



Comprehensive Plan Policy or Development Regulation Amendment Suggestion

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273

voice 360-416-1320 · www.skagitcounty.net/planning

Per RCW 36.70A.470(2), this form is intended for use by any interested person, including applicants, citizens, hearing examiners, and staff of other agencies, to suggest amendments to Skagit County's Comprehensive Plan policies or its development regulations, which are contained in Skagit County Code Title 14. Please do not combine multiple unrelated Comprehensive Plan policy or development regulation amendments on a single form. This form is for policy or development regulation amendments; use the Comprehensive Plan Map Amendment Request form for changes to the land use/zoning map.

Submitted By

| | | | |
|---------|----------------------------|--------------|--|
| Name | <u>Bill Sygitowicz</u> | Organization | <u>Skagit Partners LLC</u> |
| Address | <u>PO Box 29840</u> | City, State | <u>Bellingham, WA</u> Zip <u>98228</u> |
| Email | <u>BillSyg@VineDev.com</u> | Phone | <u>(360) 739-4089</u> |

Proposal Description

Please answer all of the questions below that are applicable to your suggestion.

1. Describe your proposed amendment.

Skagit Partners LLC (Skagit Partners) proposes several amendments to the Comprehensive Plan and Development Regulations. Please see attached supplement for details.

2. Describe the reasons your proposed amendment is needed or important.

The proposed amendments are needed to allow for the development of a new fully contained community, Avalon. Please see attached supplement.

3. If you are suggesting revision to a particular section of the Comprehensive Plan, please identify which section(s):

Skagit Partners proposes changes to 17 sections of the Comprehensive Plan. Please see attached supplement.

4. If you are suggesting revision to the Comprehensive Plan, would the revision create inconsistencies with existing sections of the Comprehensive Plan? If so, please list those sections:

No. Please see attached supplement and Skagit Partners' cotemporaneous application for a Comprehensive Plan Map amendment.

5. If you are suggesting revision to the Comprehensive Plan, would the revision require corresponding amendments to the County's development regulations?

Yes. Please see attached supplement.

6. If you are suggesting revision to a particular section of Skagit County Code Title 14, please identify which section(s).

Skagit Partners proposes adding a new Chapter 14.22 and an amendment to 14.02.050. Please see attached supplement.

7. If you are suggesting this development regulation amendment as a result of a particular project or permit application, please identify which project or application:

The proposed changes are necessary to allow the development of the new fully contained community, Avalon. Please see attached supplement.

8. If you are suggesting specific language as part of your amendment, please attach that specific language. Specific language is not required.

Specific language is proposed. Please see attached supplement.

9. *Describe why existing Comprehensive Plan policies should not continue to be in effect or why they no longer apply.*

A new fully contained community cannot be designated without these changes. Please see attached supplement.

10. *Describe how the amendment complies with the Comprehensive Plan's community vision statements, goals, objectives, and policy directives.*

The proposed changes promote many of the vision statements, goals, objectives, and policy directives. Please see attached supplement and Skagit Partners' contemporaneous application for a Comprehensive Plan Map amendment.

11. *Describe the anticipated impacts to be caused by the change, including geographic area affected and issues presented.*

Please see attached supplement.

12. *Describe how adopted functional plans and Capital Facilities Plans support the change.*

Please see attached supplement.

13. *Describe any public review of the request that has already occurred.*

Skagit Partners has submitted substantially similar applications in the past. Please see attached supplement and Skagit Partners' contemporaneous application for a Comprehensive Plan Map amendment.

Notices

Fees. No fees are required for a policy or code change suggestion, per SCC 14.08.020(6).

Docketing. SCC Chapter 14.08 governs the process for docketing of Comprehensive Plan amendments; suggestions for changes to the development regulations are docketed following the same process. Docketing of a suggestion is procedural only and does not constitute a decision by the Board of County Commissioners as to whether the amendment will ultimately be approved. Amendments are usually concluded by the end of the year following the request. State law generally prohibits the County from amending its Comprehensive Plan more than once per year.

Submission deadline. Suggestions must be received by the last business day of July for docketing. Suggestions received after that date will not be considered until the following year's docket.

How to Submit. Submit your suggestion via email (preferred) to pdscomments@co.skagit.wa.us or to Planning & Development Services at the address above.

