



# Planning & Development Services

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## Board of County Commissioners Public Hearing

*2018 Docket of Comprehensive Plan Amendments*

**To:** Board of County Commissioners  
**From:** Stacie Pratschner, AICP / Senior Planner  
**Date:** December 22, 2017  
**Re:** Annual Comprehensive Plan Amendments: 2018 Docket

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### **SUMMARY:**

Planning and Development Services (PDS) is providing this staff report in advance of the January 16, 2018 Board of County Commissioners (BOCC) public hearing concerning the 2018 Docket. The purpose of this memo is to provide synopses of the 2018 Docket public hearing and deliberations held on November 21, 2017 and December 19, 2017, respectively; describe and analyze a proposal to include an additional County-initiated land use map amendment to the Docket; and detail how the public may comment on the proposed Docket.

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### **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 Skagit County Code (SCC) 14.08.040(3). The staff report, docketing analyses, maps, public comments, and other supporting attachments are available to view at [www.skagitcounty.net/2018cpa](http://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 prepared an initial study of a County-initiated proposal to modify the land use and zoning designation of approximately 2,759 acres in the Mt. Baker – Snoqualmie National Forest (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 updated list of both citizen and County-initiated amendments is included as **Attachment 1**. The supplemental staff report, summary of public comments, and other supporting attachments are available to view at [www.skagitcounty.net/2018cpa](http://www.skagitcounty.net/2018cpa).

### **C-19: MT. BAKER – SNOQUALMIE NATIONAL FOREST 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 the Departments recommendations.

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 2**). 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 (**Attachment 3**).

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.

Chapter 12 of the Comprehensive Plan and SCC 14.08 provide criteria for approval of map amendments. SCC 14.08.060 requires that a change to a natural resource land map designation must be supported by and dependent on population forecasts and allocated non-urban population distributions, existing natural resource land densities, and infill opportunities. Site-specific rezones need to be consistent with the classification of surrounding land, must be in accordance with the goals and policies of the Comprehensive Plan, and must bear a rational relationship to promoting legitimate public interest.

Pursuant to the criteria in the Comprehensive Plan and the development code, the Department recommends that C-19 be included in the 2018 Docket for further discussion and analysis.

## **How to Comment**

The public may submit written comments via email to [pdscomments@co.skagit.wa.us](mailto:pdscomments@co.skagit.wa.us) (preferred) or via US mail. All paper comments must be submitted on 8½" x 11" paper to the address below:

Skagit County Planning & Development Services  
re: Public Comments on CPA 2018 Docket  
1800 Continental Place  
Mount Vernon, WA 98273

All comments must be received by January 18, 2018 at 4:30 p.m. and include (1) your full name, (2) your mailing address, and (3) the name of the proposal or project you are commenting on. Comments not meeting these requirements will not be considered.

The public may also comment in person at the public hearing Tuesday, January 16, 2018, at the Commissioners Hearing Room, 1800 Continental Place, Mount Vernon. Public hearing testimony is limited to three minutes, so written comments are preferred.

## **List of Attachments:**

1. List of citizen and County-initiated amendments
2. Map of C-19: proposed OSRSI amendment area
3. Letter sent to affected property owners, dated December 21, 2017

# ATTACHMENT 1

## Citizen-Initiated Proposals: 2018 Docket

Number	Petitioner	Petitioner's Description
<b>Policy and/or Code Amendments</b>		
<b>P-1</b>	Carol Ehlers	<p>Amendment to Skagit County Code (SCC) 14.24.320 to prohibit the activities listed in Sections (1) through (6) in all of unincorporated Skagit County.</p> <p><a href="#"><u>Link to Application Materials</u></a></p>
<b>P-2</b>	Roger Wechsler (Samish Bay Cheese)	<p>Amendment to the definition of "Agricultural Accessory Use" in Skagit County Code (SCC) 14.04.020(7) to include an allowance for limited food service that is incidental to the primary use (the farm) and serving products predominately processed on the farm. Seating would be limited to 20 guests, and no conversion of farm land would be permitted to take place to support the food service. No negative impacts to agricultural drainage infrastructure would be permitted.</p> <p><a href="#"><u>Link to Application Materials</u></a></p>
<b>Comprehensive Plan/Zoning Map Amendments</b>		
<b>PL17-0414 Map</b>	Elizabeth Seume (Quaker Cove Ministries)	<p>Amend the Comprehensive Plan and Zoning designation of approximately 31 parcels totaling 25.69 acres from Rural Intermediate (RI) to Small Scale Recreation and Tourism (SRT). The purpose of the requested amendment is to support the current use and proposed future expansion of Quaker Cove Camp and Retreat center. The camp is located on Fidalgo Island adjacent to Gibraltar Road.</p> <p><a href="#"><u>Link to Application Materials</u></a></p>
<b>PL17-0416 Map</b>	<p>Bill Sygitowicz (Skagit Partners LLC)</p> <p>Deferred by Board from the 2016 and 2017 dockets; also resubmitted by applicant.</p>	<p>Amend the Comprehensive Plan and Development Regulations to establish a process for consideration and approval of a new fully contained community pursuant to 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 named Avalon as proposed by Skagit Partners.</p> <p><a href="#"><u>Link to Application Materials</u></a></p>

