear yard, and street side yard setbacks shall be based upon the classification/function of the abutting public or private road(s) and access easements as follows:

Road Classification	Setback		
	RR Zone	R, RA and RF Zones	
		Existing Lot	New Lot/Parcel
(i) Local access, including private access easements serving more than a single external lot	20 ft.	20 ft.	20 ft.

Road Classification	Setback		
	(ii) Arterial/collector	30 ft.	30 ft.
(iii) State highway	30 ft.	30 ft.	100 ft.

- b. All setbacks measured from the property line or edge or right-of-way whichever is greater.
- c. The setback, side yard and rear yard requirements for new lots may be reduced when necessary to account for lot topography, critical areas or wildlife habitat with any reduction based on the factors set forth in subsection S.4. below.
- d. Side and rear yard in the RR Zone and for existing lots in the R, RA and RF Zones—Five (5) feet.
- e. Side and rear yard - for new lots or parcels in the R, RA, and RF Zones—Fifty (50) feet.
- f. Private utility easements—Zero (0) feet.
- g. Private access easements serving no more than one (1) external lot—Zero (0) feet.
- h. Alleys—Ten (10) feet.
- i. Projections from buildings/overhangs—Eighteen (18) inches into the setback area.

4. Building setbacks for the RC, RV, CGV, RS, LM and AP Zones.

a.

	RC	RV/CGV	RS	LM	AP
Front Yard	None	max. 50 ft.	min. 10 ft.	max. 50 ft.	None
Side Yard	min. 10 ft.	min. 10 ft.	min. 10 ft.	min. 10 ft.	min. 10 ft.
Rear Yard	min. 10 ft.	min. 10 ft.	min. 10 ft.	min. 10 ft.	min. 10 ft.

- b. Building setbacks for the side yard in the Rural Village (RV) and the Rural Center (RC) Zones may be reduced to zero (0) on one (1) side provided that:
 - (i) Buildings that are constructed with a zero (0) lot line setback shall be designed to incorporate variations in height, materials, style, or colors or a combination thereof, and
 - (ii) Two (2) or more buildings that are constructed with a zero (0) lot line setback adjacent to one another shall be placed at varying street setbacks to allow for an undulating facade, and
 - (iii) Projects shall conform to the design guidelines set forth in chapter 17.03 Appendix C.*
- c. The maximum front yard setback in the Light Manufacturing (LM) and Rural Village (RV) Zone may be eliminated provided that the area between the structure(s) and the front yard is fully vegetated with either landscaping or native vegetation, provided that trails, walkways, plazas or other similar uses may be permitted.

*Editor's note—A copy of Appendix C, "Illustrative Non-Residential Design Guidelines" may be obtained from the Island County Planning and Community Development Department.

5. Supplemental setback and height requirements. Where no specific setbacks and building heights are established in this chapter, the spacing between buildings and property lines and the maximum height of buildings will be established on a case-by-case basis. Factors considered by the county in establishing setbacks and height include:
 - a. The typical spacing of buildings on surrounding properties;
 - b. Visual compatibility;
 - c. Solar access of adjacent structures;
 - d. View obstruction;
 - e. Fire and safety;
 - f. Roadway and intersection sight distance; and
 - g. Land forms and natural resources.
6. Sight distance setbacks.
 - a. Sight triangle. The clear vision area shall be established as a triangle with one (1) angle formed at the intersection of the front and street side yard lot lines. The sides of the triangle forming the corner angle shall each be thirty (30) feet in length measured from the apex of the angle. The base or third side of the triangle shall be a straight line connecting the ends of the two (2) sides.
 - b. Clear vision areas. A clear vision area shall be maintained on all corner lots, including lots at the intersections of roads with alleys and with railroads. The clear vision area shall contain no planting, fence, wall, structure, or permanent or temporary obstruction exceeding two and one-half (2.5) feet in height, measured from the top of the curb or, where no curb exists, from the established roadway center line grade, except that trees exceeding this height may be located in this area, provided all branches and foliage are removed to a height of eight (8) feet above grade.
 - c. If sight distance setbacks conflict with setbacks otherwise established in this chapter, the more restrictive shall prevail.
7. General exceptions to setback requirements:
 - a. Setbacks in excess of those established by this chapter may be required in conformance with restrictive covenants. This determination shall be made by the property owner. Note: Island County does not enforce restrictive covenants.
 - b. The required street setback of a dwelling unit need not exceed the existing or probable average of the street setbacks of dwelling units on all lots in the same zone within 100 feet on both sides of the proposed dwelling unit and on the same side of the street. On vacant lots within the same zone and within 100 feet of the lot being developed, standard yard setback requirements shall be used in determining the average.
 - c. Administrative reductions for dwelling units and accessory structures:
 - (i) The Planning Director may administratively reduce the street setback requirements up to ten (10) percent except that any modifications to setbacks where additional roadway right-of-way is being sought must be submitted to the county engineer for his recommendation. Additionally, the Planning Director may admin-

- administratively reduce the yard setback requirements up to thirty (30) percent. Such reductions must be based upon the standards of section 17.03.210.D.
- (ii) The Planning Director may administratively reduce street setbacks by averaging setbacks of existing dwelling units.
 - (iii) Setback reductions shall be processed as a Type II decision pursuant to chapter 16.19.
- d. Projections from buildings.
- (i) Architectural features such as cornices, eaves, canopies, sunshades, gutters, chimneys and flues shall not project into any required yard setback more than eighteen (18) inches.
 - (ii) Decks built on the ground at grade level shall not be subject to setback requirements.
- e. Fences, retaining walls and similar structures may be built on the property line.
8. Special shoreline setbacks.
- a. The standard shoreline setback for dwelling units shall be fifty (50) feet landward of the OHWM except for the conservancy and natural environments, where the setback shall be seventy-five (75) feet landward of the OHWM.
 - b. A greater setback may be required if necessary to comply with the grading, geologically hazardous area, erosion control and drainage requirements of chapter 11.02 and chapter 11.03 and/or the critical areas regulations contained in chapter 17.02B.
 - c. For the purpose of accommodating shoreline views within existing developed areas. Setbacks for residential uses may be reduced consistent with the following:
 - (i) Where there are existing principal residences that encroach on the established setback within 240 feet of either side of the proposed building footprint, the required setback for the proposed structure may be reduced by review and approval of the Shoreline Administrator. In such cases, the setback of the proposed residential structures may be reduced to the average of the setbacks of the existing adjacent principal residences.
 - (ii) In those instances where only one (1) existing principal residence is within 240 feet of either side of the proposed building site, the setback of the proposed structure may be reduced (with approval of the administrator) to the average of the setbacks for the existing adjacent principal residence and the applicable setback for the adjacent vacant parcel.
 - (iii) The reduced setbacks applied above shall not be less than twenty-five (25) feet landward of the OHWM except for the natural and conservancy environments, where the minimum shall be fifty (50) feet, unless required to comply with the setback requirements of this chapter and chapter 17.02B.
- 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.
- b. Equestrian centers.
- c. Restaurants with indoor dining facilities that do not exceed a total of forty (40) seats, including outdoor seating, and not greater than 5,000 square feet of gross floor area. A fast food restaurant or drive-through food service is prohibited.
- d. Model hobby parks and sites on parcels ten (10) acres or larger in size that are zoned Rural.
- e. Recreational aerial activities such as balloon rides, glider and parachute events.

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

- a. A site plan is approved pursuant to chapter 16.15;
- b. Unless a larger tract size is specified above, minimum lot size shall be five (5) acres, except for rural event centers as specified in subsection T.8. below; except smaller existing legally established lots with direct access to a state highway may also be used for tourist or recreation uses;
- c. Only those buildings or areas specifically approved by the county may be used in the conduct of the business;

- d. Parking shall be contained on-site and provided in conformance with this section;
- e. All activities shall be screened for the view of adjacent residential uses and set back from all property lines at least fifty (50) feet;
- f. All small-scale recreation or tourist uses shall take primary access, in order of priority, off a county arterial, county collector road highway, or state highway;
- g. Structures shall comply with the landscape, lighting, signage, site coverage, and non-residential design, landscape and screening guidelines set forth in this section; and
- h. For any small-scale recreation or tourist 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.

3. Golf courses.

- a. A site plan is approved pursuant to chapter 16.15. Nine (9) or eighteen (18) hole par 3 golf courses are Type II decisions. Regulation eighteen (18) hole golf courses are Type III decisions.
- b. Golf courses are prohibited in the CA Zone.
- c. Applications for a golf course must be accompanied by a design plan and best management practices plan. The design plan shall minimize the use of pesticides, herbicides, fertilizers, and ground water by the type and placement of appropriate vegetative materials and other means. The use of pesticides, herbicides, or fertilizers that are known to leach into ground-

- water are prohibited. The best management practices plan shall include monitoring procedures and an integrated management plan. Once approved by the county, the management plan shall be a condition of project approval and failure to comply with the approved plan shall be grounds for revocation of the permit.
- d. Accessory uses to golf courses shall be limited to those either necessary for the operation and maintenance of the course, or those which provide goods or services customarily provided to golfers at a golf course. Accessory uses may include parking, maintenance facilities, cart storage and repair, clubhouse, restrooms, lockers and showers, food and beverage service, excluding alcoholic beverages, pro shop, and practice or driving range. Accessory uses do not include sporting facilities unrelated to golf, such as swimming pools, tennis courts, weight rooms, or commercial uses oriented to persons other than golf course patrons.
 - e. Accessory uses shall be limited in size and orientation to serve the needs of golf course patrons.
 - f. Accessory uses which provide commercial services, such as food and beverage service and pro shop, shall be located in the main clubhouse and not in a separate building.
 - g. Setbacks. No occupied building accessory to a golf course shall be located within 100 feet of any property line.
 - h. Parking. No off-street parking or loading area shall be permitted within fifty (50) feet of a side and rear property.
4. Park or campground.
 - a. The use of any parcel for an RV/campground park and any modifications to an existing RV/campground park shall comply with the following standards and requirements:
 - (i) The minimum parcel area for an RV/campground park shall be five (5) acres. The maximum parcel size is ten (10) acres;
 - (ii) The maximum density of RV/campground spaces shall not exceed three (3) per acre of gross land area;
 - (iii) The site shall be predominated by native forest which shall constitute the open space;
 - (iv) No RV shall be located anywhere but in an RV space and only one (1) RV shall be located within any RV space;
 - (v) The only structures or vehicles which may be placed in an RV space, other than storage structures provided by the management of the park, are one (1) RV and one (1) motor vehicle;
 - (vi) No RV shall remain in an RV park for a period of more than four (4) months;
 - (vii) The minimum width for a parcel containing an RV park shall be 300 feet, except that portions of the parcel intended only for general vehicular entrances and exits may be as narrow as fifty (50) feet;
 - (viii) Commercial services are prohibited;
 - (ix) No part of any RV/campground park shall be used for the parking or storage of any heavy equipment;

- (x) No home occupation or business shall be operated from an RV/campground park except for the resident manager; and
 - (xi) A responsible caretaker, owner, or manager shall be placed in charge of any RV/campground park to keep all grounds, facilities and equipment in a clean, orderly, and sanitary condition, and shall be answerable to the owner for any violation of the provisions of this or any other ordinance.
- b. Layout and design specifications. The following layout and design specifications shall apply to any RV/campground park:
- (i) A buffer area shall be provided immediately within all boundaries. The required buffer area shall be a minimum of 100 feet in depth within all boundaries common to a R, RR, RA, RF, or CA zoned property or public streets. Variable width buffers may be considered based upon topography and design considerations;
 - (ii) No RV or camp site may be located within a buffer area;
 - (iii) No building or structure may be erected or placed within a buffer area, except a sign or fence;
 - (iv) No refuse-disposal area shall be located within a buffer area;
 - (v) No plant materials may be deposited or removed within a buffer area except as a part of a recognized landscaping scheme or except for emergency access;
 - (vi) Only roads which cross the buffer are as close to right angles as practicable and connect directly with the road system contained within the remainder of the park shall be permitted within a buffer area; no road shall traverse the buffer area and give direct access from any public road to any RV space or camp site;
 - (vii) The road system shall comply with the standards and specifications for road construction pursuant to chapter 11.01;
 - (viii) At least one (1) off-street parking space shall be provided for each RV space and camp site. Grouped parking spaces shall be located within 150 feet of the RV spaces served;
 - (ix) Each RV space shall have sufficient unobstructed access to, or frontage on, an RV park road, so as to permit the movement of RVs;
 - (x) No structural addition to any RV shall be permitted;
 - (xi) All refuse containers shall have an animal-proof lid and shall be maintained in a clean and sanitary condition. Garbage and refuse shall be disposed of in such a manner to control flies, rodents and odors;
 - (xii) All utilities, including electrical power and telephone lines, shall be installed underground;
 - (xiii) All roads, walkways, grouped-bay parking and service areas shall be provided with lighting adequate to ensure the safety of vehicular and pedestrian traffic;

