



PLANNING & DEVELOPMENT SERVICES

DALE PERNULA, AICP, DIRECTOR

JACK MOORE, CBCO, BUILDING OFFICIAL

MEMORANDUM

To: Board of County Commissioners
From: Planning and Development Services
Date: November 21, 2014
Re: 2014 Comprehensive Plan Amendments (CPAs) Docket Process

Planning and Development Services (the Department) received one timely application in the 2014 Comprehensive Plan Amendment (CPA) cycle from a landowner/business owner proposing to redesignate an approximate 12 acre parcel to Small-Scale Recreation and Tourism, or as an alternative, Small-Scale Business. In addition, a 2013 CPA docketed item from the City of Sedro Woolley to amend the Skagit County Comprehensive Plan Land Use and Zoning map by modifying a city urban growth area boundary is being carried forward while supplemental information is being prepared. Those proposals are hereinafter referred to as:

- NC-1 City of Sedro Woolley, urban growth area boundary comprehensive plan map amendment proposal (PL13-0299) (Continuance); and
- NC-2 Wilfred Voight, redesignate an approximate 12 acre parcel from Rural Reserve (RRv) to Small-Scale Recreation and Tourism (SRT), or as an alternative, Small-Scale Business (SSB) (PL12-0268) (New)

The Department is also proposing a county-initiated comprehensive plan program, policy and code amendment:

- C-1 Proposal to amend the Skagit County Comprehensive Plan to incorporate Transfer of Development Rights (TDR) program goals, objectives and policies; and, establish Skagit County Code implementing measures (New)

This memorandum includes a review of the docketing process and brief summaries of each proposal.

The Skagit County Board of Commissioners (BCC) will hold a public hearing on Monday, December 15, 2014, beginning at 11:00 am, to receive public testimony and written correspondence on whether to docket each of the various above referenced proposals. Written correspondence will be allowed until 4:30 pm, Wednesday, December 17, 2014. The BCC will deliberate and take action on the 2014 Comprehensive Plan Amendments (CPAs) Docket on Tuesday, December 23, 2014, at 8:30 am.

The Department will forward its docketing recommendations to the BCC and to applicants on Tuesday, December 2, 2014. Information will be posted on the Department website.

Docketing Criteria and Process: Pursuant to SCC 14.08.030(3), the Department must consider the following criteria when making its docketing recommendations to the BCC:

- ✓ Whether the proposed amendment, in light of all proposed amendments being considered for inclusion in the year's docket, can be reasonably reviewed within the staffing and operational budget allocated to the Department by the BCC;
- ✓ Whether the proposed amendment, to be adopted, would require additional amendments to the Comprehensive Plan or development regulations that are not addressed in the petitioner's application, and is consistent with other goals, objectives and policies adopted by the BCC;
- ✓ Whether the proposed amendment raises policy, land-use, or scheduling issues that would more appropriately be addressed as part of an ongoing or planned work program, or as part of a regular review cycle; or
- ✓ Whether the proposed amendment contains some legal or procedural flaw that would prevent its legal implementation.
- ✓ Whether the proposed amendment conforms to the submittal requirements of SCC 14.08, Legislative Actions, and other applicable provisions of Skagit County Code.

The Department then forwards its recommendations to the BCC and applicants as to which of the CPA requests it recommends should be "docketed," or listed to receive further consideration through public, agency and environmental review, hearings, and possible adoption by the BCC.

The BCC shall hold a public hearing to allow applicants and the general public to comment on the amendment proposals and the Department's recommendations. During a subsequent public meeting, the BCC shall consider applicant and public testimony and the Department's recommendation and decide which petitions will be reviewed further as part of the annual amendment cycle.

If the BCC finds that one or more amendment requests is unsuitable for docketing in the current comprehensive plan amendment cycle, it may remove those requests from the docket. Upon the BCC's approval, a portion of the application fees may be refunded to the appropriate applicants.¹

A decision by the BCC to include a proposed amendment in the current year's docket is procedural only and does not constitute a decision as to whether the amendment will ultimately be approved. Similarly, a decision by the BCC to deny further review of a petition terminates that petition without prejudice to the applicant or the proposal. The applicant may request a refund of the unused portion of any application fees, and may request the same or similar amendment be considered as part of a future amendment or review cycle.

