

RCW 9A.52.010
Definitions.

submitted by Randy Good
Mar, 17 2009

The following definitions apply in this chapter:

(1) "Premises" includes any building, dwelling, structure used for commercial aquaculture, or any real property;

(2) "Enter". The word "enter" when constituting an element or part of a crime, shall include the entrance of the person, or the insertion of any part of his body, or any instrument or weapon held in his hand and used or intended to be used to threaten or intimidate a person or to detach or remove property;

(3) "Enters or remains unlawfully". A person "enters or remains unlawfully" in or upon premises when he is not then licensed, invited, or otherwise privileged to so enter or remain.

A license or privilege to enter or remain in a building which is only partly open to the public is not a license or privilege to enter or remain in that part of a building which is not open to the public. A person who enters or remains upon unimproved and apparently unused land, which is neither fenced nor otherwise enclosed in a manner designed to exclude intruders, does so with license and privilege unless notice against trespass is personally communicated to him by the owner of the land or some other authorized person, or unless notice is given by posting in a conspicuous manner. Land that is used for commercial aquaculture or for growing an agricultural crop or crops, other than timber, is not unimproved and apparently unused land if a crop or any other sign of cultivation is clearly visible or if notice is given by posting in a conspicuous manner. Similarly, a field fenced in any manner is not unimproved and apparently unused land. A license or privilege to enter or remain on improved and apparently used land that is open to the public at particular times, which is neither fenced nor otherwise enclosed in a manner to exclude intruders, is not a license or privilege to enter or remain on the land at other times if notice of prohibited times of entry is posted in a conspicuous manner;

(4) "Data" means a representation of information, knowledge, facts, concepts, or instructions that are being prepared or have been prepared in a formalized manner and are intended for use in a computer;

(5) "Computer program" means an ordered set of data representing coded instructions or statements that when executed by a computer cause the computer to process data;

(6) "Access" means to approach, instruct, communicate with, store data in, retrieve data from, or otherwise make use of any resources of a computer, directly or by electronic means.

[2004 c 69 § 1; 1985 c 289 § 1. Prior: 1984 c 273 § 5; 1984 c 49 § 1; 1975 1st ex.s. c 260 § 9A.52.010.]

Ordinance No. _____

**ADOPTING A MAP AND TEXT RELATING TO
OPEN SPACES AND GREENBELTS**

WHEREAS, RCW 36.70A.110(2) and .160 require each urban growth area (UGA) to include greenbelt and open space areas and cities and counties to identify open space corridors within and between UGAs; and

WHEREAS, the County attempted to meet this criteria by adopting language in its Comprehensive Plan (CP) beginning at p. 4-33 adopted through Ordinance No. 17938 on July 24, 2000; and

WHEREAS, the Friends of Skagit County (FOSC) appealed and argued the County's action before the Western Washington Growth Management Hearings Board (WWGMHB) in Case No.00-2-0046c; and

WHEREAS, the WWGMHB in the February 6, 2001, Final Decision and Order stated that "(t)his generalized discussion in the CP, plus city maps (that do not show greenbelts in unincorporated UGAs) and County parks plan maps (which do not show open space corridors between UGAs), do not adequately meet the requirements of RCW 36.70A.110(2) and .160." And further ordered the County within 180 days to "adopt maps or some other clear mechanism to identify greenbelts and open space areas within UGAs and open space corridors within and between UGAs"; and

WHEREAS, on August 9, 2001, Skagit County staff proposed a draft map and accompanying text for greenbelts and open space areas and open space corridors within and between UGAs; and

WHEREAS, an environmental checklist was completed and a DNS was issued on August 9, 2001; and

WHEREAS, Skagit County followed its public participation requirements in Skagit County Code (SCC) 14.06 and the Skagit County Planning Commission held a public hearing on September 4, 2001, and continued the hearing to September 18, 2001, to take comments on the August 9, 2001, draft, and then deliberated on October 9, 2001; and

WHEREAS, by Recorded Motion dated November 19, 2001, the Planning Commission voted 6-0 to make substantial changes to the August 9, 2001, draft and to forward its recommendation of approval for its October 9, 2001, draft to the Board of County Commissioners; and

WHEREAS, SCC 14.08.080(4) states that if the Planning Commission recommendation is substantially different from that for which public comment was last received and deadlines were imposed by orders of the WWGMHB, the Planning Commission shall forward to the Board of County Commissioners its recommendation without further public comment; and

cc: Code Publishing

WHEREAS, upon receipt of the Planning Commission's recommendation on October 23, 2001, the Board of County Commissioners set and held its own public hearing on both the August 9, 2001, and the October 9, 2001, drafts on November 27, 2001, and deliberated on January 8, 2002; and

WHEREAS, the Board of County Commissioners makes the following findings:

1. The Planning Commission is made up of citizens of Skagit County and a 6-0 vote indicates that there was no support for the August 9, 2001 version; and
2. The Planning Commission findings show that it did an analysis of the County open space corridors and greenbelts; and
3. The Board adopts Planning Commission findings 1-7 and 10-14 from the Planning Commission Recorded Motion, which are renumbered as follows:
 - a. RCW 36.70A.160 states that open space corridors within and between urban growth areas "shall include lands useful for recreation ..." (emphasis added) and the term recreation implies a public use. Therefore, the open space corridors and greenbelts should be limited to only public lands.
 - b. Because corridors and greenbelts have an implied meaning of public access and because dikes are not open for public access, dikes do not qualify as open space corridors and greenbelts.
 - c. That roads within designated Natural Resource Lands (including those that have been put into open space taxation) should not be considered as areas of open space corridors because this would result in numerous roads in resource lands throughout the County being identified as open space corridors. Also, agricultural lands should be kept out of any reference to open space because they are privately owned. Skagit County is virtually an open space county due to the amount of land designated both Rural and Natural Resource Lands since their allowable density can not be more than 1 unit per 10 acres.
 - d. RCW 36.70A.160 does not say that there needs to be a connection of corridors between the UGAs, only a requirement to identify open space corridors within and between UGAs. RCW 36.70A.160 requires only the connection of critical areas.
 - e. To connect the Critical Areas, such as wetlands and riparian streams, within the County would be impossible since there are so many and critical areas are not generally public lands so should not be included

as open space corridors and greenbelts except for the following rivers: Skagit, Samish, Sauk, Suiattle and the Cascade.

- f. Maps identifying floodplain and floodway identify political open spaces and can therefore be included.
 - g. That in light of the September 11, 2001, attack on the USA, we cannot continue planning for trails without giving due consideration to personal safety.
 - h. Cities have done a "beautiful" job with their transportation plans within their UGAs, so the County does not need to consider corridors inside the UGAs.
 - i. Highway 20 from Deception Pass all the way through Skagit County is designated as a scenic and recreational highway and because it is recreational it is considered an open space corridor under RCW 36.70A.160. This highway bisects the County and goes between and in some cases within the following UGAs: Anacortes, Burlington, Sedro Woolley and Concrete.
 - j. Mount Vernon and Burlington have the Skagit River between the two UGAs.
 - k. The Town of LaConner has the Swinomish Channel along its boundary and the Channel intersects Highway 20, which is a scenic and recreational highway and therefore an open space corridor.
 - l. The August 29, 2001, Staff Report and maps were inconsistent with the Planning Commission findings and need to be amended.
4. Although the Board of County Commissioners agrees with the Planning Commission's recommendation relating to the Cascade Trail, it does not agree with Findings (8) and (9) in the Recorded Motion. Instead, the Board adopts the following additional findings relating to its decision not to include the Cascade Trail in the Open Spaces and Greenbelts map:
- a. The Cascade Trail has been the subject of extensive litigation over the last few years regarding several issues. The establishment of the Cascade Trail has generated substantial controversy and ill will among many interested individuals. Various individuals and parties have different opinions over what legal rights the County and abutting property owners have regarding the property that is the subject of the Cascade Trail.
 - b. It would serve no purpose to perpetuate or add to the controversy on that issue by declaring the Cascade Trail to be a public open space and/or greenbelt area in the map at issue.

5. Given the WWGMHB compliance timeline of 180 days, an index of the record due by January 29, 2002, and a compliance hearing set for April 2, 2002, the Board of County Commissioners did not have time to have additional public input to define open space.

NOW, THEREFORE BE IT ORDAINED, that based upon the foregoing findings, the Board of County Commissioners adopts the Planning Commission's October 9, 2001, map proposal and accompanying text for open space corridors and greenbelts contained in Attachment 1 and Attachment 2 respectfully which are attached hereto and incorporated by reference.

In Testimony whereof, we hereunto set our hands and affix the official of our office.

DATED this 28th day of January, 2002.



