



Planning & Development Services

1800 Continental Place ▪ Mount Vernon, Washington 98273
office 360-416-1320 ▪ pds@co.skagit.wa.us ▪ www.skagitcounty.net/planning

Supplemental Staff Report

To: Board of County Commissioners
From: Stacie Pratschner, AICP Senior Planner
Date: January 18, 2018
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 January 23, 2018 Board of County Commissioners (BOCC) deliberations. The purpose of this memo is to provide a synopsis of the second 2018 Docket public hearing held on January 16, 2018, summarize public comments concerning the proposed amendments received between the hearing and the issuance of this report, and request that the Board decide which proposals merit inclusion in this year's docket.

Background

NOVEMBER 21, 2017 PUBLIC HEARING

The 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 BOCC held a public hearing on November 21, 2017 in accordance with SCC 14.08.040(3), and deliberations were held on December 19, 2017. The previous staff report, docketing analyses, maps, public comments, and other supporting attachments are available to view at www.skagitcounty.net/2018cpa.

DECEMBER 19, 2017 DELIBERATIONS

The supplemental staff report published in advance of the December 19, 2017 deliberations summarized public comments concerning the proposed amendments received between the November 21 hearing and the issuance of the report on December 14, 2017. The Department provided additional

recommendations for the modification of Comprehensive Plan Policy 4a-5.6 (Item C-1) and the adoption of the South Fidalgo Island Rural Residential Map Amendment (Item P-12).

PDS at the request of the BOCC added a County-initiated proposal to modify the land use and zoning designation of approximately 2,759 acres privately owned OSRSI parcels to Industrial Forest or another appropriate designation (Item C-19). The BOCC made a unanimous motion to hold a second public hearing pursuant to SCC 14.08.040(3) to consider the inclusion of item C-19 on the 2018 Docket and to accept additional public comment on the entire list of proposed amendments. The supplemental staff report, summary of public comments, updated list of both citizen and County-initiated amendments, and other supporting attachments are available to view at www.skagitcounty.net/2018cpa.

JANUARY 16, 2018 SECOND PUBLIC HEARING

The staff report published in advance of the January 16, 2018 public hearing synopsised the previous docket hearing and deliberations, and provided additional analysis of the addition of County-Initiated map amendment C-19 to 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). This map amendment would also include an evaluation of the Mineral Resource Overlay (MRO) criteria over the subject parcels. PDS has issued a letter to the property owners of the 37 subject parcels describing the proposed amendment.

The County published a Notice of Availability, Public Comment, and Board of County Commissioners public hearing on December 26, 2017. The Department posted the staff report and public notice on the County website on the same day. The BOCC held a public hearing on January 16, 2018 in accordance with SCC 14.08.040(3), and deliberations are scheduled to be held on January 23, 2018. The staff report, analysis, map, and other supporting attachments are available to view at www.skagitcounty.net/2018cpa.

Public Comment

RECEIVED AT AND SUBSEQUENT TO THE JANUARY 16, 2018 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 January 16, 2018 public 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:*** Oral testimony was submitted by the petitioner requesting the proposed amendment be docketed this year.
- ***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 recommendation criteria set forth in SCC 14.08.040(2)(c). Previous analysis of this petition can be viewed at www.skagitcounty.net/2016cpa.

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:** Oral and written testimony was submitted by the Gibraltar Road Neighborhood in opposition to the rezoning of the camp.
- **Discussion:** The commenter stated concerns that the size, traffic, and noise generated by the growth of the camp make it incompatible with the South Fidalgo Island neighborhood. Skagit County Code provides performance and bulk/dimensional standards for commercial uses, including noise control, hours of operation, screening requirements, and parking standards. The Department recommends analyzing both the SRT and proposed South Fidalgo Rural Residential (SF-RR) zones for the camp, in order to determine which land use will permit Quaker Cove to grow while also maintaining the rural character of the surrounding 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:** Written testimony was submitted by the petitioner requesting that their proposal be deferred to next year's docket.
- **Discussion:** The petition does not meet the recommendation 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. Previous analysis of this deferred petition can be viewed at www.skagitcounty.net/2017cpa.

P-12 – South Fidalgo Island Rural Residential Map Amendment: *A County-initiated proposal to amend the Comprehensive Plan land use 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:** Oral testimony was submitted in support and opposition of the proposed map amendment.
- **Discussion:** The petition meets the docketing criteria set forth in SCC 14.08.040. Previous analysis of this deferred petition can be viewed at www.skagitcounty.net/2017cpa.

C-19 – OSRSI Map Amendment: A County-initiated proposal to amend the Comprehensive Plan 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). This map amendment would also include an evaluation of the Mineral Resource Overlay (MRO) criteria over the subject parcels.

- **Public Comment:** Oral testimony was submitted in support of the proposed map amendment.
- **Discussion:** The petition meets the criteria set forth in SCC 14.08.040. Previous analysis of this deferred petition can be viewed at www.skagitcounty.net/2017cpa.

RESOLUTION AND RECOMMENDATIONS:

The Department recommends that the BOCC set the 2018 Docket consistent with the attached Department Recommendations Summary Table (**Attachment 1**). PDS will prepare a resolution for the Board’s signature subsequent to the scheduled deliberations.

LIST OF ATTACHMENTS:

1. Department Recommendations Summary Table

ATTACHMENT 1

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.	

PDS	Commissioner	#	Petitioner	Subject	Comment
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 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”.	

PDS	Commissioner	#	Petitioner	Subject	Comment
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.	
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.	

PDS	Commissioner	#	Petitioner	Subject	Comment
Include		C-19	PDS	<p>A County-initiated proposal to amend the Comprehensive Plan 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). This map amendment would also include an evaluation of the Mineral Resource Overlay (MRO) criteria over the subject parcels.</p>	
Include		P-12	PDS	<p>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.</p>	