The Department will forward additional materials from the amendment applications to the BCC prior to its public hearing.

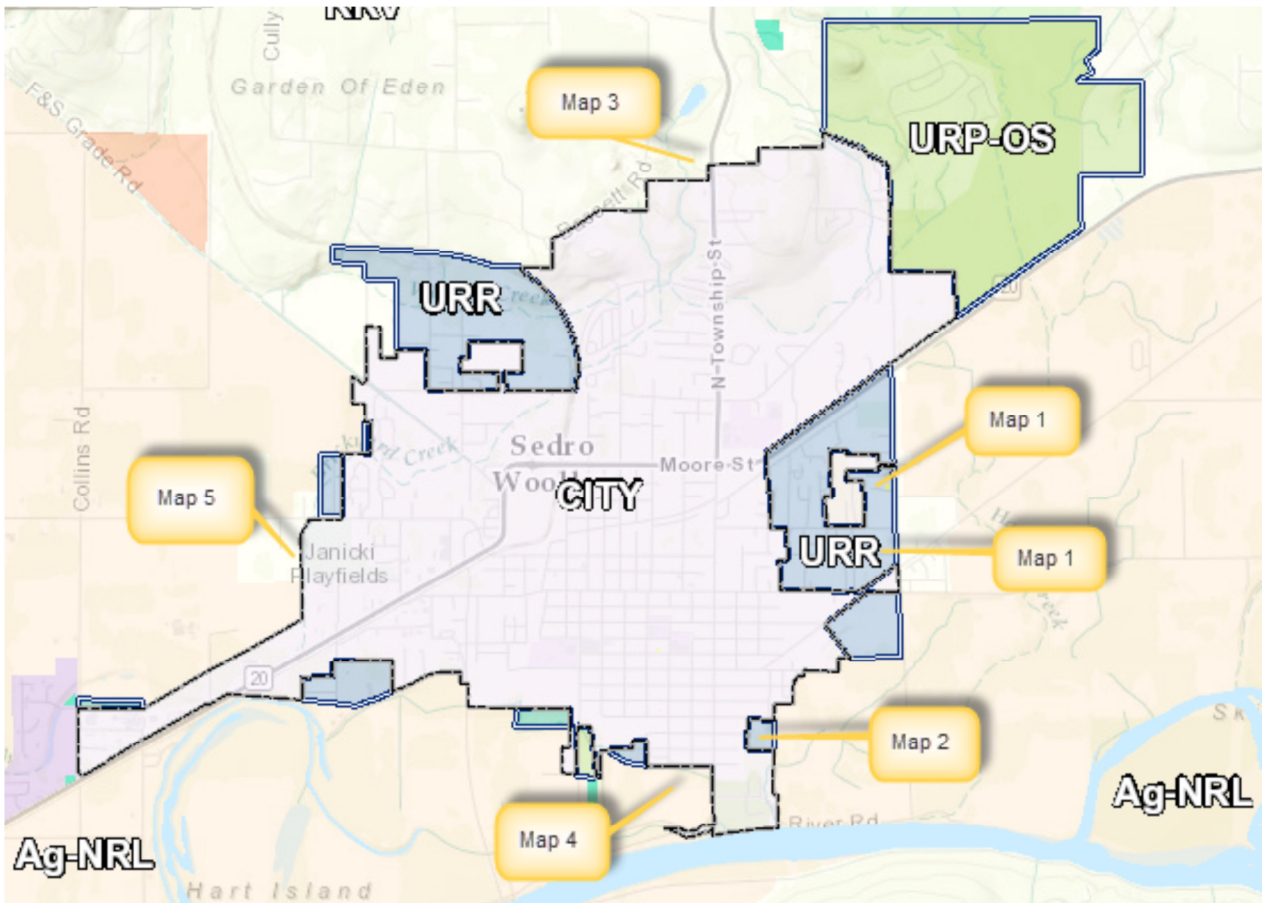
¹ Up to 80% of the application fee may be refunded per SCC 14.08.030(4)(b) and Resolution R20040311, or as amended.