*Comprehensive Plan Policy or Development Regulation
Amendment Suggestion – Application Supplement*

Proposal Description:

1. Describe your proposed amendment.

Skagit Partners LLC (Skagit Partners) proposes several amendments to the Comprehensive Plan and Development Regulations. Collectively, the amendments include additions to the Comprehensive Plan and Development Regulations which establish a process for Skagit County's approval of a new fully contained community. This process is required by the Growth Management Act, RCW 36.70A.350, prior to approval of a new fully contained community.

2. Describe the reasons your proposed amendment is needed or important.

Skagit Partners is contemporaneously submitting a Comprehensive Plan Map Amendment application. This application includes the proposal to preliminarily designate approximately 1244 acres of land for a new fully contained community (Avalon Proposal).

The proposed text amendments are important because the County needs to develop a process for approval of a new fully contained community so that the County can approve the Avalon proposal as a new fully contained community.

3. If you are suggesting revision to a particular section of the Comprehensive Plan, please identify which section(s):

Please see **Attachment A** hereto.

4. If you are suggesting revision to the Comprehensive Plan, would the revision create inconsistencies with existing sections of the Comprehensive Plan? If so, please list those sections:

The proposed text amendments do not create inconsistencies within existing sections of the Comprehensive Plan.

5. If you are suggesting revision to the Comprehensive Plan, would the revision require corresponding amendments to the County's development regulations?

Please see **Attachment A** hereto.

6. If you are suggesting revision to a particular section of Skagit County Code Title 14, please identify which section(s).

Please see **Attachment A** hereto.

7. If you are suggesting this development regulation amendment as a result of a particular project or permit application, please identify which project or application:

The proposed text amendments are needed to approve Avalon, a new fully contained community. Skagit Partners has not submitted a project or permit application as the proposed text amendments if adopted, will provide the application process for a new fully contained community. However, please note that Skagit Partners submitted a Comprehensive Plan Map Amendment application on July 31, 2018, to preliminarily designate Avalon, a new fully contained community.

*Comprehensive Plan Policy or Development Regulation
Amendment Suggestion – Application Supplement*

8. If you are suggesting specific language as part of your amendment, please attach that specific language. Specific language is not required.

Please see **Attachment A** hereto.

9. Describe why existing Comprehensive Plan policies should not continue to be in effect or why they no longer apply.

The proposed additions to the Comprehensive Plan policies establish a process for Skagit County's approval of a new fully contained community. This process is required by the Growth Management Act, RCW 36.70A.350, prior to approval of a new fully contained community.

10. Describe how the amendment complies with the Comprehensive Plan's community vision statements, goals, objectives, and policy directives.

The amendments include additions to the Comprehensive Plan and development regulations which are consistent with existing policies and regulations. Skagit Partners provided extensive documentation in its contemporaneous application for a Comprehensive Plan Map Amendment application which details the Avalon Proposal's consistency with Comprehensive Plan community vision statements, goals, objectives and policy directives. Skagit Partners incorporates its analysis to this question by reference. (See Answer to Question 4, Map Amendment Application, July 31, 2018, **Attachment B** hereto).

11. Describe the anticipated impacts to be caused by the change, including geographic area affected and issues presented.

Once the Avalon Proposal obtains final approval, the anticipated impacts are set forth in Skagit Partners' contemporaneous application for a Comprehensive Plan Map Amendment application. Skagit Partners incorporates its analysis to this question by reference. (See Answer to Question 5, Map Amendment Application, July 31, 2018, **Attachment C** hereto).

12. Describe how adopted functional plans and Capital Facilities Plans support the change.

Once the Avalon Proposal obtains final approval, the anticipated impacts are set forth in Skagit Partners' contemporaneous application for a Comprehensive Plan Map Amendment application. Skagit Partners incorporates its analysis to this question by reference. (See Answer to Question 6, Map Amendment Application, July 31, 2018, **Attachment D** hereto).

13. Describe any public review of the request that has already occurred.

Skagit Partners made this same request in 2016. The GMA Steering Committee held two meetings on the Avalon Proposal, reviewed the requests and decided against recommending that the Avalon Proposal be docketed or revisiting the 20 year urban population forecast and allocation on December 14, 2016. The County Commissioners voted to defer consideration of the Avalon Proposal on December 20, 2016. (Resolution #R20160360, **Attachment E** hereto). Skagit Partners reapplied in 2017. The County Commissioners excluded the Avalon proposal from the docket. (Resolution #R20180013, **Attachment F** hereto).

