



Planning & Development Services

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Supplemental Staff Report

To: The Skagit County Board of County Commissioners
From: Stacie Pratschner, AICP Senior Planner
Date: December 14, 2017
Re: Deliberations and Potential Adoption of the 2018 Docket of Comprehensive Plan Amendments

SUMMARY:

Planning and Development Services (PDS) is providing this supplemental staff report in advance of the December 19, 2017 Board of County Commissioners (BOCC) deliberations. The purpose of this memo is to provide a synopsis of the 2018 Docket public hearing held on November 21, 2017, summarize public comments concerning the proposed amendments received between the hearing and the issuance of this report, and to request direction concerning the addition of a County-initiated map amendment to the Docket.

NOVEMBER 21, 2017 PUBLIC HEARING:

The previous staff report published in advance of the November 21, 2017 public hearing described four citizen-initiated petitions for amendments to the Comprehensive Plan, zoning map, and/or development regulations, analyzed each request pursuant to the docketing criteria in Chapter 12 of the Comprehensive Plan and Skagit County Code (SCC) 14.08, and provided staff recommendations to include, exclude, or defer each request. Eighteen county-initiated amendments were also presented for discussion.

The County published a Notice of Availability, Public Comment, and Board of County Commissioners public hearing on November 4, 2017. The Department posted the staff report and public notice on the County website on November 3, 2017. The Board of County Commissioners held a public hearing on November 21, 2017 in accordance with SCC 14.08.040(3). The previous staff report, docketing analyses, maps, public comments, and other supporting attachments are available to view at www.skagitcounty.net/2018cpa.

PUBLIC COMMENTS RECEIVED SUBSEQUENT TO THE PUBLIC HEARING:

Each comment letter concerning the 2018 Docket and a transcript of the public hearing (including all oral testimony) are available to view at www.skagitcounty.net/2018cpa. The following is a synopsis of public comments received at and subsequent to the November 21 hearing:

P1 – Ehlers: *A citizen-initiated request to prohibit the activities listed in SCC 14.24.320(1) through (6) in all of unincorporated Skagit County.*

- **Public Comment:** A written comment and oral testimony was submitted by the petitioner requesting the proposed amendment be docketed this year or deferred to the 2019 Docket.
- **Discussion:** A duly-noticed public hearing was held on November 21, 2017 in accordance with SCC 14.08.040(3). The petition does not meet the docketing criteria set forth in SCC 14.08.040(2)(c). Previous analysis of this petition can be viewed at www.skagitcounty.net/2016cpa.

P2 – Samish Bay Cheese: *A citizen-initiated request to permit limited food services as an accessory use to agriculture. The request would amend the definition of “Agricultural Accessory Uses” in SCC 14.04.020 to include limited food service (20 guests or less) as applied in SCC 14.16.400.*

- **Public Comment:** Three comment letters were received from the Skagit County Agricultural Advisory Board, the Western Washington Agricultural Association, and the Skagitonians to Preserve Farmland, requesting that P-2 be excluded from the 2018 Docket. Oral testimony was also submitted.
- **Discussion:** The commenters expressed concern about a piecemeal approach to permitting agritourism and the impact of agritourism on existing production agriculture. A member of the public testified at the public hearing in support of the amendment. The petition meets the criteria for docketing pursuant to SCC 14.08.040.

P17-0414 – Quaker Cove Ministries Camp: *A citizen-initiated request to amend the Comprehensive Plan and zoning designation of thirty-one parcels totaling approximately 25.69 acres from the Rural Intermediate (RI) to Small Scale Recreation and Tourism (SRT).*

- **Public Comment:** Over one hundred comment letters were received requesting that P17-0414 be included on the 2018 Docket. Oral testimony was submitted in support and in opposition to the inclusion of P17-0414 on the Docket.
- **Discussion:** The commenters expressed support for the continuing improvements and growth of the Quaker Cove Camp. A commenter stated concerns that the growth of the camp is incompatible with the South Fidalgo Island neighborhood. The petition meets the criteria for docketing pursuant to SCC 14.08.040.

P17-0416 – Avalon Fully Contained Community: *A request to amend the Countywide Planning Policies, the Comprehensive Plan and the development regulations to enable the establishment of fully contained communities as defined by RCW 36.70A.350. A request for a Comprehensive Plan land use / zoning map amendment to modify seventy parcels totaling 1,244 acres from Rural Resource – Natural Resource Land (RR-NRL), Agriculture – Natural Resource Land (Ag-NRL), Rural Reserve (RRv), and the Mineral Resource Overlay (MRO) to support a mix of new residential, commercial, public, and open space land uses to support a new fully contained community named Avalon.*

- **Public Comment:** Eleven comment letters were received (including from the project proponents), with eight commenters supporting the proposal and three commenters requesting that the petition be excluded from the 2018 Docket. Oral testimony was submitted in support and in opposition to the inclusion of P17-0416 on the Docket.

- **Discussion:** Commenters expressed support for the addition of new affordable homes outside of the floodplain. Commenters also stated their concern that the proposal is in conflict with the Growth Management Act. The petition does not meet the docketing criteria set forth in SCC 14.08.040(2)(c), and the Skagit County Growth Management Steering Committee voted 4-3 to reject a motion to recommend docketing of the request (**Attachment 1**). Previous analysis of this twice-deferred petition can be viewed at www.skagitcounty.net/2017cpa.

C-1 – Delete Comprehensive Plan Policy 4a-5.6: *A County-initiated proposal to remove the portion of Comprehensive Plan Policy 4a-5.6, which states the following: “Drainage Plans for minimizing impacts of development shall be circulated to the affected Drainage District for comment prior to issuance of permits by Public Works.”*

- **Public Comment:** Three comment letters were received (including from Skagit County Drainage and Irrigation District Consortium) requesting that C-1 be excluded from the 2018 Docket. Oral testimony was submitted in opposition to the inclusion of C-1 on the Docket.
- **Discussion:** The commenters expressed concern about the potential negative impacts to the agricultural landscape if collaboration does not take place between the County and the Drainage Districts. PDS proposes to modify the subject policy so that it correctly reflects that Skagit County collaborates with the relevant drainage districts on plans and policies, including evaluating drainage district capacity through the Capital Facilities Plan. The Department recommends that the 2019 to 2024 Capital Facilities Plan incorporate levels of service (LOS) and projected needs of the Drainage Districts within the Non-County Capital Facilities element. Skagit County is in the process of drafting amendments to its stormwater code to include a requirement for property owners to obtain written permission from drainage districts before they can begin using their drainage structures.

