



Skagit County Planning & Development Services

DALE PERNULA, AICP *Director*

JACK MOORE, CBCO *Building Official*

Memorandum

From: Kirk Johnson, AICP, Senior Planner

Re: Annual 2017 Comprehensive Plan, Map and Code Amendment Docket
Discussion with Board during Standalone Session on Tuesday, September 13, 10:00 am

Date: September 8, 2016

The Growth Management Act requires the County to have a process for receiving suggestions for amendments to the Comprehensive Plan policies, Comprehensive Plan map, and development regulations. Under county code, proposals are due by the last business day in July. Proposals may also be initiated by the Board of County Commissioners and the Planning & Development Services Department. Following a public hearing and written comment period, the Board then decides which of the suggestions are worthy of being docketed for further consideration by the department, the Planning Commission and the public.

This year, the County received 15 public petitions and suggestions for Comprehensive Plan policy or map amendments or new development regulations. Those submittals are available for review at www.skagitcounty.net/2017CPA. Another 17 have been proposed by the County.

The proposals are organized into three groups, depending on whether they were submitted by members of the public or by the County, and whether they propose to amend the Comprehensive Plan policies or development regulations, or the Comprehensive Plan map:

- **P-#:** Proposal submitted by a member of the public for an amendment to Comprehensive Plan policies or development regulations.
- **PL15-####:** Proposal submitted by a member of the public or property owner for a map amendment.
- **C-#:** Proposal initiated by the County to amend the Comprehensive Plan policies, map, or development regulations.

The various proposals submitted for consideration through the 2017 docket are shown below. **At this stage, the Department is only informing the Board about the list of proposals and checking to see if anything is missing from this list that the Board wants to add to the docket proposal.**

The Department is also looking to schedule a date and time for a Board public hearing and written comment period on the proposed docket items. Two available times on your calendar are: Monday, October 24, 10:30 – 11:30 am; and Monday, November 7, 10:30 – 11:30 am.

In advance of the hearing, County code requires the Department to analyze each of the proposals against the code's docketing criteria. We will provide that analysis in a later docketing memo which we will make available on the 2017 Comprehensive Plan Update website.

Public submittals

Number	Petitioner	Petitioner's Description
Policy and/or Code Amendments		
P-1	Friends of Skagit County (Bynum) (Deferred by Board from 2015 docket; also resubmitted by applicant)	Amendments to the section on Conservation and Reserve Development (CaRD) to require the following: <ol style="list-style-type: none"> 1. CaRDs be allowed only in UGAs. 2. CaRDs have a cap that limits the scale of the development in relationship to the reserve land size. 3. CaRDs that exist currently in Skagit County have permanent easements on the reserved portion of the parcels which are NOT reserved for future development but provide permanent protection on that portion of the land.
P-2	Friends of Skagit County (Good)	Amendments section of the Comprehensive Plan to create standing Citizen Committees to work with the Planning Commission on review and suggested changes to the Countywide Planning Policies, Comprehensive Plan, and codes.
P-3	Friends of Skagit County (Good)	Amendments sections of the Comprehensive Plan to reflect the County's policy of no loss of agricultural lands. Language must include ways to identify the amount of economic loss created by the loss of farmland, cumulative effects to the economy as well as the environmental functions lost.
P-4	Friends of Skagit County (Stauffer)	Skagit County needs an accurate database of buildable lands in rural zones. A buildable rural lands inventory and assessment should address the entire County and give the County a better baseline and data for planning, permitting and code enforcement.
P-5	Guemes Island Planning Advisory Committee (Fox)	Amend SCC 14.24.380 (Critical Areas Ordinance, Seawater Intrusion Areas) to require, prior to drilling, a permit application and County approval for any new well to be drilled on Guemes Island.
P-6	Guemes Island Planning Advisory Committee (Rooks)	Amend the Drinking Water Code (existing SCC 12.48.250) to encourage rainwater collection systems for potable water on Guemes Island. Revise/lower the definition of "adequate water supply" in existing SCC 12.48.030 from 350 gallons per day to 200 gallons per day for Guemes Island. Allow homeowners on Guemes Island the option of using a rainwater collection system designer or designing their own system, if for personal use.
P-7	Guemes Island Planning Advisory Committee (Fox)	Amend the Skagit County Code to require permanent protection of any open space designated through a CaRD subdivision on Guemes Island. Given that Guemes Island is not in an Urban Growth Area and that density limits are needed to protect its sole source aquifer, the island is not an appropriate location to reserve open space for future urban development.