- (xiv) Central comfort stations and similar central facilities may be permitted.
5. Equestrian center—Uncovered and covered facilities for commercial boarding, training, teaching, breeding or rental of horses including facilities for shows and competitive events, and riding trails. An equestrian center may be permitted when the following standards are met:
 - a. A site plan is approved pursuant to chapter 16.15. An uncovered arena facility with associated boarding facilities for no more than twenty (20) horses shall be processed as a Type II application. An equestrian center with a proposed covered arena facility shall be processed as a Type III application;
 - b. All setbacks to the stable structure (does not include facilities for riding, training or exercising horses, such as a riding arena) shall be at least fifty (50) feet from any property line and 100 feet from any existing residence, except the owner's dwelling(s);
 - c. Facilities for riding, training or exercising horses shall be at least twenty-five (25) feet from any property line and at least 100 feet from any existing residence except the owner's dwelling(s);
 - d. Riding trails are not considered riding, training or exercising facilities and are not subject to this standard;
 - e. The approving authority may impose conditions of approval to mitigate any adverse impacts which may result from granting the reduced setback;
 - f. An animal waste management [plan] shall accompany the application. The plan shall be prepared in consultation with the NRCS, conservation district, or similar agency;
 - g. Adequate parking, traffic management, and dust management shall be provided for horse shows with stables with more than twenty (20) stalls;
 - h. Public address systems using loud speakers shall only be used between 10:00 a.m. and 8:00 p.m.;
 - i. A tack shop may be provided when it is only for the use of owners of horses boarded at the stable or event participants; and
 - j. A caretaker's dwelling is considered a farm-worker's dwelling.
 6. Outdoor shooting ranges are subject to the following standards:
 - a. Shall be located, designed, constructed and operated to prevent the likelihood of discharge of ammunition beyond the boundaries of the parcel where they occur;
 - b. The National Rifle Association's Range Manual shall be consulted and used in the development and operation of ranges; as well as the safety recommendations for outdoor shooting ranges;
 - c. Warning and trespass signs advising of the range operation shall be placed on the perimeter of the property at intervals no greater than fifty (50) feet; and
 - d. The shooting areas shall be surrounded by an eight-foot-high noise barrier in the form of an earth berm or wall, or be located in a minimal eight-foot-deep depression.
 7. Recreational aerial activities may be approved as a small scale recreation use in all zones except RR upon ap-

proval of a site plan processed as a Type II decision, provided the following standards are met:

- a. No permanent structures or improvements are required to carry-out the activity;
- b. The proposal will comply with all FAA regulations;
- c. For recreational aerial activities on CA zoned land the proposal will not remove lands from agricultural production or substantially interfere directly or indirectly with the continued agricultural use of the parcel; and
- d. Minimum lot size may be increased by the county based on the site area required to safely undertake the activity.

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.

1. Application requirements. Applications will be reviewed through the site plan review process as a Type III application set forth in chapter 16.15. If the proposed surface mine is not identified on the Mineral Resource Lands Map E of the comprehensive plan, an annual review amendment application shall be submitted concurrently with the site plan review application. If the

project is granted site plan approval prior to being added to Map E the applicant may develop the project pursuant to site plan review conditions and does not have to wait for the comprehensive plan amendment. In addition to the information required by chapters 8.09 and 16.15, the applicant must provide the following information:

- a. The application shall include:
 - (i) A report prepared by a professional geologist which shall include at least the following information:
 - (1) Types of materials present on the site;
 - (2) Approximate quantity and quality of each material;
 - (3) Approximate lateral extent of deposit(s);
 - (4) Approximate depth of deposit(s); and
 - (5) Approximate depth of overburden;
 - (ii) Location and names of all streams, roads, utility lines, and pipelines on or immediately adjacent to the property;
 - (iii) Location of all structures including wells within 1,000 feet of the boundary of the property, owners of record of such structures, and purposes for which each structure is used;
 - (iv) Proposed location of the mine, waste dumps, sediment basins, stockpiles, structures, roads, utilities or other permanent or temporary facilities used in surface mining;
 - (v) The name(s) and address(es) of the operator(s);

- (vi) The method of extraction and processing, including disposition of overburden and/or topsoil;
 - (vii) Estimated type and volume of extraction;
 - (viii) Typical cross section showing the extent of overburden, extent and type of resources and water table at the time of application;
 - (ix) A visual impact analysis and the general landscape/buffering plan shall show measures to be taken to screen the surface mining from view;
 - (x) Proposed primary travel routes to be used to transport the mined material to processing plants or markets away from the property;
 - (xi) A reclamation plan which shall include, but not necessarily be limited to:
 - (1) A map or plan, a timetable and description of the proposed reclamation including grading, final slope angles, highwall reduction, benching and terracing of slopes, slope stabilization and revegetation where applicable, and erosion control;
 - (2) Description of topsoil stripping and conservation during storage and replacement;
 - (3) Plan and description of anticipated final topography, water impoundments, and artificial lakes on the property;
 - (4) Description of plans for disposition of surface structures, roads, and related facilities after cessation of mining;
 - (5) A plan for disposal or treatment of any harmful or toxic materials found in any formations penetrated by the surface mining or produced during the processing on the property, and of chemicals or materials used during the surface mining;
 - (6) The estimated cost of reclamation for the total project; and
 - (7) A timetable of the commencement, duration, and cessation of surface mining.
 - (xii) Such other information as the director finds necessary to determine the nature of the operation and the effect on the surrounding area.
2. Standards—Siting and phasing.
- a. The minimum site area of an extractive operation shall be ten (10) acres of contiguous area including the area required for setbacks and buffering.
 - b. The minimum site area of a processing operation shall be twenty (20) acres of contiguous area including the area required for setbacks and buffering.
 - c. Extractive operations on sites larger than twenty (20) acres shall occur in phases to minimize environmental impacts. The size of each phase shall be determined during the review process.
 - d. Extraction and processing may not be located closer than 500 feet to any rural residential lands.

3. Standards—Reclamation.
 - a. General requirements. Reclamation of mined lands shall be carried out in accordance with the requirements of this section, the approved reclamation plan, and Chapter 78.44 RCW. The operator shall guarantee all reclamation work accomplished for a period of two (2) years or such greater period as may be determined necessary by the hearing examiner to assure the permanency of any or all physical reclamation features.
 - b. Progressive reclamation. Reclamation of mined areas shall take place as soon as practical following completion of surface mining at successive locations within the mining site as specified by the hearing examiner in the approval of the reclamation plan.
 - c. Disposal of overburden and mining waste.
 - (i) Permanent piles or dumps of overburden and mining waste placed on the land surface shall be made stable, shall not block natural drainage without provision for diversion, shall have an overall smooth or even profile and, where practical, shall be placed in the least visible location.
 - (ii) Overburden and mining waste placed below the existing or potential groundwater level shall not reduce the transmissivity or area through which water may flow unless equivalent transmissivity or area, as determined by a qualified hydrologist at the applicant's cost and approved by the county engineer, has been provided elsewhere.
 - d. Drainage, erosion and sediment control.
 - (i) Any temporary stream or watershed diversion shall be restored in final reclamation unless determined unnecessary by the hearing examiner, based on recommendation of the County engineer. Stream diversions shall comply with the critical area requirements of chapter 17.02B.
 - (ii) Grading and revegetation shall be designed and carried out to minimize erosion, provide for drainage to natural outlets or interior basins designed for water storage. Revegetation shall reflect surrounding native plant communities.
 - (iii) Silt basins which will store water during periods of surface runoff shall be equipped with sediment control and removal facilities and protected spillways designed to minimize erosion when such basins have outlet to lower ground.
 - (iv) Final grading and drainage shall be designed in a manner to prevent discharge of sediment above natural levels existent prior to surface mining.
 - (v) Upon reclamation, no condition shall remain which will or could lead to the degradation of water quality.
 - e. Final slope gradient. Final slopes shall be of such gradient as necessary to provide for slope stability, maintenance of required vegetation, public safety and the control of drainage, as may be determined by an engineering analysis of soils and geologic conditions and by

taking into account future permitted uses of the site. Final slopes shall not:

- (i) Be incompatible with future permitted uses;
- (ii) Be hazardous to persons that may use the site under future permitted uses; and
- (iii) Reduce the effectiveness of revegetation and erosion control measures where such are necessary.

In no event shall the steepness of slopes exceed the angle of repose as determined by an engineering analysis of the slope stability.

- f. **Back-filling and grading.** Back-filled and graded areas shall be compacted to avoid excessive settlement and to the degree necessary, accommodate future permitted uses. If future permitted uses of the site include structures for human occupancy, fill placement shall conform to the Uniform Building Code except that alternate methods of back-filling and grading may be used when incorporated in the approved reclamation plan. Material used in refilling shall be of a quality suitable to prevent contamination and pollution of groundwater.
- g. **Resoiling.** Resoiling shall be accomplished in the following manner: coarse, hard material shall be graded and covered with a layer of finer material or weathered mining waste and a soil layer then placed on this prepared surface. Where quantities of available soils are inadequate to provide cover, regionally native materials should be upgraded to the extent feasible for this purpose.

- h. **Revegetation.** All permanently exposed lands that have been denuded by surface mining shall be revegetated consistent with the surrounding native plant community.
 - i. Ponds, lakes or bodies of water created as a feature of the reclamation plan shall be approved by the county.
 - j. Processing plants, buildings, structures and equipment shall be removed from the property within one (1) year of completion of surface mining unless such plants, buildings or structures are an integral part of the reclamation plan.
 - k. Upon completion or discontinuance of surface mining the operator shall file with the Planning Department a reclamation report which shall comply with the requirements of this subsection.
4. **Standards—Operation.**
- a. Setbacks for mineral and aggregate processing activities:
 - (i) Two hundred feet to a property line, not owned by the applicant. The setback may be fulfilled in total or in part by an easement controlled by the applicant. Said easement to be specific to its purpose and to be recorded in Island [County] against the title of the property; and
 - (ii) Four hundred feet to any existing residential structure on the date of application.
 - b. Setbacks for mineral extraction and all other activities, including haul routes:
 - (i) A minimum of fifty (50) feet to a property line not owned by the applicant.

- (ii) The setback may be fulfilled in total or in part by an easement controlled by the applicant. Said easement to be specific to its purpose and to be recorded in Island [County] against the title of the property.
 - (iii) The setback may be reduced or eliminated if the adjoining parcel is an operating or permitted surface mine, if joint reclamation plans have been developed.
 - (iv) Setbacks may be increased by the hearing examiner when necessary to screen and buffer adjacent uses, to protect lateral support of adjacent properties or public rights-of-way.
- c. Screening of operations:
- (i) All existing native vegetation and topographic features which would provide screening and which are within fifty (50) feet of the boundary of the proposed area of extraction are encouraged to be retained for screening;
 - (ii) Methods of screening may include existing native vegetation and topographical features, landscape berms, hedges, trees, walls, fences or similar features. Any required screening shall be in place prior to commencement of the extraction activities;
 - (iii) The approval authority shall grant exceptions to the screening requirements if:
 - (1) The proposed extraction area is not visible from any key viewing areas and corridors identified in the visual analysis, or
 - (2) Screening will be ineffective because of the topographic location of the site prevents visual access to the site, or
 - (3) The area is part of the completed portion of a reclamation plan.
- d. Where the hearing examiner determines that surface mining may conflict with visual qualities that should be maintained for adjacent areas, such operations shall be screened by the operator by the planting and maintenance of appropriate landscape materials.
- e. Fencing. Prior to the commencement of surface mining, a fence shall be constructed enclosing the area authorized by permit to be excavated. The fence shall be located not less than ten (10) feet from the top edge of any exterior cut slope. Where excavation is authorized to proceed in stages, only the area excavated plus the area of the stage currently being excavated need be fenced. Fences shall be at least five and one-half (5.5) feet in height. Gates, the same height as the fence, shall be installed at all points of vehicular or pedestrian ingress and egress, and shall be kept locked when not in regular use. Warning and trespass signs advising of the extractive operation shall be placed on the perimeter of the property at intervals no greater than 200 feet.
- f. Use of explosives. No explosives shall be used except as authorized by the site plan approval. When authorized, the specific times of use shall be approved by the county.
- g. Use of chemicals or petroleum products. Any chemicals or petro-

- leum products shall be used and stored in a manner that will prevent contamination and pollution of the groundwater.
- h. Drainage; water quality and conservation.
 - (i) Any waters discharged from the site to adjacent lands, streams, or bodies of water or to any groundwater body shall meet all applicable water quality standards. Discharges of water to designated on-site settling ponds or desalting basins shall not be deemed to be in violation of this subsection solely on the basis of sediment content.
 - (ii) Surface mining shall not lower the groundwater table of surrounding properties to a harmful level.
 - i. Erosion, sedimentation and pollutant discharge.
 - (i) During the period surface mining is being conducted, and prior to final reclamation of mined lands, measures may include the construction of properly designed retarding basins, settling ponds and other water treatment facilities, ditches, diking and revegetation of slopes. No discharge of sediment to off-site bodies of water shall be permitted that will result in higher concentrations of silt than existed in off-site waters prior to surface mining.
 - (ii) Stockpiles of overburden and minerals shall be managed to minimize water and wind erosion.
 - (iii) The removal of vegetation and overburden in advance of surface mining shall be kept to a minimum.
 - j. Control of noise, dust and bright lights. All activities of surface mining and processing shall be conducted in a manner so that noise, dust and bright lights do not exceed levels compatible with the uses of adjacent lands as determined in the approval of the site plan.
 - k. Salvage of topsoil. Topsoil for use in revegetation shall be stockpiled at the site of surface mining in an amount up to that necessary for progressive reclamation.
 - l. Hours of operation. Hours during which surface mining and processing may be conducted shall be set to minimize conflict between the operations and other uses conducted in the immediate area.
 - m. Roads and traffic safety. The county engineer may require the installation of traffic control and warning signs at intersections of private access roads with publicly maintained roads.
 - n. All surface mining shall comply with the Washington State Surface Mining Act, Chapter 78.44 RCW.
 - o. Other uses.
5. Reclamation bond.
 - a. The hearing examiner may require that the operator provide a bond or other security in an amount sufficient to cover the cost of reclamation of the property according to the approved reclamation plan. Provided that the county may accept a bond required by the Department of Natural Resources pursuant to the Washington State

- Surface Mining Act if he deems the amount of the bond adequate.
- b. The operator may file with the hearing examiner, a request for release of the bond or other security at such time as the operator believes that all reclamation has been satisfactorily completed on any or all of the property. Such request shall include a final reclamation report on the area for which the release of the bond is requested.
 - c. The final reclamation report shall contain the following information:
 - (i) A site plan drawn to a scale of not less than one (1) inch per twenty (20) feet or greater than 100 feet, depending on the size and complexity of the site as determined by the hearing examiner upon the recommendation of the director. This site plan shall show:
 - (1) The topographic relief at five-foot intervals and natural features of the site;
 - (2) Slopes;
 - (3) Drainage patterns or systems; and
 - (4) Structures and roads.
 - (ii) Approved plan including topsoil disposition and thickness, revegetation, disposition of mining waste, structures, haulage and access roads, and sedimentation control practices.
 - (iii) Such other pertinent information and maps as the hearing examiner may require to evaluate the completion of reclamation and the advisability of returning the operator's bond or other security.