Don Munks
Don Munks, Chairman

Kenneth A. Dahlstedt
Kenneth A. Dahlstedt, Commissioner

Ted W. Anderson, Commissioner

Attest:

Joanne Giesbrecht
Joanne Giesbrecht, Clerk of the Board
Skagit County Board of Commissioners

Approved:

Kendra Smith
Kendra Smith, Assistant Director
Planning and Permit Center

Approved to form:

John R. Moffat
John R. Moffat, Chief Civil Deputy
Prosecuting Attorney's Office

SKAGIT COUNTY PLANNING COMMISSION RECORDED MOTION

OPEN SPACE CORRIDORS BETWEEN UGAs AND GREENBELTS WITHIN UGAs

WHEREAS, RCW 36.70A.110(2) requires that each Urban Growth Area (UGA) shall include green belts and open space areas, and in 36.70A.160 that open space corridors shall be identified within and between UGAs; and

WHEREAS, Skagit County provided a discussion of open spaces and greenbelts in its Comprehensive Plan and a map depicting Potential Greenbelts and Public open Space Areas Overlay and was appealed by Friends of Skagit County; and

WHEREAS, the Western Washington Growth Management Hearings Board (WWGMHB) in its Final Decision and Order dated February 6, 2001, found the County out of compliance in that the "generalized discussion in the CP, plus city maps (that do not show green belts in unincorporated UGAs) and County parks plan maps (which do not show open space corridors between UGAs), do not adequately meet the requirements of RCW 36.70A.110(2) and .160." The WWGMHB gave the County 180 days to complete this RCW requirement; and

WHEREAS, Skagit County proposed an August 9, 2001, draft map and accompanying text for open space corridors between UGAs and greenbelts within UGAs and circulated a DNS on August 9, 2001; and

WHEREAS, the Planning Commission held a public hearing on September 4, 2001, and continued the hearing to September 18, 2001, to take comments on the August 9, 2001, draft proposal and then deliberated on October 9, 2001; and

WHEREAS, upon deliberating, the Planning Commission made the following findings:

1. RCW 36.70A.160 states that open space corridors within and between urban growth areas "shall include lands useful for recreation..." (emphasis added) and the term recreation implies a public use. Therefore, the open space corridors and greenbelts should be limited to only public lands.
2. Because corridors and greenbelts have an implied meaning of public access and because dikes are not open for public access, dikes do not qualify as open space corridors and greenbelts.
3. That roads within designated Natural Resource Lands (including those that have been put into open space taxation) should not be considered as areas of open space corridors because this would result in numerous roads in resource lands throughout the County being identified as open space corridors. Also, agricultural lands should be kept out of any reference to open space because they are privately owned. Skagit County is virtually an open space county due to the amount of land designated both Rural and Natural Resource Lands since their allowable density can not be more than 1 unit per 10 acres.
4. RCW 36.70A.160 does not say that there needs to be a connection of corridors between the UGAs, only a requirement to identify open space corridors within and between UGAs. RCW 36.70A.160 requires only the connection of critical areas.
5. To connect the Critical Areas, such as wetlands and riparian streams, within the County would be impossible since there are so many and critical areas are not generally public lands so should not be included as open space corridors and greenbelts except for the following rivers; Skagit, Samish, Sauk, Suiattle and the Cascade.

6. Maps identifying floodplain and floodway identify political open spaces and can therefore be included.
7. That in light of the September 11, 2001, attack on the USA we cannot continue planning for trails without giving due consideration to personal safety.
8. That the civil litigator, Mr. Paul Reilly, was not correct in stating that the County had won in the Good et al vs. Skagit County lawsuit (Case No. 45436-6-1) even though the State Court of Appeals found "(a)ny taking that may have occurred in this case, occurred by operation of an act of Congress not by subsequently authorized use by Skagit County," and further stated that "(b)y enacting Section 1247(d) and authorizing state and local agencies or private organizations to develop inactive rail corridors for recreational use, Congress preempted state courts from entertaining a compensation claim arising out of the operation of the Trails Act." Because the litigation is not finished the County has not shown that it has met the requirements of Skagit County Comprehensive Plan Policy 9A-9.3 for the Cascade Trail. This policy states that "Rail corridors should be preserved through the use of rail banking programs after affected property owners and their rights are first adequately and legally addressed."
9. That the "John Moffat Memo" dated October 16, 1992 and attached to Randy Good's comment letter dated August 30, 2001, demonstrates how the County was trying to undermine the landowners in its creation of public trails.
10. Cities have done a "beautiful" job with their transportation plans within their UGAs, so the County does not need to consider corridors inside the UGAs.
11. Highway 20 from Deception Pass all the way through Skagit County is designated as a scenic and recreational highway and because it is recreational it is considered an open space corridor under RCW 36.70A.160. This highway bisects the County and goes between and in some cases within the following UGAs; Anacortes, Burlington, Sedro Woolley and Concrete.
12. Mount Vernon and Burlington have the Skagit River between the two UGAs.
13. The Town of LaConner has the Swinomish Channel along its boundary and the Channel intersects Highway 20, which is a scenic and recreational highway and therefore an open space corridor.
14. The August 29, 2001, Staff Report and maps were inconsistent with the Planning Commission findings and need to be amended.

WHEREAS, the Planning Commission voted 6-0 to amend the proposed open space corridor and greenbelt map and accompanying text to that contained in Attachment 1, and Attachment 2, respectively which are attached hereto and incorporated by reference.

NOW, THEREFORE, the Planning Commission recommends that the Board of County Commissioners amend the August 9, 2001, draft proposed open space corridors and greenbelts map and accompanying text to that attached as Attachment 1 and Attachment 2.

OPEN SPACE CORRIDORS AND GREENBELTS WITHIN AND BETWEEN
URBAN GROWTH AREAS

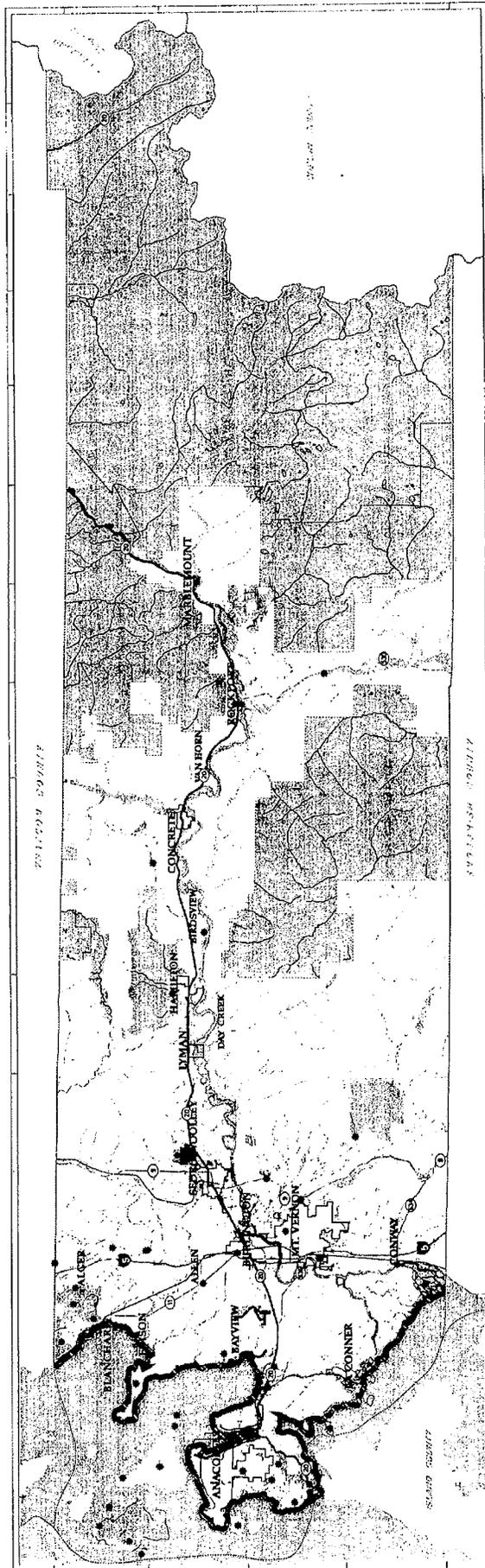
The Growth Management Act (GMA), under RCW 36.70A.110 and 160, requires each county who is required to plan under the GMA to identify open space corridors within and between urban growth areas (UGAs). The open spaces are to include lands useful for recreation, wildlife habitat, trails, and connections of critical areas. In addition, the County adopted its Comprehensive Plan July 27, 2000, which states that open space areas within Skagit County are to include greenbelt corridors, green belts connecting critical areas, lands receiving open space taxation incentives, resource lands, conservation easements, rural open space areas, park lands, and significant historic and archaeological, scenic and cultural lands. Potential greenbelts and open space areas are to be a mix of three categories of open space: (1) Public, (2) Private and (3) Open Space Taxation.

The adoption of the open space and greenbelt corridors within and between UGAs includes a map portfolio comprised of seven countywide maps and each UGA map. The five county maps are as follows: **Map 1** identifies open space corridors such as wild and scenic river portions of the Skagit and Sauk Rivers, Highway 20 open space corridor between Anacortes, Burlington, Sedro Woolley and Concrete UGAs, a trail along Padilla Bay, State and County recreational sites that provide open space nodes throughout the county, lands that are protected open space such as Open Space Areas of Regional/Statewide Importance OSRSI, and the shore lands that are Waters of the State, which include the Skagit, Sauk, Suiattle, Samish and Cascade Rivers. **Map 2** shows agricultural parcels held in open space taxation programs as identified by RCW 84.34 and the Industrial Forest lands. **Map 3** identifies Public Open Space, which includes the OSRSI as well as parcels in current use open space taxation programs. **Map 5** illustrates where the various flood-zones occur, specifically the floodway, which does not allow for development. **Map 6** lists properties that are protected by various agencies and will remain open space. **Map 7** identifies Skagit Conservation Database Consortium of protected properties through various trusts. **Map 8** shows the ownership patterns within the County and illustrates on a general basis how much open space federal and state departments own.

Skagit County is unique in that it is bordered and sectioned by existing open space and open space corridors primarily with natural vegetation and large bodies of water. National Parks, National Forest and National Recreational Areas consume the eastern portion of the county and the western boundary is entirely bordered by the following bays: Samish, Padilla, Fidalgo, Burrows, Similk, and Skagit. There are a total of 683 miles of shorelines in Skagit County.