## County-Initiated Proposals: 2018 Docket

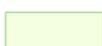
Number	Petitioner	Description
<b>Comprehensive Plan Policy</b>		
C-1	Planning and Development Services (PDS)	<p><b>Modify Comprehensive Plan Policy 4A-5.6</b></p> <p>Modify the subject policy to reflect collaboration between Skagit County and Drainage Districts on plans and policies, including the inclusion of district’s capacities through the 2019 – 2024 Capital Facilities Plan update. Incorporate levels of service (LOS) and projected needs of the Drainage Districts within the Non-County Capital Facility element.</p>
<b>Development Regulations – Skagit County Code (SCC)</b>		
C-2	PDS	<p><b>Remove Extraneous Language for Home Based Businesses</b></p> <p>Remove the following language from SCC 14.16.730(1): “Home-Based Business 2 and 3 require a special use permit, and are discussed in SCC 14.16.900.”</p>
C-3	PDS	<p><b>Modification of Permits</b></p> <p>Develop code to provide the Administrative Official the authority to modify development permits or conditions of approval for minor revisions.</p>
C-4	PDS	<p><b>Storage of Articles or Vehicles in Setbacks and Rights-of-Way</b></p> <p>Move the prohibitions of SCC 14.16.850(5) to SCC 14.16.945 – Prohibited Uses.</p>
C-5	PDS	<p><b>Admin Official Final Determination of Height in the AEO</b></p> <p>Add a requirement that the Admin Official has authority to make a final determination regarding building height restrictions in the Airport Environs Overlay zone.</p>
C-6	PDS	<p><b>Delete Language in SCC 14.16 Regarding Property Value Impacts from Wireless Facilities</b></p> <p>Remove the following language from SCC 14.16.720(9)(c): “Personal wireless service facilities shall be located and designed to minimize adverse impact on residential property values.”</p>
C-7	PDS	<p><b>Delete Language in SCC 14.16 Regarding Special Uses Complying with the Comprehensive Plan</b></p> <p>Remove the following language from SCC 14.16.900(1)(v)(A):”...comply with the Comprehensive Plan.”</p>
C-8	PDS	<p><b>Delete the definition for Unclassified Use</b></p> <p>Remove the definition of “Unclassified Use” in SCC 14.04.020. The concept of unclassified uses was removed in a prior code update.</p>
C-9	PDS	<p><b>Correction to Master Planned Resort Designation</b></p> <p>Remove language in SCC 14.16.900(1)(d) that refers to a Master Planned Resort as a Special Use, because it is a Comp Plan Map Designation.</p>