P-12 – South Fidalgo Island Rural Residential Map Amendment: *A County-initiated proposal to Amend the Comprehensive Plan and Zoning designation of approximately 4,736 acres from the Rural Reserve (RRv) to a new zone, the South Fidalgo Island Rural Residential (SF-RR). A new section is proposed in Skagit County Code 14.16 – Zoning to provide bulk and dimensional standards for the new zone. Concurrent amendments to the Comprehensive Plan describing the policies and goals of the new zone will also be required.*

- **Public Comment:** A comment letter from the original petitioner of the amendment was received requesting that P-12 be docketed.
- **Discussion:** The attached map, proposed code, and amended Comprehensive Plan language (**Attachments 2a** and **2b**) are the Department’s recommendations for inclusion of P-12. Previous analysis of this deferred petition can be viewed at www.skagitcounty.net/2017cpa.

The attached Department Summary table (**Attachment 3**) provides a summary of PDS’s recommendations for inclusion, exclusion, or deferment of each docket petition.

COUNTY-INITIATED MAP AMENDMENT

The Department at the request of the BOCC proposes adding an additional County-initiated map amendment to the 2018 Docket that was not included in the initial docket proposal. The following

section describes the proposed land use / zoning map amendment, evaluates the request per the criteria in the Comprehensive Plan and development code, and presents a modified schedule for adoption of the Docket.

The Department proposes to modify the land use and zoning designation of 37 parcels totaling approximately 2,759 acres in the Public Open Space of Regional / Statewide Importance (OSRSI), within the boundaries of the Mount Baker-Snoqualmie National Forest, to the Industrial Forest – Natural Resource Lands (IF-NRL) designation or another appropriate designation, such as Natural Resource Industrial (NRI) (**Attachment 4**). This map amendment would be accompanied by the Mineral Resource Overlay (MRO) over the subject parcels where appropriate based on the MRO designation criteria.

SCC 14.16.500 states that the purpose of the OSRSI district is to provide a zoning designation for lands in public ownership that are dedicated or reserved for public purposes or enjoyment for recreation, scenic amenities, or for the protection of environmentally sensitive areas. The parcels subject to this land use amendment are currently in private ownership. The purpose of the map amendment and the application of the MRO is to permit natural resource extraction activities on these privately-held parcels, including timber management and mineral resource operations as allowed in the IF-NRL zone pursuant to SCC 14.16.410.

SCC 14.08.020(6) authorizes the BOCC to initiate map amendments through the yearly docketing cycle. SCC 14.08.040(3) requires a public hearing to be held in order for the Board to consider the public's comments when making a decision about which petitions to include as part of the annual docket. In accordance with SCC 14.08.020(5) and RCW 36.70A.130(2)(a), the County, with few exceptions, must adopt all amendments to the Comprehensive Plan simultaneously each year. The Department therefore proposes the following modified schedule for the adoption of which petitions to include, exclude, or defer for the 2018 Docket:

Date	Legislative Action
December 19, 2017	Decision and direction to the Department on whether to proceed with consideration of inclusion of the OSRSI map amendment.
January 16, 2018	Public hearing to consider the inclusion of the OSRSI map amendment on the 2018 Docket.
January 23, 2018	Deliberations and adoption of which petitions to include on the 2018 Docket.

Staff will issue public notice of the additional public hearing if so directed by the BOCC.

RESOLUTION AND RECOMMENDATIONS:

The Department requests direction from the BOCC concerning the County-initiated OSRSI map amendment and revised schedule for an additional public hearing and deliberations. If the BOCC directs the Department to exclude the additional map amendment, then the BOCC may sign the attached Resolution (**Attachment 5**) adopting the 2018 Docket as presented at November 21, 2017 hearing.

LIST OF ATTACHMENTS:

1. Letter from the Skagit County Board of County Commissioners to the Skagit County Growth Management Act Steering Committee, dated September 6, 2017
2. P-12: South Fidalgo Island Rural Residential Map Amendment
 - a. Map of proposed amendment area
 - b. Comprehensive Plan and development code revisions
3. Department Recommendations Summary Table
4. Map of proposed OSRSI amendment area
5. A Resolution Establishing the 2018 Docket for Amendment to the Comprehensive Plan, Zoning Map, and/or Development Regulations



Skagit County Board of Commissioners

Ron Wesen, First District
Kenneth A. Dahlstedt, Second District
Lisa Janicki, Third District

ATTACHMENT 1

September 6, 2017

GMA Steering Committee
204 W Montgomery Street
Mount Vernon, WA 98273

Dear Steering Committee Members:

As part of the process to establish Skagit County’s 2018 docket of Comprehensive Plan amendments, Skagit Partners, LLC, has submitted a request to create a new fully contained community adjacent to Butler Hill near the Avalon Golf Course. The application materials (PL17-0416) are available at www.skagitcounty.net/2018cpa. The proposal is essentially the same as the prior proposals that the Board of County Commissioners deferred from the last two annual dockets.

Skagit County again requests the GMA Steering Committee’s recommendation on docketing this proposal, as we do for any proposed change in UGA boundaries. Given that the GMA Steering Committee has twice considered this proposal and recommended against docketing it, if the Steering Committee decides not to schedule the topic for further discussion at your October meeting, we will take that as a negative recommendation. Alternatively, if the GMA Steering Committee recommends affirmatively and we subsequently docket the proposal, we would likely proceed with an Environmental Impact Statement consistent with the approach we described in our [October 2016 memo](#).

Thank you for your consideration.