National Forests, National Parks and Recreation Areas, Wilderness, State Parks and Recreation Areas, along with 15,884 acres of other lands that are public Open Space of Regional/Statewide Importance (OSRSI), total 518,568 acres, which is 47% of Skagit County. The Skagit River has been designated a "Wild and Scenic River" of the State and bisects the County horizontally. The Sauk River has also been designated "Wild and Scenic".

SKAGIT COUNTY PUBLIC/OPEN SPACE AND GREENBELTS

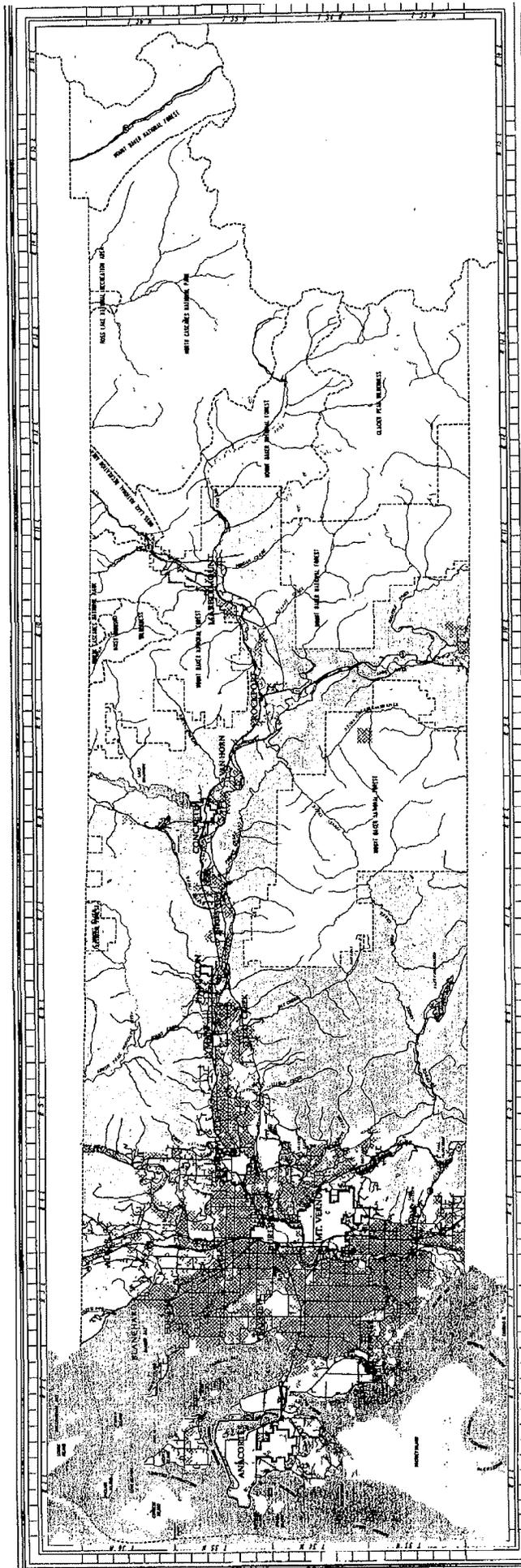


LEGEND

- Public/Open Space
- Greenbelts
- Water
- Highways
- County Boundaries
- British Columbia
- Whatcom County
- Skagit County

Scale: 1 inch = 1 mile

Map Date: 2000



Skagit County
Washington State

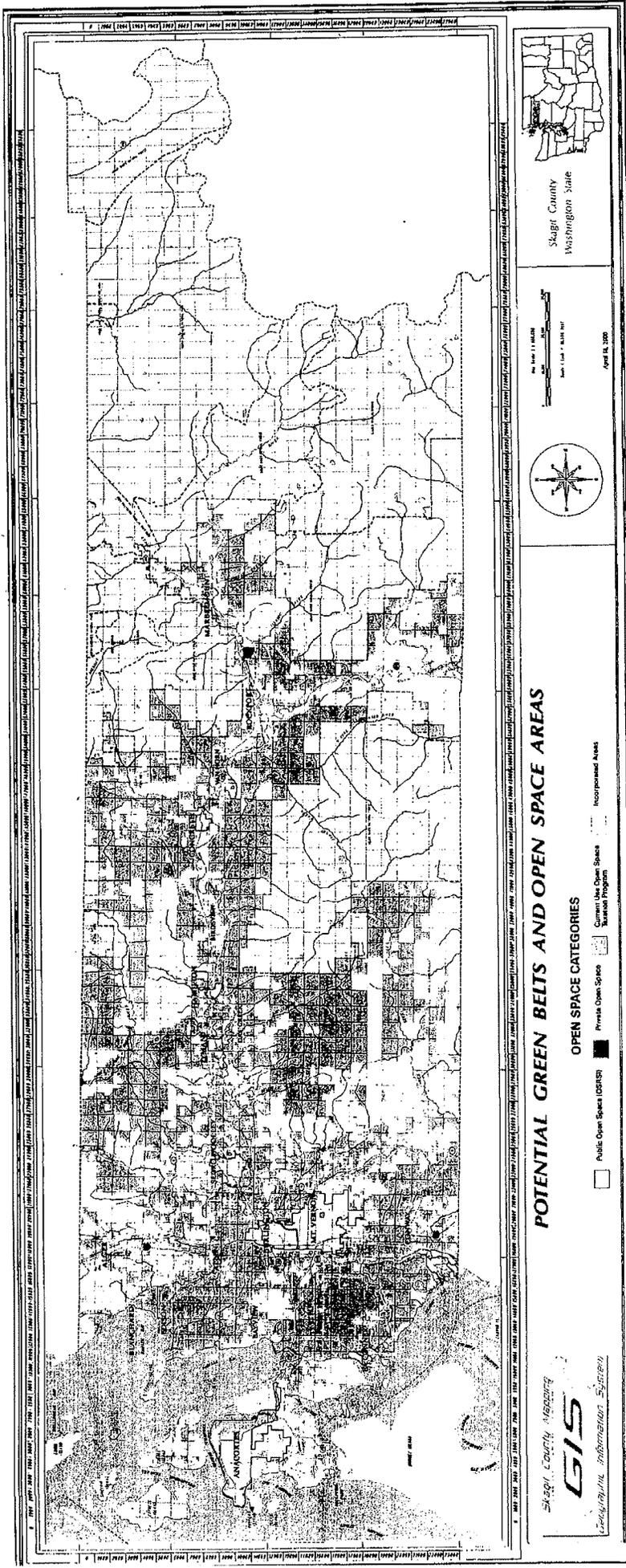
0 1 2 Miles

April 8, 2008

LEGEND

- IAG-MSL Agriculture
- Open Space AG Taxation
- IF-MSL Industrial Forest

Skagit County Mapping
GIS
Geographic Information System



POTENTIAL GREEN BELTS AND OPEN SPACE AREAS

- OPEN SPACE CATEGORIES**
- Public Open Space (DGRSP)
 - Private Open Space
 - Current Use Open Space (Rural/Ag)
 - Incorporated Areas