Final release of the bond shall not occur until the operator files a final reclamation plan under the terms of this chapter.
 - d. Upon receipt of a request for release of the bond, the county shall:
 - (i) Inspect the property;
 - (ii) Publish notice that the release of bond application is pending and that aggrieved parties may file complaints with the county against the release of bond;
 - (iii) If the county finds that reclamation has been completed in compliance with the approved plan and all valid complaints have been satisfied, he shall recommend release of the appropriate amount of bond or other security; and
 - (iv) If the reclamation is found to be unsatisfactory, the county shall deny release of bond or other security and shall identify the corrective action necessary for release of bond.
 - e. Upon termination or discontinuance of mining for three (3) years, bankruptcy of the operator, or any occurrence which, in the opinion of the hearing examiner, jeopardizes reclamation of the site, the county may use all or part of the bond or other security to reclaim the site.
6. The hearing examiner may place a time limit on the site plan approval or any phase thereof. Absent any specific time limitation, the site plan approval shall remain in effect as long as the excavation continues in compliance with the site plan approval. If operations are terminated, or discontinued for a period of three (3) years or more, the approval shall terminate except for rec-

clamation of the site. The operator may request and the hearing examiner may grant, extensions of a time limitation provided that the surface mining is in compliance with all conditions and the approved reclamation plan.

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 seasonal farmer's markets are subject to the following conditions:
 - 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 con-

- trol 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.
2. In all zones except Rural Residential, Christmas tree sales for a maximum period of forty-five (45) days, subject also to chapter 5.12.
 3. In all zones, contractor's office and construction equipment sheds where incidental to a construction project. The office or shed shall not contain sleeping or cooking accommodations and shall be removed at a time specified by the Planning Department, unless said permit is renewed by the Planning Director.
 4. In R and RR Zones, a temporary residence including a single-wide mobile/manufactured home may be authorized:
 - a. When fire or natural disaster has rendered a dwelling unit unfit for human habitation; or
 - b. During rehabilitation or remodeling of a dwelling unit or construction of a new dwelling unit;
 - c. For a period not to exceed six (6) months. Provided that in the event of circumstances beyond the control of the owner, the Planning Director may extend the use for a period or periods not to exceed six (6) months. Application for the extension shall be made at least fifteen (15) days prior to expiration of the certificate of temporary use;
 - d. The temporary structure shall be removed from the property upon issuance of any occupancy permit for the new or rehabilitated dwelling unit; and
 - e. Mobile/manufactured homes shall meet the requirements of section 17.01.180.N.2. but shall not be placed on a permanent foundation and shall not be subject to section 17.03.180.N.1.
 5. In R and RR Zones, mobile/manufactured homes for relatives having a physical or mental infirmity.
 - a. A mobile/manufactured home may be temporarily used by an infirm person incapable of maintaining a residence on a separate property, or by one (1) or more individuals caring for the infirm person;
 - b. The mobile/manufactured home shall be occupied by a family member or designated caregiver of the occupants of the primary dwelling unit;
 - c. A medical doctor, licensed by the State of Washington, shall state in writing that the infirm person is not physically or mentally capable of maintaining a separate residence;
 - d. The infirmity must be due to physical or mental impairment. Financial hardship conditions, child care, and other convenience arrangements not relating to physical and mental impairment are not considered an infirm condition for which a permit can be issued;
 - e. The mobile/manufactured home shall conform to all Island County ordinance requirements except requirements of the zone and except for sections 17.03.180.N.1.a., c. and d.;
 - f. The applicant shall agree to move the mobile/manufactured home within forty-five (45) days after the unit has ceased to be used by the person for which the permit was issued. In any event, the mobile/manufactured home shall be removed from the premises by the

day of the expiration of the permit, unless the permit has been renewed in conformance with this chapter; and

- g. A temporary mobile/manufactured home certificate is valid for one (1) year after the date of issuance and must be renewed on an annual basis. The Planning Department shall give the applicant not less than thirty (30) calendar days written notice of the pending expiration of the permit, advising that a renewal will be required. Failure to receive notification of pending expiration does not constitute an extension of time for the permit. A renewal permit shall not be granted until the applicant submits a certificate of infirmity from a Washington State licensed medical doctor which addresses section 17.03.180.V.5.c. and d. and until it is determined that all requirements of this chapter have been met.

W. Scenic corridors. The purpose of the scenic corridor standards is to establish the general design guidelines for aesthetic improvements on the main entrance roadways to a city/town/non-municipal urban growth area. Existing significant trees and understory vegetation should be preserved that can be incorporated into the landscape design of development proposed along the designated scenic corridors. These standards are intended to result in development that provides a visual buffer between development and the road, and maintains a continuity of the city's/town's/

non-municipal urban growth area design concepts and preserves existing natural vegetation.

1. Langley Scenic Corridors within the urban growth and joint planning areas:
 - a. The following county roads within the Langley urban growth and joint planning areas are designated scenic corridors:
 - (i) Saratoga Road;
 - (ii) Brooks Hill Road;
 - (iii) Maxwellton Road;
 - (iv) Langley Road;
 - (v) Sandy Point Road;
 - (vi) Coles Road; and
 - (vii) Wilkinson Road.
 - b. A minimum buffer/cutting preserve of thirty-five (35) feet in Rural Residential areas and in fifty (50) feet in Rural, Rural Forest, and Rural Agricultural areas shall be provided outside of the right-of-way on private or public property in conjunction with building permits for new structures, Class IV forest practices permits, conversion option harvest permits, short subdivisions, subdivisions, PRDs, and Type II and Type III conditional uses.
 - c. For lots less than one (1) acre in size, the width of the buffer may be reduced as necessary to allow reasonable use of the property but under no circumstance shall the buffer be less than twenty (20) feet in width.
 - d. Landscape treatment of such buffer/cutting preserves shall include the following:
 - (i) Native growth. The retention and preservation of existing topography and undisturbed natural landscape materials.

- (ii) Natural plantings. The retention of suitable natural landscape materials supplemented with sodded berms and natural plant materials; i.e., non-flowing evergreens, deciduous and natural groundcover species. Minor modification of existing topography may be appropriate.
 - (iii) Manicured. The removal of the majority of natural landscape materials, new land contouring, and re-vegetation with flowering species; i.e., perennials, annuals, rhododendrons, azaleas and groundcover.
 - e. Any new landscape plantings within the buffer shall be placed in an informal manner to buffer the adjacent areas and supplement existing native vegetation. Groundcover shall be provided in all shrub planting areas. Whenever possible, native plant species should be used in new plantings.
 - f. Where there is a significant grade change in the land adjacent to the road, appropriate landscaping and retaining structures may be used as necessary.
 - g. Buffer widths specified herein shall be in addition to areas encumbered by utility easements and/or areas within thirty (30) feet of the as-built centerline of the county road.
2. Oak Harbor Scenic Corridors. (Reserved).
 3. Coupeville Scenic Corridors:
 - a. The purpose of the Coupeville Scenic Corridors is to protect existing stands of significant trees and understory vegetation outside the public right-of-way. The following roads within the Coupeville joint planning area as shown on Map B-1 of the Island County Comprehensive Plan as subarea 2 will be afforded additional standards listed herein:
 - (i) State Route 20.
 - (ii) Parker Road.
 - (iii) Madrona Way.
 - b. A minimum setback of fifty (50) feet is established where structures may not be constructed in subarea 2. The fifty-foot setback shall be measured outside of and adjacent to the right-of-way on private or public property, on each side of the identified roadways. For lots less than one (1) acre in size, the setback may be reduced as necessary to allow reasonable use of the property as a Type II Planning and Community Development Director decision pursuant to chapter 16.19. The setback shall not be reduced to less than twenty (20) feet unless it is necessary to achieve a reasonable use as defined in chapter 17.02B.
 - c. Landscape preservation within the required setbacks include the following forms in order of preference:
 - (i) Retain and preserve existing topography and natural landscape materials; or
 - (ii) Retain natural landscape materials to the greatest extent possible. If the natural landscape needs to be disturbed the disturbed area should be supplemented with sodded berms and planted native species such as salal, snowberry, ocean spray or wild rose; or

- (iii) Leaving trees where practicable, retain as much of the native vegetation and natural contours as possible. Revegetate with flowering species such as perennials, annuals, rhododendrons, wild lilac, azaleas and groundcovers. If this option is exercised, new plantings should be informal in character and serve to complement nearby native vegetation.
4. Non-municipal urban growth area scenic corridors. (Reserved).
- X. **Composting and grinding.** The purpose of this subsection is to provide a means to reduce the amount of recyclable material discarded in landfills and allow for a beneficial use of those materials. Composting and grinding facilities may be established as permitted or conditional uses as outlined below and upon approval of a site plan pursuant to chapter 16.15, processed as a Type II or Type III decision pursuant to chapter 16.19.
- 1. Exemptions. The following are exempt from the regulations of this section although a solid waste handling permit from the Island County Health Department may be required:
 - a. Home composting of material generated on-site by the occupants of a single family and multi-family residences including but not limited to kitchen food waste, leaf and garden material, grass clippings, and other yard debris;
 - b. Composting of agricultural material generated and processed on-site in the Rural (R), Rural Agriculture (RA) and Commercial Agriculture (CA) Zones, on any size parcel where the primary use of the parcel is agricultural in nature, provided that agricultural composting is managed according to a farm management plan written in conjunction with a conservation district, a qualified engineer, or other agricultural professional able to certify that the plan meets applicable conservation practice standards in the Washington Field Office Technical Guide produced by the Natural Resources Conservation Service. Wholesale sales and delivery are permitted;
 - c. Composting of material generated off-site and processed on-site, up to 1,000 cubic yards per year, when the processed material is used on-site. Allowed in the R, RA, and CA Zones on parcels where the primary use of the parcel is agricultural in nature;
 - d. Composting of material in conjunction with the reclamation of a surface mine on any size parcel. Material may be generated on-site and up to 1,000 cubic yards of material generated off-site may be imported. May export up to 1,000 cubic yards of material per year. Sales are only allowed as the type authorized under the original permit for the surface mine;
 - e. Composting of food waste generated on-site and composted in containers designed to prohibit vector attraction and prevent nuisance odor generation is permitted in all zones. Limited to ten (10) cubic yards of feedstock at any given time;
 - f. Vermicomposting when used to process feedstock material that is generated on-site and operation is enclosed. Prohibited in the Rural

- Residential Zone and on parcels less than two and one-half (2.5) acres in the Rural Zone. No more than fifty (50) cubic yards of feedstock may be on-site at any given time;
- g. The sale of compost as an accessory use to a primary business such as a nursery or landscaping business in the R, RA, RF, RC, CA and OH-I Zones; and
 - h. Composting associated with golf courses located in all zones. Processed yard debris may be imported on-site. On-site sales are not permitted at golf courses under this exemption.
2. Composting. Composting facilities may be allowed as a conditional use, processed as a Type II decision as follows. A solid waste handling permit from the Island County Health Department may also be required:
 - a. In the Rural (R) Zone, Rural Forest (RF), Rural Agriculture (RA) Zones and Commercial Agriculture (CA) Zones, composting of Type 1, Type 2 or Type 3 feedstocks for any operation not exempt in the previous section. Material may be obtained on-site or imported;
 - b. Transfer stations for transfer of feedstock or finished compost. May be permitted on parcels two (2) acres or larger in size within R, RF, OH-I, LM, and AP Zones;
 - c. Composting of material generated on-site or imported in conjunction with the reclamation of a surface mine on any size parcel and exporting more than 1,000 cubic yards of finished compost per year; and
 - d. The processing and sale of compost as an accessory use to a nursery, landscaping business or other similar business including golf courses.
 3. The following compost facilities may be permitted as a Type III conditional use. A solid waste handling permit from the Island County Health Department may be required:
 - a. The composting of Type 1, 2, 3, or 4 feedstocks that is administered as part of a solid waste handling facility; and
 - b. Type 4 feedstocks may only be processed as a part of a solid waste handling facility.
 4. Production of substrate used solely on-site to grow mushrooms shall be prohibited.
 5. Any composting operation not mentioned within this section shall be prohibited.
 6. Siting standards for all facilities except those exemptions under [subsection] X.1.
 - a. All open facilities must be fully screened, except those exemptions under section 17.03.180.X.1. Fencing may be required for safety purposes.
 - b. Composting facilities shall have a minimum setback of 150 feet from all property boundaries. No part of the operation, including compost piles and feedstock shall be in the setback.
 - c. The setback from a well on the subject property shall be 200 feet. If a well is located on a neighboring property, no operation should be within 500 linear feet of that well.
 - d. No operation will be constructed within 250 feet of any combustible building or material.