Sincerely,

**BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**



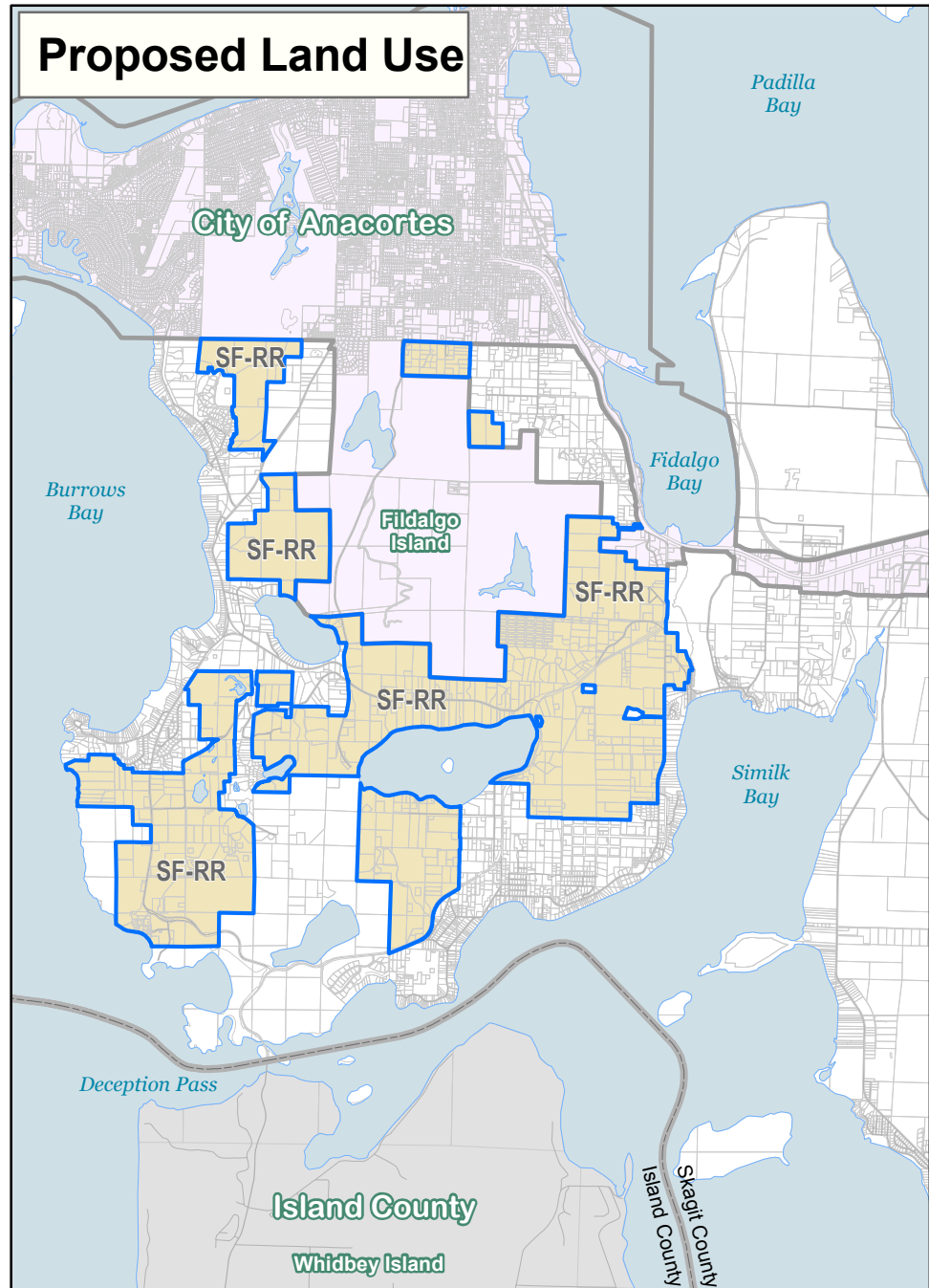
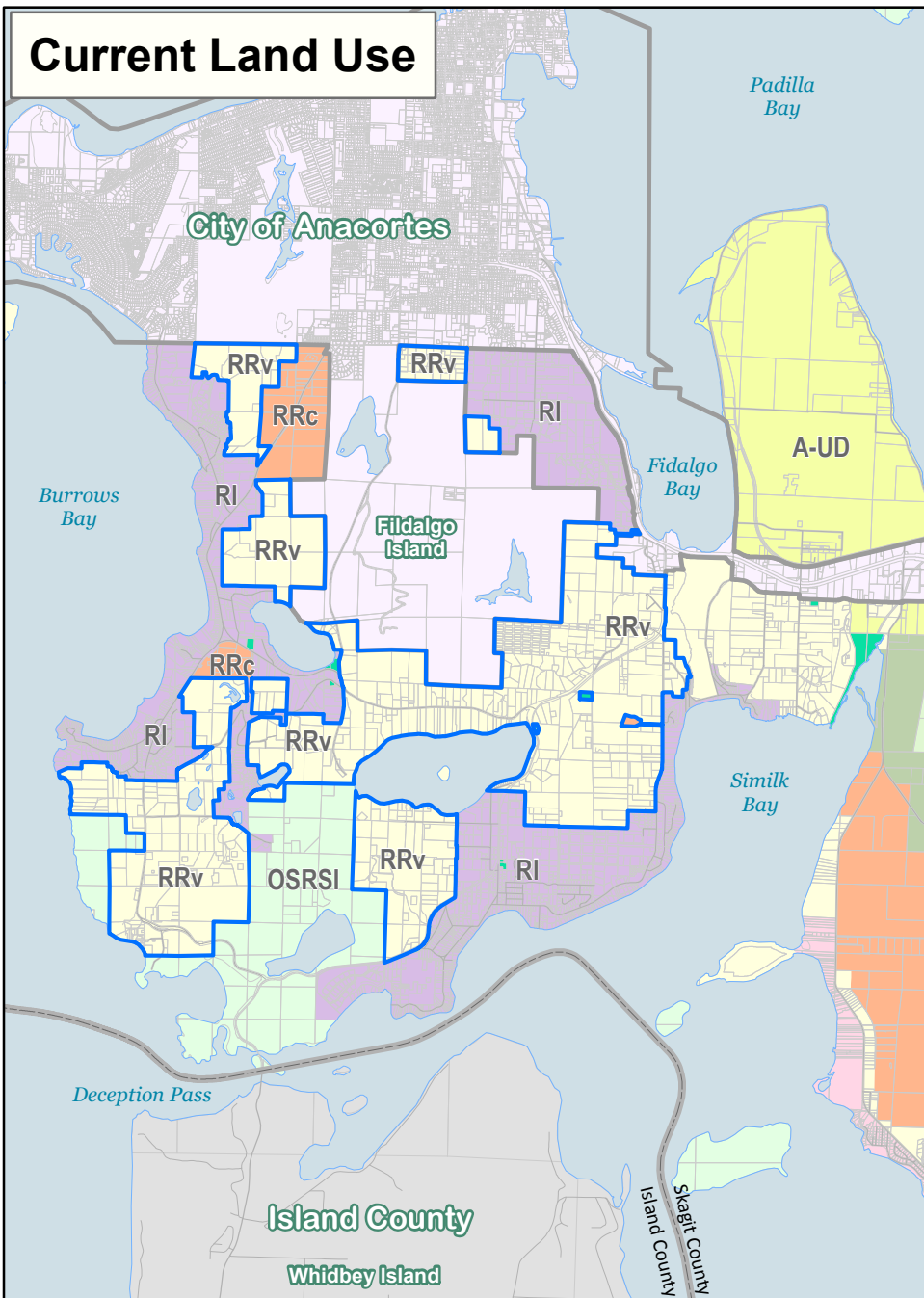
Ron Wesen, Chair
Commissioner



