



Skagit County Planning & Development Services

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Staff Report

From: Dale Pernula, AICP, Director

Re: Skagit County’s 2014 Proposed Amendments to the Comprehensive Plan, and Land Use and Zoning Map

Date: August 13, 2015

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Background

On December 15, 2014, the Skagit County Board of Commissioners held a public hearing on the 2014 annual comprehensive plan amendment docket proposals and deliberated on such on December 23, 2014. On December 29, 2014, through Resolution #R20140390, the Skagit County Board of Commissioners established the 2014 comprehensive plan docket, which included the following petitions to amend the Comprehensive Plan:

Non-County Petitions

- NC-1 City of Sedro Woolley, urban growth area boundary comprehensive plan map amendment proposal (PL13-0299) (Continuance); and
- NC-2 Wilfred Voigt (Birdsview Brewing Company), to 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)

County Petition

- 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)

The City of Sedro Woolley petition (NC-1) is being deferred to the Skagit County GMA 2016 Update process (expected action by July, 2016), and the Skagit County TDR program is not being released at this time and will be deferred to a later date (Fall, 2015).

On September 1, 2015, the Skagit County Planning Commission will hold a public hearing on the proposed amendment (NC-2, Voigt (Birdsview Brewing Company)) to the Skagit County Comprehensive Plan and Land-Use/Zoning Map that is being considered as part of the 2014 Comprehensive plan Amendment Docket (2014 CPA). This memorandum includes an analysis of the proposal and their consistency with county and state requirements, and the Department's recommendations as required by SCC 14.08.080.

The Department's recommendation is based on the proposals' application materials, additional research conducted by the Department, and an evaluation of the (map) amendments' consistency with relevant designation policies and criteria in the Skagit County Comprehensive Plan, and provisions in Skagit County Code relating to land use designations.

The Planning Commission will likely deliberate and make a recommendation on September 1, 2015, and forward such to the Board of County Commissioners (BCC) regarding the proposed amendment. Finally, on dates to be determined, the BCC will hold its own public meeting(s) to consider and take official action on the proposed Comprehensive Plan and Land-Use/Zoning Map amendment.

Summary

A legislative, non-project proposal to amend the Skagit County Comprehensive Plan Land Use and Zoning maps.

NC-2 Wilfred Voigt (Birdsview Brewing Company), to 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).

The subject property is generally described as between the Towns of Hamilton and Concrete, east of Lusk Road, west of Memory Lane, and south of and adjacent to SR 20. The Birdsview Brewery is located on the site. The parcel is P #42797, the site address is 38306 State Route 20, and is located within a portion of the NW ¼ of Section 16, T35N, R7E, W.M., situated in Skagit County, WA.

Analysis

The current Comprehensive Plan/Zoning designation is Rural Reserve (RRv). An existing business, Birdsview Brewing Company, a family owned and operated brewery, is located on the property. Pursuant to Skagit County Code Chapter 14.16, Zoning, a restaurant and a bar is not allowed to locate and operate in a Rural Reserve zoning district. The existing business is currently operating as a non-conforming use. The proposed comprehensive plan/zoning map amendment seeks to address the non-conforming use by re-designating the property to a rural commercial zoning district to allow for business growth and expansion.

In 2005, the business started as a brewery/tasting room and due to its success it has expanded over time to more closely resemble a brew pub and eatery. A rural commercial zoning designation (SRT or SSB) would allow and meet several business desires: (1) the kitchen area and food selection could be expanded to better serve local and visiting patrons, especially during summer time peak demands when there is increased traffic on SR 20 as motorists, tourists, and vacationers travel east/west over the North Cascades Highway, and (2) the owner's business plan is to distribute statewide handcrafted bottled beer, and to meet production goals on-site facilities may need to be enlarged.

In 2007, Skagit County updated the comprehensive plan and development regulations based on provisions of the Growth Management Act. Local governments must periodically update their comprehensive plans and development regulations to assure that they are consistent with state laws. Since then, the County has experienced and begun to rebound from a devastating economic recession which has been felt nationwide. The circumstances then and now are vastly different. Comprehensive plan updates and amendments are to take into account a "change in circumstances" and land use goals, policies and designations may be changed to reflect these changed circumstances or to address new information. The Birdsview Brewery business plan has changed due to its economic success and a rural commercial zoning designation will allow the business to flourish.