- e. The facility shall provide full screening to prevent blowing of materials and to minimize noise and dust nuisances by providing a fully vegetated buffer and/or fencing.
 - f. Those parcels that do not have existing vegetation for screening purposes may be subject to increased setbacks when necessary to screen and buffer adjacent uses.
 - g. Operations within a fully enclosed structure may reduce the setback to fifty (50) feet.
 - h. The minimum lot size for composting operations shall be ten (10) acres in all zones unless otherwise noted or exempted.
 - i. When siting a facility the surrounding land uses and residential density shall be considered.
 - j. Facilities shall comply with WAC 173-350 solid waste handling standards, including WAC 173-350-220 composting facilities and chapter 8.08B solid waste handling regulations.
 - k. Shall comply with all land use standards contained within section 17.03.180.A.
 - l. All structures shall comply with the non-residential rural design, landscape, open space, screening, buffering, parking, access, signage, and lighting standards set forth in this section.
 - m. If a facility closes Island County shall be notified of the closure and the facility shall be properly abandoned within 180 days of the discontinuation of use pursuant to Health Department requirements.
 - n. For any composting facility the county shall impose such reasonable conditions as may be found necessary to ensure that the activity or use does not disrupt or pose a nuisance to adjacent permitted uses.
 - o. If the operation receives two (2) notices of violation for odor the operation will be given notice that any subsequent notice of violation for the same violation will require termination of the operation until the odor has been abated and meets all Island County regulations.
 - p. Any facility unable to control nuisances such as noise, odor, dust, or vectors shall cease operations.
 - q. Island County shall monitor the composting facilities on a regularly scheduled basis. Notice prior to inspection shall not be required nor given. If sampling of soils is required the facility operator shall be responsible for payment of testing and all additional compliance testing as required.
7. Application requirements.
- a. All plans must be prepared and verified by a professional whose field of expertise is directly related.
 - b. A facility management plan that includes monitoring, maintenance and reporting measures.
 - c. A description of the facility and operating procedures including the following:
 - (i) Types of materials to be composted;
 - (ii) Source of material;
 - (iii) Approximate quantity of material, approximate size of piles;
 - (iv) Type of machinery to be used in operation;

- (v) Composting process/method to be used;
 - (vi) Type of substances/products to be used in operation;
 - (vii) Delivery method of material and types of containers used for delivery;
 - (viii) Frequency of collection of material;
 - (ix) Frequency of distribution of compost;
 - (x) Projected length of time for storage of material;
 - (xi) Hours of operation;
 - (xii) Condition of materials when delivered to the site, such as pre-treatment of feedstock;
 - (xiii) Scaled drawings of the facility including the location of the following:
 - (1) Feedstock and finished product storage areas;
 - (2) Compost processing areas;
 - (3) Fixed equipment;
 - (4) Buildings;
 - (5) Leachate collection devices; and
 - (6) Access roads and all delivery and pick up areas;
 - (xiv) Proposed measures to control dust, odor, noise and equipment exhaust and ground water contamination/drainage;
 - (xv) Safety, fire, and emergency plans; and
 - (xvi) A neighbor relations plan describing how the owner or operator will manage complaints.
- d. Design specifications for compost pads, storm water run-off prevention systems, and leachate collection and conveyance systems, if required by chapter 8.08B.
- e. Public access roads designed to prevent traffic congestion, traffic hazards, dust, and noise pollution.
 - f. A description of how wastes are to be handled on-site during the facility's active life and after closure.
 - g. A description of how equipment, structures, and other systems are to be inspected and maintained, including the frequency of inspections and inspection log.
 - h. Annual report, if required by the Health Department, must be submitted and contain at least the following:
 - (i) Quantity of compost produced;
 - (ii) Type of compost produced;
 - (iii) Groundwater monitoring report; and
 - i. Such other information as the director finds necessary to determine the nature of the operation and the effect on the surrounding area.
8. Grinding—Operation to allow the commercial grinding of stumps and other storm, construction, and yard debris. Grinding operations may be temporary or permanent in nature. A solid waste handling permit from the Island County Health Department may be required.
- a. Exemptions. The following are exempt from the regulations of this section although a solid waste handling permit from the Island County Health Department may be required:
 - (i) Grinding associated with residential activities, such as disposal of branches and stumps;

- (ii) Grinding associated with land development activities such as the clearing and/or grading of land; and
 - (iii) Grinding as part of governmental activities associated with managing storm debris.
 - b. Permitted use in conjunction with land use permits for surface mines, nurseries, landscaping businesses, golf courses, solid waste handling facilities and composting operations.
 - c. Siting standards for all facilities except those exemptions under section 17.03.180.X.8.a.
 - (i) Minimum lot size of five (5) acres unless otherwise stated.
 - (ii) Grinding equipment shall be located no less than 100 feet away from the boundary of another zone designation or change in ownership.
 - (iii) Shall comply with all land use standards contained within section 17.03.180.A.
 - (iv) All structures shall comply with the non-residential rural design, landscape, open space, screening, buffering, parking, access, signage, and lighting standards set forth in this section.
- Y. **Existing master planned resorts.** Through the Type IV decision process, existing master planned resorts may be designated provided that future development and specific uses have been approved through the adoption of a master plan. The purpose and intent of the master plan is to provide long term protection to environmentally, historically and archaeologically significant lands, while allowing uses, activities and development that will enhance, conserve or highlight these features of signifi-

icance. This section is established for the purpose of allowing existing master planned resorts to be recognized in the Island County Code thereby enabling existing resorts to carry out future development plans. In the absence of this section of County Code, uses that now qualify as an existing master planned resort were regulated under the provisions of the underlying zoning designation. Uses that qualify as an existing master planned resort do not conform to the underlying zoning designation and would therefore be subject to the existing uses section of this chapter found in section 17.03.230. The urban nature of existing master planned resorts as defined by RCW 36.70A.362 was not acknowledged or accommodated before the establishment of this section.

1. Existing master planned resorts must adhere to the standards defined in RCW 36.70A.362.
 - a. The master plan must show that the land is better suited, and has more long term importance, for the existing resort than for the commercial harvesting of timber or agricultural production, if located on land that would otherwise be designated as forest land or agricultural land under RCW 36.70.110 and 36.70A.170.
 - b. A resort that was in existence on July 1, 1990 and that met the definition of an existing master planned resort at that time. The resort is developed, in whole or in part, as a significantly self contained and integrated development that includes short-term visitor accommodations associated with a range of indoor and outdoor recreational facilities within the property boundaries in a setting of significant natural amenities.

- c. An existing resort may include other permanent residential uses, conference facilities, and commercial activities supporting the resort, but only if these other uses are integrated into and consistent with the on-site recreational nature of the resort.
 - d. No new urban or suburban land uses shall be allowed in the surrounding vicinity of the existing resort, except in areas otherwise designated for urban growth under RCW 36.70A.110 and 36.70A.362.
 - e. The master plan for the existing master planned resort shall be consistent with standards, requirements, and provisions of chapter 17.02B.
 - f. On-site and off-site infrastructure impacts shall be fully considered and mitigated.
 - g. The county may allocate a portion of its twenty-year population projection, prepared by the office of financial management, to the master planned resort corresponding to the projected number of permanent residents within the master planned resort.
2. A master plan shall demonstrate how the existing resort meets the requirements of section 17.03.180.G.1. and include the following:
- a. An inventory of the existing structures and land uses on the property where the proposed existing master planned resort exists.
 - b. The goals that the owner(s) of the facility has for the existing master planned resort, including:
 - (i) The owner's vision statement for the resort;
 - (ii) The owner's future development goals and plans for the resort, including a statement on how the development goals and plans meet the vision statement for the resort.
 - c. A comprehensive discussion of any planned upgrades or additions to existing structures on the property.
 - d. A comprehensive discussion of any planned expansion of existing land uses on the property.
 - e. A comprehensive discussion of any new structures or land uses planned for the property. New structures and land uses shall be indicated on a site plan of the property.
 - f. A site plan using the criteria of chapter 16.15.
 - g. A phasing plan that describes anticipated time frames for future expansions and/or redevelopment.
 - h. A resource management plan that outlines management strategies for timber or agricultural lands and sensitive or threatened species as identified in chapter 17.02B.
3. A resort seeking status as an existing master planned resort must have at least fifty (50) acres within the planning area.
4. Approval of a master plan in no way shall be interpreted as final approval for a specific project. New structures and land uses, or changes to existing structures and land uses that are approved through the master plan must still follow the appropriate permit process and comply with all Island County development regulations in the Island County Code.
5. Permitted uses within the existing master planned resort are for the purpose of serving the users of the resort. All

existing and proposed uses shall be set forth in the master plan. Uses that support the operations of the facility that are required per RCW 36.70A.362, such as infrastructure necessary for the support and/or mitigation of the on-site and off-site impacts of the existing master planned resort, are implicitly allowed and do not require specific approval through this subsection. Examples of permitted uses within a master plan include the following:

- a. Staff housing;
 - b. Retreat housing;
 - c. Group housing;
 - d. Multi-use building;
 - e. Cabin;
 - f. Classroom;
 - g. Meeting space;
 - h. Recreation building;
 - i. Cafeteria;
 - j. Teaching laboratory;
 - k. Offices;
 - l. Storage;
 - m. Bathhouse;
 - n. Restrooms;
 - o. Swimming pool;
 - p. Sports fields;
 - q. Sports courts;
 - r. Campground;
 - s. Picnicking areas;
 - t. Amphitheater;
 - u. Trails;
 - v. Scenic viewpoints;
 - w. Interpretive shelter;
 - x. Parking;
 - y. Water tower, not to exceed forty (40) feet in height.
6. The following shall be considered conditional uses and processed as a Type II decision:
 - a. Any use or structure that exceeds the thresholds defined in the master plan, but is below the thresholds that trigger a master plan amendment per section 17.03.180.G.8.;
 - b. Any use that is not specifically listed as a permitted use in the master plan but is consistent with the goals and policies of the master plan and will have no significant environmental impacts;
 7. Existing master planned resorts that fall within the Ebey's Landing Historical Reserve must comply with the special development requirements set forth in chapters 16.18 and 17.04;
 8. Amendments to the master plan. The following variations to the approved master plan shall be processed as annual review amendments pursuant to chapter 16.26;
 - a. A variation that exceeds fifty (50) percent of the gross square-footage of any building approved in the master plan;
 - b. Any structure that is not specifically identified in the master plan and that is not consistent with the goals and policies of the approved master plan;
 - c. A variation that exceeds ten (10) percent of the aggregate gross square-footage of all buildings approved in the master plan;
 - d. A variation that exceeds ten (10) percent of the aggregate gross square-footage of all impervious surfaces approved in the master plan;
 - e. Any use that is not specifically listed as a permitted use in the master plan which would not be consistent with the goals and policies of the master plan;
 - f. Removal of timber in areas not identified in the master plan, except for timber identified by a cer-

- tified arborist as diseased, dead or a threat to an approved structure or improvement;
 - g. Changes in use, addition of new uses or other actions that generate significant traffic impacts not previously addressed in the master plan;
 - h. Changes to the boundaries of the facility; and
 - i. Any other type of amendment to the master plan.
9. Site development and use standards. The following site development and use standards, as provided in the master plan, shall apply to all development within an existing master planned resort:
- a. Building architectural style and envelope standards;
 - b. Street and road standards;
 - c. Parking standards;
 - d. Tree retention standards;
 - e. Buffer and use separation standards;
 - f. Setback and height limits;
 - g. Site coverage and development standards;
 - h. View preservation standards; and
 - i. Utility standards.
10. Variances. Variances from the standards established in the master plan may be granted pursuant to the variance process provided in this chapter.
11. Any use for which a definition already exists in this chapter shall not be designated as an existing master planned resort. For example, country inns are already defined within this chapter and therefore may not be designated as an existing master planned resort. This chapter is intended to support significantly self contained and integrated development that include short-term visitor accommodations associated with a range of indoor and outdoor recreational facilities within the property boundaries as per section 17.03.180.T., that until the establishment of this section have not been fully recognized or supported by the Island County Code or comprehensive plan.
12. Existing master planned resorts shall not be located in the RC, RV, RS, LM, AP, or RR Zones.