Kenneth A. Dahlstedt
Commissioner



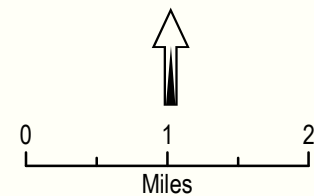
Lisa Janicki
Commissioner



South Fidalgo Island Rezone Proposed Land Use / Zoning Map Amendment

- Land use Amendment Area
- [RI] Rural Intermediate
- [SF-RR] South Fidalgo Rural Residential
- [RRv] Rural Reserve
- [RRc-NRL] Rural Resource - NRL

Map Date: November 2017 Skagit County GIS



ATTACHMENT 2b

P-12. Rezone Rural Reserve on South Fidalgo Island to new zone called South Fidalgo Rural Residential

Plain text = existing code with no changes
~~Strikethrough~~ = existing code to be deleted
Underlined = new code to be added
~~Double Strikethrough~~ = existing code moved to another location
Double Underline = existing code moved from another location
Italics = instructions to code reviser
 [Bracketed] = options for public comment

Proposed redesignation/rezone to South Fidalgo Rural Residential (SF-RR):

Property on South Fidalgo Island zoned Rural Reserve (in orange on the map) would be changed to a new zone called South Fidalgo Rural Residential (SF-RR) on the Skagit County Land Use and Zoning Map.

[new map here]

Proposed Comprehensive Plan text and policy amendment authorizing the new SF-RR designation and zone:

Comprehensive Plan, p. 62:

Table 1: Land Use Designations and Acreage (Source: Skagit County Mapping Services)

Land Use Designations	Acreage
Rural Lands	
Rural Village Residential (RV)	2,791
Rural Intermediate (RI)	8,035
Rural Reserve (RRv)	70,378 64,942
South Fidalgo Rural Residential (SF-RR)	<u>4,036</u>
Subtotal	81,204
Commercial/Industrial Lands	
Rural Business (RB)	186
Rural Freeway Service (RFS)	29
Rural Village Commercial (RVC)	20
Natural Resource Industrial (NRI)	239
Small-Scale Recreation & Tourism (SRT)	16
Rural Center (RC)	19
Rural Marine Industrial (RMI)	50

Comment [SP1]: Approximate amount of acreage remaining in the RRv after the rezone.

Small-Scale Business (SSB)	31
Master Planned Resort	113
Subtotal	703

Comprehensive Plan Rural Element, p. 63:

The residential land use designations in the Rural Area are:

- Rural Intermediate (RI)
- Rural Village Residential (RVR)
- Rural Reserve (RRv)
- [South Fidalgo Rural Residential \(SF-RR\)](#)

Comprehensive Plan, p. 64:

In contrast to Rural Village Residential and Rural Intermediate, the Rural Reserve designation covers those portions of the rural area that were not already developed at higher densities in 1990. The Growth Management Hearings Boards have generally said that rural area densities must be one residence per five acres or lower – equating to lot sizes of five acres or larger – unless the area is designated a LAMIRD. Land designated Rural Reserve may be developed at one residence per 10 acres, or two residences per 10 acres through a Conservation and Reserve Development (CaRD), a technique for allowing development while preserving open space that is discussed in greater detail in the Land Use Chapter. [The South Fidalgo Rural Residential designation applies to all rural lands on Fidalgo Island, generally west of Sharpe’s Corner, that were formerly designated Rural Reserve until the creation of the South Fidalgo Rural Residential designation and zone in 2017. South Fidalgo Rural Residential has the same base density as Rural Reserve—1 residence per 10 acres in standard land divisions—but allows many fewer special uses than Rural Reserve. The designation was established at the request of Fidalgo Island residents to maintain larger rural residential lots, protect the island’s rural character and aquifer, and limit increases in traffic congestion. Island residents raised these issues during the South Fidalgo Island subarea planning process but no plan was ever adopted.](#)

Comment [SP2]: Updated from Reservation Road.

Comprehensive Plan, p. 81:

Rural Residential Designations

Rural Reserve, Rural Intermediate, [South Fidalgo Rural Residential](#), and Rural Village Residential are the main residential land use designations in the Rural area. There is also a Bayview Ridge-Urban Reserve (BV-URv) designation adjacent to the Bayview Ridge Urban Growth Area to allow expansion of the Urban Growth Area in the future if necessary. All lands designated Rural Intermediate and Rural Village Residential are considered to be part of a Limited Area of More Intensive Rural Development (LAMIRD) as described in policy 3B-1.2 and as authorized by RCW 36.70A.070(5)(d)(i). These designations reflect areas that were generally already developed or platted at land use densities of 1 residence (or “dwelling unit”) per 2.5 acres, or greater, when the Growth Management Act was implemented in 1990. The Rural Reserve designation identifies portions of the Rural area that were not already developed at these higher densities. The Rural designation and density criteria follow.

Goal 3C Provide for a variety of rural residential land use densities while retaining the rural landscape, character, and lifestyles.

policy 3C-1.1 **Rural Reserve (RRv).** The Rural Reserve designation applies to all rural areas outside of the following designations: Natural Resource Lands, Rural

Intermediate, Rural Village, [South Fidalgo Rural Residential](#), any of the various Rural commercial/industrial designations, Open Space of Statewide/Regional Significance, or Urban Growth Area. The maximum allowed residential gross density is 1 residence per 5 acres in conservation and reserve development (CaRD) land divisions, and 1 residence per 10 acres in standard land divisions.

policy 3C-1.2 –1.4 *No change*

policy 3C-1.5 [South Fidalgo Rural Residential \(SF-RR\). The South Fidalgo Rural Residential designation applies to all rural lands on Fidalgo Island, generally west of Sharpe's Corner, that were formerly designated Rural Reserve until the creation of the South Fidalgo Rural Residential designation and zone. South Fidalgo Rural Residential has the same base density as Rural Reserve—1 residence per 10 acres in standard land divisions—but allows many fewer special uses than Rural Reserve, \[and does not allow CaRD land divisions.\]](#)

Comment [SP3]: Updated from Reservation Road.

No changes are proposed to Rural Reserve. The Rural Reserve code is shown here for comparison with the proposed new South Fidalgo Rural Residential zone below, and the Planning Commission may recommend reversion of any portion of the new SF-RR zone to the status quo that exists as part of the Rural Reserve zone.