Number	Petitioner	Petitioner's Description
P-8	Roger Mitchell	Water usage by humans, be it agricultural, forestry, commercial, or domestic, needs to have a highest priority section in our Comprehensive Plan and relevant derivative plans. The Comprehensive Plan must expressly state that, as a highest priority, the County will take all reasonable measures to protect and ensure equitable distribution of water resources for beneficial use by the citizens of Skagit County. In doing so, the County must rely on best available and true science and must preserve and protect the private property water rights of each of its citizens.
P-9	Roger Mitchell	The Rural Element of the Comprehensive Plan will expressly state that access to water for Skagit County's rural property owners is a fundamental right that needs to be protected and preserved.
P-10	Roger Mitchell	Each and every County planning project should require a good faith analysis that accurately describes the current and projected values for a list of required metrics.
P-11	Roger Mitchell	A geohazards checklist, analogous to a SEPA checklist, should be required for every planning and permitting project proposal.
P-12	Roger Robinson (Deferred by Board from 2015 docket)	All the Rural Reserve on South Fidalgo Island should be rezoned to a new zone called South Fidalgo Rural Residential (SFRR). The SFRR zone would have the same density as Rural Reserve but fewer [commercial/non-residential] uses. We also propose that the new SFRR zone prohibit CaRD development.
P-13	Skagitonians to Preserve Farmland (Rozema)	Re-classify agricultural processing facilities from a primary agricultural activity to an agricultural accessory use. Change Agricultural Processing Facilities between 10,001 sq. ft. and 30,000 sq. ft. in size from an outright permitted use to an Administrative Special Use Permit and Agricultural Processing Facilities larger than 30,000 sq. ft. in size to a Hearing Examiner Special Use.
Comprehensive Plan/Zoning Map Amendments		
PL16-0352	Port of Skagit	Change designation of two Port-owned properties, totaling 3.3 acres, from Aviation Related (AVR) to Bayview Ridge Light Industrial (BR-LI).

Number	Petitioner	Petitioner's Description
PL15-0383	Skagit Partners LLC (Deferred by Board from 2015 docket; also resubmitted by applicant)	<p>Amend the Comprehensive Plan and Development Regulations to establish a process for consideration and approval of a new fully contained community, consistent with RCW 36.70A.350.</p> <p>Amend the Countywide Planning Policies (CPPs) to increase the Skagit County 20-year population forecast by 8,500, place the additional population in reserve for a new fully contained community, and make the CPPs consistent with the Comprehensive Plan and Development Regulation amendments described above.</p> <p>Amend the Comprehensive Plan and Zoning designation of approximately 1,244 acres on the west slope of Butler Hill, including the Avalon Golf Links, the majority of which is currently designated Rural Resource-NRL with a Mineral Resource Overlay (MRO), to allow for development of a new fully contained community as proposed by Skagit Partners.</p>

County-Initiated Proposals

Number	Petitioner	Description
Comprehensive Plan Policy or Text		
C-1	Commissioner Wesen	<p>Wiseman Creek Boardwalk Project Removal</p> <p>In the Comprehensive Plan Transportation Technical Appendix, remove the Wiseman Creek Boardwalk Project, which is proposed for a portion of the Cascade Trail.</p>
C-2	Commissioner Wesen	<p>Coast to Cascades Corridor Study Revision</p> <p>In the Comprehensive Plan Transportation Technical Appendix, revise the Coast-to-Cascades Corridor Study description to preclude use of unused County right of way between Burlington and Bayview Ridge for non-motorized transportation purposes.</p>
Development Regulation		
C-3	Planning & Development Services (PDS)	<p>Garage Setbacks in Bayview Ridge Residential</p> <p>Revise SCC 14.16.340(5)(c)(i)(D) to clarify that this setback provision applies to new garages only.</p>
C-4	PDS	<p>Major Utility Development in Bayview Ridge Residential</p> <p>Add major utility development as a Hearing Examiner special use in the Bayview Ridge Residential zone, SCC 14.16.340.</p>