Non-County, Initiated Amendment Requests

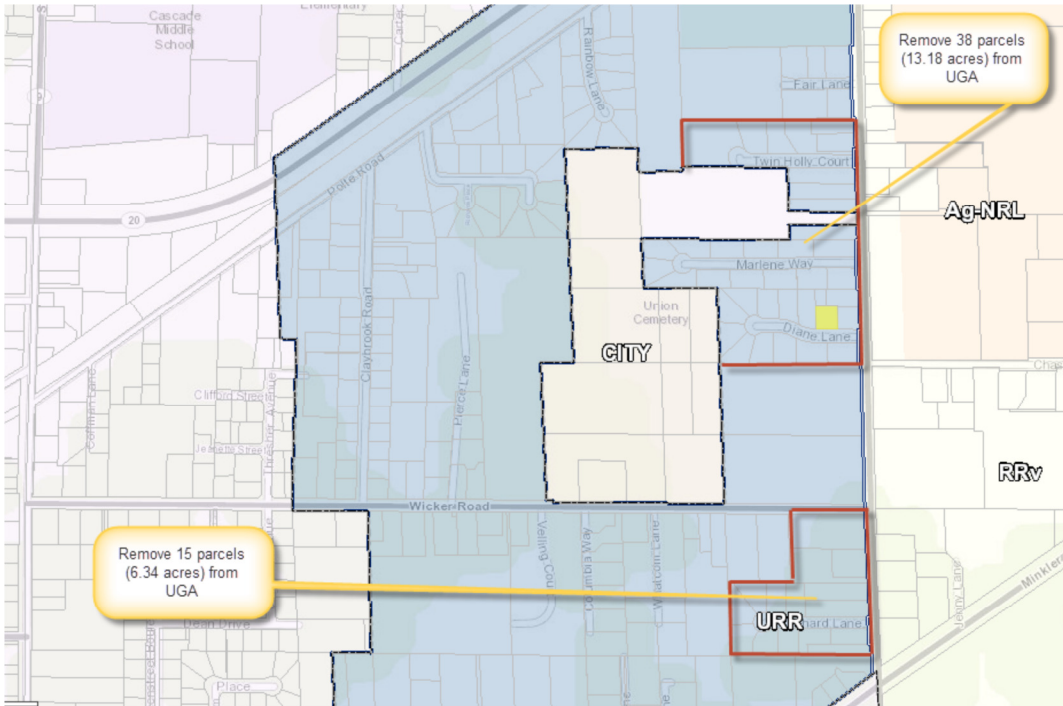
The following is a brief summary of the non-county, initiated Comprehensive Plan Land Use and Zoning map amendment requests:

NC-1. City of Sedro-Woolley

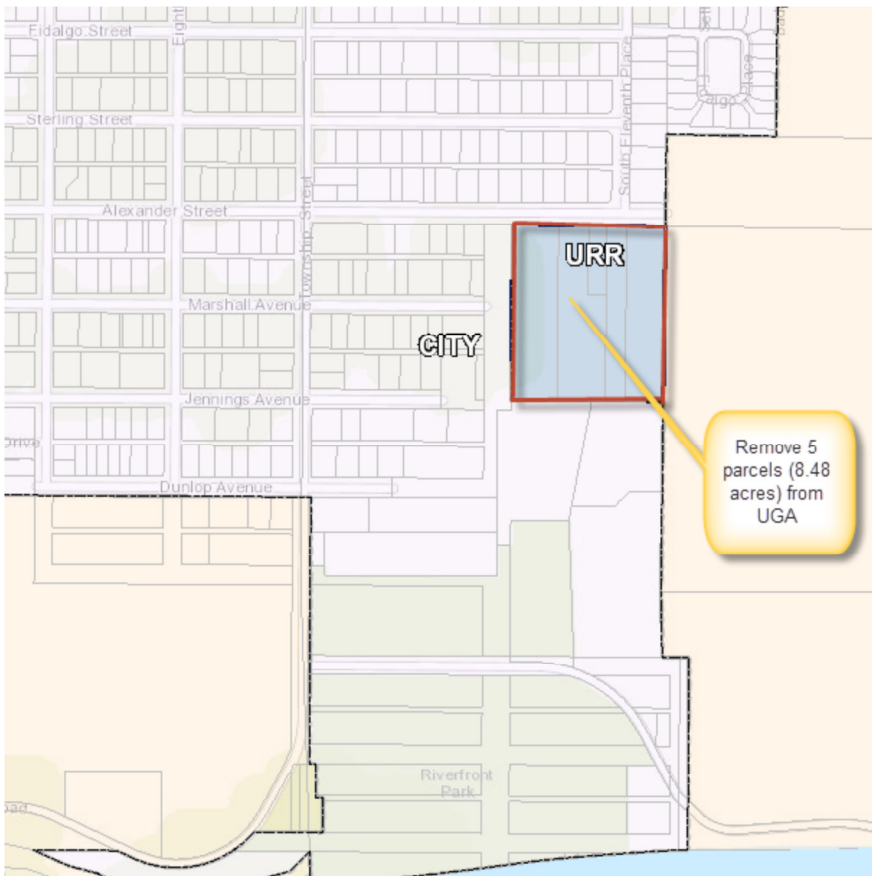
The City of Sedro-Woolley proposes to modify its Urban Growth Area (UGA) through a series of actions that would remove 28 acres and add 67 acres to its UGA. This was initially proposed and docketed as a 2013 Comprehensive Plan amendment proposal (PL13-0299); since then the County and City have been exchanging correspondence regarding the proposed urban growth area boundary modifications. The County has requested additional information and the City has responded. More work and time is needed to thoroughly review and analyze the proposal.



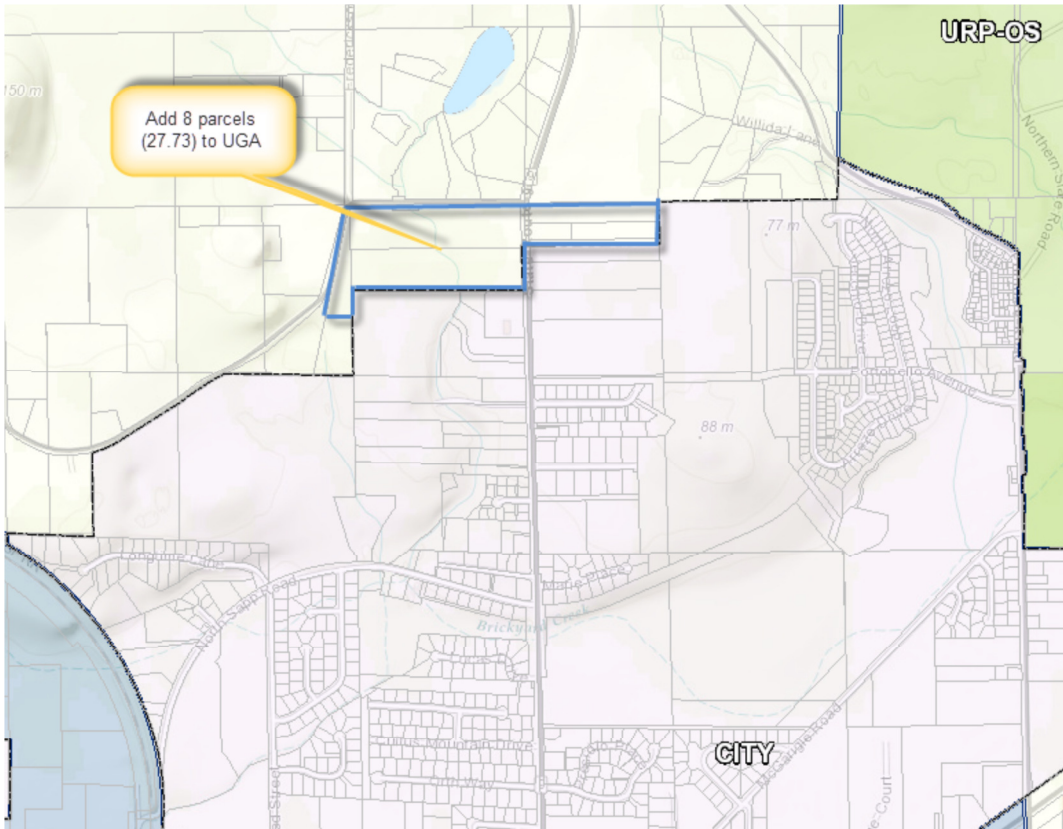
Vicinity Map. Proposed areas for urban growth area boundary modifications