**ATTACHMENT A:
Proposed Skagit County Comprehensive Plan Changes**

- 1. Chapter 1: Amend language on p. 24 under the section, Growth Forecast, to read:**
The adopted population allocations do not include population numbers for future fully contained communities or non-municipal UGAs such as Bayview Ridge (other than a minor population allocation to Bayview Ridge reflecting existing buildable residential lots). Based on review of historical data and local knowledge, the GMA Steering Committee concluded that new non-municipal UGAs or fully contained communities should not generally be necessary to accommodate future population growth within the 20-year planning period. However, a new amenity-rich fully contained community at Avalon surrounding an existing championship golf course has the potential to draw new residents who would not otherwise come to live in Skagit County. Market information indicates Avalon could draw approximately 8,500 additional persons to Skagit County over the 20-year planning period. It is therefore appropriate to allocate additional population, in the amount of 8,500 persons, to the preliminarily designated new fully contained community at Avalon. The selection of a 20-year planning period number near the medium population forecast recognizes the unique quality of life. . .[continue as written] (Underlined portion added).
- 2. Chapter 1: Amend language on p. 27 under the section, Update Themes, to read:**
At the same time, the GMA Steering Committee concluded that projected population growth could be accommodated within cities and towns and their Urban Growth Areas, without need for additional residential capacity in non-municipal urban growth areas such as Bayview Ridge or new fully contained communities. One exception, however, is recognition that development of an attractive new fully contained community at Avalon will draw new people who would not otherwise come to reside in Skagit County and who are not accounted for in prior population forecasts. Hence, there is an additional population allocation to accommodate new population growth arising from development of a new fully contained community at Avalon. (Underlined portion added).
- 3. Table 1 on p. 31:** Add line for Avalon fully contained community. 1,244 acres.
Revise acreage of other land use designations.
- 4. First paragraph, p. 33:** Insert following as second to last sentence, “In addition, Skagit County has preliminarily designated one new fully contained community, Avalon, pursuant to RCW 36.70A.350.”
- 5. First paragraph, p. 34:** Amend the first sentence to read, “The only unincorporated Urban Growth Areas that are not expected to be annexed by a city or town are the Bayview Ridge UGA, ~~and~~ the Swinomish UGA~~;~~, and the Avalon UGA upon final approval as a new fully contained community. (Strikethrough deleted; underlined portion added).

6. New Section after Swinomish UGA on p. 35:

NEW FULLY CONTAINED COMMUNITY - AVALON UGA

Skagit County has preliminarily designated one new fully contained community, Avalon, pursuant to RCW 36.70A.350. Adopted development regulations shall provide for an appropriate planning process to address development criteria including adequate public facilities, infrastructure, buffers, and environmental protection. Final approval of an application authorizing commencement of the development shall be considered an adopted amendment to the comprehensive plan and shall complete designation of the Avalon fully contained community as an urban growth area. Prior to such final approval, a reservation should be made of a portion of the 20-year population projection for the Avalon fully contained community and offset of the population allocation of existing urban growth areas, if necessary to meet the requirements of the Growth Management Act.

The Avalon new fully contained community is located on a 1,244 acre site north of Burlington, northwest of Sedro Woolley, and is adjacent to and east of Interstate 5 (I-5). It is located above the flood plain between two I-5 interchanges and has potential water availability from Skagit County PUD No. 1, sewer services from Whatcom Water District #12 (Samish Water District) and sewer treatment services from the City of Burlington. The Avalon new fully contained community includes a championship golf course, large lake and is planned to include a large community center, services, and feature attractive new homes ranging from cottages to larger single family residences.

- 7. First paragraph, p. 39 amend first sentence above table to read:** “Urban growth shall be allowed only within cities and towns, their designated Urban Growth Areas and within any non-municipal urban growth areas already characterized by urban growth or designated as a new fully contained community, identified in the County Comprehensive Plan with a Capital Facilities Plan meeting urban standards.” (Underlined portion added).
- 8. Amend Table 1 on p. 39** to include line for Avalon with an 8,500 population allocation and a commensurate increase in the total 20-year population forecast for Skagit County.
- 9. Amend Land Use Policy 2A-1.4 on p. 45 to include line for “Avalon FCC Upon Final Approval”** under Non-Municipal UGAs.
- 10. Chapter 7: Amend language on p. 184 under section, Introduction, to read:** The Housing Element recognizes a need to balance a variety of rural residential densities and housing opportunities with the opportunity to provide higher density (urban) housing in areas such as the Swinomish and municipal Urban Growth Areas, and the Avalon fully contained community. (Underlined portion added).
- 11. Amend Table 15 on p. 207** to include a line for Avalon with an 8,500 population allocation in the “2036 Population Growth Forecast Allocation” column and a commensurate increase in the total

20-year population forecast for Skagit County. Edit the required number of housing units as needed.