Z. Aircraft Accident Potential Zone. The primary purpose of the Aircraft Accident Potential Zone (APZ) Overlay is to promote the public health, safety, and general welfare by minimizing the hazards incident to development in the immediate vicinity of aircraft paths of arrival and departure associated with NAS Whidbey.

1. Table 17.03.035.D describes uses that may be established on non-UGA parcels that are located within Accident Potential Zones.
2. Additional conditions of development:
 - a. No subdivision of lands shall occur within the Clear Zone or APZ-I unless said lands contain more than one (1) existing single family dwelling unit legally established prior to the effective date of this chapter, in which case subdivision may be permitted so each dwelling unit is on a separate lot.
 - b. For all utilities and communication development in APZ-I, no above ground transmission lines are permitted.

- c. For parcels completing farm management plans, earned development units (EDUs) may be earned on parcels located within APZ-I and APZ-II. However, those EDUs earned on parcels within the APZs may be allocated only to parcels outside of the APZs as consistent with section 17.03.180.F.
 - d. No PRDs shall occur within the Clear Zone, APZ-I or APZ-II.
3. The following table describes use that may be established within the Oak Harbor UGA on parcels located within Accident Potential Zones. If applicable, allowed uses indicate a maximum floor area ratio.

Uses	Clear Zone	APZ-I	APZ-II
OH-I			
Permitted Uses			
Accessory uses	N/A	N/A	Yes
Bedding ¹ , carpet ² and pillow ¹ manufacture, cleaning ³ and renovating ³	N/A	N/A	See footnote
Bottling and processing of non-alcoholic beverages, the production of which is devoid of fumes, noxious odors, or waste products	N/A	N/A	Yes .56
Canning, processing and freezing of fruit and vegetables	N/A	N/A	Yes .56
Cold storage plants	N/A	N/A	Yes 2.0
Food ² and drug ¹ processing	N/A	N/A	See footnote
Retail sales and services	N/A	N/A	Yes .22
Storage, outdoor and mini storage	N/A	N/A	Yes 2.0
Warehousing and distribution centers	N/A	N/A	Yes 2.0
Manufacture and assembly of light and small items made from previously prepared materials and includes operations which do not create noise, smoke, odor, vibration or other objectionable nuisances to the extent that they are detrimental to surrounding uses	N/A	N/A	Yes .56
Assembly, manufacture, rebuilding, compounding, processing, preparation, or treatment of such articles or products as: batteries ¹ , bottles ² , mattresses ¹ , furniture ² , tools ² , hardware ² , and paper products ² , but not the manufacture of paper itself	N/A	N/A	See footnote
Machine, welding, or metal working shop, but not including punch presses, drop hammers, or other noise and vibration producing equipment	N/A	N/A	Yes .56
Woodworking shop	N/A	N/A	Yes .56
Minor utilities	N/A	N/A	Yes .56
Conditional Uses			
Any conditional use permitted in the OH-I zone ⁴	N/A	N/A	See footnote
Cement and asphalt plants	N/A	N/A	Yes .56
Electroplating	N/A	N/A	Yes .56

Uses	Clear Zone	APZ-I	APZ-II
Manufacture or processing of such non-durable goods as: chemical and allied products, petroleum products, fertilizers, but excluding explosives and ammonia	N/A	N/A	No
Metal fabrication and boiler or tank works	N/A	N/A	Yes .56
Mixing plants for concrete or paving material ⁵	N/A	N/A	Yes .56
Off-site hazardous waste treatment and storage facilities, provided that such facilities meet the state siting criteria adopted pursuant to the requirements of RCW 70.105.210	N/A	N/A	No
Oxygen manufacture and/or storage	N/A	N/A	No
Tire retreading	N/A	N/A	No
Produce stand	N/A	N/A	Yes .24
Rodenticide, insecticide and pesticide mixing plants	N/A	N/A	No
OH-HSC			
Permitted Uses			
Accessory uses	N/A	N/A	Yes
Automobile and truck service stations	N/A	N/A	Yes .22
Automobile sales and service	N/A	N/A	Yes .28
Boat sales and boat repair	N/A	N/A	Yes .28
Drive-in banks	N/A	N/A	Yes .22
Restaurants	N/A	N/A	No
Real estate sales; governmental services	N/A	N/A	Yes .22
Self storage warehouse	N/A	N/A	Yes 2.0
Conditional Uses			
Any permitted use that exceeds 12,000 square feet of gross floor area may be allowed upon site plan approval processed as a Type II decision pursuant to chapter 16.19 ⁴	N/A	N/A	Yes
Major utilities and essential public facilities may be allowed upon site plan approval processed as a Type III decision pursuant to chapter 16.19	N/A	N/A	Yes .56
OH-PIP			
Conditional Uses			
Accessory uses	N/A	N/A	Yes
Assembly, manufacture, packaging, compounding or treatment of articles or merchandise from the following previously prepared materials: cloth ¹ , glass ² , lacquer ¹ , leather ¹ , paper ² , plastics ¹ , precious or semi-precious metals or stones ¹ , wood ² (excluding sawmills, lumber mills and planing mills), paint ² , clay ² , sand ² , rubber ¹	N/A	N/A	See footnote
Printing, publishing and book binding	N/A	N/A	Yes .56

Uses	Clear Zone	APZ-I	APZ-II
Manufacturing, processing and packaging of food ² , pharmaceuticals ¹ , toiletries, cosmetics, optical goods ¹ , scientific instruments and equipment ¹ , and precision instruments and equipment ¹	N/A	N/A	See footnote
Scientific research, testing and experimental development laboratories	N/A	N/A	No
Corporate headquarters, regional headquarters and administrative offices of commercial, industrial, financial, charitable or governmental institutions	N/A	N/A	Yes .22
Upholstery shop	N/A	N/A	Yes .56
Auto repair of all kinds, including body and fender work, provided there shall be no wrecking, junking, dismantling, or salvaging operations	N/A	N/A	Yes .22
Feed and seed store, retail or wholesale	N/A	N/A	Yes .56
Gun club and shooting range	N/A	N/A	No
Marine craft, equipment and supply sales, and repair and service of small craft	N/A	N/A	Yes .28
Nursery and landscape material including greenhouses	N/A	N/A	Yes .28
Plumbing shop	N/A	N/A	Yes .28
Sign shop	N/A	N/A	Yes .28
Lumber yard, retail or wholesale, including building supplies, hardware, and related items	N/A	N/A	Yes .28
Storage, outdoor and mini storage	N/A	N/A	Yes 2.0
Vocational and technical schools	N/A	N/A	No
Private club, lodge, convent, social or recreational building or community assembly hall, (except those having a chief activity carried on for monetary gain)	N/A	N/A	No
Training facilities, including but not limited to music, dance, martial arts, photography, health clubs	N/A	N/A	No
Warehousing and distribution centers	N/A	N/A	Yes 2.0
Retail sales and services	N/A	N/A	Yes .22

Uses	Clear Zone	APZ-I	APZ-II
Uses similar to, or related to, or compatible with those listed or described in this section are permitted upon a finding by the Planning Director that a proposed use does not conflict with the intent of this section or the policies of the Oak Harbor Comprehensive Plan. The criteria for such finding of similarity, relationship or compatibility shall include, but not limited to the following: a. The proposed use will not significantly impact surrounding uses. b. The development standards for permitted uses can be met by the proposed use. c. Impacts, such as traffic, noise and air quality will not be significantly different than those generated by permitted uses	N/A	N/A	Yes
Overnight lodging	N/A	N/A	No
Minor and major utilities and essential public facilities	N/A	N/A	Yes .56
Temporary uses	N/A	N/A	Yes

* Upon adoption of this chapter there were no UGA lands within the Clear Zone or APZ-I. In the future, if the UGA is expanded into the Clear Zone or APZ-I these uses and standards will need to be revised.

¹ No

² Yes, maximum FAR .56

³ Yes, maximum FAR .22

⁴ Only as permitted herein

⁵ Activity shall not produce smoke, glare, or involves explosives

- a. No new residential uses will be permitted.
- b. Existing residential uses are exempt.
- c. Density shall not exceed fifty (50) people per acre in APZ II or the FAR standard for the specific use. When density standards don't compliment one another, the more restrictive shall apply.
- d. For sites already developed to the maximum FAR, changes of use are permitted only in cases where the proposed new use has the same or more restrictive maximum FAR than the current use.

- 4. Should dwelling units for farm workers be located on a subject property, the maximum density will be one (1) dwelling unit per acre.
- 5. Designation criteria. All areas within any of the Aircraft Accident Potential Zones as delineated on Map C of the Island County Comprehensive Plan and defined in this chapter, shall be subject to the provisions of this chapter.
- 6. All lands regulated by this subsection shall not exceed the land use and density recommendations as outlined in Table 6-3 of the AICUZ Study Update for Naval Air Station Whidbey Island's Ault Field and Outlying Landing Field Coupeville, Washington dated March 2005, unless allowed herein nor the standards of the policy plan and land use element.

7. Exceptions. Through the conditional use process an applicant may review the AICUZ Study Update for Naval Air Station Whidbey Island's Ault Field and Outlying Landing Field Coupeville, Washington dated March 2005 and provide an analysis of the compatibility of the proposed use.

AA. **Overnight lodging.** Overnight lodging of up to forty (40) units may be established in the Camano Gateway Village (CGV) Zone provided the following standards are met:

1. For applications that propose more than eight (8) units but less than twenty-one (21) units, the application will be processed as a Type II conditional use pursuant to chapter 16.19. For applications that propose twenty-one (21) or more units, the application will be processed as a Type III conditional use pursuant to chapter 16.19.
2. When determining the total number of units for a project, the entire site will be considered with all units added up on each existing and/or proposed parcel to derive a cumulative total.
3. The following building and site layout standards shall be met:
 - a. Structures shall not exceed thirty-five (35) feet in height;
 - b. Roofs shall either be flat or a minimum of 6:12 pitch;
 - c. External walls shall be a minimum of four (4) feet and a maximum of forty-eight (48) feet in length;
 - d. Architectural style and scale shall be consistent with the small-town, rural village character of Camano Island;
 - e. The massing of buildings shall be mitigated through architectural design. Variation in height, architectural style, color and material shall be used to achieve this standard;
 - f. Structures shall be designed to resemble a rural residential village community; and
 - g. Structures and parking lots shall be set back a minimum of 200 feet from SR 532. Other allowed uses and structures are permitted within the 200-foot setback;
4. The following sustainable building practices shall be incorporated into structures that contain overnight lodging:
 - a. A minimum of twenty (20) percent of the non-landscaped areas shall utilize low-impact development techniques such as green roofs, pervious surfaces, rain gardens, etc. Rain gardens located within or adjacent to parking lots will count towards open space and can be used to meet the parking lot landscaping standards.
 - b. An educational program shall be integrated into the development that provides information on the various low impact development techniques, sustainable development practices, and conservation programs that are in place.
 - c. Hotels shall employ sustainable construction practices in the use of materials and products. Buildings shall achieve a LEED silver certification or other comparable standard.
5. The following landscaping standards shall be met:
 - a. Landscaping shall be designed with the intention of fully screening structures and parking lots from property lines that abut land that is not zoned for commercial use; and

- b. Landscaping shall be designed in a manner that focuses on three (3) vertical levels of vegetation. The three (3) vertical levels include low, medium and high.
 - (i) Low level vegetation ranges from zero (0) to twelve (12) inches in height and includes ground cover such as grasses, groundcovers, flowers, etc. The purpose of low level vegetation is to provide pervious coverage of ground that is aesthetically pleasing.
 - (ii) Medium level vegetation ranges from twelve (12) to forty-eight (48) inches and includes bushes and hedgerows. The purpose of medium level vegetation is to screen parking areas and provide structure underneath the canopy of deciduous trees or to infill between coniferous trees.
 - (iii) High level vegetation is above forty-eight (48) inches in height and includes trees and tree canopy. The purpose of high level vegetation is to soften the appearance of buildings and to break up larger expanses of parking areas where landscaped islands are required.
- 6. The following parking lot and traffic standards shall be met:
 - a. Parking lots of more than ten (10) vehicles shall include internal landscaping islands. One (1) island shall be provided for every four (4) parking stalls. This standard shall not apply to the first ten (10) parking stalls (one (1) landscaped island is required for parking lots of between eleven (11) and fourteen (14) parking spaces, two (2) landscaped islands are required for parking lots of between fifteen (15) and eighteen (18) spaces, three (3) landscaped islands are required for parking lots of between nineteen (19) and twenty-two (22) spaces, etc.);
 - b. Islands may either be isolated within a parking lot or they may be connected to other landscaped areas or walkways located on the periphery of a parking lot;
 - c. Every island shall incorporate all three (3) vertical levels of vegetation described above;
 - d. Landscaped islands shall be positioned in a manner that aids in the screening of parking areas. Because view corridors will exist between buildings and/or at vehicular access points, particular emphasis will be placed on how parking islands can soften the impact of viewing parking areas through these corridors;
 - e. Additional screening can be achieved by placing medium and high level vegetation along property lines where a view corridor exists in a manner that eliminates the view corridor; and
 - f. Peak hour trip reduction strategies shall be developed and employed. Strategies may include carpooling incentives, off-setting employee hours, secure bike storage, etc. Applications that are submitted must include a peak hour trip reduction plan for employees.
- 7. The following potable water standards shall be met:
 - a. Laundry services shall be consistent with the requirements of Island County Code chapter 8.07D

and Island County Code chapter 8.09 as they currently exist or are hereafter amended; and

- b. Applicants shall provide a plan that demonstrates how a twenty (20) percent water reduction can be achieved. The reduction factor is to be calculated using the standard hotel/motel usage rates that are contained in county and/or state law as the starting point. Water reduction rates can be achieved through the use of low flow showers, faucets and toilets. A water usage monitoring program shall be established in order to ensure this standard is achieved. The monitoring program will also include a response strategy in the event that the standard is not achieved; and
- c. Proposals for overnight lodging shall be subject to the county's sea water intrusion policy. Applications shall include hydrogeologic analysis that evaluates the potential impacts on ground water recharge, sea water intrusion, and cumulative impact on the aquifer. Mitigation measures that enhance aquifer recharge shall be identified and employed in any approvals.