In the late 1990s, Skagit County undertook an extensive review of existing commercial and industrial uses and zoning in the rural area as part of its responsibilities under the Growth Management Act. Skagit County's rural commercial and industrial zoning districts are currently compliant with the Growth Management Act. These rural commercial designations are shown on the Comprehensive Plan/Zoning map for existing land uses and provide designation criteria for

proposed land uses. New rural commercial land use designations are addressed through annual or periodic comprehensive plan updates.

Skagit County Comprehensive Plan

The Rural Area provides a choice of living environments and rural and natural resource-related economic activities through a mix of large lots, conservation and reserve development (CaRD) land divisions, and limited areas of more intensive rural development. Amendments to the Growth Management Act adopted in 1997 as part of ESB 6094 established that “*the rural element may allow for limited areas of more intensive rural development...*” or LAMIRDs (RCW 36.70A.070(5)(d)). These limited areas include the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas; the intensification of development on lots containing or new development of small scale recreational or tourist uses; and the intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the rural population but that provide job opportunities for rural residents.¹

Limited Areas of More Intensive Rural Development (LAMIRD) are guided by the following comprehensive plan goal:

Establish certain Limited Areas of More Intensive Rural Development, consistent with the Growth Management Act, to recognize historic rural residential, commercial, and industrial development patterns, and to allow certain new small-scale recreation and tourism uses and industries that provide jobs for rural residents.²

Rural Commercial and Industrial Designations are guided by the following comprehensive plan goal:

Support the rural economy by fostering opportunities for rural-based employment, home businesses, natural resource-related industries, and economic diversification in tourism and recreation, of an appropriate size and scale to maintain rural character³

New rural commercial and industrial uses are to be located in designated commercial areas to avoid the proliferation of commercial businesses throughout the rural area. To encourage efficient use of land, priority consideration will be given to the siting of new rural commercial and industrial uses in areas of existing development. In order of priority, these are Rural Villages and existing Rural Centers, followed by already-developed sites in the rural area, and only lastly by wholly undeveloped sites in the rural area.⁴ The Birdsvew Brewery is a pre-existing, non-conforming use.

¹ Skagit County Comprehensive Plan (2007), Rural Element, page 3.7

² Skagit County Comprehensive Plan (2007), Rural Element, Goal B

³ Skagit County Comprehensive Plan (2007), Rural Element, Goal C-2

⁴ Skagit County Comprehensive Plan (2007), Rural Element, Policy 3C-2.1

The proponent requests that the property and business, Birdsvie Brewing Company, be designated as Small Scale Recreation and Tourism (SSRT) or Small Scale Business (SSB). Both are a type of LAMIRD.

1. Small-Scale Recreation and Tourism (SRT)

The **Small Scale Recreation and Tourism** designation allows:

- a. The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location and setting, but that do not include new residential development.
- b. A small-scale recreation or tourist use is not required to be principally designed to serve the existing and projected rural population.
- c. Public services and public facilities are limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl.⁵

The **Small Scale Recreation and Tourism** goal and policies are as follows:

GOAL 4

Use the County's abundant recreational opportunities and scenic and natural amenities to diversify the economy of rural Skagit County by allowing small-scale recreational and tourist uses in an environmentally sensitive manner.

Policies

3C-4.1 The Small-Scale Recreation and Tourism designation is intended to provide opportunities for businesses that create recreational or tourist-oriented jobs for rural residents. Proponents may apply for a Comprehensive Plan/Zoning map amendment and rezone to the SRT designation and zone demonstrating that the proposed location or use:

- a. Relies on a particular rural location and setting;
- b. incorporates the scenic and natural features of the land; and
- c. would be inappropriate or infeasible in a Rural Village, Rural Center, or Urban Growth Area.

3C-4.2 Small-Scale Recreation and Tourism areas shall not be created from lands designated Ag-NRL or IF-NRL.