- 12. Amend the paragraph above Table 15 on p. 207 to read:** From 2015 through 2036, with the preliminary designation of the Avalon FCC, the population of Skagit County is expected to grow by ~~35,751~~ 44,251 (See BERK 2014; an additional 8,500 people is reserved for Avalon). See Table 15. (Underlined portion added, strikethroughs deleted.)
- 13. Chapter 8, Amend transportation policy 8A-3.4 on p. 245 to read:** Encourage public transportation services to serve cities, towns, the Avalon fully contained community and Rural Villages, and to link with systems in adjoining counties, when financially feasible and supported by the public. (Underlined portion added).
- 14. Amend the paragraph introducing Table 2 on p. 301 to read:** Projected growth shares for the 2015-2036 period are based on the OFM Medium forecast and current population shares for the year 2012, and range from less than 1% for smaller towns to above 15% for larger cities such as Anacortes and Mount Vernon. An additional 8,500 people have been added to account for the population reserved for the Avalon FCC. The Rural area would take a 20% share consistent with the County's policy of directing most growth to UGAs. Table 2 below shows population projections through 2036 for Skagit County. (Underlined portions added.)
- 15. Amend Table 2 on p. 302** to include a line for Avalon with an 8,500 population allocation in the "2036 Population Growth Forecast Allocation" column and a commensurate increase in the total population.
- 16. Amend Appendix A on p. 342-343** to include "FCC" as an acronym meaning "Fully Contained Community."
- 17. Amend Appendix A on p. 353** to include a definition of "Fully Contained Community" as: "an urban growth area located outside of the designated municipal urban growth areas which is characterized by urban densities, uses, and services, and meets the criteria of RCW 36.70A.350."

Proposed Development Regulation – New Fully Contained Communities

NEW CHAPTER 14.22

NEW FULLY CONTAINED COMMUNITY URBAN GROWTH AREA

14.22.010 Purpose and Definition

New fully contained communities are urban-scale planned developments located in the rural area intended to contain a mix of housing types and densities, services, jobs, and recreation. A new fully contained community is an urban development that when initially proposed is located outside an urban growth area. Immediately upon approval of a new fully contained community, an urban growth area is established encompassing the project.

14.22.020 Designation of New Fully Contained Communities

- (1) A new fully contained community may be approved if the following criteria are met. The criteria may be met through conditions in a permit for a new fully contained community and/or an approved development agreement ensuring that:
 - (a) New urban infrastructure is provided for and impact fees are established consistent with the requirements of RCW 82.02.050;
 - (b) Transit-oriented site planning and traffic demand management programs are implemented;
 - (c) Buffers are provided between the new fully contained communities and adjacent urban development;
 - (d) A mix of uses is provided to offer jobs, housing, and services to the residents of the new community;
 - (e) Affordable housing is provided within the new community for a broad range of income levels;
 - (f) Environmental protection has been addressed and provided for;
 - (g) Development regulations are established to ensure urban growth will not occur in adjacent nonurban areas;
 - (h) Provision is made to mitigate impacts on designated agricultural lands, forest lands, and mineral resource lands, where appropriate;
 - (i) The plan for the new fully contained community is consistent with the development regulations established for the protection of critical areas by the county pursuant to RCW 36.70A.170.
- (2) The proposed new fully contained community shall be within an area preliminarily identified for such use in the comprehensive plan. A portion of the 20-year population projection shall be allocated to the new fully contained community prior to final approval. Final approval of an application for a new fully contained community shall be considered an adopted amendment to the comprehensive plan designating the new fully contained community as an urban growth area.

14.22.030 Permitted Uses

Specific permitted uses in the new fully contained community shall be established through the permit for a new fully contained community or an approved development agreement, pursuant to SCC 14.22.050(1), which shall become the development code for the property, identifying uses, standards, and procedures for project approval, consistent with this chapter.

14.22.040 Application and Approval

Proposals for development in a designated fully contained community shall be in the form of a complete application form provided by Planning and Development Services, with supporting documents as required below that contains sufficient information to determine compliance with adopted rules and regulations as outlined in Title 14 of the Skagit County Code, including the information listed below.