BB. Recreational marijuana producer, processor and retailer. Marijuana manufacture and retail sales as defined in section 17.03.040 and as authorized in the State of Washington under Initiative 502 are subject to Washington Administrative Code 314-55, to be conducted in locations allowed pursuant to WAC 314-55-050, and where permitted in zoning districts subject to the following standards and processes pursuant to chapter 16.15: where designated as a Type I decision subject to the standards below; where designated as Type

II or Type III decision, subject to the development standards below and site plan review pursuant to chapter 16.15. Permitted uses subject to SEPA will be processed at minimum as a Type II land use permit unless otherwise specified, and subject to chapter 16.15.

No part of this chapter is intended to or shall be deemed to conflict with federal law, including but not limited to, the Controlled Substances Act, 21 U.S.C. Section 800 et seq., the Uniform Controlled Substances Act (Chapter 69.50 RCW) nor to otherwise permit any activity that is prohibited under either Act, or any other local, state or federal law, statute, rule or regulation.

1. Marijuana producers as defined in WAC 314-55 shall meet the land use standards of this chapter and be subject to the following land use decision procedures and standards:
 - a. Type I: Tier I producer, including those in buildings less than 4,000 s.f. in size.
 - b. Type II: Tier I producer in buildings more than 4,000 s.f. in size; a Tier II producer.
 - c. Type II: Any Tier I or Tier II producer with processor license on same site.
 - d. Type III: Any Tier III producer.
 - e. Only those buildings or land areas specifically approved by the county may be used to conduct marijuana producer activities.
 - f. Parking shall be contained on-site and provided in conformance with this section.
 - g. Outdoor production, including all loading areas, shall be screened from the view of adjacent residen-

- tial uses and set back from property lines no less than thirty (30) feet.
- h. Structures shall comply with the lighting, signage, site coverage, and non-residential landscape and screening guidelines set forth in section 17.03.180 unless otherwise subject to stricter site development standards of WAC 314-55.
 - i. For any marijuana producing use, the county shall impose such reasonable conditions as are found necessary to ensure the use is compliant with WAC 314-55 and does not disrupt the character of any surrounding permitted uses.
 - j. Consistent with WAC 314-55-015, marijuana production may not take place in a single family residence or other dwelling unit, or be authorized as a home occupation or industry.
 - k. All security requirements of WAC 314-55-083 applicable to producers shall be required prior to final occupancy.
 - l. All waste disposal must be in accordance with WAC 314-55-097 and chapter 8.08B.
2. Marijuana processors, and those making marijuana-infused products as defined in WAC 314-55 shall meet the land use standards of this chapter and be subject to the following application procedures and standards:
- a. All processors shall be subject to Type II site plan review pursuant to chapter 16.15.
 - b. Minimum lot dimension on any property(s) to be used for processing shall be an average of 275 feet in distance between any parallel or opposite lot lines.
 - c. Only those buildings or land areas specifically approved by the county may be used to conduct marijuana processing activities. Processors shall indicate in the site plan application and building permit application if proposing to use methods, equipment, solvents, gases and mediums as identified in WAC 314-55-104.
 - d. Parking shall be contained on-site and provided in conformance with this section.
 - e. All outdoor processing activities and loading areas shall be screened from the view of adjacent residential uses and set back from property no less than thirty (30) feet.
 - f. Structures shall comply with the lighting, signage, site coverage, and non-residential landscape and screening guidelines set forth in section 17.03.180 unless otherwise subject to stricter site development standards of WAC 314-55.
 - g. For any marijuana processing use, the county shall impose such reasonable conditions as are found necessary to ensure the use is compliant with WAC 314-55 and does not disrupt the character of any surrounding permitted uses.
 - h. Consistent with WAC 314-55-015, marijuana processing may not take place in a single family residence or other dwelling unit, or be authorized as a home occupation or industry.
 - i. All security requirements of WAC 314-55-083 applicable to marijuana processors shall be required prior to final occupancy.
 - j. All waste disposal must be in accordance with WAC 314-55-097 and chapter 8.08B.

3. Marijuana retailers as defined in WAC 314-55 shall meet the land use standards of this chapter and be subject to the following application procedures and standards:
 - a. All retailers shall be subject to Type II site plan review pursuant to chapter 16.15.
 - b. Only those buildings specifically approved by the county may be used to conduct the business; no outdoor sales.
 - c. Parking shall be contained on-site and provided in conformance with this section.
 - d. Structures shall comply with the landscape, lighting, signage, site coverage, and non-residential landscape and screening guidelines set forth in section 17.03.180 unless otherwise subject to stricter site development standards of WAC 314-55.
 - e. For any marijuana retail use, the county shall impose such reasonable conditions as are found necessary to ensure the use is compliant with WAC 314-55 and does not disrupt the character of any surrounding permitted uses.
 - f. Consistent with WAC 314-55-015, marijuana retail sales may not take place in a single family residence or other dwelling unit, or be authorized as a home occupation or industry.
 - g. All security requirements of WAC 314-55-083 applicable to retailers shall be required prior to final occupancy.
 4. Marijuana producers, processors and retailers as defined in WAC 314-55 and by section 17.03.040 may be subject to the design guidelines of chapter 17.04A if located within the Ebey's Landing National Historic Reserve.
 5. Marijuana producers, processors and retailers subject to this section and WAC 314-55 are prohibited in the Rural Residential (RR) and Oak Harbor—Residential (OH-R) Zones.
 6. The county will not approve any permit required for a marijuana producer, processor or retailer in a location where law enforcement access, without notice or cause, is limited.
- CC. Procedural requirements for essential public facilities.**
- Applications for essential public facilities. Applications for uses which qualify as essential public facilities are subject to the following requirements.
1. In order to enable the director to determine the appropriate classification for the use, the prospective applicant shall provide the following to the county:
 - a. A description of the proposed use including the size and types of proposed facilities, equipment, and structures and the number of employees and the potential number of people to be served.
 - b. A description of the proposed site.
 - c. A report detailing how the proposal is consistent with the local comprehensive plan and development regulations.
 - d. A copy of the applicant's adopted comprehensive plan, or similar project planning document/market study and capital improvement program, for public facilities, in which the project is identified.
 - e. Identification of the approximate geographic area within which the proposed use could potentially have adverse impacts such as increased traffic, public safety risks, noise, glare, emissions, or other environmental impacts.

2. **Class A facilities.** The following requirements apply to those essential public facilities identified as Class A facilities by the director:
 - a. At least ninety (90) days before the community meeting, the prospective applicant shall notify the affected public and jurisdictions of the general type and nature of the proposal, identify sites under consideration for accommodating the proposed facility, and identify opportunities to obtain information and comment to the county on the proposal.
 - b. Applications for specific projects shall not be considered complete in the absence of proof of a published notice regarding the proposed project in a newspaper of general circulation in the affected area. This notice shall include the information described above and shall be published at least ninety (90) days prior to the community meeting.
 - c. The applicant shall include with the application an analysis of the alternative sites considered for the proposed facility. Any proposal for siting an essential public facility in the rural forest or rural agriculture zone must demonstrate an overwhelming need for the specific site and the lack of reasonable alternatives. The alternative site analysis shall include the following:
 - (i) An evaluation of the site's capability to meet basic siting criteria for the proposed facility, such as size, physical characteristics, access, and availability of necessary utilities and support services;
 - (ii) An explanation of the need for the proposed facility in the proposed location;
 - (iii) The site's relationship to the service area and the distribution of other similar public facilities within the service area or jurisdiction, whichever is larger;
 - (iv) A general description of the relative environmental, traffic, and social impacts associated with locating the proposed facility at the alternative sites which meet the applicant's basic siting criteria. The applicant shall also identify proposed mitigation measures to alleviate or minimize significant potential impacts; and
 - (v) The application shall also briefly describe the process used to identify and evaluate the alternative sites.
 - d. The requirements of subsections 2.c(i), (ii) and (iii) above do not apply to the expansion of existing facilities when the individual or cumulative alterations will not increase the floor area or exterior improvement area by more than twenty-five (25) percent. The increase is measured from the time the use became a conditional use or the effective date of this chapter. For land-based facilities, such as regional airports, the requirements of subsections 2.c(i), (ii) and (iii) above do not apply to the expansion of existing facilities where the facility capacity (excluding accessory buildings) or gross land area, as of the effective date of this provision, is increased by less than twenty-five (25) percent.

3. **Class B facilities.** The following requirements apply to those essential public facilities identified as Class B facilities by the director, except public schools that have an established school site as part of the land use element of the comprehensive plan:
- a. At least thirty (30) days before the community meeting, the prospective applicant shall notify the affected public and jurisdictions of the general type and nature of the proposal, identify sites under consideration for accommodating the proposed facility, and identify opportunities to obtain information and comment to the county on the proposal.
 - b. Applications for specific projects shall not be considered complete in the absence of proof of a published notice regarding the proposed project in a newspaper of general circulation in the affected area. This notice shall include the information described above and shall be published at least thirty (30) days prior to the community meeting.
 - c. The applicant shall include with the application an analysis of the alternative sites considered for the proposed facility. Any proposal for siting an essential public facility in the rural forest or rural agriculture zone must demonstrate an overwhelming need for the specific site and the lack of reasonable alternatives. This analysis shall include the following:
 - (i) An evaluation of the site's capability to meet basic siting criteria for the proposed facility, such as size, physical characteristics, access, and availability of necessary utilities and support services;
 - (ii) An explanation of the need for the proposed facility in the proposed location;
 - (iii) The site's relationship to the service area and the distribution of other similar public facilities within the service area or jurisdiction, whichever is larger;
 - (iv) A general description of the relative environmental, traffic, and social impacts associated with locating the proposed facility at the alternative sites which meet the applicant's basic siting criteria. The applicant shall also identify proposed mitigation measures to alleviate or minimize significant potential impacts; and
 - (v) The application shall also briefly describe the process used to identify and evaluate the alternative sites.
 - d. The requirements of subsections 3.c(i) and (ii) above do not apply to the expansion of existing facilities when the individual or cumulative alterations will not increase the floor area or exterior improvement area by more than twenty-five (25) percent. The increase is measured from the time the use became a conditional use or the effective date of this chapter. For land-based facilities, such as landfills, the requirements of subsections 3.c(i) and (ii) above do not apply to the expansion of existing facilities where the facility capacity (excluding accessory buildings) or gross land area, as of the effective date of this chapter, is less than the capacity or gross land area, as of the effective date of this chapter.

tive date of this provision, is increased by less than sixty (60) percent. The increase is measured from

the time the use became a conditional use or the effective date of this chapter.

DD. Rural Wineries, Cideries, and Distilleries (WCD) - may be established in the following districts upon approval of a site plan pursuant to chapter 16.15 and processed as Type I, II or Type III decision in accordance with the standards provided in this section.

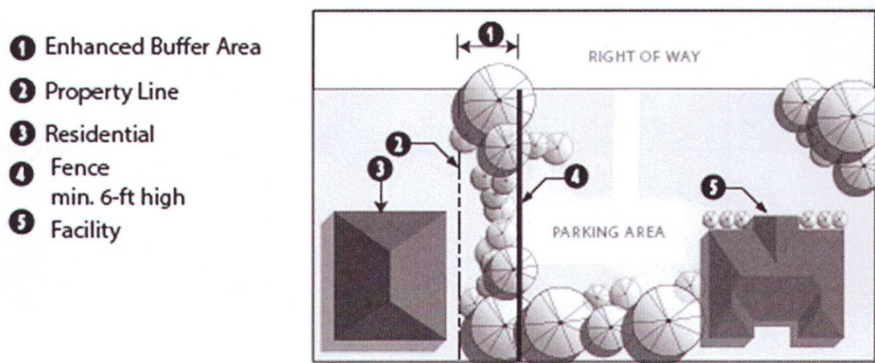
1. Zoning districts, minimum lot area and decision type.

Rural winery, cidery, and distillery (WCD)	Permitted districts: RA, R, CA					
Gross floor area utilized to support wine manufacture, production, sales, or tasting	< 5,000 square feet		5,000 square feet & < 8,000 square feet		≥ 8,000 square feet	
Decision type	II	I	II		I	III
Zoning	RA & R	CA	R	RA	CA	R, RA, CA
Minimum lot area required	5 acres	10 acres	10 acres	10 acres	20 acres	20 acres
Minimum lot area required for distilleries	4 acres					

2. Setbacks.

- a. Minimum side yard and rear yard building and parking setbacks for all Rural WCD facilities adjacent to Rural and Rural Residential zoned property shall be fifty (50) feet.
 - i. Where section 17.03.180.S. provides for a greater setback, the greater setback shall be observed.
 - ii. Where a road separates the lot or parcel proposed for a Rural WCD facility and an adjacent lot or parcel zoned Rural or Rural Residential, the setback shall conform to the requirements set forth in 17.03.180.S.
 - iii. A lesser setback may be considered if an enhanced buffer is provided along the property line that includes a full visual screen that includes a six (6) foot wall or fence with 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 and visible to the neighboring property.