Number	Petitioner	Description
C-5	PDS	<p>Temporary Events in Various Bayview Ridge Zones</p> <p>Make temporary events an outright permitted use in the Aviation Related, Bayview Ridge Light Industrial, and Bayview Ridge Heavy Industrial zones, as they are in Urban Reserve Commercial Industrial.</p>
C-6	PDS	<p>Prohibit Creation of Multiple Lots in Small Scale Business</p> <p>Amend SCC 14.16.140, Small Scale Business, to prohibit lots from being divided through binding site plans to create more development potential than is intended, undermining efforts to maintain rural character.</p>
C-7	PDS	<p>Rural Freeway Service-and Rural Center Development Size Limits</p> <p>Clarify that SCC 14.16.120(5)(b), Rural Freeway Service, limits development to one building rather than one establishment per parcel; and that the building can contain more than one business. Make similar change to Rural Center code SCC 14.16.110(5)(b).</p>
C-8	PDS	<p>Mobile Home Parks</p> <p>Correct SCC 14.16.850(9) which references the wrong section of Title 12 for mobile home parks.</p>
C-9	PDS	<p>Similk Beach Septic</p> <p>Update SCC 14.16.920 to reflect that the septic system envisioned by this section was never constructed.</p>
C-10	PDS	<p>Affidavit for Accessory Dwelling Unit</p> <p>Delete requirement under SCC 14.16.710(1)(i) that the property owner must sign an affidavit affirming the owner or an immediate family member will occupy the principle dwelling unit or ADU for at least six months per year. Consolidate this requirement with title notice requirement in SCC 14.16.710(1)(j).</p>
C-11	PDS	<p>Variance Chapter Formatting Error</p> <p>Correct the formatting error in SCC Chapter 14.10 Variances made through the 2016 Comp Plan/Code update.</p>
C-12	PDS	<p>Repair, Replacement, and Maintenance of Water Lines</p> <p>Make repair, replacement, and maintenance of water lines that are 12 inches or less in diameter a permitted use in all zoning districts.</p>
Comprehensive Plan/Zoning Map		

Number	Petitioner	Description
C-13	PDS	<p>Update and simplify the Airport Environs Overlay (AEO) map</p> <p>Change Airport Compatibility Zone (ACZ) 1 to ACZ-2 for all properties not owned by the Port of Skagit. Remove extraneous lines on AEO map that make it difficult to interpret.</p>
C-14	PDS	<p>Update OSRSI Designations</p> <p>Ika Island (P15229 and P15230) is privately owned and therefore should not be designated Public Open Space of Statewide/Regional Importance (OSRSI).</p> <p>Other properties in the County have been added to public ownership and are of statewide or regional importance and should be designated OSRSI, specifically:</p> <ul style="list-style-type: none"> • Land added to the Department of Natural Resources' inventory of Natural Resources Conservation Areas (NRCA) and Natural Area Preserves (NAP) on Cypress Island; • Land added by Seattle City Light to its inventory of Wildlife Mitigation Lands; and • Skagit County's Presentin Park in Marblemount.
C-15	PDS	<p>Correct Rural Business Designation on Guemes Island</p> <p>The Rural Business (RB) designation on Guemes Island intended for Island International Artists and Northwest Windworks is shown on an incorrect parcel. The RB designation should be moved from P46905 to P61751.</p>
C-16	PDS	<p>MRO Correction</p> <p>Restore the Mineral Resource Overlay (MRO) designation to portions of parcels P35738 and P114291, and an adjacent portion of P35737. The MRO was inadvertently removed through the 2005 Comprehensive Plan Update.</p>
C-17	PDS	<p>Reorganize Personal Wireless Services Facilities</p> <p>Revise SCC 14.16.720 to achieve clearer organization and clarify applicability.</p>