- (1) A registered engineer or a registered land surveyor shall prepare all required maps and legal descriptions. Maps and other documents shall be provided which contain the following information.
 - (a) The name and address of the owner or owners of the property to be planned, the developer, and the registered engineer or land surveyor preparing required maps.
 - (b) The legal description of the boundaries of property to be developed including all separate ownerships with the development area.
 - (c) A map or series of maps at a scale directed by the Planning Director showing:
 - (i) Boundaries of the designated fully contained community including depiction of the Section, Township, and Range;
 - (ii) Total acreage of the designated fully contained community, and acreage of individual phases;
 - (iii) Boundaries of individual ownerships;
 - (iv) The date, scale (written and graphic), and a north arrow;
 - (v) Topographic contours at 5-foot intervals or as otherwise specified;
 - (vi) Scale shall be provided suitable to the size of the fully contained community and provide a clear illustration of proposed development activity and proposed land uses and structures;
 - (vii) Proposed location and dimensions of all open space or parks;
 - (viii) A vicinity sketch at a minimum scale of 2 inches = 1 mile;
 - (ix) Dedicated rights-of-way or easements over, across, and under the property;
 - (x) Existing and known proposed roads, highways, and driveways located on or abutting the site and within one-half mile of the site;
 - (xi) Property ownerships within one-half mile of the site;
 - (xii) Wells within the development area or within 1,000 feet of the boundary of the site, which are uses for domestic use and are identified through well log or water right records;
 - (xiii) A general identification and location of all critical areas on the site or within 1,000 feet of the site and the specific identification of all Type 1, 2, and 3 streams under WDF&W criteria, any streams or water bodies subject to jurisdiction under Chapter 90.58 RCW, the State Shoreline Management Act, and any floodway or floodplain lines;
 - (xiv) Location of existing land uses and activities, significant natural features and amenities, and vegetation types;
 - (xv) A land use plan showing proposed land use categories and areas, circulation, critical area buffers and open space.
- (2) A phasing plan which shows the proposed phases for development and how the phases are designed to assure the overall coordinated development of the site and its integration into the surrounding community, along with the proposed timetable for completion of each phase.
- (3) A description and map showing the specific uses allowed in the new fully contained community; and

- (4) An environmental checklist or a request to proceed directly to scoping under SEPA. Any environmental review shall provide special studies as directed by the Planning Director, which address:
 - (a) On-site and off-site critical areas, issues, protection, and mitigation;
 - (b) Transportation. Present facilities and upgrades, new facilities and phasing, and on-site and off-site impact and mitigation required; and
 - (c) Water, wastewater, stormwater facilities in place, facilities necessary to serve the new development by phase, and potential impact on off-site facilities, critical areas, or water resources; and
- (5) A descriptive narrative detailing the principles and standards used to develop the new fully contained community. Such text shall address how the proposal complies with comprehensive plan provisions on new fully contained communities, the criteria established in Chapter 14.22 SCC, and RCW 36.70A.350.

14.22.050 Approval Process

- (1) Development within a new fully contained community shall require a Level III approval pursuant to SCC 14.06.050(1)(c). Approval shall be in the form of a permit for a fully contained community; except where the applicant requests and the County authorizes a development agreement pursuant to Chapter 14.14 SCC Development Agreements, and RCW 36.70B.170 through 36.70B.210.
- (2) Final approval of an application for a new fully contained community shall be considered an adopted amendment to the comprehensive plan designating the new fully contained community as an urban growth area.

14.22.060 Modifications and amendments to Approved Fully Contained Communities

Modifications to an approved fully contained community may be considered according to the following standards:

- (1) **Minor Modifications.** Minor modifications include minor changes to the timing of an approved development, minor shifting of the location of buildings, proposed streets, public ways, sewer, water, or stormwater facilities, parking areas, landscaping, parks and open space or similar improvements. Minor modifications to a fully contained community shall be subject to a Level I review process.
- (2) **Major Modifications.** All other modifications to an adopted fully contained community, including but not necessarily limited to, uses not previously authorized in the fully contained community or a need for different or expanded facilities, shall be considered as major modifications and shall require an amendment to the fully contained community subject to a Level III review process.

Amendment to SCC 14.02.050 on Vesting to Include Fully Contained Communities

14.02.050 Vesting of applications.

(1) An application for a building permit or land division vests at such time as a complete application is filed with Planning and Development Services and all required permit fees are paid, consistent with RCW 19.27.095(1) and 58.17.033(1). An application for a new fully contained community vests at such time as a complete application is filed with Planning and Development Services and all required permit fees are paid. An application is “complete” on the date a complete application is filed, as subsequently determined in the letter of completeness issued pursuant to SCC 14.06.100. An application vested under this Subsection is not subject to any laws or regulations which become effective after the date of vesting, except as provided below. (Underlined portion added).