Figure 17.03.180.DD.2.a.iii - Enhanced Buffer Requirements

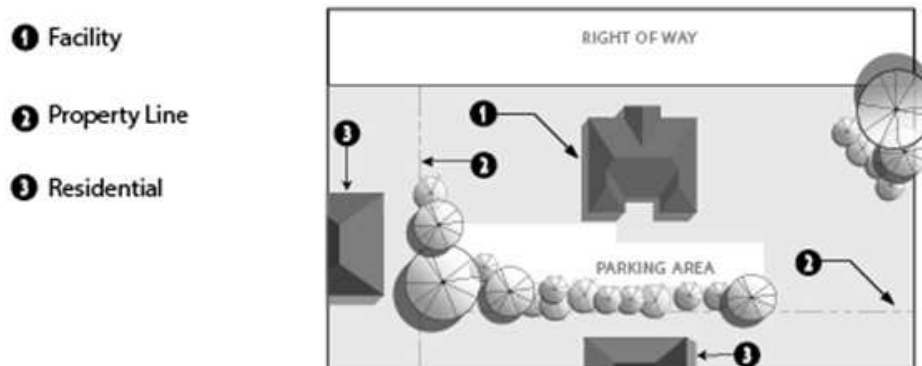


- iv. In no case shall the required setback be less than twenty (20) feet.
 - b. Setback standards for lots or parcels adjacent to all other districts shall conform to the standards provided in section 17.03.180.S.
 - c. All setbacks will be measured from property line, edge of easement, or right-of-way, whichever is greater.
 - d. Where a Rural WCD facility is proposed for a lot or parcel adjacent to a CA or RA zoned lot or parcel, the Planning Director or Hearing Examiner may require an increased setback if an existing residential structure is located within 100 feet of the side or rear property line. This standard shall not apply where the proposed Rural WCD facility and the existing residential structure are separated by a road.
3. Access.
- a. All new facilities, with approved tasting rooms, shall have adequate access from a state highway, county arterial, or county collector. A county local or private 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, or approved private road subject to the requirements of RCW 47.50, and WAC 468-52-040.
 - b. 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:
 - i. 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;
 - ii. 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
 - iii. That a Transportation Concurrency review and approved Certificate be obtained as needed per chapter 11.04.
 - c. When considering approval of private roads, the County Engineer shall determine if the following standards have been met for the section of private road from the proposed facility to the state highway or county road:
 - i. That the private road, at a minimum, meets design standards for a twenty-five (25) mph fire lane per Appendix D of the International Fire Code (or current standard). If the use warrants, at the discretion of the County Engineer, the private road could be required to meet design standards for a twenty-five (25) mph collector road;
 - ii. 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;
 - iii. That a transportation concurrency review and approved certificate be obtained as needed per chapter 11.04;
 - iv. If the private road accesses onto a county local road, the county local road must meet the requirements identified for county local roads in subsection 3.b; and
 - v. If the proposed facility is located on a shared private road, the applicant must submit evidence of a legal right to use the road for the applied for use and intensity. The applicant must also present evidence that the shared private road will be maintained at

least at the minimum standards described in the above paragraphs. This evidence of a legal right of access and maintenance must be publically recorded either before or immediately upon approval of the application. Notice of the application must be provided to owners of all property that share the private road or share a legal responsibility to maintain the road.

4. Screening.
 - a. 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.
 - b. 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 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.
 - c. 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.
 - d. The selected plant materials and configuration must provide a full yearlong visual screen within five (5) years of planting. This requirement will account for the size of materials and the growth rate.

Figure 17.03.180.DD.4 - Screening



5. Parking.
 - a. 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.
 - b. Reinforced turf may be provided as an alternative parking surface subject to the approval of the County Engineer.
 - c. All parking shall be contained on-site and shall be limited to areas identified as dedicated parking space on the approved site plan.
6. Food service. Food service offering cooked-to-order food is prohibited except as part of an approved restaurant use in accordance with [section] 17.03.180.T. Table service, retail sales of cooked or prepared food or menu items are prohibited, except as noted below unless allowed

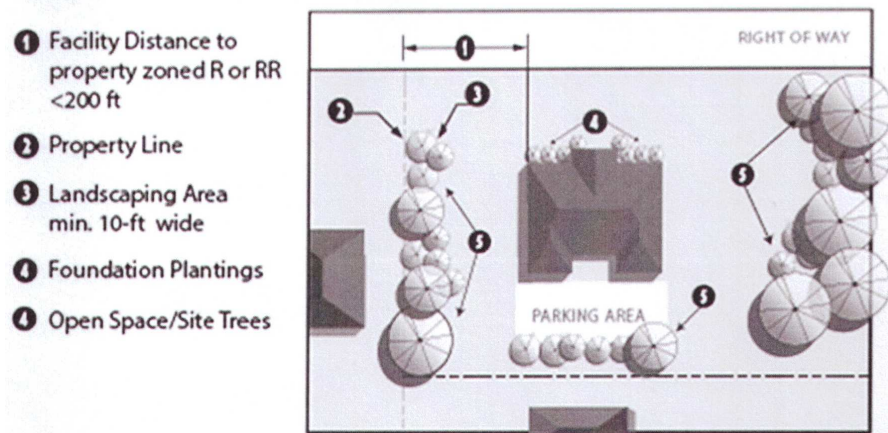
in conjunction with an approved restaurant. Food service shall conform to Public Health Code regulations provided in title VIII, Health, welfare, and sanitation. Limited food service may be allowed in accordance with the following standards.

- a. Small food offerings such as crackers, nuts or other palate cleansers, featuring local foods and food products offered in conjunction with wine tasting.
 - b. Prepared meals or appetizers featuring local foods and food products offered in conjunction with agricultural promotional events are permitted.
 - c. Prepared meals or appetizers related to events permitted as part of an approved event permit, winemaker dinners, or small scale winery, cidery, or distillery promotional activities permitted in accordance with an approved land use permit and noise management plan (for outdoor events), shall be allowed.
 - d. Retail sales of pre-packaged or assembled food not associated with an approved event, exempt gathering, or winemaker dinner are allowed in conjunction with wine tasting subject to the following limitations:
 - i. Retail sales of pre-packaged or assembled food featuring local foods and food products shall be permitted only during tasting room hours.
 - ii. Retail sales of assembled food may be provided for on-site consumption only.
 - iii. No interior seating will be dedicated solely to the purpose of meal service.
 - iv. No off-site signs advertising retail sales of pre-packaged food is permitted.
 - e. All project signage shall conform to section 17.03.180.R.
7. Landscaping/open space requirements:
- a. In addition to the requirements provided in section 17.03.180.P., Non-residential design, landscape, and screening guidelines, the following landscaping and open space requirements shall apply.
 - b. A minimum of ten (10) percent of site must be designated landscaping and open space area. Open space areas may include perimeter landscaping areas and foundation planting areas and may include required screening identified in section 17.03.180.P. but does not include enhanced buffers provided in lieu of required setbacks under section 17.03.180.DD.2. Distilleries shall be exempt from the requirement to provide foundation plantings but must still meet the ten (10) percent landscaping and open space requirements. Existing (non-invasive) vegetation may be utilized to satisfy the requirements of this section.
 - c. Site trees. Within the open space areas, one (1) large site tree will be required for every 10,000 square feet of the parcel/lot area.
 - i. Medium trees may be substituted at a rate of two (2) medium trees for every required large tree.
 - ii. Small trees may be substituted at a rate of three (3) small trees for every required large tree.
 - iii. Deciduous trees shall be fully branched, have a minimum caliper of two (2) inches, as measured six (6) inches above the root ball, and have a minimum height of six (6) feet, measured from the treetop to the ground, at the time of planting.
 - iv. Evergreen trees shall be fully branched and have a minimum of six (6) feet in height, measured from the treetop to the ground, at the time of planting.
 - v. For the purposes of this section; tree sizes are classified according to the following:

Tree Size	Height
Large	> 35 feet height at maturity
Medium	15—35 feet height at maturity
Small	< 15 feet height at maturity

- d. Required landscape buffer. Where facilities are located within 200 feet of property zoned R or RR, a minimum ten (10) foot wide landscape buffer is required at the property line between the facility or parking and the adjacent R or RR zoned property. The landscape buffer shall be provided in conformance with section 17.03.180.P.3. and may count toward the required minimum site landscape area required. Enhanced buffers provided in lieu of required setbacks under section 17.03.180.DD.2. may be utilized to satisfy this requirement but will not count toward the minimum ten (10) percent open space requirement.
- e. Foundation planting areas. Plantings around building foundations are required within a planting area six (6) feet in width along seventy (70) percent of the length of any facade visible from the public right-of-way. A medium or small tree shall be provided for every thirty (30) feet of building facade visible from the public right-of-way. Native shrubs may be substituted for trees at a ratio of ten (10) shrubs for every required tree but may not replace more than thirty (30) percent of the required trees. Foundation plantings may be utilized to satisfy the landscaping and open space requirements of this section.

Figure 17.03.180.DD.7 - Landscaping and Open Space Requirements



- f. Where a portion of the site is dedicated to agricultural production that is utilized in the production of wine or cider, the landscape requirements shall be limited to screening requirements provided in section 17.03.180.P. subject to the following minimum standards.

Site Acreage	Minimum land dedicated to agricultural production
5—10 acres	0.5 acre
Every additional 10 acres	An additional 0.5 acre

- g. The Planning Director or Hearing Examiner may approve alternative landscape plans where a lot is exceptionally narrow or shallow or contains unusual topographic conditions, but only when strict application would result in peculiar, exceptional, and undue hardship on the owner of such property.

8. Events.
 - a. For all wineries, cideries, and distilleries, trade-related functions, wine club events, winemaker dinners, and regional promotional events are part of the normal operations of a winery, cidery or distillery, as is the daily traffic associated with a tasting room. Capacity is limited by building occupancy and parking limitations. Outdoor events are allowed only with an approved noise management plan.
 - b. Events not related to the operational and marketing aspects of the winery, cidery, or distillery such as weddings, receptions, and meetings/retreats, shall be limited to those permitted as part of an approved event permit.
9. Noise management/outdoor amplification: Reserved.
10. The Planning Director or Hearing Examiner may impose conditions such as increased setbacks, improved access, or other limitations and conditions found necessary to protect health, safety, and welfare, and to mitigate adverse impacts to surrounding properties due to the nature or character of the site or the facility.

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;
 - ii. Replace the temporary event venue permit (TEVP) procedure established under Policy No. 002/13 (Revised August 5, 2015) with regulatory standards and procedures; and
 - 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 new 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 an approved TEVP 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 TEVP 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 (6) 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 (e) below.
 - d. Any original application for a new TEVP 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, TEVPs will no longer be valid and will not be eligible for renewal by that applicant.
 - f. In addition to the provisions provided [in] section 17.03.180.EE.1.c, 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 TEVP, 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. The Administrator or Hearing Examiner may approve the existing zoning classification for applicants with an active approved permit issued under Policy No. 002/13 (Revised August 5, 2015) provided that no increase in intensity is proposed that is greater than that approved under Policy No. 002/13 (Revised August 5, 2015) or approved as part of a rural commercial event.

Zoning Districts Minimum Requirements and Decision Types			
Event Use Standards	Special Events	Rural Commercial Events	Rural Event Center
Zoning District	All zones except RS and LM; RR will be limited to neighborhood block parties	All zones except: RR, LM, and within the Oak Harbor UGA	R, RA
Minimum Lot Size	None	5 acres	17.03.180.EE.13.d
Permit Type Required	Type I: ≥10 acres <100 attendees and no sound equipment Type II all others	Type II	≤ 75 people Type II > 75 people Type III
Maximum Number of Events per Calendar Year:	3 Duration - multi-day events (1—3 days)*	10 Duration - one day in length*	Subject to Permit Conditions

*Does not include set-up or take down

3. Permit limitations. Event permits are limited to one (1) 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 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. Outdoor events where all necessary county land use and building approvals and permits have been obtained which allow the particular outdoor use (fairgrounds, parks, etc.).
 - e. Small scale farm and agricultural educational events focused on locally grown products, including tours, workshops, and seminars. Small events associated with farmers markets, or seasonal farm sales are subject to section 17.03.180.H and 17.03.180.V.1 and therefore are exempt from this section.
 - f. Events considered part of normal operations of a winery, cidery, or distillery as provided in section 17.03.180.DD.8.
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.
 - 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.
 - 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 permit application.
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:

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

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 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.
 - c. 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 (2) days before the event and removed no more than two (2) days after the event. Alternatively, temporary structures may remain in place for up to ninety (90) days if they are fully screened from adjacent property owners.
 - d. Structures shall comply with the landscape, lighting, signage, site coverage, and non-residential design, landscape, and screening guidelines set forth in this chapter.
 - e. Adequate health facilities shall be approved by the IC Department of Public Health in accordance with 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. When sound equipment is utilized indoors and the facility is within 500 feet of a Rural Residential RAID or where outdoor events, with or without sound equipment, are anticipated, a noise management plan will be required for:
 - i. Special event, rural commercial event, or rural event center permits; and
 - ii. Permit holders with an existing approved assembly use (community hall, country inn, restaurant etc.) wishing to extend approved uses outdoors where land use and building approvals and permits have been limited to indoor assembly.
 - c. For the purposes of this section outdoor events include events where bay doors and retractable sliding doors are open.
 - d. Noise management plans for existing uses shall require a Type II land use approval.
 - e. 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 events.
 - 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 (see best management practices below).
 - 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, and
 - (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.
 - ix. How complaints received before, during, and after the event will be addressed.
 - f. 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.

