



PLANNING & DEVELOPMENT SERVICES

GARY R. CHRISTENSEN, AICP, DIRECTOR

BILL DOWE, DEPUTY DIRECTOR

PATTI CHAMBERS
Administrative Coordinator

TIM DEVRIES, CBO, ACO
Building Official & Floodplain Manager

MEMORANDUM

To: Skagit County Planning Commission
From: Planning and Development Services Staff
Date: August 26, 2011
Re: 2011 Annual Code Amendments V .2

Pursuant to the Planning Commission's recommendation and the Board's instruction, the Department has released a second set of 2011 annual code amendments to address two issues not resolved with the code amendments processed and adopted earlier this year.

Background

With ordinance O20110007, adopted May 24, 2011, the Department completed processing of approximately 90 code amendments. The ordinance included amendments to school siting criteria in the Bayview Ridge UGA to allow schools buildings to exceed current size and height limits placed on other uses. Also included was a process and approval criteria for land division extension requests.

During the Planning Commission review of the code amendments, a request was made by the Burlington-Edison School District (BESD) to make additional changes relating to school siting. The Planning Commission recommended that BESDs additional issues be taken up through a separate process during late summer/early fall. The Board of County Commissioners agreed with the Planning Commission and instructed the Department to develop additional code amendments addressing BESDs issues. The Planning Commission also recommended additional work on the land division extension provision. Specifically, the Planning Commission wished to consider extension opportunities beyond the adopted one-year, one-time allowance.

BESD was contacted for their early review of the proposed amendments addressing their concerns. Upon review of the code amendments BESD responded to the Department with a letter indicating that they "are comfortable" with the proposal. In that same letter, however, the District requested 2 additional code amendments as well as responses to 2 implementation concerns.

The Department has release code amendments for public comment and Planning Commission consideration relating to the above issues as well as one minor, house-keeping change proposed by the Department.

Proposed Code Amendments

1. BESD is proposing an amendment to the Airport Environs Overlay chapter, specifically, SCC 14.16.210 Table 1, Safety Zone 6, for consistency with the language change relating to open space discussed in (1)(b) above.

Department Analysis: This change accomplishes regulatory consistency and is recommended for adoption.

2. The School District is proposing changes to the Bayview Ridge Residential zoning district SCC 14.16.340(4)(f) and (5)(e) related to school siting.
 - a) Remove requirements that schools and churches be ‘sited as close to the outer edge of [airport safety] zone 6 as possible.
 - b) Amend open space language to require ‘25% permanent open’ space rather than ‘include or abut permanent open space.’
 - c) Add language to allow schools to exceed the 40’ height limit. New language providing a 55’ height limit for schools with statement of support from the Port.

Department Analysis: Both the existing language and proposed language are consistent with the governing Comprehensive Plan policies for the Bayview Ridge Subarea Plan UGA. The proposed language comport with previous changes made to the BR-CC zoning district.

3. BESD is proposing an amendment to the Bayview Ridge Residential zoning district requirements to exempt non-residential development from any future Planned Unit Development (PUD) ordinance.

Department Analysis: The Department does not recommend adoption of this proposal at this time. As the PUD ordinance is developed stakeholders will have opportunities to participate in the process to help shape the requirements. The PUD ordinance will go through a broader public participation process and vetting prior to adoption which would serve as a more thorough review and appropriate time for any related changes. If a change is adopted the Department would recommend “Option B” as it is more narrowly focused. If the language shown in Option A is adopted, all non-residential development would potentially be exempt from the future PUD requirements. Non-residential uses in the BR-R zone include but are not limited to golf courses, kennels, and churches. Incorporation of the PUD requirements in the design and construction of all development at Bayview Ridge will be necessary to successfully implement the goals and policies identified for that community.

4. The Department is proposing a revision to the sign regulations SCC 14.16.820 to remove an outdated reference to the 2003 International Building Code (IBC) to be replaced with a reference to the 2009 IBC which is currently in use by the Department.

Department Analysis: This change assures regulatory consistency and is recommended for adoption.

5. The Planning Commission is proposing a revision to the Land Division chapter relating to extension opportunities for preliminary subdivisions. Recently a one time, one year extension provision was added to SCC 14.18.100. Additional extension options proposed by the Planning Commission include:
 - a) a two year, one time extension
 - b) a three year, one time extension
 - c) a one year, renewable extension (with or without a limit for the number of renewals allowed)
 - d) a one year, renewable extension granted only to existing applications (not applicable to future applications)

Department Analysis: As this provision is wholly discretionary, any of the four options could be implemented. If option (c) or (d) is selected, the Department would recommend a finite limit on the

number of renewals allowed in order to provide a reasonable timeline for project completion. Currently, long subdivisions (5 or more lots) with preliminary approval are vested for 7 years per state statute with an additional 1 year extension provided by existing Skagit County Code allowing a total of 8 years for the completion of work required for final plat approval. The additional extension options would increase the vesting time of a project to 9, 10 or more years depending on the option selected.

6. BESD has expressed concern with the implementation of SCC 14.16.210 as it relates to the siting of school related uses such as drive lanes, playfields and playfield equipment.

Department Analysis: No specific code amendment is suggested for this issue. The Department has consulted with the Port of Skagit County and requested a response. Once discussions with the Port have concluded, the Department will respond to BESD as to the application of the code to their proposed uses.