14.16.320 Rural Reserve (RRv).

- (1) Purpose. The purpose of the Rural Reserve district is to allow low-density development and to preserve the open space character of those areas not designated as resource lands or as urban growth areas. Lands in this zoning district are transitional areas between resource lands and non-resource lands for those uses that require moderate acreage and provide residential and limited employment and service opportunities for rural residents. They establish long-term open spaces and critical area protection using CaRDs as the preferred residential development pattern.
- (2) Permitted Uses.
 - (a) Agriculture.
 - (b) Agricultural accessory uses.
 - (c) Agricultural processing facilities.
 - (d) Co-housing, as part of a CaRD, subject to SCC 14.18.300 through 14.18.330.
 - (e) Cultivation, harvest and production of forest products or any forest crop, in accordance with the Forest Practice Act of 1974, and any regulations adopted pursuant thereto.
 - (f) Detached single-family dwelling units.
 - (g) Family day care provider.
 - (h) Home-Based Business 1.
 - (i) Residential accessory uses.
 - (j) Seasonal roadside stands under 300 square feet.
 - (k) Maintenance, drainage.

- (l) Net metering system, solar.
 - (m) Repair, replacement and maintenance of water lines with an inside diameter of 8 inches or less.
 - (n) Recycling drop box facility, accessory to a permitted public, institutional, commercial or industrial use.
- (3) Administrative Special Uses.
- (a) Bed and breakfast, subject to SCC 14.16.900(2)(c).
 - (b) Campground, destination, pre-existing 30 acres or less. Existing, permitted campgrounds with 30 total parcel acres or less that met the definition of "Campground, destination," as of May 17, 2009, shall be eligible for modifications to existing special use permit(s) provided:
 - (i) The total number of camp sites does not increase from what existed on May 17, 2009;
 - (ii) The footprint of the campground does not increase from what existed on May 17, 2009; and
 - (iii) The original permit conditions regarding perimeter buffers are met.

All amenities listed for "Campgrounds, developed" shall be allowed through the permit modification process. New amenities associated with the definition of "Campground, destination" shall not be allowed. Additional minor improvements to the existing campground may also be allowed at the discretion of the Administrative Official, provided the improvements do not constitute expansion or intensification or result in adverse impacts to the surrounding area.

- (c) Expansion of existing major public uses up to 3,000 square feet.
 - (d) Home-Based Business 2.
 - (e) Kennel, day-use.
 - (f) Minor public uses.
 - (g) Minor utility developments.
 - (h) Outdoor storage of processed and unprocessed natural materials in quantities less than 500 cubic yards that do not have a potential health hazard.
 - (i) Outdoor storage of processed and unprocessed natural materials in quantities less than 50 cubic yards that may have a potential health hazard. Does not include storage of hazardous materials.
 - (j) Parks, specialized recreational facility.
 - (k) Temporary manufactured home.
 - (l) Temporary events.
 - (m) Trails and primary and secondary trailheads.
- (4) Hearing Examiner Special Uses.
- (a) Aircraft landing field, private.

- (b) Animal clinic hospital.
- (c) Animal preserve.
- (d) Campground, developed.
- (e) Cemetery.
- (f) Church.
- (g) Community club/grange hall.
- (h) Display gardens.
- (i) Fish hatchery.
- (j) Golf course.
- (k) Historic sites open to the public.
- (l) Home-Based Business 3.
- (m) Impoundments greater than 1-acre feet in volume.
- (n) Kennels.
 - (i) Boarding kennel.
 - (ii) Limited kennel.
- (o) Major public uses and expansions of existing major public uses, 3,000 square feet and greater.
- (p) Major utility developments.
- (q) Manure lagoon.
- (r) Natural resources training/research facility.
- (s) Off-road vehicle use areas and trails.
- (t) Outdoor outfitters enterprises.
- (u) Outdoor recreational facilities.
- (v) Outdoor storage of processed and unprocessed natural materials in quantities greater than 500 cubic yards that do not have a potential health hazard.
- (w) Outdoor storage of processed and unprocessed natural materials in quantities greater than 50 cubic yards that may have a potential health hazard. Does not include storage of hazardous materials.
- (x) Parks, community.
- (y) Personal wireless services towers, subject to SCC 14.16.720.
- (z) Racetrack, recreational.
- (aa) Wholesale nurseries/greenhouses.
- (bb) Seasonal roadside stands over 300 square feet.
- (cc) Seasonal worker housing.

- (dd) Stables and riding clubs.
- (ee) Temporary asphalt/concrete batching, subject to the applicable provisions of SCC 14.16.440.
- (ff) Anaerobic digester.
- (5) Dimensional Standards.
 - (a) Setbacks, Primary Structure.
 - (i) Front: 35 feet, 25 feet on minor access and dead-end streets.
 - (ii) Side: 8 feet on an interior lot.
 - (iii) Rear: 25 feet.
 - (b) Setbacks, Accessory Structure.
 - (i) Front: 35 feet.
 - (ii) Side: 8 feet, a 3-foot setback is permitted for nonresidential structures when the accessory building is a minimum of 75 feet from the front property line or when there is an alley along the rear property line, 20 feet from the street right-of-way.
 - (iii) Rear: 25 feet, a 3-foot setback is permitted for nonresidential structures when the accessory building is a minimum of 75 feet from the front property line or when there is an alley along the rear property line.
 - (c) Setbacks from NRL lands shall be provided per SCC 14.16.810(7).
 - (d) Maximum height: 40 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.
 - (ii) If adjacent to a BR-LI zone, the maximum height shall not exceed 40 feet, unless limited by SCC 14.16.210 (Airport Environs).
 - (e) Minimum lot size: 10 acres or 1/64th of a section, unless created through a CaRD.
 - (f) Minimum lot width: 150 feet.
 - (g) Maximum lot coverage:
 - (i) For agricultural accessory and agricultural processing uses: 35 percent;
 - (ii) For all other uses: 5,000 square feet or 20 percent, whichever is greater, but not to exceed 25,000 square feet.
- (6) 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.

New Section SCC 14.16.390 South Fidalgo Rural Residential

- (1) Purpose. The purpose of the South Fidalgo Rural Residential district is to allow low-density residential development on South Fidalgo Island outside of designated resource lands, Rural Intermediate, and urban growth areas, helping to protect the island's rural character and aquifer. Lands in this zoning district are transitional areas between resource lands and non-

resource lands for those uses that require moderate acreage and provide residential and very limited employment and service opportunities for rural residents.

(2) Permitted Uses.

- (a) Agriculture.
- (b) Agricultural accessory uses.
- (c) Agricultural processing facilities, for agricultural goods that are primarily produced on Fidalgo Island.
- (d) Co-housing, as part of a CaRD, subject to SCC 14.18.300 through 14.18.330.
- (e) Cultivation, harvest and production of forest products or any forest crop, in accordance with the Forest Practice Act of 1974, and any regulations adopted pursuant thereto.
- (f) Detached single-family dwelling units.
- (g) Family day care provider.
- (h) Home-Based Business 1.
- (i) Residential accessory uses.
- (j) Seasonal roadside stands under 300 square feet.
- (k) Maintenance, drainage.
- (l) Net metering system, solar.
- (m) Repair, replacement and maintenance of water lines with an inside diameter of 8 inches or less.
- (n) Recycling drop box facility, accessory to a permitted public, institutional, commercial or industrial use.