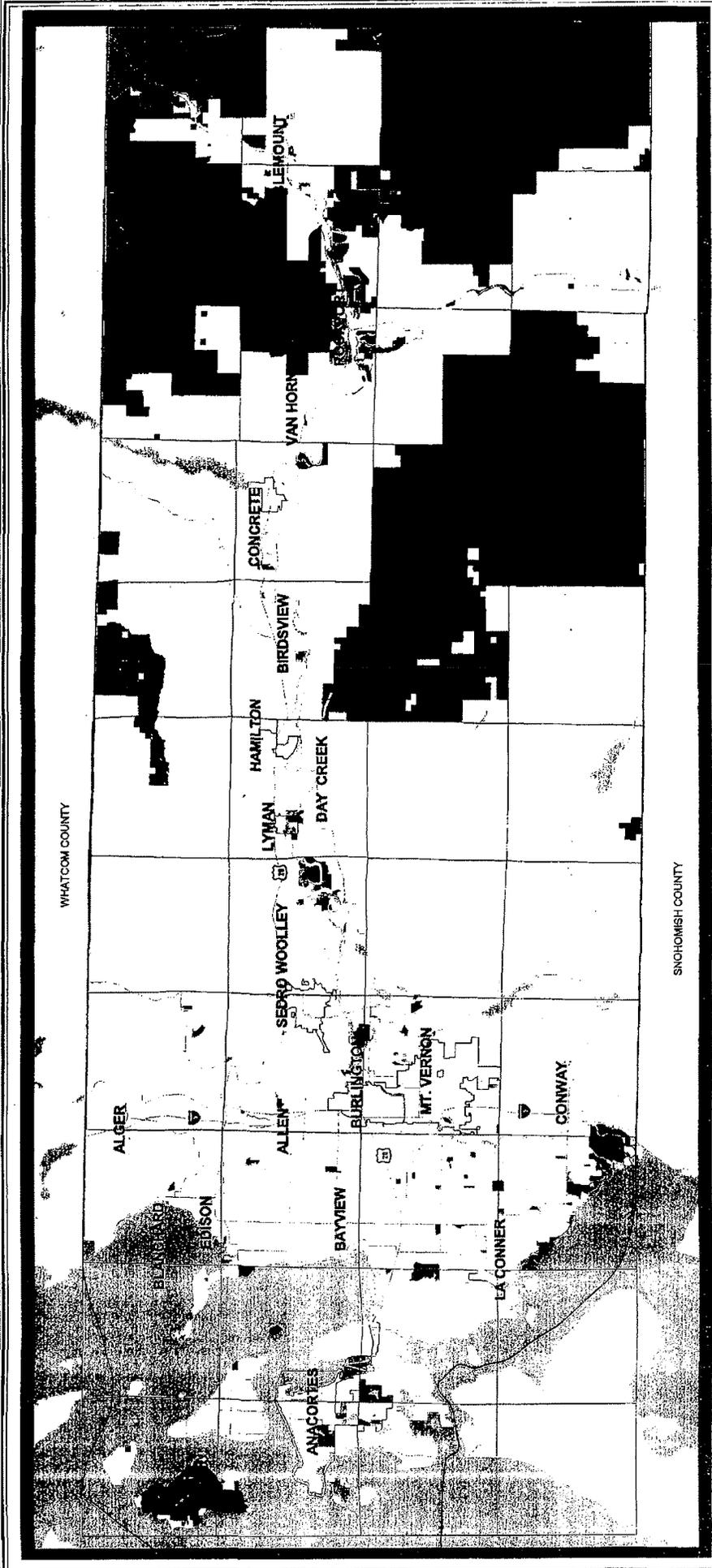
Skagit County
Washington State



April 12, 2005

Skagit County
Map
GIS
Geographical Information Systems

SKAGIT COUNTY
Resolution # R20020036



Protection Organization

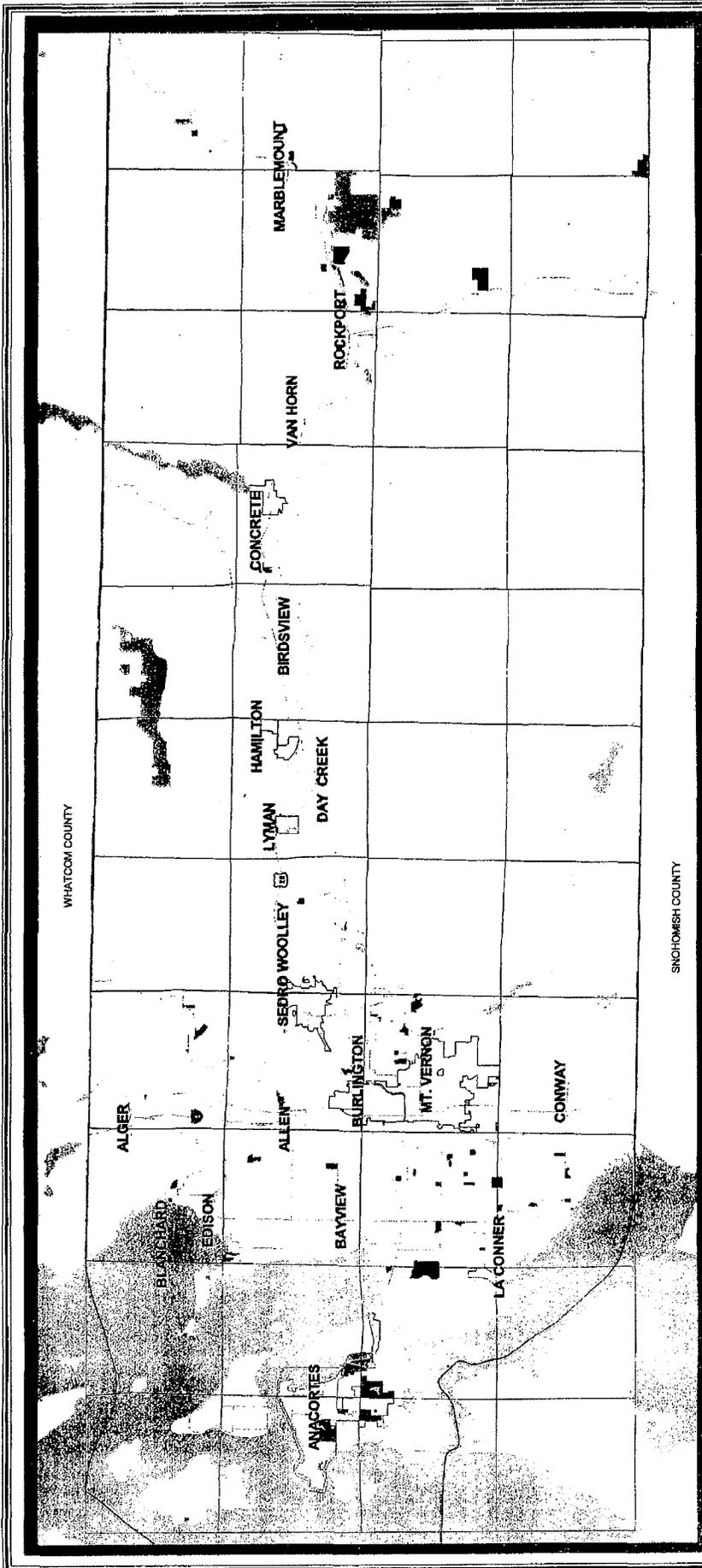
	SCDC project areas		USFS Wilderness
	WA Fish & Wildlife		USFS Non-Harvest
	WA DNR		National Park
	Dept. Ecology		Federal (non-specific)

PROTECTED PROPERTIES



SCDC

0 5 10 Miles



Protection Organization	
	Conservation Futures
	Natural Resources Conservation Service
	Seattle City Light
	Skagit Land Trust
	Skagitians to Preserve Farmland
	The Nature Conservancy
	Whatcom Land Trust

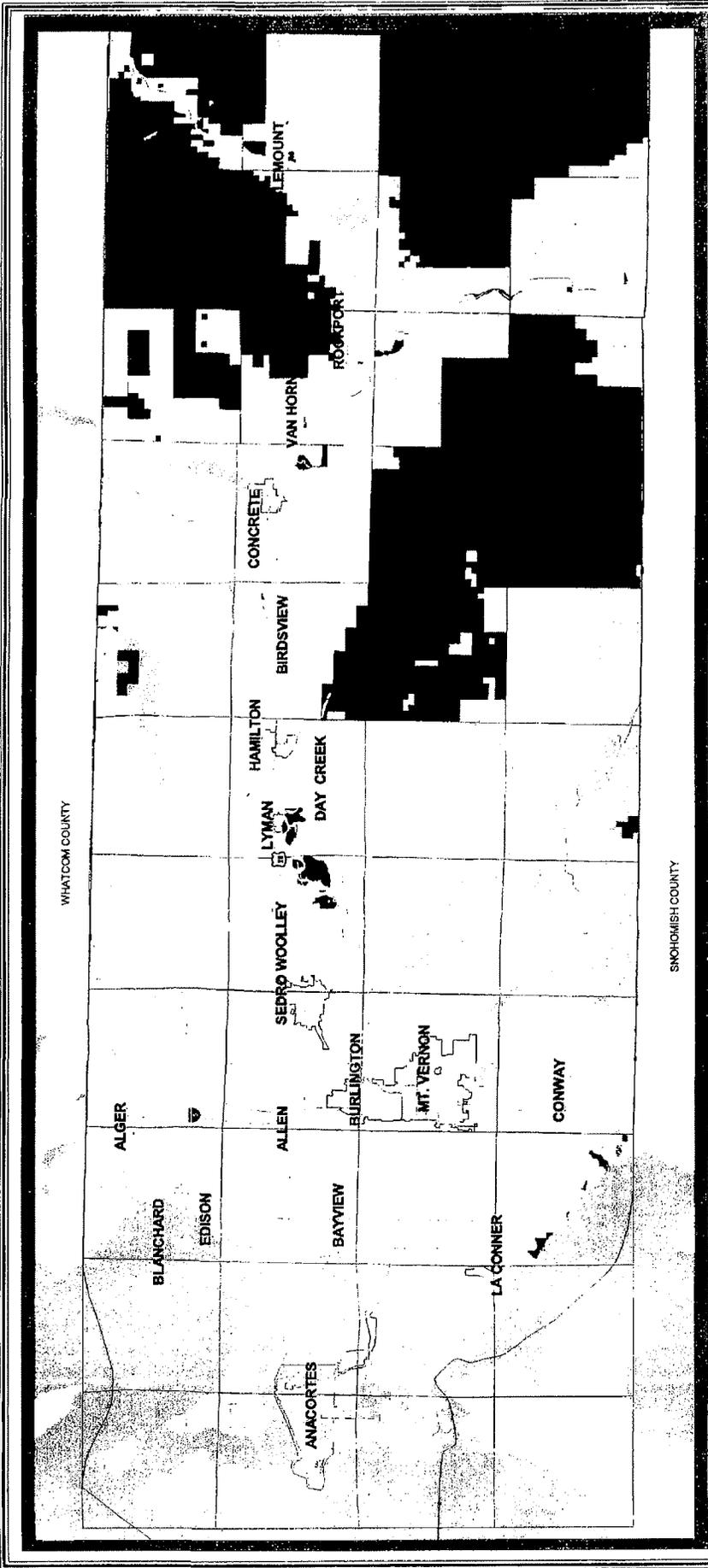
SCDC PROPERTIES

SCDC

0 5 10 Miles



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City	
County	
WA State	
Federal	
Other	

OWNERSHIP



SCDC

0 5 10 Miles

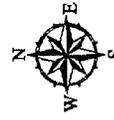


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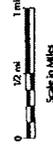
LEGEND

- Urban Growth Area
- Trail Corridors
- Scenic Highway
- HM
- LM1
- Incorporated Area
- Swinomish UGA
- OSRS (Public Open Space of Statewide/Regional Importance)
- IAG-NRLJ Agriculture - NRL
- Open Waters Of The State

The Skagit County Assessor tax lots depicted on this map represent parcel information as of May 30, 2001. For current up to date parcel information please contact the Assessor's Office at 360-835-2200 or on the web at www.skagitcounty.net. Assessor's Office should be consulted.