Attachment B
Answer to Question 4, Map Amendment Application, 07/31/18

4. Describe how the amendment complies with the Comprehensive Plan's community vision statements, goals, objectives, and policy directives.

Major Themes of the Community Vision (pp. 14-17) and description how amendment complies with statement.

Statement: Support economic opportunities. (p. 15)

The construction phase of Avalon will create a variety of jobs in the area. The National Association of Home Builders (NAHB) estimates that 2.97 jobs are created with the construction of one single family home. (See Att. AA, "Impact of Home Building and Remodeling on the US Economy," NAHB, 5/1/14). A report recently produced by the Skagit County Affordable Housing Advisory Committee entitled *Building a Skagit Housing Affordability Strategy, June 2016 Update*, notes that these jobs can become permanent with the number of housing units needed in Skagit County. (Att. II, p. 14.). With complete buildout expected to take at least 15 years, based on the Housing Report, it is estimated that building Avalon alone will result in 590-650 jobs. The Peterson Report estimates 600-1,000 new full-time jobs will be created during the construction season and 100-200 permanent jobs will result.

The economic benefits will manifest themselves in other ways in addition to new job creation. The principal target market of new moderately affluent residents will bring an infusion of capital and customers for existing local shops and restaurants. (See Att. K, Peterson Report). The demographic profile of most anticipated buyers (e.g., retirement or near-retirement age from King County) would place unusually low burdens on local public service providers, such as school districts, but will contribute a significant additional amount to local tax revenue. Peterson Economics estimates new *net* property tax revenue alone could grow by approximately \$1 million per year, reaching about \$10 million per year after ten years of sales. (*Id.*) This kind of additional annual tax revenue could help Skagit County develop and maintain world class parks, roads, schools, and other public services and facilities.

Statement: Increase the housing choices for all residents. (p. 15)

The Avalon proposal will provide a variety of housing types, likely including single-family homes, townhomes, and apartments/condos, and therefore more housing choices to existing and new residents of Skagit County. Also, the proposal will be required to meet all GMA and County requirements regarding affordable housing. The homes will be located in a UGA, close to amenities and encouraging walkability to commercial services and recreational opportunities.

There is a shortage of new homes being built nationwide. (Att. HH, "The State of the Nation's Housing 2018," Joint Center for Housing Studies of Harvard University, 2018.) Skagit County echoes this trend. (Att. EE, Sanders, Julia-Grace, "Housing prices up significantly in 2017," Go Skagit, 2/17/18.) Though not the primary target, it is anticipated that existing Skagit County residents will choose to move to Avalon given the lack of available supply within Skagit County. Additionally, new homes at Avalon may help alleviate some of the intense pressure on the housing market.

Statement: *Balance urban uses and environmental protection. (p. 16)*

The Avalon proposal will provide for urban-scale development while protecting the natural environment and open space, including trails and parks that will surround the developed area. The Applicant preliminarily anticipates land uses that will include parks, open space and trails. Also, the existing Avalon golf course will be a part of the new fully contained community. (See Att. F-5, Preliminary Avalon Land Use Summary). The entire Property is outside the flood zone and adjacent to existing urban areas. The Avalon proposal will be required to satisfy all County regulations relating to environmental protection.

Statement: *Protect and retain rural lifestyles. (p. 16)*

The Property is currently mostly designated as resource land with a minor portion designated as rural land. Avalon will encourage protection and conservation of open spaces and urban development patterns. Directing development into urban areas helps prevent development in rural areas that could lead to urban sprawl and suburban development patterns.

Statement: *Protect and conserve the environment and ecologically sensitive areas, and preclude development and land uses which are incompatible with critical areas. (p. 16)*

The Avalon proposal will be required to undergo SEPA review if its application is docketed and additional SEPA and critical area review following submission of a project application. The SEPA review and critical area review process will help inform a development design that is ecologically sensitive and which protects critical areas from future development and preserves them for the enjoyment of future generations.

Statement: *Respect property rights. By incorporating trends of population growth and resource availability to provide necessary public facilities. By attaining the widest range of land uses without degradation, risk to health or safety, or other undesirable and unintended consequences. (p.16-17)*

The useful life of the Property as resource land is nearing its natural end. The highest, best use of the Property for the future is residential use and the facilities and services which support a residential population. Converting the property to development of a new fully contained community will create an opportunity to provide public facilities and services to a central, densely populated area in an efficient manner. Upon project approval, the Property will include a wide-range of land uses, without degradation, risk to health or safety, or other undesirable and unintended consequences.