Comment [SP4]: Per the recommendation in the staff report.

(3) Administrative Special Uses.

- (a) Bed and breakfast, subject to SCC 14.16.900(2)(c).
- (b) Campground, destination, pre-existing 30 acres or less, subject to the same restrictions as in Rural Reserve.
- (c) Expansion of existing major public uses up to 3,000 square feet.
- (d) Home-Based Business 2.
- (e) Minor public uses.
- (f) Minor utility developments.
- (g) Parks, specialized recreational facility.
- (h) Temporary manufactured home.
- (i) Temporary events.
- (j) Trails and primary and secondary trailheads.

(4) Hearing Examiner Special Uses.

- (a) Aircraft landing field, private.

- (b) Cemetery.
 - (c) Church.
 - (d) Community club/grange hall.
 - (e) Historic sites open to the public.
 - (f) Home-Based Business 3.
 - (g) Impoundments greater than 1-acre feet in volume.
 - (h) Major public uses and expansions of existing major public uses, 3,000 square feet and greater.
 - (i) Major utility developments.
 - (j) Natural resources training/research facility.
 - (k) [Outdoor recreational facilities,]
 - (l) Parks, community.
 - (m) Personal wireless services towers, subject to SCC 14.16.720.
 - (n) Seasonal roadside stands over 300 square feet.
 - (o) Stables and riding clubs.
- (5) Dimensional Standards.
- (a) Setbacks, Primary Structure.
 - (i) Front: 35 feet, 25 feet on minor access and dead-end streets.
 - (ii) Side: 8 feet on an interior lot.
 - (iii) Rear: 25 feet.
 - (b) Setbacks, Accessory Structure.
 - (i) Front: 35 feet.
 - (ii) Side: 8 feet, a 3-foot setback is permitted for nonresidential structures when the accessory building is a minimum of 75 feet from the front property line or when there is an alley along the rear property line, 20 feet from the street right-of-way.
 - (iii) Rear: 25 feet, a 3-foot setback is permitted for nonresidential structures when the accessory building is a minimum of 75 feet from the front property line or when there is an alley along the rear property line.
 - (c) Setbacks from NRL lands shall be provided per SCC 14.16.810(7).
 - (d) Maximum height: 40 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) Minimum lot size: 10 acres or 1/64th of a section, unless created through a CaRD.
 - (f) Minimum lot width: 150 feet.

Comment [SP5]: This term is not defined in Title 14. Bracketed to indicate possible deletion.

- (g) Maximum lot coverage:
 - (i) For agricultural accessory and agricultural processing uses: 35 percent;
 - (ii) For all other uses: 5,000 square feet or 20 percent, whichever is greater, but not to exceed 25,000 square feet.
- (6) 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.

14.18 Conservation and Reserve Developments (CaRDs)—An alternative division of land.

No change.

- (1) Purpose. *No change.*
- (2) Applicability.
 - (a) *No change.*
 - (b) *No change.*
 - (c) CaRDs are permitted in the following zones:
 - (i) – (x) *No change.*
 - (xi) South Fidalgo Rural Residential (on parcels 10 acres or 1/64 section, or greater, with 1 lot allowed for each additional 5 acres or 1/128 section).
 - (d) *No change.*
- (3) *No change.*
- (4) *No change.*

14.18.310 General approval provisions—CaRD.

- (1) *No change.*
- (2) Allowable Density. The maximum residential gross densities shall not exceed those set forth in the following lot size table. The maximum density as allowed for by the Comprehensive Plan may not necessarily be granted if a density limitation is necessary to meet septic and/or water system requirements. **There shall be no density bonus for CaRD developments on Fidalgo Island or in areas designated as a “sole source aquifer,” except where the source of water is from a public water system whose source is outside the designated area [or from an approved alternative water system pursuant to Chapter 12.48 SCC].** Applications for such systems are processed pursuant to the regulations outlined in Chapter 12.48 SCC. Applications for CaRDs requesting an alternative system to obtain a density bonus shall be processed as a Level II application. Hearing Examiner criteria for review of an alternative system shall ensure that the system has no adverse impacts to the sole source aquifer. For CaRD density bonus developments in flow-sensitive basins refer to SCC 14.24.350.

Comment [RW6]: Per discussions during 2017 docket.

Comment [RW7]: Land divisions are not allowed using alternative water sources on these two islands. Bracketed to indicate possible deletion.

Zone	Maximum Residential Densities with a CaRD*	Open Space Options
Rural Intermediate	1/2.5 acres or 1 per 1/256 of a section	All, where appropriate
Rural Village Residential	1/1 acre or 1 per 1/640 of a section with public water and septic or 1/2.5 acres or 1/256 of a	All, where appropriate

	section with private water and septic	
Rural Reserve	2/10 acres or 2 per 1/64 of a section	All, where appropriate
Agricultural—Natural Resource Lands	1/40 acres or 1 per 1/16 of a section	Os-PA, Os-NRL Os-RSV (per Subsection (6))
Industrial—Natural Resource Lands	1/80 acres or 1 per 1/8 of a section	Os-PA, Os-NRL Os-RSV (per Subsection (6))
Secondary Forest—Natural Resource Lands	1/20 acres or 1 per 1/32 of a section	Os-PA, Os-NRL Os-RSV (per Subsection (6))
Rural Resource—Natural Resource Lands	4/40 acres or 4 per 1/16 of a section	Os-PA, Os-NRL Os-RSV (per Subsection (6))
Hamilton Residential	4/40 acres or 4 per 1/16 of a section	Os-PA, Os-UR, Os-RO, Os-RSV
Hamilton Urban Reserve	4/40 acres or 4 per 1/16 of a section	Os-PA, Os-UR, Os-RO, Os-RSV
South Fidalgo Rural Residential	2/10 acres or 2 per 1/64 of a section	All, where appropriate
	*Exception: Maximum residential densities for lands in or within one-quarter mile of a designated Mineral Resource Overlay (MRO) shall be no greater than 1/10 acres; provided, that if the underlying land use designation density of land within one-quarter mile of MRO lands is greater than 1/10 acres, the development rights associated with that density may be transferred to and clustered on that portion of the property located outside of one-quarter mile for the MRO lands, consistent with the CaRD policies in the Comprehensive Plan.	

(3) – (9) *No change.*

ATTACHMENT 3

Department Recommendations Summary

The “PDS” column indicates the Department’s recommendation on whether to include, exclude, or defer a proposal for the 2018 Docket. The “Commissioner” column allows each Commissioner to write in their preferred action. The “Comments” column indicates any recommended variation to the proposal, or whether the goals or intent of the proposal can be furthered in another way.