- iii. In no case shall fireworks be utilized in association with a rural event center or rural commercial event permit.
- g. Best management practices. The following best management practices should be referenced in developing your noise management plan:

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

- 9. Notice. Proposed events permitted as part of a rural event center permit are exempt from the notice requirements of this section, however posting of such events is still a recommended best practice. Public notice or posting of all other events on either the lot, parcel, or site or on the venue webpage at least fourteen (14) days before the scheduled event is required 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.
- 10. Special events. 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. Special events that propose entertainment, amusement, or assembly of persons, wherein the primary purpose will be the presentation of outdoor, live, or recorded musical entertainment and which may attract 100 or more persons shall be processed in coordination with the Island County Sheriff's Office pursuant to chapter 5.08.

- b. All uses shall be confined to the dates specified in the approved permit;
- c. Hours and duration of operation shall be confined to those specified on the approved permit;
- 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 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 twenty (20) feet, allowing emergency vehicle access to all areas of the event. Any event requiring traffic control measures on a state highway, shall be required to coordinate with the Washington State Department of Transportation.
- l. Reoccurring special events. 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 [be] valid for a period of ten (10) 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 is to 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 any new significant impacts that were not anticipated with the approved special event permit.
- 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 fifty (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 three (3) 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 thirty (30) 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 (section 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 for event activities as part of the facility shall be adequately separated in accordance with the following:

- i. The separation shall be at least 200 feet from residences on adjacent parcels;
- ii. The separation shall be at least 500 feet from any Rural Residential RAID zoning district boundary; 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 100 feet from residences on adjacent parcels and 300 feet from a Rural Residential RAID zoning district boundary. (See Figure 17.03.180.EE.12).
- iv. In reviewing applications for rural commercial events, the Administrator may approve a reduction in the minimum separation requirements for existing permanent structures and parking areas for applicants with an active approved permit issued under Policy No. 002/13 (Revised August 5, 2015) provided that no increase in intensity is proposed that is greater than that approved under Policy No. 002/13 (Revised August 5, 2015) or approved as part of a rural commercial event.

b. Access.

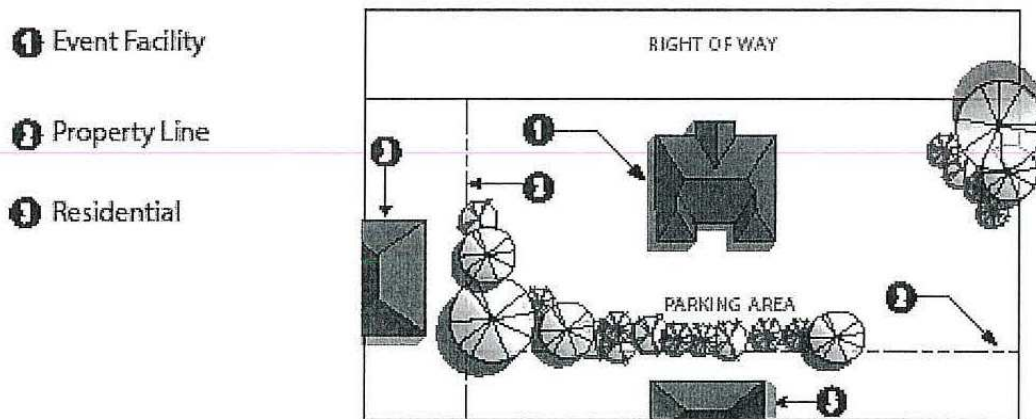
- i. All new facilities shall have adequate access from a state highway, county arterial, or county collector. Primary access, in order of priority, shall be off a state highway (subject to the requirements of RCW 47.50, and WAC 468-52-040), county arterial, or county collector. A county local road may be approved by the county engineer.

- ii. When considering approval of county roads, the county engineer shall determine if the following standards have been met for all sections of county roads from the proposed facility to the state highway:
 - (1) That the county 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 county 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.
 - iii. In reviewing applications for rural commercial events, the Administrator or Hearing Examiner may approve existing access for applicants with an active approved permit issued under Policy No. 002/13 (Revised August 5, 2015) provided that no increase in intensity is proposed that is greater than that approved under Policy No. 002/13 (Revised August 5, 2015) or approved as part of a rural commercial event.
- 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 fifty (50) percent 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.
 - (5) The rural commercial event permit applicant has provided a signed agreement between the property owners that includes a calculation of the parking available and verification that the shared parking agreement does not create a deficiency for other uses that utilize that site for parking (as their required on-site parking and/or any previously executed shared parking agreement).
- 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 contin-

uous 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 non-residential 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 (5) years of planting. This requirement will account for the size of materials and the growth rate.

Figure 17.03.180.EE.11. Screening



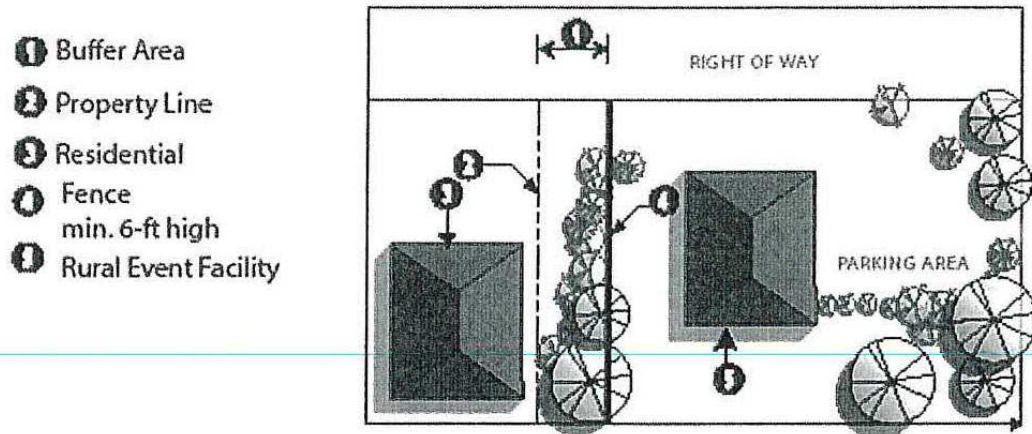
- e. Frequency of events. Rural commercial events shall be limited to ten (10) events per calendar year. During the months of June through September, not more than two (2) events may be held per month and no more frequently than two (2) consecutive weekends (Friday through Sunday). An applicant may request additional outdoor events for the months of June through September 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 1,000 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. Exceptions. Events that are either completely contained indoors, or where there is no utilization of sound equipment, and where the number of attendees is equal to or less than thirty-five (35) percent of the maximum number of attendees approved for the rural commercial event site, will not be counted toward the allowable ten (10) events a year.
- g. 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 (1) 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, 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:
 - i. For relatively flat, open areas, the separation shall be at least 500 feet from residences on adjacent parcels;
 - ii. For proposals adjacent to a Rural Residential RAID, the separation shall be at least 1,000 feet from the Rural Residential RAID zoning district boundary; 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 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 300 feet from residences on adjacent parcels and 500 feet from a Rural Residential RAID zoning district boundary. (See Figure 17.03.180.EE.12)

Figure 17.03.180.EE.12. Solid Screening in lieu of separation



- 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. Primary access, in order of priority, shall be off a state highway (subject to the requirements of RCW 47.50, and WAC 468-52-040), county arterial, or county collector. A county local road may be approved by the county engineer.
 - ii. When considering approval of county roads, the county engineer shall determine if the following standards have been met for the section of county road from the proposed facility to the state highway:
 - (1) That the county 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 county 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.
- 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.
 - v. 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 non-residential 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 (5) 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 noise management plan shall be established in accordance with this section.

k. 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.

(Ord. C-123-98 [PLG-037-98], September 29, 1998, vol. 43, p. 6; accepted by Res. C-133-98 [PLG-043-98], October 19, 1998, vol. 43, p. 38; amended by Ord. C-136-98 [PLG-042-98], November 9, 1998, vol. 43, p. 65; amended by Ord. C-63-99 [CD-01-99], June 21, 1999, vol. 43, p. 338; amended by Ord. C-93-99 [PLG-022-99], August 23, 1999, vol. 43, p. 427; amended by [Ord.] C-105-99 [PLG-034-99], September 27, 1999, vol. 44, p. 12; amended by Ord. C-113-99 [CD-02-99], October 11, 1999, vol. 44, p. 32; amended by Ord. C-122-99 [PLG-044-99], November 1, 1999, vol. 44, p. 79; amended by Ord. C-138-99 [PLG-047-99], November 22, 1999, vol. 44, p. 155; amended by Ord. C-133-99 [PLG-040-99], November 23, 1999, vol. 44, p. 183; amended by Ord. C-134-99 [PLG-041-99], November 23, 1999, vol. 44, p. 185; amended by Ord. C-124-99 [PLG-030-99], March 6, 2000, vol. 44, p. 326; amended by Ord. C-118-99 [PLG-001-99], March 20, 2000, vol. 44, p. 340; amended by Ord. C-30-00 [PLG-010-00], April 10, 2000, vol. 44, p. 386, amendment to sections 17.03.180.S.1. and 2. effective October 12, 2000 when the October 12, 2000 Growth Management Hearings Board Final Decision and Order, Case Number 98-2-0023c, approved the 5-acre minimum lot size in the Rural (R) Zone; amended by Ord. C-44-00 [PLG-011-00], June 5, 2000, vol. 44, p. 429, readopted June 19, 2000, vol. 44, p. 446; amended by Ord. C-165-01 [PLG-026-01], January 7, 2002, vol. 46, p. 91; amended by Ord. C-163-01 [PLG-024-01], January 7, 2002, vol. 46, p. 87; amended by Ord. C-161-01 [PLG-021-01], January 7, 2002, vol. 46, p. 85; amended by Ord. C-02-02 [PLG-029-01], January 28, 2002, vol. 46, p. 110; amended by Ord. C-59-02 [PLG-011-02], August 12, 2002, vol. 46, p. 292; amended by Ord. C-94-02 [PLG-017-02], December 16, 2002, vol. 46, p. 413; amended by Ord. C-41-04 [PLG-030-03], April 12, 2004, vol. 2004, p. 105; amended by Ord. C-45-04 [PLG-034-03], May 10, 2004, vol. 2004, p. 153; amended by Ord. C-47-04 [PLG-036-03], April 12, 2004, vol. 2004, p. 110; amended by Ord. C-48-04 [PLG-037-03], April 12, 2004, vol. 2004, p. 111; amended by Ord. C-85-05 [PLG-018-04], July 25, 2005, vol. 2005, p. 236; amended by Ord. C-86-05 [PLG-019-04], July 25, 2005, vol. 2005, p. 237; amended by Ord. C-97-06 [PLG-010-06], August 21, 2006, vol. 2006, p. 247; amended by Ord. C-87-07 [PLG-017-07], March 10, 2008, vol. 2008, p. 105; technical amendment made to Ord. C-87-07 by motion of the Board of Island County Commissioners, March 17, 2008, vol. 2008, p. 113; amended by Ord. C-41-09 [PLG-003-09], April 6, 2009, vol. 2009, p. 183; amended by Ord. C-102-09 [PLG-015-09], September 22, 2009, vol. 2009, p. 436; amended by Ord. C-157-09, January 4, 2010, vol. 2010, p. 2; amended by Ord. C-146-12 [PLG-009-12], December 18, 2012, vol. 2012, p. 202)

(Ord. No. C-40-14 [PLG-002-14], Exh. A, 5-5-2014; Ord. No. C-75-14 [PLG-006-14], Exh. E, 9-22-2014; Ord. No. C-43-16 [PLG-002-16], Exh. A, 5-3-2016; Ord. C-140-16 [PLG-012-16], Exh. A, 12-13-2016; Ord. No. C-12-17 [PLG-001-17], Exh. A, 2-7-2017; Ord. No. C-86-17 [PLG-009-17], Exh. A, 8-15-2017; Ord. No. C-86-18 [PLG-005-18], Exh. A, 9-4-2018; Ord. No. C-127-18 [PLG-008-18], Exh. A, 12-11-2018; Ord. No. C-53-19 [PLG-005-19], Exh. A, 6-25-2019; Ord. No. C-93-19 [PLG-011-19], Exh. A, 10-8-2019; Ord. No. C-18-22 [PLG-002-21], Exh. A, 5-3-2022)

Editor's note—Section 17.03.180.1.f "Rural event centers" was clarified by the Code Reviser to correctly delete section 17.03.180.1.f "Rural event centers," and not section 17.03.180.1.g, as set in Ord. No. C-127-18.