3C-4.3 Typical uses within small-scale recreational or tourist areas may include but are not limited to: cabins, cottages, campgrounds, recreational vehicle (RV) parks, and other forms

⁵ Skagit County Comprehensive Plan (2007), Rural Element, Policy 3B-1.6

of overnight lodging that are rural in scale; outdoor recreational equipment rental and/or guide services; outdoor recreational facilities; recreational, cultural, or religious retreats; and accessory uses such as restaurants and small retail shops. Owner or caretaker housing is also permitted. Other residential uses are not permitted.

- 3C-4.4** SRT areas and uses are limited in size and scale so as to be rural in nature and compatible with the surrounding rural area as follows:
- a. Up to 20 acres of developable land may be located within an SRT designation. Additional land used for passive recreation purposes only may be included provided it remains substantially undeveloped
 - b. The maximum number of units of overnight lodging permitted within a SRT area is 35. This limit does not apply to the number of camping sites or recreational vehicle hook-ups within a campground or resort.
- 3C-4.5** Proposed amendments to the Comprehensive Plan for new SRT designations shall include site plans as further specific in the Legislative Actions section of the Unified Development Code.⁶

2. Small-Scale Business (SSB)

The **Small Scale Business** designation allows:

- a. The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents.
- b. Rural counties may allow the expansion of small-scale businesses as long as those small-scale businesses conform with the rural character of the area as defined by the local government according to RCW 36.70A.030(14).⁷

The **Small Scale Recreation and Tourism** goal and policies are as follows:

GOAL C 9

Recognize the land use needs of existing and new small-scale businesses that are beyond the size and scale of home-based businesses.

Policies

- 3C-9.1** The Small-Scale Business (SSB) designation is intended to provide for commercial or industrial uses involving the provision of services or the fabrication or production of goods, primarily for clients and markets outside of the rural area. The SSB designation may

⁶ Skagit County Comprehensive Plan (2007), Rural Element

⁷ Skagit County Comprehensive Plan (2007), Rural Element, Policy 3B-1.7

be applied to existing or new businesses, whereas the Rural Business designation applies only to businesses that were established as of June 1, 1997.

3C-9.2 Typical uses within the SSB zone include the small-scale production or manufacture of goods; the production, repair and servicing of specialized tools and equipment; and the provision of services, including professional, management, consulting, construction, and repair services. The business may have customers visit the site, but retail sales are limited to products primarily produced on site.

The scale of activities within a SSB is typically greater than can be accommodated through a Home Based Business. Nothing in these policies is intended to create a presumption that the property on which a Home Based Business is located should be re-designated to SSB if that business outgrows its home-based status. There is no automatic progression from Home Based Business to Small-Scale Business.

3C-9.3 Caretaker residences may be located on site in a SSB.

3C-9.4 A Small-Scale Business may have up to 20 full-time equivalent (FTE) employees, meaning an employee that visits the business site more than two times per week, including visits solely for purposes of vehicle transfer.

3C-9.5 The SSB designation is consistent with the Growth Management Act's allowance for the "intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and non-residential uses, but do provide job opportunities for rural residents." (RCW 36.70A.070(5)(d)(iii))

3C-9.6 Rural policy 3C-2.1 regarding priority consideration to siting of new uses in areas of existing development, shall be applied when considering new Small Scale Business designations. A home-based business shall not be considered as an already developed site for the purposes of this policy.

3C-9.7 A Small-Scale Business designation should not be located on designated natural resource lands, nor create the potential for conflicts with the use of agricultural, forest, and mineral resource lands of long-term commercial significance.⁸

Recommendation

Based on the aforementioned analysis, the Department concludes that the proposed map re-designation **be approved for Small-Scale Recreation and Tourism (SRT)**.

Findings:

1. There are no foreseen adverse impacts from the proposed map amendment. The existing business is compatible with surrounding rural land uses, and is appropriately scaled and sized. Current and future business operations must be compliant with Skagit County Code for health, building, planning and other land use and environmental permit requirements.

⁸ Skagit County Comprehensive Plan (2007), Rural Element

Access permits for ingress and egress off of SR 20 is under the purview of the Washington State Department of Transportation.