August 15, 2001

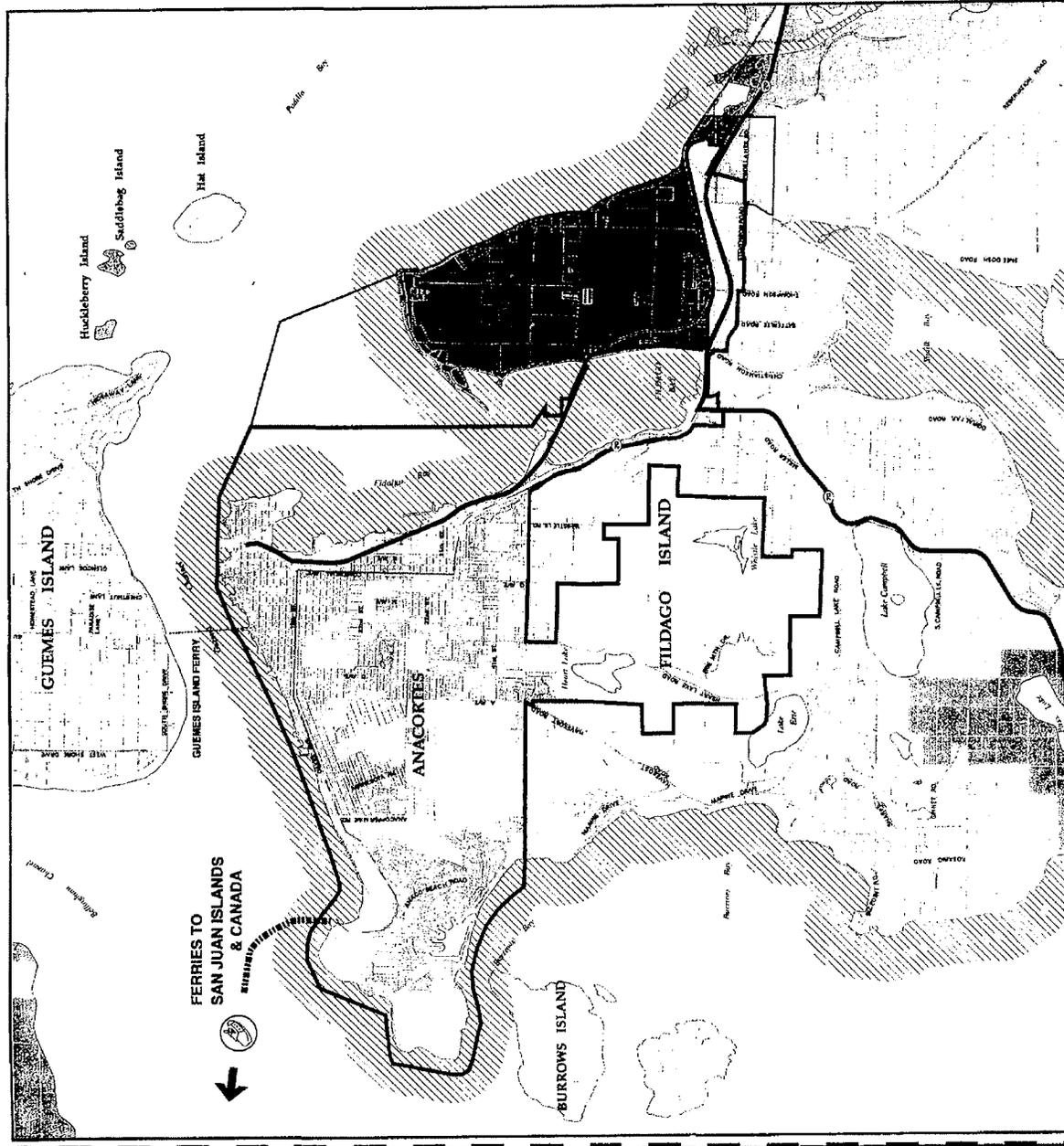


SKAGIT COUNTY
GIS
GIS DIVISION



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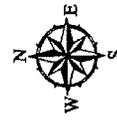
CITY OF ANACORTES
URBAN GROWTH AREA 9



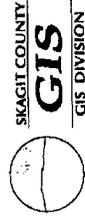
LEGEND

- Urban Growth Area
- Airport Environs Zone
- Trail Corridors (Not to Scale)
- Scenic Highway
- Area Eligible For Heavy Industrial Special Uses
- Bayview Ridge Industrial (BR-I)
- Aviation Related (AVR)
- Port Of Skagit County WIN Open Space
- Port Of Skagit County WIN Wetlands (250 Acres)
- IAQ-NRL Agriculture - NRL

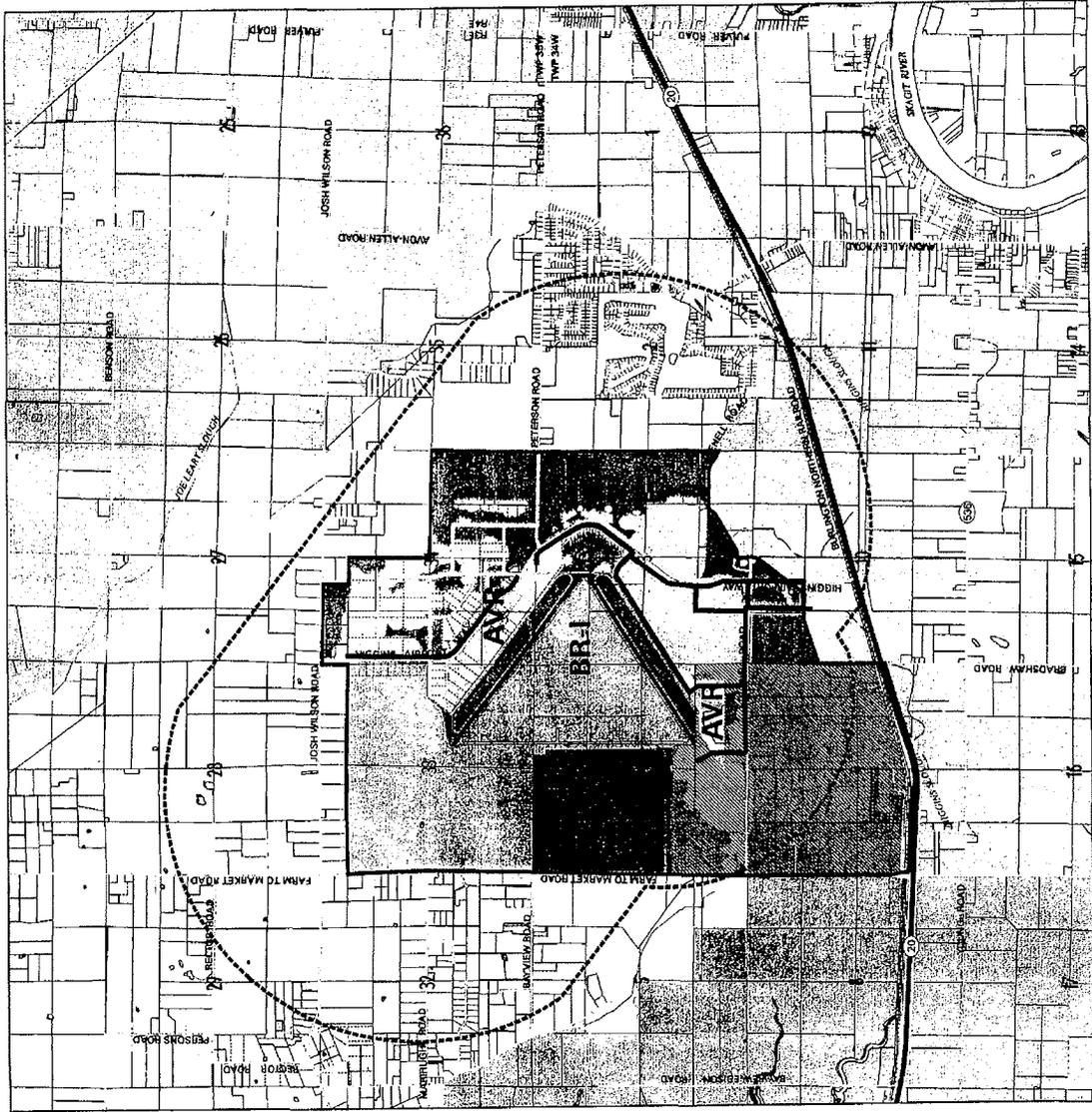
The Skagit County Assessor's tax lots depicted on this map represent parcel boundaries as of 1/29/2002. The map is available on the Skagit County Assessor's office or on the web at www.skagitcounty.net should be consulted.



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BAYVIEW RIDGE URBAN GROWTH AREA 10

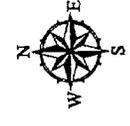


LEGEND

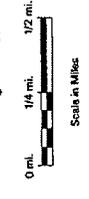
- Urban Growth Area
- Trail Corridors
- Scenic Highway
- Dike Locations
- River Corridor
- Residential *
- C (Commercial District)
- OSPA (Open Space, Parks and Agriculture)
- Incorporated Areas
- [Ag-NRI] Agriculture - NRL

* Residential densities are at a minimum
4 dwelling units per acre and a maximum
lot size of 1/4 acre (10,890 sq. ft.)