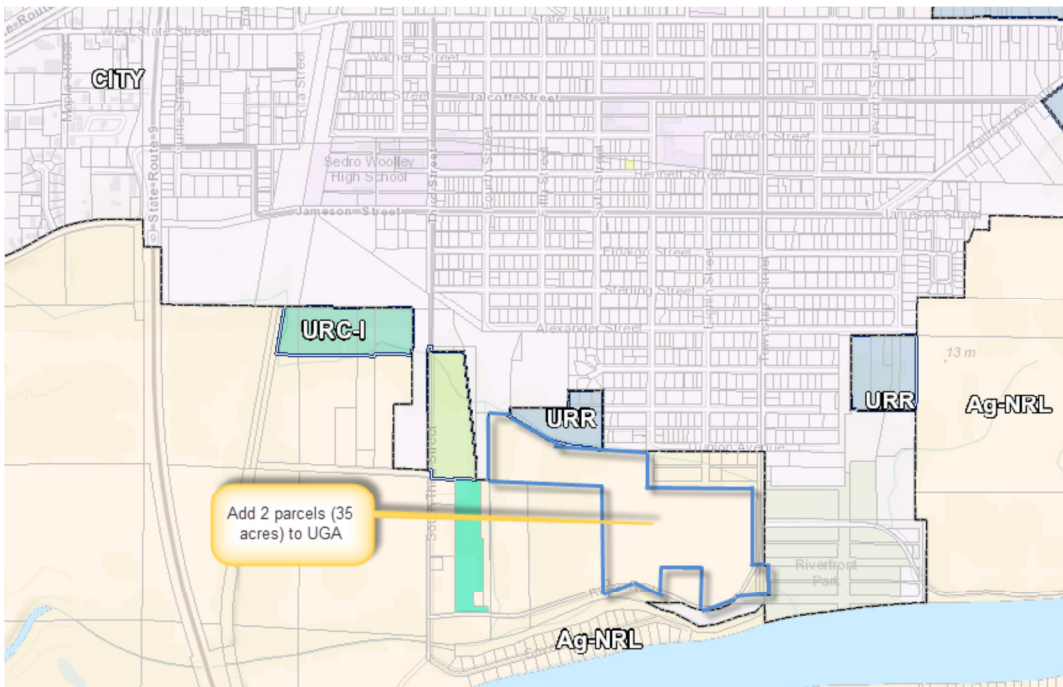
Map 1. Proposed areas (19.52 acres) to be REMOVED from urban growth area