2. The business has operated for years and has received widespread community support. The Birdsview Brewery owners sent a letter to 15 neighbors explaining the proposal and they were invited to an open house on July 7, 2014. Overall, neighbors were supportive of the business. In addition, a petition was circulated by the proponent. In all, 452 signatures were obtained. The petition read "Birdsview Brewing Company is seeking a commercial re-zone to be approved by Skagit County. BBC is seeking this re-zone in order to expand the kitchen facilities, and provide more menu item choices for local residents and visitors. Under our current zoning designation, the County does not allow any building expansion, BBC must re-zone in order to expand our kitchen. Please sign this petition to show Skagit County that our re-zone would be beneficial to the upriver community, and that as a resident or visitor of Skagit County, you support the growth of Birdsview Brewing Company!"
3. The Birdsview Brewery business is consistent with Skagit County Comprehensive Plan Small-Scale Recreation and Tourism (SRT) designation criteria, and Rural Element goals and policies.
4. Allowing the proposed map amendment will legitimize a pre-existing, non-conforming use, create additional economic and job related opportunities, allow for commercial business diversity in a rural setting, provide a continuing and expanded rural service for rural residents and visitors, and maintain rural character. Hops and barley, which are used in the brewing business, are grown on the site.
5. Birdsview Brewing serves the local rural community as well as the traveling public. It creates a unique gathering place for the upriver community and provides jobs for rural residents. The business caters year-round to tourists coming upriver for: eagle watching, snowmobiling, fishing, hiking, camping, swimming, and scenic drives. In addition, the business hosts music events, and has recreational outside activities on site, such as horseshoes and other lawn games. The property is in close proximity to the Cascade Trail, the Washington State Raser Park and campground, and the Skagit River. The business is strategically located along side SR 20, and is within the Washington State North Cascade Loop scenic highway corridor.
6. The Birdsview Brewery business will not create any new demands for public services and utilities.

Consistency

The proposal, if approved, would be consistent with GMA (RCW 36.70A.070(5)) and the Skagit County Comprehensive Plan Rural Element and Small-Scale Recreation and Tourism (SRT) land use designation criteria. This action would also legitimize a pre-existing, non-conforming use.

Process

Skagit County has issued a notice of availability, established a public comment period, and given notice for a Skagit County Planning Commission public hearing consistent with the provisions of SCC 14.08.070(9). Such information was published in the Skagit Valley Herald newspaper on August 13, 2015.

Skagit County has provided notice to property owners within 300 feet of the proposal in conformance with SCC 14.08.070(10).

SEPA Threshold Determination

A State Environmental Policy Act (SEPA) checklist, including supplemental sheet for non-project actions and a SEPA threshold determination of non-significance (DNS) has already been prepared and issued separately. The SEPA threshold determination was published on August 13, 2015. Written comments on the SEPA threshold determination must be received during the “Public Review and Comment Schedule” noted below. Pursuant to SCC 14.12.210, no administrative appeal process is available for this legislative action.

Planning Commission Public Hearing

Comments on the proposal may also be made or submitted at the public hearing before the Skagit County Planning Commission. The public hearing will begin at 6:00 p.m. on Tuesday, September 1, 2015, in the Hearing Room of the Skagit County Commissioners Administrative Building, 1800 Continental Place, Mount Vernon, WA.

Public Review and Comment Schedule

The public is invited and encouraged to comment on this proposal by attendance, representation, and/or letter. The public review and comment period will begin on Thursday, August 13, 2015. Written comments may be submitted in writing to the Skagit County Planning and Development Services Department, at the address listed below, through 4:30 p.m., on Tuesday, September 1, 2015, and through the close of the above noted public hearing.

Copies of the Proposal

The entire proposal may be viewed on the Skagit County website at <http://www.skagitcounty.net/Departments/PlanningAndPermit/2014CPADocket.htm>; or may be reviewed at Skagit County Planning and Development Services, 1800 Continental Place, Mount Vernon, WA, weekdays between the hours of 9:00 am to noon, and 1:00 pm to 3:30 pm.

How to Comment

Comments are accepted via email or on paper. All comments must be received by the deadline and include (1) your full name, (2) your mailing address, and (3) the proposal name (“Skagit County’s 2014 Proposed Amendments to the comprehensive Plan and Land Use and Zoning Map”) in the subject line. Comments not meeting these requirements will not be considered.

Email comments are preferred and must be sent to pdscomments@co.skagit.wa.us. Include your comments in the body of your email message rather than as attachments.