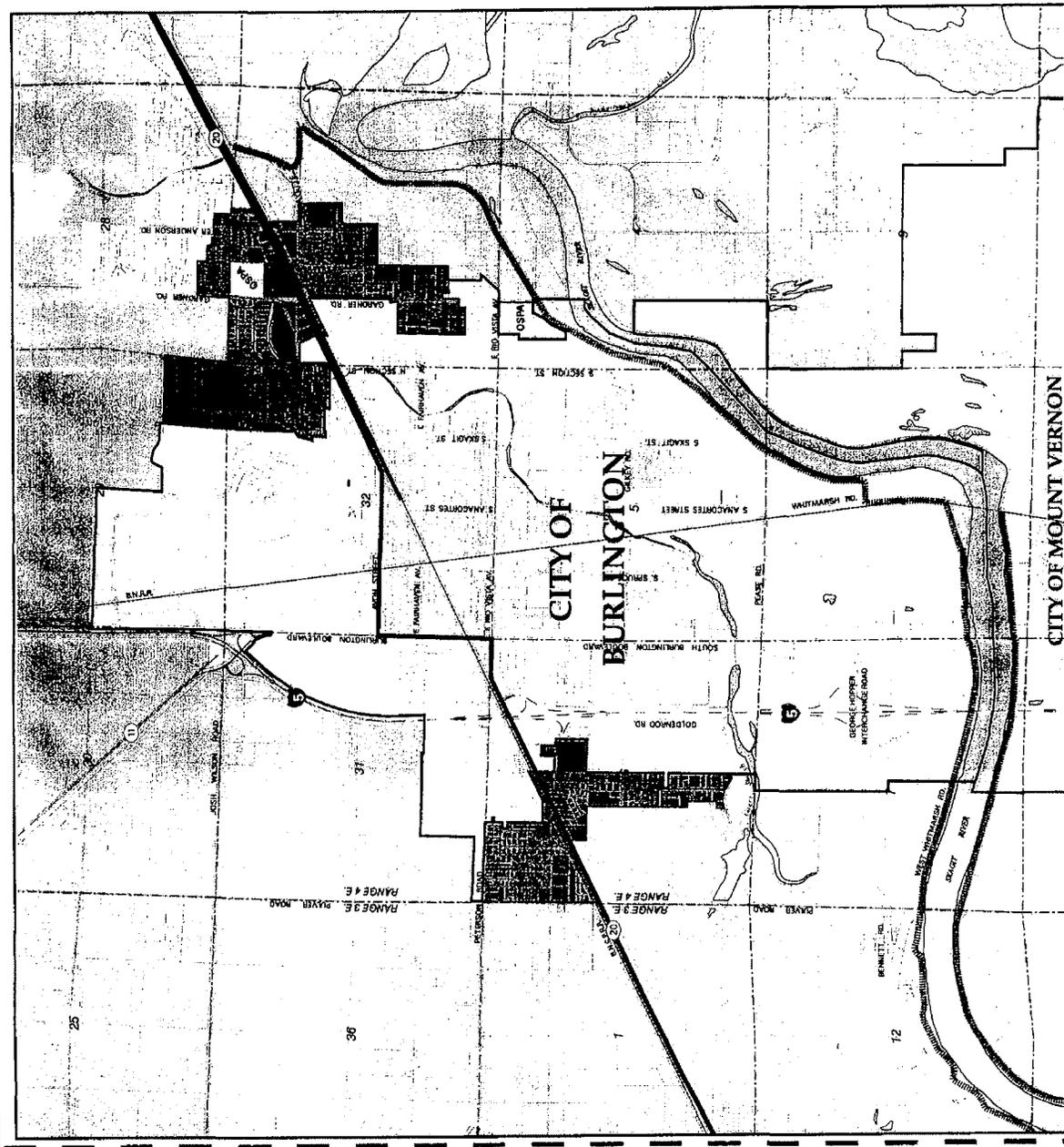
The Skagit County Assessor tax lots depicted on this map represent parcel information as of May 30, 2001. For current up to date parcel information, please contact the Skagit County Assessor's Office or on the web at: www.skagitcounty.net should be consulted.

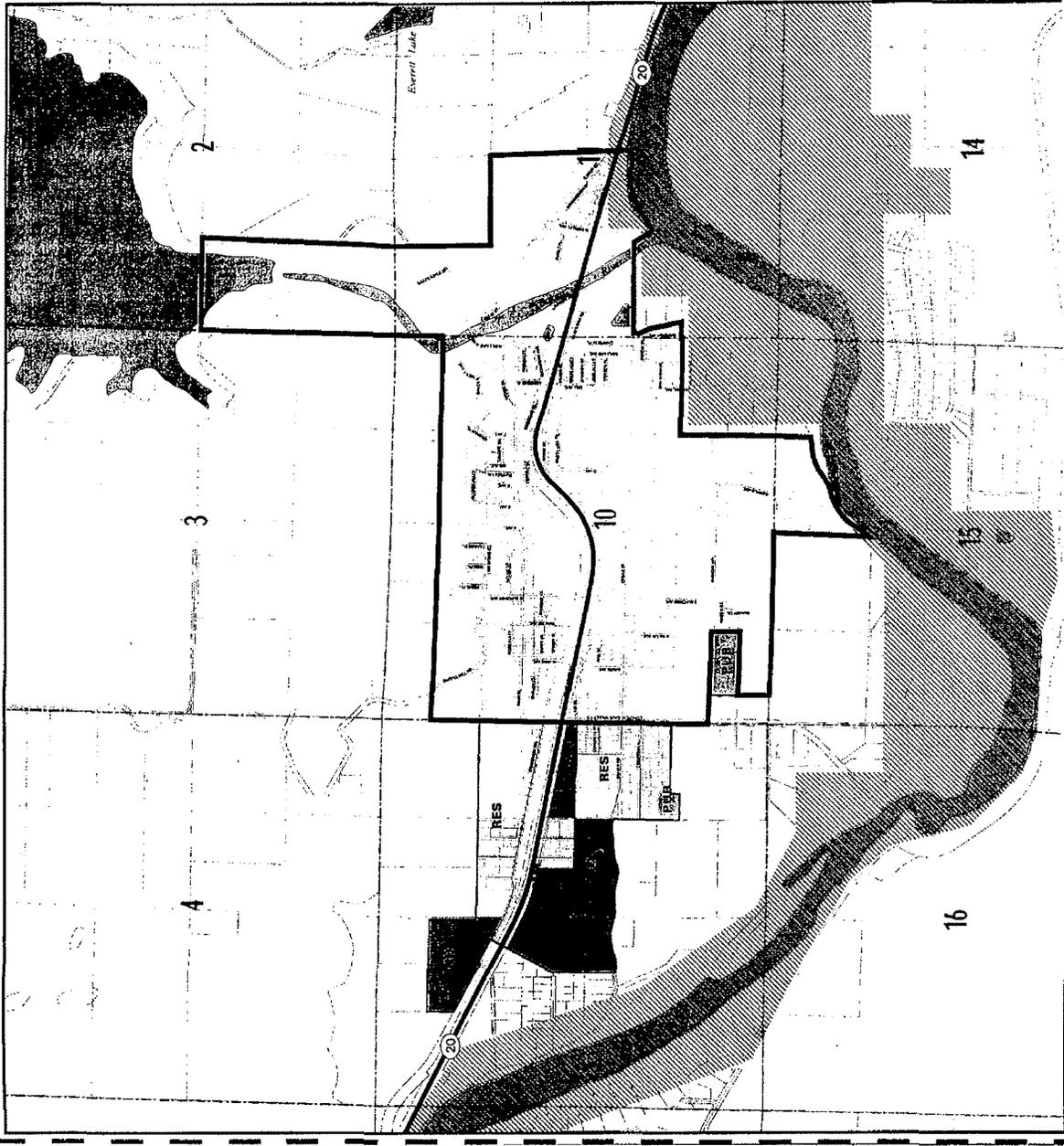


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CITY OF BURLINGTON URBAN GROWTH AREA 11

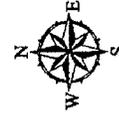




LEGEND

- Urban Growth Area
- Senic Highway
- River Corridor
- RES (Residential)
- PUB (Public)
- COM (Commercial)
- IND (Industrial)
- Incorporated Areas
- Wild And Scenic River Corridor

The Skagit County Assessor has based on this map represent parcel information as of May 30, 2001. For current up to date parcel information the user should consult the Skagit County Assessor office or on the web at <http://www.skagitcounty.net>