Number	Petitioner	Description
C-10	PDS	<p><b>Delete Delay for Issuance of Permits in the AEO</b> Remove the following language from SCC 14.16.210(4): “The Department must wait at least 10 days for the Port’s comments before approving the application.”</p>
C-11	PDS	<p><b>Delete Examples of Administrative Decisions</b> Remove the following language from SCC 14.06.040(4): “Examples include reductions of required landscape buffers, reductions of required parking or reduction of setbacks.” These examples are administrative variances.</p>
C-12	PDS	<p><b>Delete SCC 14.10.030(2)</b> Remove the following language from SCC 14.10.030(2): “An application for a variance may be accompanied by another permit application that depends on the variance, but the accompanying permit application may not be approved until the variance is approved.”</p>
C-13	PDS	<p><b>Modify Short Plat Alterations to be Level 1 Decisions</b> Modify SCC 14.18.200(8) and 14.06.050 to permit the alteration of short plats to be a Level 1 decision, rather than be reviewed by the BOCC.</p>
C-14	PDS	<p><b>Amend SCC 14.06.150 to Modify Applicant Submission Requirements for Notification</b> Clarify the code to ensure consistent formatting is used when address and property owner information is submitted pursuant to SCC 14.06.150. Consider options to the applicant submitting envelopes for mailing.</p>
C-15	PDS	<p><b>Add In-Patient Facilities Locations to Essential Public Facilities</b> Amend the table in SCC 14.16.600(2) to add regional and local in-patient facilities to BR-LI, BR-HI, and RFS.</p>
C-16	PDS	<p><b>Add Primitive Campground to Rural Reserve</b> Amend 14.16.320 to add “primitive campground” as an admin special use. The zone contains more intense campground uses but not this ledd-intensive use. This change responds to a request from the Town of Concrete.</p>
C-17	PDS	<p><b>Remove Reference to Building Code in Setback Easements</b> Amend SCC 14.16.810(5) to remove the reference to the IBC for minimum building separation.</p>
C-18	PDS	<p><b>Modify Site Assessment Requirements for Liquefaction Hazard Areas</b> Modify SCC 14.24.410(3)(a) regarding liquefaction hazard areas to clarify and change when a site assessment or other mitigation measure is required.</p>
<b>Comprehensive Land Use / Zoning Map Amendments</b>		

Number	Petitioner	Description
<b>P-12</b>	PDS ( <i>deferred from 2017 Docket</i> )	<p><b>South Fidalgo Island Rural Residential Map Amendment</b></p> <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>
<b>C-19</b>	PDS	<p><b>OSRSI Mt. Baker – Snoqualmie Nation Forest Map Amendment</b></p> <p>Amend the Comprehensive Plan and Zoning designation of 37 privately-owned parcels totaling approximately 2759 acres in the public Open Space of Regional / Statewide Importance (OSRSI), within the boundaries of the Mt. Baker-Snoqualmie National Forest, to the Industrial Forest – Natural Resource Lands (NRL) or another private-property appropriate designation. The amendment will be accompanied by the Mineral Resource Overlay (MRO) based on the designation criteria in Title 14.</p>

ATTACHMENT 2

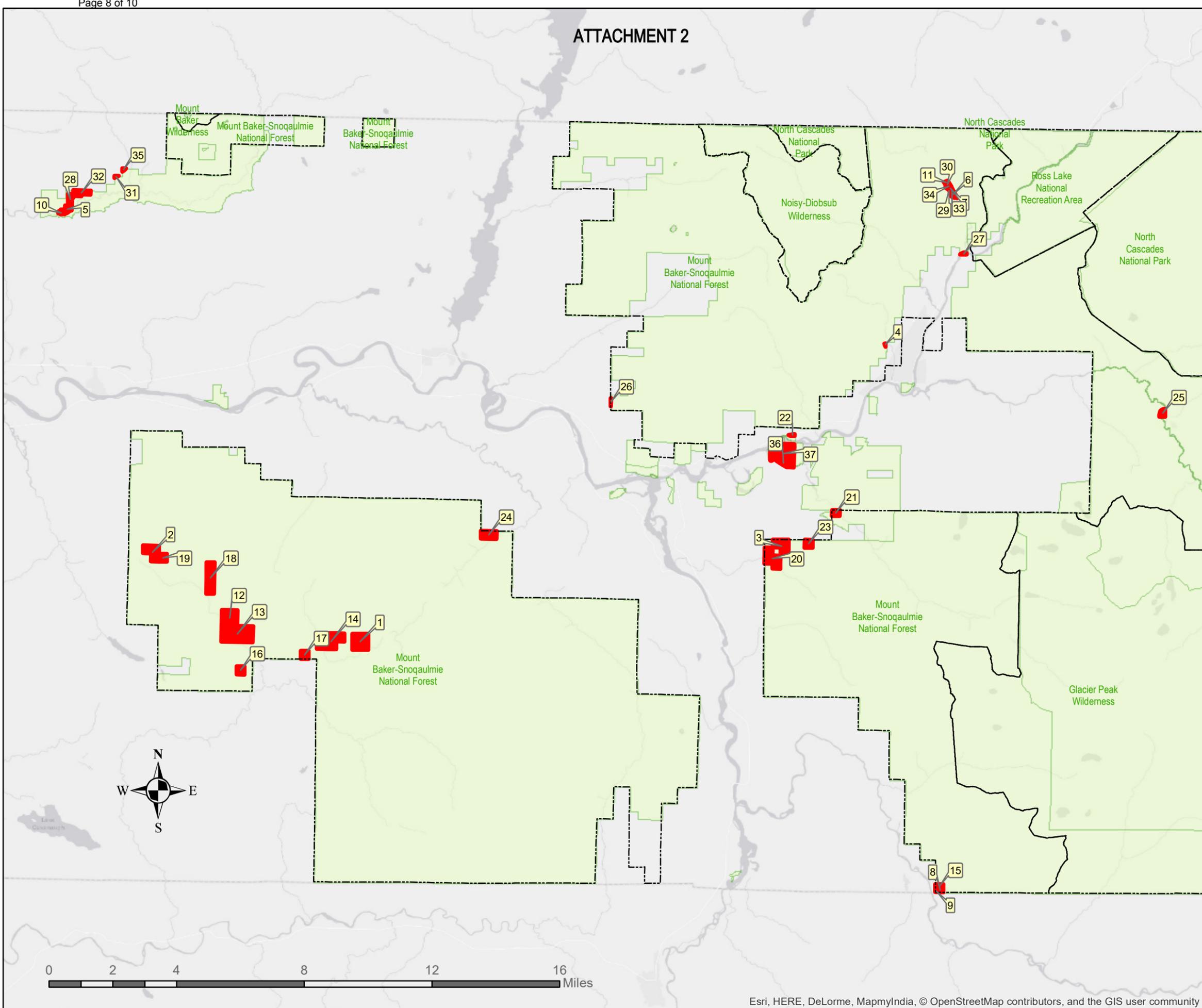
**Properties Zoned OSRSI within the Mount Baker-Snoqualmie National Forest**