Chapter 2: Urban, Open Space and Land Use Profile

County Wide Planning Policies:

CPP 1.4 Urban growth areas shall include greenbelt[s], open space, and encourage the preservation of wildlife habitat areas.

CPP 2.1 Contiguous and orderly development and provision of urban services to such development within urban growth boundaries shall be required.

CPP 5.15 The Comprehensive Plan shall support and encourage economic development and employment to provide opportunities for prosperity.

CPP 9.1 Open space corridors within and between urban growth areas shall be identified. These areas shall include lands useful for recreation, fish and wildlife habitat, trails, and connection of critical areas.

Avalon has sufficient land area to meet the above policies. Greenbelts, open space, parks, and wildlife habitat are all part of the current vision for Avalon. As Avalon is being built from scratch, development will proceed in an orderly fashion and provision of utilities will be coordinated with construction of homes and other buildings. Avalon will support economic development by creating up to 1,000 new jobs during construction and up to 200 permanent jobs when fully built out.

Goals and Policies:

Goal 2A, Urban Growth Areas - Guide most future development into concentrated urban growth areas where adequate public facilities, utilities, and services can be provided consistent with the Countywide Planning Policies.

Goal 2A-1, Urban Growth Area Designation - Establish Urban Growth Areas in which urban development will be encouraged and outside of which growth can occur only if it is rural in character.

Avalon can meet the above goals. Adequate public facilities, utility and services will be provided to the Property. The eventual establishment of a UGA at Avalon through approval of a new fully contained community will ensure urban level development within specific boundaries, while preventing sprawl in Rural-designated lands in the County. The Avalon development will undergo extensive planning to ensure orderly development. Parks, open space, and wildlife habitat corridors will be key features of the development.

Policy 2A-1.1 Work with local jurisdictions to designate and maintain Urban Growth Areas (UGAs) of sufficient size to accommodate the County's 20-year urban population and employment allocations. Areas proposed for UGA designation shall meet the following criteria:

a) Compact development can be accomplished through infill or expansion, while minimizing the fiscal and environmental impacts of growth and assuring opportunities for housing, jobs, and commerce.

Final designation of the holding area for the new fully contained community as a UGA will minimize the environmental impacts of growth by ensuring urban level growth is contained within the geographical confines of the Property. Much-needed housing and living-wage jobs will be provided by the development.

b) A range of governmental facilities and services presently exists or can be economically and efficiently provided at urban levels of service. These services include sewer, water, storm drainage, transportation improvements, fire and law enforcement protection, and parks and recreation.¹

The Whatcom Water District #12 (also known as the Samish Water District, “District #12” herein) currently has capacity available to support a third of the development from Avalon proposal. District #12 provides sewer service to a number of communities in Skagit and Whatcom County. District #12 has numerous force mains that connect to its Burlington Force Main, which runs along the old Highway 99 (very near the western boundary of the Property) to the City of Burlington’s wastewater treatment plant (“WWTP”). (See Att. G, Samish Water District Comprehensive Sewer Plan, Exhibit A, *General Sewer Facilities Map*; see also Att. H, Whatcom County Water District No. 12 Sewer Force Main Map – Lake Samish to City of Burlington, source: *City of Burlington 2005 Comprehensive Wastewater Plan*). In its 2013 Comprehensive Plan, District #12 notes that potential sewer growth along the Burlington Force Main is possible and that it may serve Glenhaven Lakes (1,250 lot potential at full build-out) in the future. (*Samish Water District Comprehensive Sewer Plan, July 2013*, p. 4-1). Future upsizing of the existing Burlington Force Main and upgrades to the existing Burlington WWTP would result sufficient capacity to serve the entire Avalon development. Additional sewer capacity from service providers with existing infrastructure (District #12 and Burlington) will be procured as urban development proceeds.

The City of Burlington WWTP is at approximately 50% of its capacity (average flow, 1.5 million gallons/day; capacity, 3.8 million gallons/day)² and could accommodate the early phases of Avalon. The City of Burlington itself is approaching its maximum size in population and the WWTP has adequate system capacity for regional components, including District #12 (*City of Burlington 2005 Comprehensive Wastewater Plan*, p. 8). The WWTP is scalable, meaning that it can expand without demolition of the existing plant.