Paper comments must be printed on 8½x11 paper and mailed or delivered to:

Comments on proposed Skagit County's 2014 Proposed Amendments to the Comprehensive Plan and Land Use and Zoning Map
Planning and Development Services
1800 Continental Place, Mount Vernon WA 98273

You may also comment in person at the public hearing at the Commissioners Hearing Room, 1800 Continental Place, Mount Vernon. Public hearing testimony is usually limited to three minutes, so written comments are preferred.

Anyone who plans to attend the public hearing and has special needs or disabilities should contact the Clerk of the Board of County Commissioners at (360) 416-1300 at least 96 hours before the hearing to discuss and arrange any special accommodations.

Please address all comments to:

Dale Pernula, AICP, Director
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273
(360) 416-1328
FAX (360) 416-1340

Exhibit A - Maps, Aerial Photo, Picture, Site Plan



Comprehensive Plan/Zoning Map



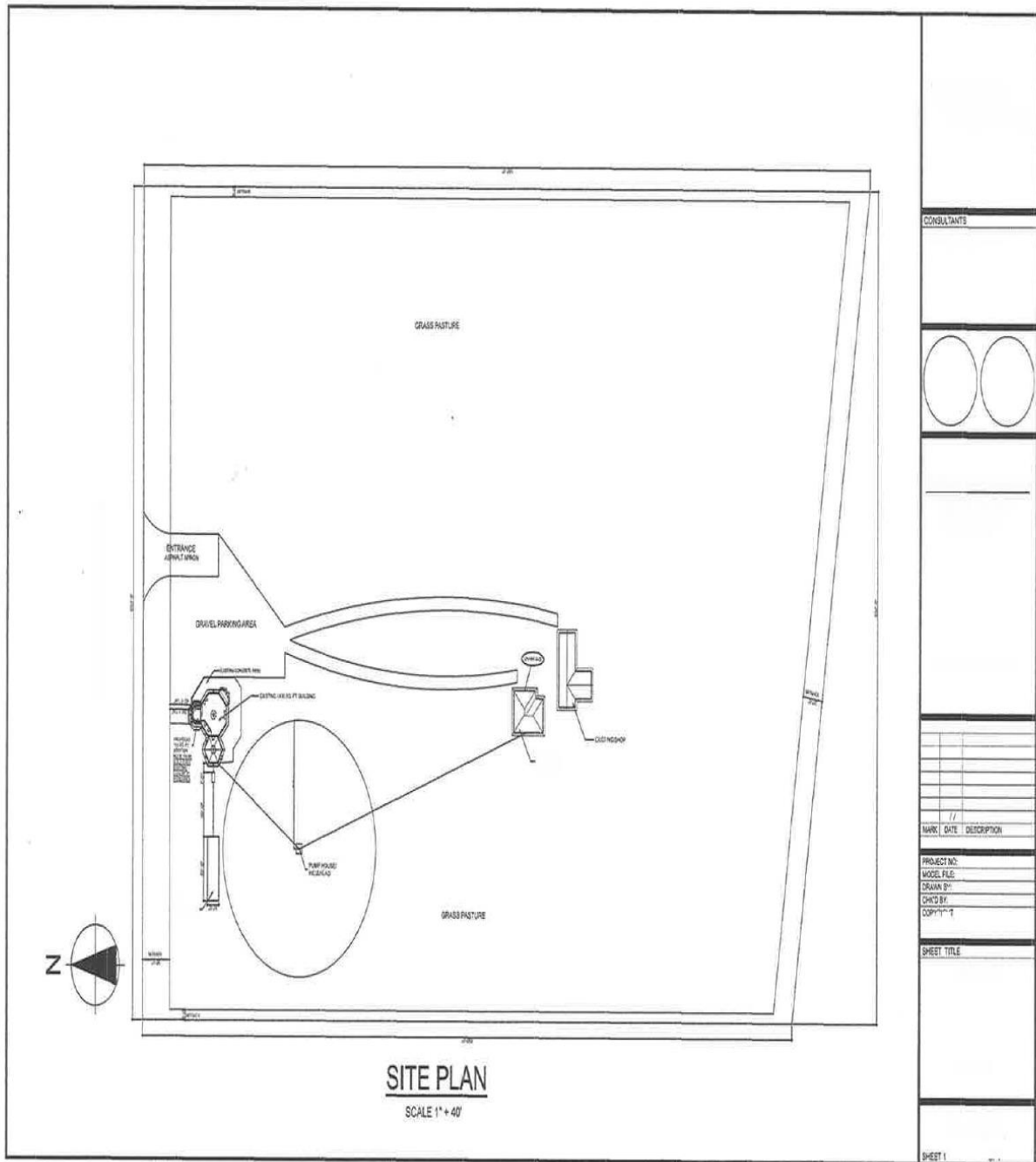
Aerial Photo



Aerial Photo



Birdsview Brewery



Site Plan

Exhibit B – Skagit County Code, Chapter 14.16

14.16.130 Small Scale Recreation and Tourism (SRT).

(1) Purpose. This district provides for small scale recreational and tourist [uses](#) that create opportunities to diversify the economy of rural Skagit [County](#) by utilizing, in an environmentally sensitive manner, the [County's](#) abundant recreational opportunities and scenic and natural amenities.

(2) [Permitted Uses](#).

- (a) [Bed and breakfast](#).
- (b) [Cabins](#) and other forms of overnight lodging that are rural in scale. New residential [development](#) shall not be permitted. New residential [development](#) includes the [subdivision](#) or sale of land for year-round or second-home residential housing that is [owner](#)-occupied or rented. Lodging operators may not allow any [person](#) to occupy overnight lodging on the premises for more than 4 months in any year.