PDS	Commissioner	#	Petitioner	Subject	Comment
Policy and / or Code Amendments					
Exclude		P-1	Carol Ehlers	Prohibit the activities listed in SCC 14.24.320 in all of unincorporated Skagit County.	
Include		P-2	Roger Wechsler (Samish Bay Cheese)	Allow limited food service as an agricultural accessory use.	
Comprehensive Plan / Zoning Map Amendments					
Include		PL17-0414	Elizabeth Seume (Quaker Cove Ministries)	Amend the Comprehensive Plan and Zoning designation of approximately 26 acres on Fidalgo Island from Rural Intermediate (RI) to Small Scale Recreation and Tourism (SRT).	
Exclude		PL17-0416	Bill Sygitowicz (Skagit Partners LLC)	Amend the Comprehensive Plan, Development Regulations, Countywide Planning Policies, and Comp Plan/Zoning Map to allow consideration of a fully contained community at Butler Hill.	
County-Initiated Proposals					
Include		C-1	PDS	Delete and Modify Comprehensive Plan Policy 4A-5.6.	Modify the policy to state that the Planning Department stormwater site plans and issues development permits, and make collaboration with the Drainage District a

PDS	Commissioner	#	Petitioner	Subject	Comment
					codified requirement in SCC Title 14 or 16. The Department also recommends that the 2019 to 2024 Capital Facilities Plan incorporate levels of service (LOS) and projected needs of the Drainage Districts within the Non-County Capital Facilities element.
Include		C-2	PDS	Remove extraneous language for home-based businesses.	
Include		C-3	PDS	Authority to modify permits.	
Include		C-4	PDS	Storage of articles or vehicles in setbacks and rights-of-way.	
Include		C-5	PDS	Administrative official final determination of height in the Airport Environs Overlay.	
Include		C-6	PDS	Delete language in SCC 14.16 regarding property value impacts from wireless facilities.	
Include		C-7	PDS	Delete language in SCC 14.16 regarding special uses complying with the Comprehensive Plan.	
Include		C-8	PDS	Delete the definition for "Unclassified Use".	
Include		C-9	PDS	Correction to Master Planned Resort Designation.	
Include		C-10	PDS	Delete delay for issuance of permits in the Airport Environs Overlay.	
Include		C-11	PDS	Delete examples of administrative decisions.	

PDS	Commissioner	#	Petitioner	Subject	Comment
Include		C-12	PDS	Delete SCC 14.10.030(2).	
Include		C-13	PDS	Modify short plat alterations to be a Level I decision.	
Include		C-14	PDS	Amend SCC 14.06.150 to modify applicant submission requirements for notification.	
Include		C-15	PDS	Add In-Patient facilities locations to Essential Public Facilities.	
Include		C-16	PDS	Add allowance for primitive campgrounds to the Rural Reserve zone.	
Include		C-17	PDS	Remove reference to building code in setback easements.	
Include		C-18	PDS	Modify site assessment requirements for liquefaction hazard areas.	
Include		P-12	PDS	Amend the Comprehensive Plan and Zoning designation of approximately 4,736 acres from the Rural Reserve (RRv) to a new zone, the South Fidalgo Island Rural Residential (SF-RR). A new section is proposed in Skagit County Code 14.16 – Zoning to provide bulk and dimensional standards for the new zone. Concurrent amendments to the Comprehensive Plan describing the policies and goals of the new zone will also be required.	

ATTACHMENT 4

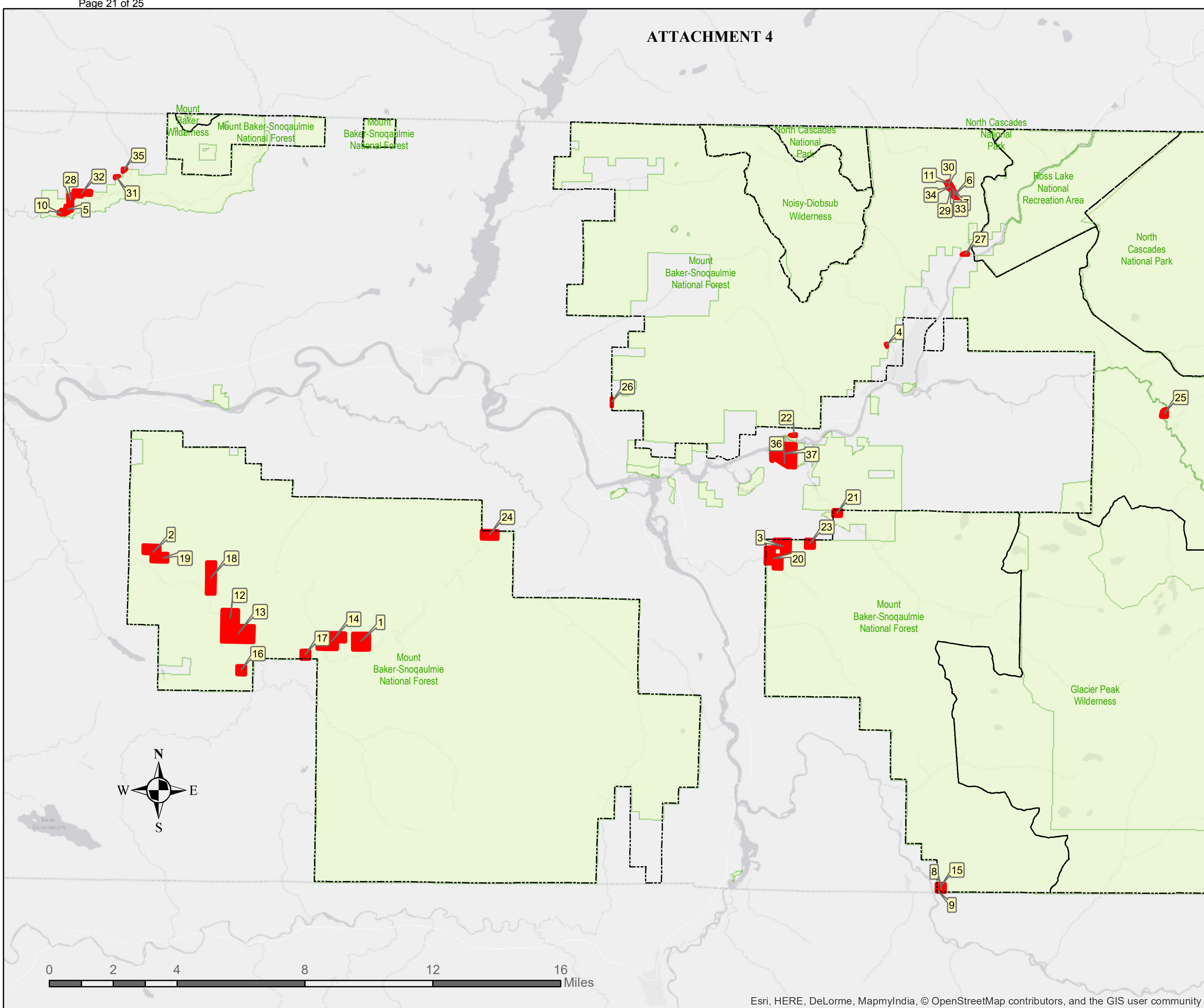
Properties Zoned OSRSI within the Mount Baker-Snoqualmie National Forest