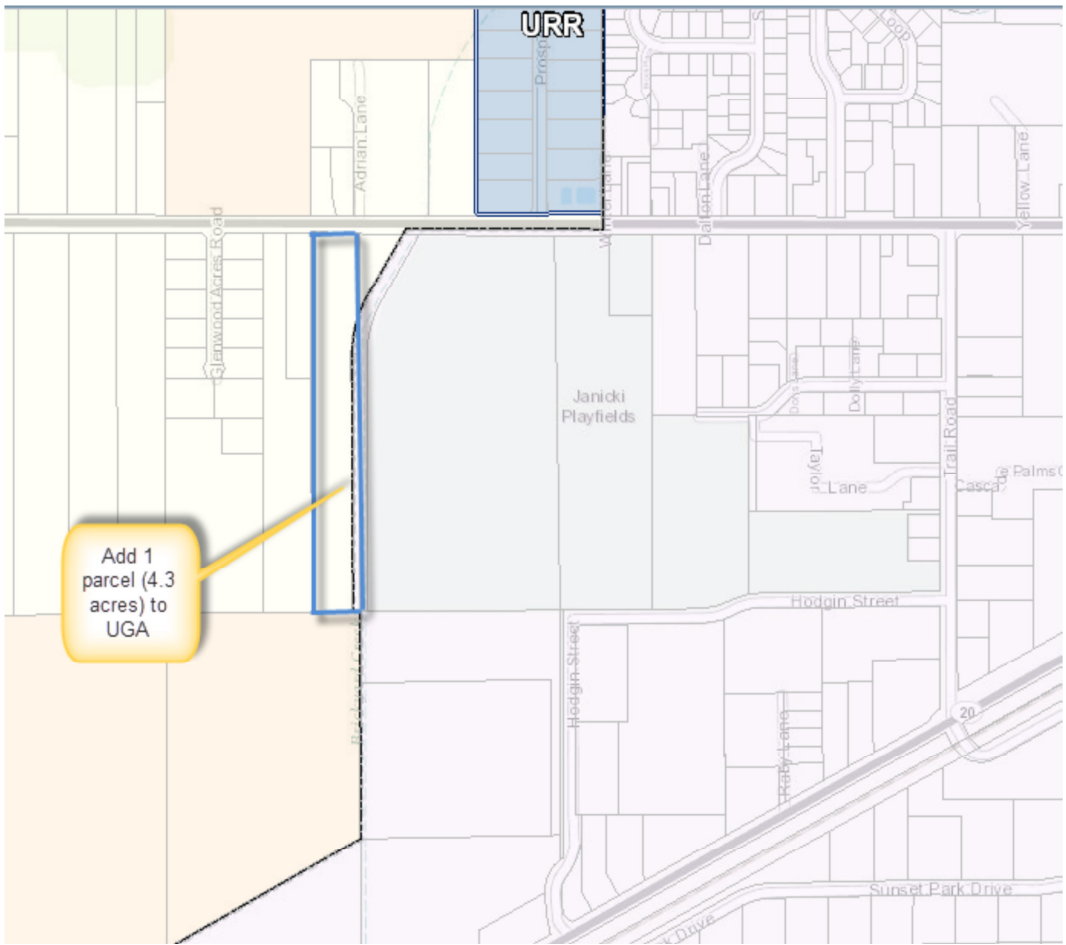
Map 2. Proposed area (8.48 acres) to be REMOVED from urban growth area