- (c) [Campground, destination](#).
- (d) [Campground, developed](#).
- (e) [Campground, primitive](#).
- (f) [Commercial boathouses](#).
- (g) Commercial facilities, such as restaurants and small retail and service businesses, if they serve the primary recreational or tourist [use](#).
- (h) Conference center.
- (i) [Display gardens](#).
- (j) Grange/community center.
- (k) [Historic sites](#) open to the public.
- (l) [Institutional camps](#)/retreats.
- (m) [Kennel, day-use](#).
- (n) [Marinas](#) with less than 20 slips.
- (o) [Off-road vehicle use areas and trails](#).
- (p) [Outdoor outfitters enterprises](#).

- (q) [Outdoor recreation facilities](#).
 - (r) Outdoor recreational equipment rental and/or guide services.
 - (s) Parks, community.
 - (t) [Stables](#)/riding clubs.
 - (u) Trails and primary and [secondary trailheads](#).
 - (v) [Maintenance, drainage](#).
 - (w) [Net metering system](#), solar.
 - (x) [Repair, replacement](#) and maintenance of water lines with an inside diameter of 8 inches or less.
 - (y) [Recycling drop box facility](#), accessory to a permitted public, institutional, commercial or industrial [use](#).
- (3) [Accessory Uses](#).
- (a) Office [use](#), accessory to the primary [permitted use](#).
 - (b) [Owner operator/caretaker quarters](#).
- (4) Administrative Special [Uses](#).
- (a) Expansion of existing [major public uses](#) up to 3,000 square feet.
 - (b) In remote areas only, such as east of Concrete and on saltwater islands without ferry service, employee housing sufficient to operate the SRT operation; provided, that such housing shall not be for permanent residential [use](#) and is limited in size and quantity to only that necessary to house active, existing employees. Any employee housing shall be incidental in scale to the primary SRT [use](#).
 - (c) [Kennel](#), boarding.
 - (d) [Minor public uses](#).
 - (e) Minor [utility developments](#).
 - (f) Parks, specialized recreational facility.
 - (g) Retail and wholesale nurseries/greenhouses.