August 15, 2001

SKAGIT COUNTY

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0 10 miles 10 mile

Scale in Miles



SKAGIT COUNTY
GIS
GIS DIVISION

16

15

14

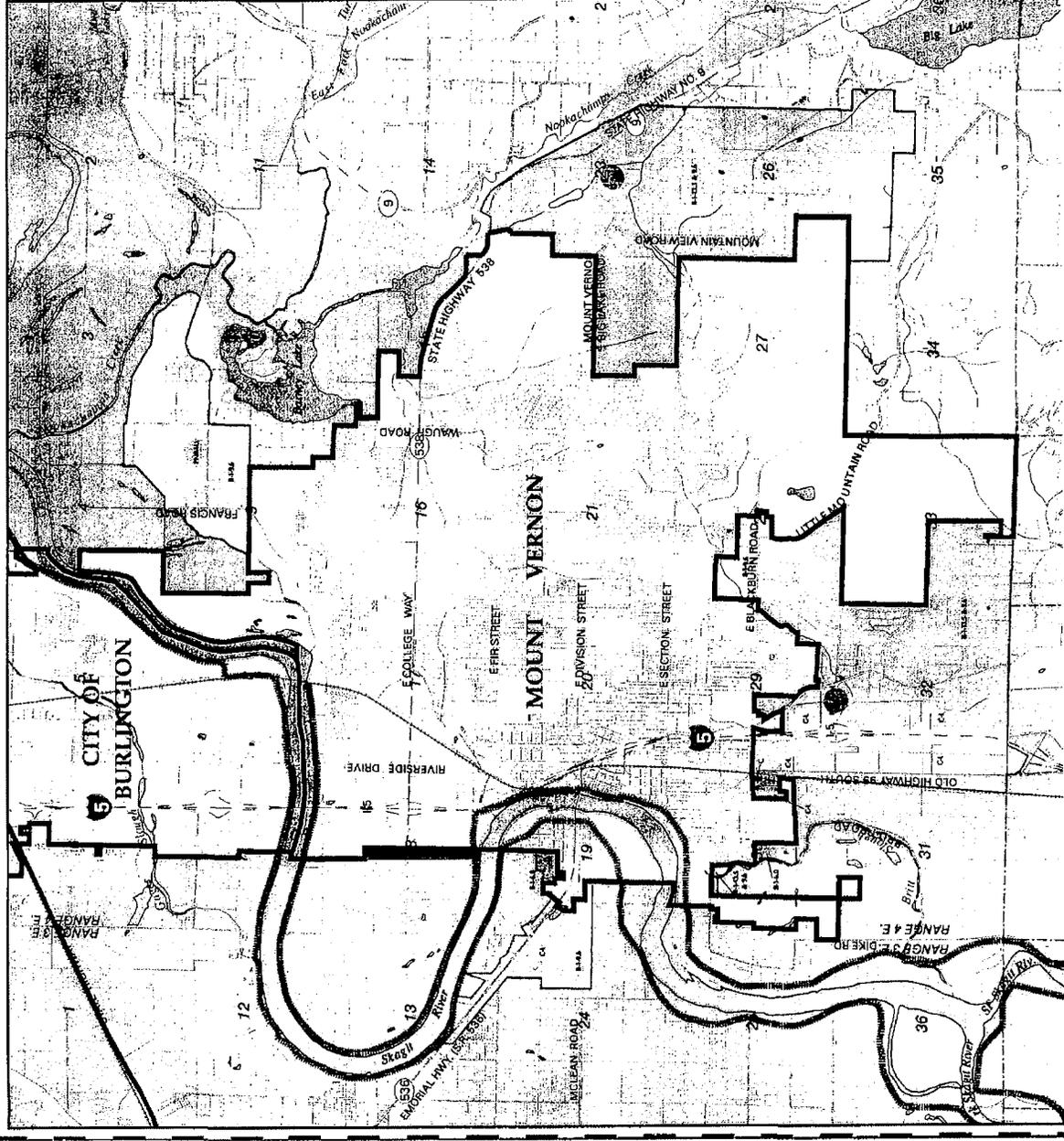
4

3

2

10

TOWN OF CONCRETE
URBAN GROWTH AREA 1 2



LEGEND

- Urban Growth Area
- River Corridor
- Scenic Highway
- Dike Locations
- Commercial / Light Industrial
- Commercial
- Public
- R-1-6.0 *
- Planned Commercial Mixed-Use
- Planned Community Mixed-Use
- Planned Neighborhood Mixed-Use
- R-1-7.6 *
- R-1-9.6 *
- R-1-13.5 & 9.6 *
- Incorporated Areas
- IAG-NRLI Agriculture - NRL

* Residential densities are at a minimum 4 dwelling units per acre and a maximum lot size of 1/4 acre (10,890 sq. ft.)

The Skagit County Assessor has its offices on this map represent parcel information as of May 30, 2001. For current up to date parcel information the maps available in the Skagit County Assessor office or on the web at www.skagitcounty.net should be consulted.



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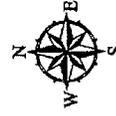


CITY OF MOUNT VERNON URBAN GROWTH AREA 14

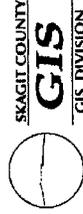
LEGEND

- Urban Growth Area
 - Scenic Ighway
 - River Corridor
 - HI (Heavy/Industrial)
 - OS (Open Space/Agriculture)
 - SF-1 (Single-Family, 5-7 Units Acre)
 - SF-2 (Single-Family, 3-5 Units Acre)
 - Public
 - City
 - (Ag-NRL) Agriculture - NRL
 - Wild And Scenic River Corridor
- * Residential densities are at a minimum 4 dwelling units per acre and a maximum lot size of 1/4 acre (10,890 sq. ft.)

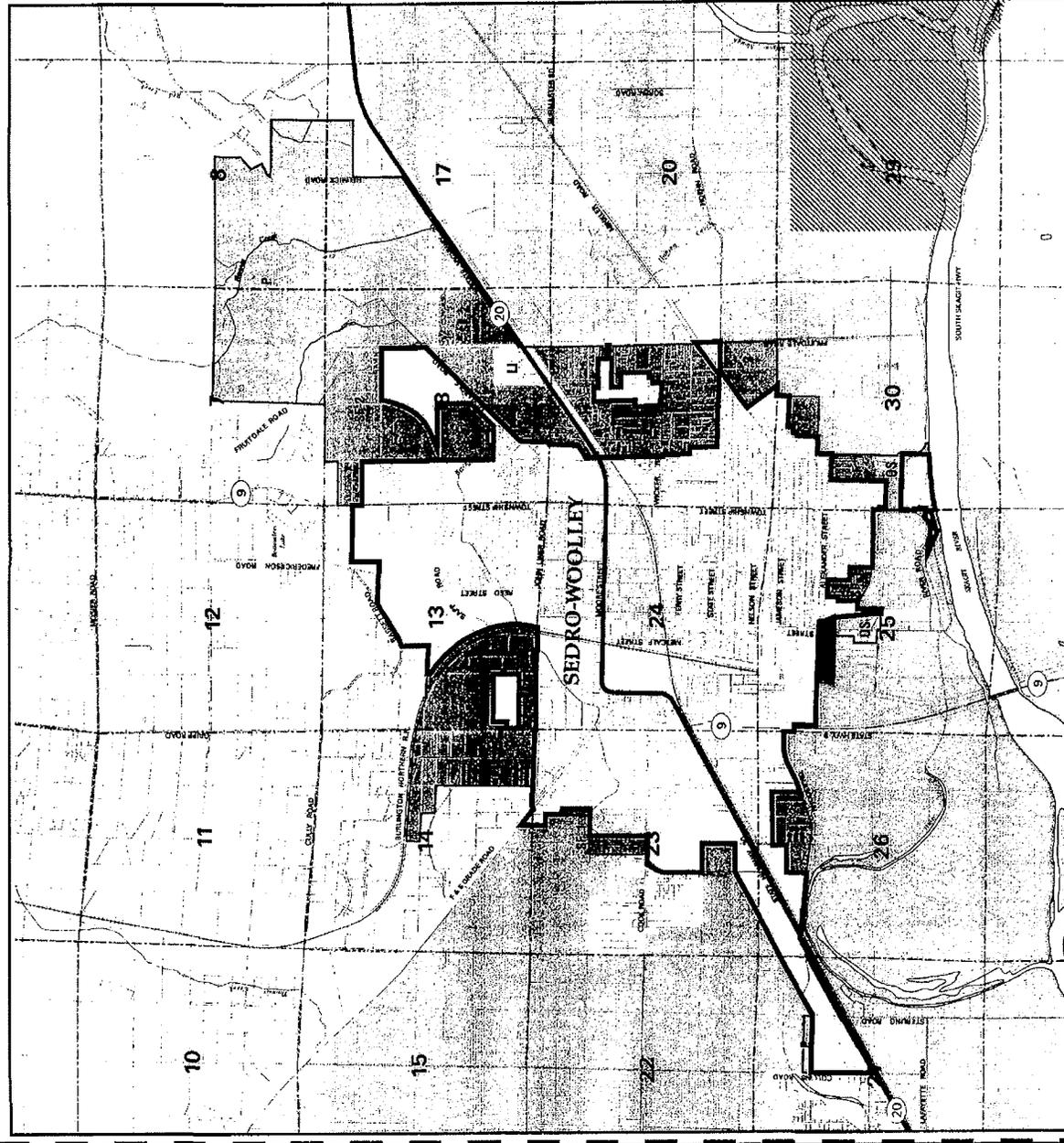
The Skagit County Assessor's tax lots depicted on this map represent parcel information as of May 30, 2001. For current tax lot information, please visit our website at www.skagitcounty.net or call the Assessor's Office at 360-835-2222.



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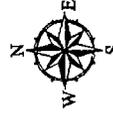
CITY OF SEDRO-WOOLLEY
 URBAN GROWTH AREA 15



LEGEND

-  Urban Growth Area
-  Scenic Highway
-  Commercial
-  Residential
-  Incorporated Area
-  (OSRSII) Public Open Space of Statewide/Regional Importance
-  (Ag-NRL) Agriculture - NRL
-  (SF-NRL) Secondary Forest - NRL
-  Open Waters Of The State

