Mr. Dearborn's recommendation was to complete review on all items but L; take final action after adoption of Ordinance #C-134-99 and make sure of consistency with C-133-99. The Board agreed it may come back to this item.

Public Testimony Closed.

BOARD DELIBERATION/ACTION

Mr. Dearborn explained that hand written change on A-2 from 20 to 10 was a correction. Turning to Exhibit C, Legislative Intent, page C-3, he suggested that if the Board wanted to make the amendment relating to EDUs and the minimum parcel size, Amendment #3 would need to retain Finding #157 [and appropriate number changes to subsequent amendments to be consistent]. On page C-4 #158, second to the last line referring to classified or designated classified should be capitalized; and the word "charge" should be changed to "change". The 4th Whereas paragraph on the cover ordinance is not necessary.

With regard to C-5, the top of the page, Subsection C, Mr. Roehl had commented and made a statement better reflecting intent and suggested some language: "...that would allow existing forest land owners to retain these lands for forest use". The concern with the land owners that own forest lands classified in the rural forest zone is to try to find ways to ensure they can continue to do what they have been doing, which has primary and secondary benefits to the County, and the purpose of these changes based on the compromises negotiated by the interests in the county are principally to do that.

Commissioner Thorn moved adoption of Amendment No. 1 to Ordinance #C-133-99 confirming change to the section heading 17.03.90 to be changed to 17.03.110, and Rural Agriculture (RA) Zone to be corrected to Rural Forest (RF) Zone. Motion, seconded by Commissioner McDowell, carried unanimously.

Commissioner Thorn moved adoption of Amendment No. 2 to Ordinance #C-133-99. Motion, seconded by Commissioner McDowell, carried unanimously.

Commissioner Thorn moved approval of Amendment No. 3 to Ordinance #C-133-99. Motion, seconded by Commissioner McDowell, carried unanimously.

Commissioner Thorn moved that the Board adopt Amendment #5 to Ordinance #C-133-99, with the following changes:

> **Exhibit A-2** Under Policies A. The number 20 in both places is to be changed to 10, to read: Minimum parcel size is 10 acres. Base density is one dwelling unit per ten acres.
>
> **Exhibit A-3** Item K revised to read as follows: Reclassification from RF to R shall be granted if requested by the Owner when the Owner cannot make reasonable economic use of the Parcel for commercial forestry, considering all relevant factors. Provided, that the determination of whether the Owner can make reasonable economic use of the Parcel for Commercial forestry shall not involve consideration of the personal circumstances of any particular Owner.

Motion, seconded by Commissioner McDowell, carried unanimously.

Board consensus: Amendment No. 4 not adopted.

Commissioner Thorn moved to adopt Exhibit C to Ordinance #C-133-99, PLG-040-99, with the following changes:

> C-3 Finding #157 is to be retained in its entirety and the paragraph numbers following would subsequently be changed
>
> C-4 Finding #158 the word "classified" toward the end of the sentence should be capitalized
>
> C-4 Finding #!60 in the last sentence the word "charge" is to be corrected to "change"
>
> C-5 Finding #161 Item (c) at the top of the page, should read:
> "Given the above, land owners need flexible options that allow existing forest land owners to retain these lands for forest use.".

Motion, seconded by Commissioner McDowell, carried unanimously.

Commissioner Thorn moved that the Board adopt updated changes to the Rural Forest Lands table dated 11/23/99 reflecting the distribution of lands, as a replacement attachment to Exhibit C Findings and Legislative intent as it applies to Ordinance C-133-99, reflecting total number as 13991.69 acres with the other changes that add up to that. Motion, seconded by Commissioner McDowell, carried unanimously.

Commissioner Thorn's motion to adopt Ordinance C-133-99, including change to the cover page of the Ordinance, the first page the 4th whereas paragraph, with amendments, as seconded by Commissioner McDowell , carried unanimously. [GMA doc. #5225]

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

IN THE MATTER OF AMENDING THE COMP PLAN AND DEVELOPMENT REGULATIONS TO COMPLY WITH THE ORDER OF THE WESTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD RELATING TO THE RURAL FOREST ZONE	)	Ordinance C-133-99 PLG-040-99

WHEREAS, various parties filed petitions with the Western Washington Growth Management Hearings Board ("Board") to review Island County's adopted GMA Comprehensive Plan ("Comp Plan") and Development Regulations; and

WHEREAS, the Board entered its Final Decision and Order on June 2, 1999; and

WHEREAS, the Board found that certain provisions of the Earned Development Unit (EDU) section did not comply with the GMA and therefore replacement regulations are needed to govern land use; and

WHEREAS, in 1998, the County completed environmental review under Chapter 43.21C RCW, SEPA, on its Comp Plan and Development Regulations including the Rural Forest Zone as well as the EDU Program; and

WHEREAS, pursuant to WAC 197-11-600, the County SEPA official has determined that the proposed changes to the Comp Plan and Chapter 17.03 ICC to comply with the Order of the Growth Board, relating to the EDU Program are not likely to have significant adverse environmental impacts that were not considered in the environmental documents prepared for the Comp Plan and Development Regulations.

NOW, THEREFORE, BE IT HEREBY ORDAINED in order to comply with the June 2, 1999 Final Decision and Order of the Western Washington Growth Management Hearings Board, the Board of Island County Commissioners hereby adopts the amendments to the Island County Comp Plan (Exhibit A); the Zoning Code, Chapter 17.03 ICC (Exhibit B); and Findings and Legislative Intent (Exhibit C) all attached hereto, relating to the use of Earned Development Units and the Rural Forest Zone. Material stricken through is deleted and material underlined is added.

Reviewed this 18th day of October, 1999 and set for public hearing at 1:30 p.m. on the 8th day of November , 1999.

**BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON**
Mike Shelton, Chairman
Wm. L. McDowell, Member
William F. Thorn, Member

ATTEST: Margaret Rosenkranz
Clerk of the Board BICC 99-589

APPROVED AND ADOPTED as specified in the October 1999 Memorandum from the County's Code Reviser Changes were accomplished on October 25, November 1, and Nov 23, 1999, this 23rd day of November, 1999.

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