- (h) [Temporary events](#).
- (5) [Hearing Examiner Special Uses](#).
- (a) [Animal preserve](#).
 - (b) [Impoundments](#) greater than 1-acre feet in size.
 - (c) [Major public uses](#) and expansions of existing [major public uses](#), 3,000 square feet and greater.
 - (d) Major [utility developments](#).
 - (e) [Marinas](#) with greater than 20 slips.
 - (f) [Personal wireless services](#) towers, subject to [SCC 14.16.720](#).
 - (g) Racetrack, recreational.
 - (h) [Shooting clubs](#), indoor and outdoor.
 - (i) Storage of [unlicensed/inoperable vehicles](#).
- (6) [Dimensional Standards](#).
- (a) [Setbacks](#).
 - (i) Front: 35 feet. Where parking is located in the front or sides of a [structure](#), 55 feet.
 - (ii) Side and rear: 35 feet.
 - (iii) Accessory.
 - (A) Front: 35 feet.
 - (B) Rear/Side: 35 feet.
 - (iv) [Setbacks](#) from NRL lands shall be provided per [SCC 14.16.810\(7\)](#).
 - (b) Maximum Size Limits. The entire SRT designated area, whose boundaries are identified on a single [Comprehensive Plan](#) Map amendment,

shall be considered as 1 unit for the purpose of this calculation and shall be subject to the limits outlined in the following subsections as a whole.

(i) The maximum number of acres that may be devoted to the built environment is 20 acres. Additional land may be associated with an SRT [development](#) provided it remains substantially undeveloped, primarily left in a natural state, and is used for passive recreation purposes only.

(ii) The maximum number of units of overnight lodging is 35 units of built lodging (meaning fixed or mobile [structures](#)). This limit does not apply to the number of camping [sites](#) or [recreational vehicle](#) hook-ups within a [campground](#) or resort.

(iii) Retail and service [uses](#) shall not exceed 3,000 square feet of [gross building area](#) per establishment and shall be limited to 2 establishments. Storage or other [uses](#) that are accessory to the [permitted use](#) and do not exceed 50% of the square footage of the [permitted use](#) or a total of 1,500 square feet shall also be permitted.

(c) Maximum [height](#): 50 feet.

(i) [Height](#) Exemptions. Flagpoles, ham radio [antennas](#), [church](#) steeples, water [towers](#), [meteorological towers](#) and fire [towers](#) are exempt. The [height](#) of [personal wireless services](#) towers is regulated in [SCC 14.16.720](#).

(d) Maximum [Lot Coverage](#). The following formula shall be used for calculating [lot coverage](#) allowances in the SRT district: [lot coverage](#) equals 0.35 minus (acres of SRT divided by 100); provided, that a maximum coverage of 130,680 square feet shall be allowed. The entire SRT designated area, whose boundaries are identified on a single [Comprehensive Plan](#) Map amendment, shall be considered as 1 unit and shall be subject to the above stated limit as a whole.

(7) Additional requirements related to this [zone](#) are found in [SCC 14.16.600](#) through [14.16.900](#) and the rest of the Skagit [County](#) Code. (Ord. O20110007 Attch. 1 (part); Ord. O20090010 Attch. 1 (part); Ord. O20080012 (part); Ord. O20080004 (part); Ord. O20070009 (part); Ord. 17938 Attch. F (part), 2000)

14.16.140 Small Scale Business (SSB).

(1) Purpose. The Small Scale [Business](#) zoning district supports existing and new small scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential [uses](#), but that do enhance rural economic [development](#) opportunities and job opportunities for rural residents.

(2) [Permitted Uses](#). The following small scale commercial or industrial [uses](#) that provide job opportunities for rural residents, but are not principally designed to serve the existing and projected rural population, limited to:

- (a) [Business](#)/professional offices;
- (b) [Historic sites](#) open to the public;
- (c) Small retail and service businesses; provided, that retail sales are limited to products produced primarily on [site](#) or which are accessory to products produced on [site](#);
- (d) Small-scale production or manufacture of products and goods, including food products, furniture, apparel, artwork, metal products, and wood products;
- (e) Wholesale nurseries/greenhouses;
- (f) [Maintenance, drainage](#);
- (g) [Net metering system](#), solar;
- (h) [Repair, replacement](#) and maintenance of water lines with an inside diameter of 8 inches or less; and
- (i) [Recycling drop box facility](#).

(3) [Accessory Uses](#).

- (a) [Owner operator/caretaker quarters](#).

(4) Administrative Special [Uses](#).

- (a) Expansion of existing [public uses](#) up to 3,000 square feet.
- (b) [Kennel, day-use](#), if accessory to an existing commercial [use](#) and only if [use](#) is secondary and incidental to primary SSB [use](#).
- (c) [Minor public uses](#).
- (d) Minor [utility developments](#).