-  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
<b>TOTAL</b>			<b>2,759.2</b>





# Planning & Development Services

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

**December 22, 2017**

Dear Property Owner:

We write to inform you that the Skagit County Planning and Development Services Department (PDS) proposes to change the Comprehensive Plan map and zoning designation of a parcel you own from the public “Open Space of State or Regional Importance” (OSRSI zone) to “Industrial Forest” (IF-NRL zone) or another applicable designation. The Department proposes the following two options to amend the land use designation and zoning of the subject parcels as part of the annual Comprehensive Plan review:

- **Option 1:** The subject parcels will be rezoned to the Industrial Forest – Natural Resource Lands (IF-NRL) designation with the application of the Mineral Resource Overlay (MRO) where appropriate; or
- **Option 2:** The subject parcels will be rezoned to the Natural Resource Industrial (NRL) designation with the application of the Mineral Resource Overlay where appropriate.

Skagit County Code (SCC) 14.16.500 states that the purpose of the OSRSI zone is 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 proposed for this re-designation are currently in private ownership. The effect of the re-designation would be to permit natural resource extraction activities on these privately-held parcels, including timber management and mineral resource operations.

This re-designation is proposed as part of the County’s 2018 docket of annual Comprehensive Plan Amendments and is labeled C-19. The Board of County Commissioners will hold a public hearing on the question of whether to include this proposal in the docket on January 16, 2018, from 10 am to 11 am. The BOCC will hold deliberations and potentially adopt which amendments to include on the 2018 Docket on January 23, 2018 from 9:30 am to 10 am. Staff reports describing the docketing process, the Department’s analyses of each proposal, maps showing the proposed land use map changes, and the public notices are available at [www.skagitcounty.net/2018CPA](http://www.skagitcounty.net/2018CPA).

Your feedback is important as the County moves forward with this amendment. Please submit any comments to Planning and Development Service, 1800 Continental Place, Mount Vernon, WA 98273, attn: “2018 Comprehensive Plan Amendment Docket” or by email at [pdscomments@co.skagit.wa.us](mailto:pdscomments@co.skagit.wa.us). If you have any questions, please feel free to contact me.

Sincerely,



Stacie Pratschner, AICP  
 Senior Planner / Team Supervisor  
[staciep@co.skagit.wa.us](mailto:staciep@co.skagit.wa.us)  
 360-416-1336

**EXHIBIT 1:**