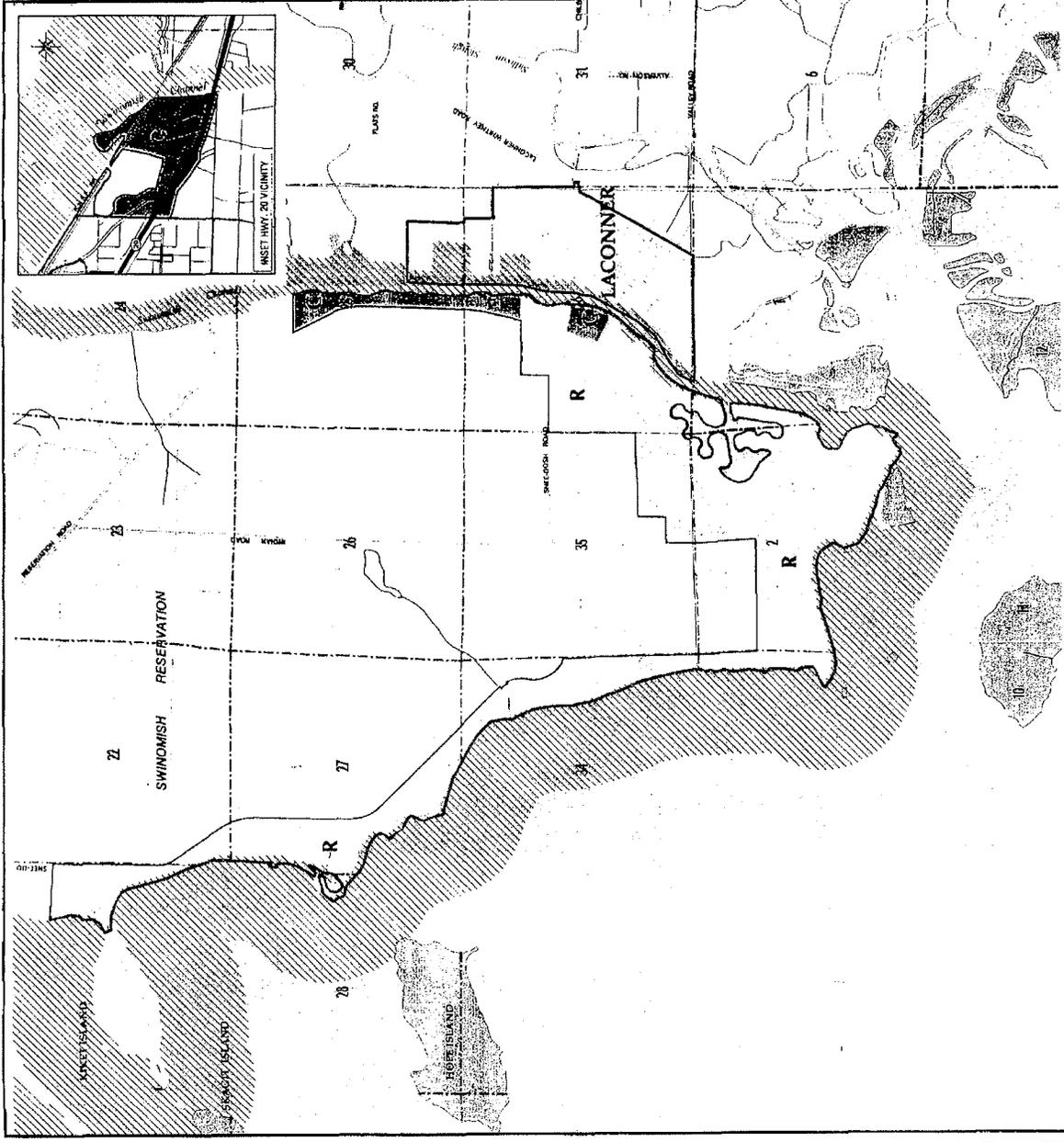
The Skagit County Assessor has tabs depicted on this map represent parcel information as of May 30, 2001. For current up to date parcel information the maps available in the Skagit County Assessor office or on the web at www.skagitcounty.net/assessor/.



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SWINOMISH RESERVATION
URBAN GROWTH AREA 16



OPEN SPACE CORRIDORS AND GREENBELTS WITHIN AND BETWEEN
URBAN GROWTH AREAS

The Growth Management Act (GMA), under RCW 36.70A.110 and 160, requires each county who is required to plan under the GMA to identify open space corridors within and between urban growth areas (UGAs). The open spaces are to include lands useful for recreation, wildlife habitat, trails, and connections of critical areas. In addition, the County adopted its Comprehensive Plan July 27, 2000, which states that open space areas within Skagit County are to include greenbelt corridors, green belts connecting critical areas, lands receiving open space taxation incentives, resource lands, conservation easements, rural open space areas, park lands, and significant historic and archaeological, scenic and cultural lands. Potential greenbelts and open space areas are to be a mix of three categories of open space: (1) Public, (2) Private and (3) Open Space Taxation.

The adoption of the open space and greenbelt corridors within and between UGAs includes a map portfolio comprised of seven countywide maps and each UGA map. The five county maps are as follows: **Map 1** identifies open space corridors such as wild and scenic river portions of the Skagit and Sauk Rivers, Highway 20 open space corridor between Anacortes, Burlington, Sedro Woolley and Concrete UGAs, a trail along Padilla Bay, State and County recreational sites that provide open space nodes throughout the county, lands that are protected open space such as Open Space Areas of Regional/Statewide Importance OSRSI, and the shore lands that are Waters of the State, which include the Skagit, Sauk, Suiattle, Samish and Cascade Rivers. **Map 2** shows agricultural parcels held in open space taxation programs as identified by RCW 84.34 and the Industrial Forest lands. **Map 3** identifies Public Open Space, which includes the OSRSI as well as parcels in current use open space taxation programs. **Map 5** illustrates where the various flood-zones occur, specifically the floodway, which does not allow for development. **Map 6** lists properties that are protected by various agencies and will remain open space. **Map 7** identifies Skagit Conservation Database Consortium of protected properties through various trusts. **Map 8** shows the ownership patterns within the County and illustrates on a general basis how much open space federal and state departments own.

Skagit County is unique in that it is bordered and sectioned by existing open space and open space corridors primarily with natural vegetation and large bodies of water. National Parks, National Forest and National Recreational Areas consume the eastern portion of the county and the western boundary is entirely bordered by the following bays: Samish, Padilla, Fidalgo, Burrows, Similk, and Skagit. There are a total of 683 miles of shorelines in Skagit County.

National Forests, National Parks and Recreation Areas, Wilderness, State Parks and Recreation Areas, along with 15,884 acres of other lands that are public Open Space of Regional/Statewide Importance (OSRSI), total 518,568 acres, which is 47% of Skagit County. The Skagit River has been designated a "Wild and Scenic River" of the State and bisects the County horizontally. The Sauk River has also been designated "Wild and Scenic".

Highway 20 was designated a scenic highway from Deception Pass all of the way east of Marblemount. This highway passes through the Anacortes, Burlington, Sedro Woolley and Concrete UGAs. Scenic highways are designated based on their ability to link alternate routes through towns and cities which are in scenic areas.

ANACORTES OPEN SPACE CORRIDORS:

The City of Anacortes is surrounded on three sides by waters of the State and the State ferry system leaves from the City to both San Juan County (four islands) and to Vancouver Island, B.C. Canada. Half of the acreage within the city limits is either city forestland property, which bisects the City, or city park property providing the City with large open space corridors. Currently, plans are well advanced for a cross-island trail between the Anacortes ferry terminal, the City forestlands and Deception Pass State Park. Four miles of former Burlington Northern Railroad corridor now belongs to the City and provides a corridor from Guemes Channel to March Point, much of which is directly adjacent to Fidalgo Bay.

BAYVIEW UGA OPEN SPACE CORRIDORS:

The UGA is currently undergoing a sub-area planning effort. The southern boundary is along Highway 20 between Burlington and Anacortes and this UGA has the Port of Skagit County within its boundaries. The Port has identified 250 acres of wetlands, 202 acres in buffers and 684 acres of open space. The Port property also has numerous greenbelt corridors and trails running throughout.

BURLINGTON OPEN SPACE CORRIDORS:

Within the Burlington UGA the City has identified three open space corridors. The first is the Skagit Riverfront, most of which is either in or planned for public ownership and all of which falls within critical area designation. This major corridor also links the Burlington UGA with the Mount Vernon UGA. The second is Gages Slough corridor, part is planned for public ownership and access and the balance is under habitat restoration and flood hazard mitigation. Again this also falls under critical area protection and results in a linear corridor through the City. The third corridor surrounds the City and is comprised of Agricultural Lands of long-term commercial significance. They have a residential density of 1 dwelling unit per 40 acres.

CONCRETE UGA OPEN SPACE CORRIDORS:

Highway 20 links Sedro-Woolley to the Concrete UGA. The southern boundary is the Skagit River and the Baker River on the eastern side links Lake Shannon to the Skagit River. These will remain in open space greenbelts protected by the critical area ordinance.

MOUNT VERNON OPEN SPACE CORRIDORS:

The City of Mount Vernon is surrounded on three sides by Agricultural Lands of long-term commercial significance with a density limit of 1 dwelling unit per 40 acres. The northern and western borders have the Skagit River, which is protected under critical areas. The City has 2,050 acres of wetlands and 249 acres in stream corridors throughout

the city limits. These open spaces are protected under critical area regulations and provide open space corridors within the UGA.

LA CONNER OPEN SPACE CORRIDORS:

LaConner is surrounded by Ag-NRL on two sides, the Swinomish Channel on the east side and McGlenn Island to the south. An open space corridor runs from the UGA to another open space corridor linking two other UGAs.

SEDRO-WOOLLEY OPEN SPACE CORRIDORS:

The Skagit River corridor runs along the southern portion of the UGA limits with a major city park connecting the river. Sedro-Woolley is bordered by Agricultural Lands of long-term commercial significance on its other sides and has a regional recreational facility, Northern State, within and adjoining the northeastern portion of the UGA. Both east and west UGAs boundaries are linked to the greenbelt corridors running all the way to the next adjacent UGAs (Lyman and Burlington respectfully). Highway 20 extends from Sedro-Woolley to Concrete providing an open space corridor. Hanson Creek, Brickyard Creek and Wollard Creek bisect the UGA leaving protected open space corridors within the UGAs.

SWINOMISH UGA OPEN SPACE CORRIDORS:

This UGA is completely bounded by water, the Swinomish Channel, Turners Bay, and Padilla Bay. The open space corridor extending between Anacortes and Mount Vernon passes through the top portion of this UGA. McGlenn Island is an open space designation southwest of the UGA and the rest is surrounded by forest resource lands.