Map 3. Proposed area (27.73 acres) to be ADDED to urban growth area



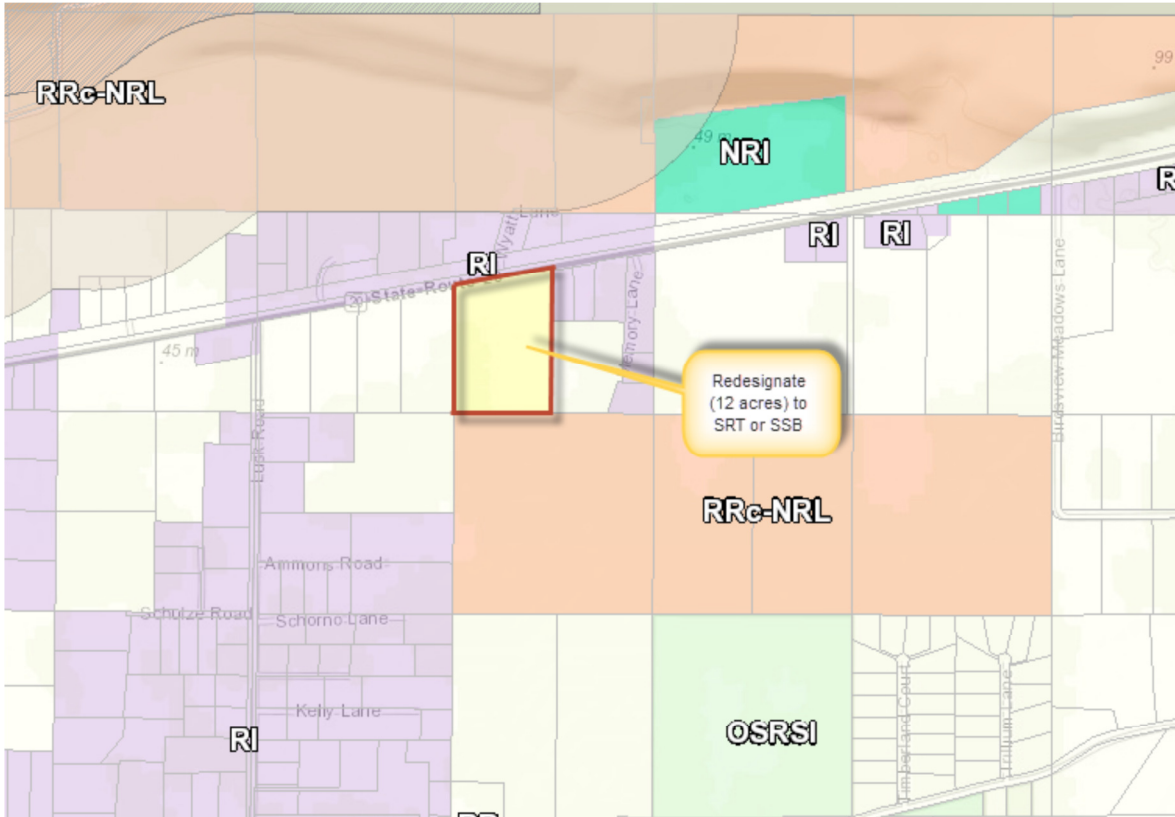
Map 4. Proposed area (35 acres) to be ADDED to urban growth area



Map 5. Proposed area (4.3 acres) to be ADDED to urban growth area

NC-2. Wilfred Voight

Proposal to designate approximately 12 acres (P42797) from Rural Reserve (RRv) to Small-Scale Recreation and Tourism (SRT), or as an alternative, Small-Scale Business (PL12-0268). The subject parcel is generally described as located along the south side and adjacent to SR 20, approximately 4 miles east of the Town of Hamilton, and north of Raser State Park. The Birdsvie Brewery business is located on the subject parcel.



County-Initiated Amendment Request

Following is a brief summary of the county - initiated program, policy, and code amendment proposal:

C-1. Proposal to Draft Transfer of Development Rights (TDR)/Density Credit Policies and Code

Consistent with Resolution #R20140298, Skagit County proposes to draft a Transfer of Development Rights and Density Credit program, policies, and code to implement such as prescribed in the above referenced resolution.

A transfer of development rights (or TDR) program is a market-based mechanism that encourages the voluntary transfer of growth from places where a community would like to see less development, referred to as sending areas, to places where a community would like to see more development, referred to as receiving areas. Sending areas might include farmland, forestland, or wildlife habitat. Receiving areas typically include cities or rural lands that have the infrastructure and services to meet the needs of increased growth. Landowners in sending areas may voluntarily sell the development potential of their land while retaining ownership and continuing to use the land for other purposes such as forestry or agriculture. By purchasing development rights, developers gain access to additional development opportunities in designated receiving areas than would otherwise be allowed. A density credit program is a variation on transfer of development rights that also encourages voluntary conservation of natural resource lands in designated sending areas while providing incentives for development in designated receiving areas. For additional information, see the Skagit County TDR project website (www.skagitcounty.net/tdr).

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