WHEREAS, pursuant to WAC 197-11-600, the County SEPA official has determined that the proposed changes to Chapter 17.03 ICC, relating to the incorporation of minimum standards for the development of mobile homes to parcels that are zoned Rural, are not likely to have a significant adverse environmental impact that was not considered in the environmental documents prepared for the Comprehensive Plan and Development Regulations; **NOW, THEREFORE,**

BE IT HEREBY ORDAINED that the Board of Island County Commissioners hereby adopts amendments to Chapter 17.03 ICC, hereto attached as Exhibit A, establishing minimum standards for the development of mobile homes in the Rural Zone. Material stricken through is deleted and material underlined is added.

Reviewed this 3 day of December, 2001 and set for public hearing at 10:45 a.m. on the 7 day of January, 2002.

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

ATTEST:
Elaine Marlow
Clerk of the Board

BICC 01-781

APPROVED AND ADOPTED this 7 day of January, 2002.

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

ATTEST: Elaine Marlow
Clerk of the Board

APPROVED AS TO FORM:
DAVID L. JAMIESON, JR.
Deputy Prosecuting Attorney
& Island County Code Reviser

[Exhibit A placed on file with the Clerk of the Board]

Ordinance #C-164-01 (PLG-025-01) Amending the Island County Zoning Ordinance, Chapter 17.03 ICC to Incorporate Height Variance Standards

A Public Hearing was held on Ordinance #C-164-01/PLG-025-01 Amending the Island County Zoning Ordinance, Chapter 17.03 ICC to Incorporate Height Variance Standards, as advertised, introduced at public meeting on December 3, 2001 and entered as GMA record #7105. Typographical error to be corrected on the first page of the ordinance fourth Whereas paragraph the word "sever" corrected to "severe".

Mr. Tate pointed out that in 1999 as part of the stipulated amendments agreed upon between the County and the Coalition, a height limitation was added for each of the zones. Prior to 1999 there were no height limitations. Property owners want to exceed the height limitations for a number of reasons, one of which is that sometimes the property may be large enough that an increase in height is innocuous and does not affect the surrounding properties or neighborhoods; certain lots depending upon topography and how height is measured some fairly normal residential structures are not able to fit within the 35' height limit. The proposal allows for a variance, described by Mr. Tate to be more of a performance section of code, and would offset what the potential impacts of increasing the height might be, by increasing side yard setbacks. The examples he used were:

> Smaller lots along the shoreline where a view might be the issue, increasing height by a few feet could be offset by increasing side yard setbacks
>
> Larger parcels – building 38' structure in the middle of the property that affects no one – that should be allowed if the owner is willing to increase the side yard setbacks away from adjacent residential structures

He explained that for the table on the last page, for example, "75 foot increased setback on all property lines" was on top of the existing 5'. The Commissioners discussed with staff how the table should be revised to reflect intent, for example, "15' increased setback" be changed to read "20' to all sideyards", etc.

Next, Mr. Bakke explained that the rationale used for 40' was based on the UBC intensely stringent requirements for construction of buildings which exceed 40' in height.

No one in the audience commented either for or against Ordinance #C-164-01 as proposed or with respect to changes discussed.

By unanimous motion, the Board adopted Ordinance #C-164-01/PLG-025-01 Amending the Island County Zoning Ordinance, Chapter 17.03 ICC to Incorporate Height Variance Standards, with the following changes:

Ordinance, first page, fourth Whereas paragraph, change "sever" to "severe".
17.03.210 Variances D.3.(iii) (1) Corrections to sideyard setbacks to read

7 feet to all sideyards
9 feet to all sideyards
11 feet to all sideyards
13 feet to all sideyards
15 feet to all sideyards

17.03.210 Variances D.3.(iii) (2)
First sentence, correct (i) to (1)

Correct the table as follows:

20 foot setback on all property lines
35 foot setback on all property lines
50 foot setback on all property lines
65 foot setback on all property lines
80 foot setback on all property lines .

GMA #7155 as adopted.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF AMENDING THE ISLAND COUNTY ZONING ORDINANCE, CHAPTER 17.03 ICC, TO INCORPORATE HEIGHT VARIANCE STANDARDS	))))	ORDINANCE C-164-01 PLG-025-01

WHEREAS, the application for CPA 051/01 Height Variance Process was requested by the Island County Planning Director to create a process that would allow for the variation of the standard height limitation within each zone. The proposed application was duly docketed for Planning Commission consideration and the Department's required report forwarded to the Planning Commission within the prescribed time period; and

WHEREAS, the Island County Planning Commission held two public hearings on the proposed amendments. The first publicly noticed hearing was held on June 12, 2001 at the Camano Grange Hall located on Camano Island. The second publicly noticed hearing was held on June 19, 2001 in the Commissioner's Hearing Room in Coupeville; and

WHEREAS, during both hearings, Planning and Community Development staff presented to the Planning Commission and the public the proposed height variance standards. Staff explained that the height limitations for each zone were adopted in 1999. Prior to 1999 there were no height limitations prescribed in local land use standards. The purpose of adopting height limitations in each of the zones was to preserve rural character and to control and limit scale and bulk of development; and

WHEREAS, since 1999 a number of development proposals have been presented to the county that required dramatic redesign or were denied because the proposal could not meet the height limitation. Many of these proposals were located upon very large parcels or parcels with severe topographic constraints. The purpose of creating a variance process for height standards is to take into consideration the size of the parcel and the topography of the parcel given the above stated purpose for having a height standard; and

WHEREAS, if a parcel is large enough and the structure is not going to impact the surrounding neighborhood and/or rural character and doesn't impact surrounding views a height variation should be an option for a property owner; and

WHEREAS, allowing an increase in height is preferable over decreasing height and creating a larger structural footprint in order to achieve the desired square footage. An increase in square footage results in a greater amount of impervious surface and can result in a greater degree of scale and bulk which will take away from rural character; and