- (e) Retail nurseries/greenhouses.
 - (f) [Temporary events](#).
 - (g) Trails and primary and [secondary trailheads](#).
- (5) [Hearing Examiner Special Uses](#).
- (a) [Kennels](#).
 - (i) Boarding [kennel](#), if accessory to an existing commercial [use](#) and only if [use](#) is secondary and incidental to primary SSB [use](#).
 - (ii) Limited [kennel](#), if accessory to an existing commercial [use](#) and only if [use](#) is secondary and incidental to primary SSB [use](#).
 - (b) [Major public uses](#) and expansions of existing [major public uses](#), 3,000 square feet and greater.
 - (c) Major [utility developments](#).
 - (d) [Personal wireless services](#) towers, subject to [SCC 14.16.720](#).
 - (e) Storage of [unlicensed/inoperable vehicles](#).
- (6) [Dimensional Standards](#).
- (a) [Setbacks](#).
 - (i) Front: 35 feet, 55 feet if off-street parking is in front or sides of a [structure](#).
 - (ii) Side: None on interior [lots](#); 35 feet on [corner lots](#).
 - (iii) Rear: 35 feet adjacent to RVR, RI or Agricultural [zones](#).
 - (iv) [Setbacks](#) from NRL lands shall be provided per [SCC 14.16.810\(7\)](#).
 - (b) Accessory: Same as principal [structures](#).
 - (c) Maximum Size Limits.
 - (i) [Permitted uses](#) shall not exceed 10,000 square feet of gross [floor area](#) with a maximum of 1 establishment per parcel.

(ii) [Uses](#) shall have no more than 20 full-time equivalent (FTE) on-site employees. This limitation does not apply to off-site employees. For the purposes of this Subsection, “FTE” on-site employee shall mean an employee that visits the [site](#) more than 2 times per week, including solely for purposes of vehicle transfer and shall be calculated over the course of a full year, based on a full-time equivalent of 40 hours per week, 50 weeks per year. Seasonal employee full-time equivalents shall be determined by multiplying the number of seasonal employees times the total hours worked per employee per season, divided by 2,000 hours (40 hours times 50 weeks).

(d) Maximum [height](#): 50 feet.

(i) [Height](#) Exemptions. Flagpoles, ham radio [antennas](#), [church](#) steeples, water [towers](#), [meteorological towers](#) and fire [towers](#) are exempt. The [height](#) of [personal wireless services](#) towers is regulated in [SCC 14.16.720](#).

(e) Maximum [Lot Coverage](#): 25%.

(7) Special Provisions.

(a) All proposed SSB [uses](#) shall comply with the following:

(i) All [structures](#) and outside activities shall be so located or screened from adjacent properties to avoid disturbance through glare, shading, noise, dirt or other [nuisances](#) or hazards.

(ii) No petroleum pumps or above ground petroleum storage shall be closer than 30 feet from any [street](#) right-of-way.

(iii) All [development proposals](#) within the SSB district shall include a plan, which shall be reviewed by and acceptable to Planning and [Development](#) Services. This plan shall diagram and explain how open areas shall be maintained during and after construction to avoid sewage, [drainage](#) and dust [nuisances](#) to adjacent properties, [uses](#), and [critical areas](#). The plan shall also demonstrate how existing easement rights or other property [ownership interests](#) in the property are protected.

(iv) All open portions of any [lot](#) shall have adequate [grading](#) and [drainage](#) consistent with the requirements of Chapter [14.32 SCC](#). Non-accessory residential [uses](#) are prohibited.

(v) [Impacts](#) of the [use](#) on the off-site [road](#) system shall be mitigated, particularly with regard to the [impacts](#) of tracks on substandard [roads](#) between the [site](#) and the arterial system.

(8) Additional requirements related to this [zone](#) are found in [SCC 14.16.600](#) through [14.16.900](#) and the rest of the Skagit [County](#) Code. (Ord. O20110007 Attch. 1 (part); Ord. O20090010 Attch. 1 (part); Ord. O20080012

(part); Ord. O20080004 (part); Ord. O20070009 (part); Ord. R20020130 (part): Ord. 17938 Attch. F (part),
2000)

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