-  Federal Admin Boundary
-  OSRSI Private Owner
-  OSRSI



DRAFT FOR REVIEW

Map ID	PARCELID	Owner Name	Acres
1	P30728	LONGVIEW TIMBER CORP	160.0
2	P30711	CHRISTIAN FUTURES INC	120.0
3	P31028	SIERRA PACIFIC HOLDING CO	266.0
4	P113122	PORTER WILLIAM DANIEL	1.7
5	P131714	SIERRA PACIFIC INDUSTRIES	41.7
6	P51780	PITTLE LESTER	23.1
7	P51779	FIDALGO PROPERTIES LLC	6.9
8	P18995	HADLEY J AURELIA	20.0
9	P18995	HADLEY J AURELIA	20.0
10	P131714	SIERRA PACIFIC INDUSTRIES	41.7
11	P51783	MIDKIFF ALAN & MIDKIFF DEBORAH	6.9
12	P30716	CHRISTIAN FUTURES INC	160.0
13	P30718	LONGVIEW TIMBER CORP	320.0
14	P30729	LONGVIEW TIMBER CORP	176.6
15	P18994	HADLEY J AURELIA	20.0
16	P30723	LONGVIEW TIMBER CORP	40.0
17	P30717	LONGVIEW TIMBER CORP	40.0
18	P30713	CHRISTIAN FUTURES INC	160.0
19	P30712	CHRISTIAN FUTURES INC	40.0
20	P31028	SIERRA PACIFIC HOLDING CO	266.0
21	P31005	SIERRA PACIFIC HOLDING CO	128.5
22	P45393	FRENCH FRANCES S	5.8
23	P31029	SIERRA PACIFIC HOLDING CO	39.8
24	P30727	SIERRA PACIFIC HOLDING CO	77.5
25	P46326	OHERN JOHN D	21.4
26	P44432	LONGVIEW TIMBER CORP	155.8
27	P51820	HANSEN MARK D	3.5
28	P131710	SIERRA PACIFIC INDUSTRIES	30.1
29	P51780	PITTLE LESTER	23.1
30	P51782	OLHEISER ROBERT J	6.9
31	P131717	BLOEDEL TIMBERLANDS DEV INC	3.0
32	P131709	SIERRA PACIFIC INDUSTRIES	54.4
33	P51784	PITTLE LESTER	2.0
34	P51781	MILLER JAMIN L & MILLER TRICIA M	6.9
35	P131716	BLOEDEL TIMBERLANDS DEV INC	8.1
36,37	P45607	SKAGIT LAND TRUST	262.0
TOTAL			2,759.2



ATTACHMENT 5

A Resolution Establishing the 2018 Docket for Amendments to the Comprehensive Plan, Zoning Map, and/or Development Regulations

Whereas under SCC 14.08.030, Skagit County accepted proposals for amendments to the Comprehensive Plan, zoning map, and/or development regulations through the last business day of July 2017;

Whereas Skagit County Planning & Development Services received four proposals for consideration on the 2018 Docket;

Whereas Skagit County Planning & Development Services published notice of the docket proposals on November 4, 2017, and accepted written public comments through November 27, 2017;

Whereas the Skagit County Board of Commissioners (Board) held a public hearing on the proposals on November 21, 2017;

Whereas the Growth Management Act (GMA) Steering Committee (comprised of representatives from Skagit County and other cities and towns in the County) met on October 31, 2017, and recommended 4-3 against revising the 20-year urban population forecast to accommodate Fully Contained Communities, including the Avalon Fully Contained Community (FCC) proposal;

Whereas on December 19, 2017, the Board deliberated on the proposals for the 2018 Docket including public comments;

Whereas under RCW 36.70A.130(2)(a), updates, proposed amendments, or revisions to the Comprehensive Plan are considered by the County no more frequently than once every year; and

Whereas under SCC 14.08.020(6), the Board may accept petitions for development regulation amendments as part of the annual docketing process, or may itself initiate the process of adopting or amending development regulations at any time.

Now Therefore, Be It Resolved by the Board of County Commissioners that:

The 2018 Docket for Amendments to the Comprehensive Plan, Zoning Map, and/or Development Regulations are attached hereto as Exhibit A.

Witness Our Hands and the Official Seal of Our Office this ___ day of _____, 2017.

**Board of County Commissioners
Skagit County, Washington**

Lisa Janicki, Chair

Ron Wesen, Commissioner

Kenneth A. Dahlstedt, Commissioner

ATTEST:

Clerk of the Board

APPROVED AS TO CONTENT:

Tim Holloran, Interim Director
Planning & Development Services

APPROVED AS TO FORM:



Julie Nicoll, Civil Deputy
Skagit County Prosecutor's Office

Exhibit A

2018 Docket for Amendments to the Comprehensive Plan, Zoning Map, and Development Regulations

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Policy and / or Code Amendments			
Exclude	P-1	Carol Ehlers	Prohibit the activities listed in SCC 14.24.320 in all of unincorporated Skagit County.
Include	P-2	Roger Wechsler (Samish Bay Cheese)	Allow limited food service as an agricultural accessory use.
Comprehensive Plan / Zoning Map Amendments			
Include	PL17-0414	Elizabeth Seume (Quaker Cove Ministries)	Amend the Comprehensive Plan and Zoning designation of approximately 26 acres on Fidalgo Island from Rural Intermediate (RI) to Small Scale Recreation and Tourism (SRT).
Exclude	PL17-0416	Bill Sygitowicz (Skagit Partners LLC)	Amend the Comprehensive Plan, Development Regulations, Countywide Planning Policies, and Comp Plan/Zoning Map to allow consideration of a fully contained community at Butler Hill (also known as Avalon Fully Contained Community proposal).
County – Initiated Proposals			
Include	C-1	PDS	Delete and Modify Comprehensive Plan Policy 4A-5.6.
Include	C-2	PDS	Remove extraneous language for home-based businesses.
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