The Skagit County PUD (PUD) has the authority and capability to provide water service throughout Skagit County. (*Skagit Co. Coordinated Water System Plan Regional Supplement*, p. 6-1). The PUD has sufficient capacity to supply water to the Avalon development. (See Att. O, letter from PUD, 7/14/16). The PUD presently owns and operates an 8” water pipeline along Kelleher Road, which may require upsizing to accommodate the Avalon development. (*Id.*) In 2007, the PUD waterline that runs along old Highway 99 to Burlington was upgraded, increasing its capacity by the installation of a gravity feed transmission pipeline (*PUD 2013 Water System Plan*, p. 2-12; see Att. I, Figure 2-12, Judy System – Transmission Pipeline Loop, *PUD 2013 Water System Plan*). The PUD also completed a high-pressure transmission pipeline along Cook Road to the east side of Interstate-5, which brings high pressure to the Old Highway Area 99 adjacent to the Avalon area. (*PUD 2013 Water System Plan*, p. 2-38; see Att. J, Figure 2-8, District Facilities – Rural Areas, *PUD 2013 Water Systems Plan*). There is sufficient capacity available to further upgrade the PUD system to serve additional phases of the Avalon development. The area already has a booster pump station and that can be upgraded to better accommodate the Avalon area (Att. J, Figure 2-8, District Facilities – Rural Areas, *PUD 2013 Water Systems Plan*).

The relatively flat terrain, gentle slopes, and highly permeable soils on the Property will allow for efficient management of stormwater runoff, as it migrates to Skagit Basin. The Avalon

¹ In July 2018, Skagit Partners confirmed that information relied upon from the various utilities in answer to this question has not changed since its 7/28/16 submission. Should new information become known, Skagit Partners will update its answer.

² <http://www.burlingtonwa.gov/index.aspx?NID=241> (City of Burlington, Sewer System Data).

assemblage is well draining at site perimeter which is the natural drainage course for site runoff. Stormwater runoff is anticipated to be fully treated and infiltrated on-site at various locations around the site perimeter.

The Property is centrally located to both Interstate-5 and Highway 99, providing easy vehicular access.

Additional fire and law enforcement protection will be required for the Avalon proposal. Areas for future parks will be set aside as part of the development plan. Area can be set aside for a new school. All of these service needs will be evaluated in the SEPA process and provided as required. The current Avalon Golf Links already provides recreation opportunity on the Property. A lake near the southeast corner of the Property will provide additional recreational opportunities and may be expanded or enhanced. The ability exists to set aside other areas for recreational uses as part of the development plan.

Urban services can be economically and efficiently provided to Avalon at a lower cost than other large scale planned communities. (See Att. Q, Letter from KPFF re: Avalon Infrastructure Context, 7/28/16). These services include, transportation, water and sewer. (*Id.*)

c) The area has a physical identity or social connection to an existing urban environment.

The Property is located just east of old Highway 99 and is bordered by Kelleher Road to the south and F&S Grade Road to the east. A portion of the subject property is bordered by the Samish River on the north. (See Att. D, Land Use Map). The Property is well situated and close to existing cities in Skagit County. Residents will have quick and convenient access to Burlington, Mt. Vernon, and Sedro Woolley.

d) Natural features and land characteristics are capable of supporting urban development without significant environmental degradation.

The topography of the Property is capable of supporting urban development without significant environmental degradation. There are no known salmon-bearing streams on the Property. The proposed development will incorporate large swaths of the Property that have been depleted by years of gravel mining, so urban development will not have significant environmental impact. The County's regulations ensure that portions of the Property with environmentally sensitive characteristics will be protected from environmental degradation.

In addition, there are promising mitigation areas and opportunities for environmental enhancement on the Property to offset any disturbances. In particular, an opportunity exists to establish a wildlife corridor north of the lake located at the southeast corner of the Property running along the east edge of the Property, and also at the northwest corner of the Property running north to the Samish River.

e) The land does not have long-term, commercially significant value for agriculture, forestry, or mineral production and that can accommodate additional development without conflicting with activities on nearby natural resource lands.

The Property does not have such value. The Property is outside the Skagit County Agricultural land (with the exception of 7 acres). The Property does not support commercial forestry use and mineral resources are depleted or near depletion. The Avalon proposal will not impact nearby agriculture or timber production.

Policy 2A-1.2. ... Urban Growth Area expansion proposals shall demonstrate that expansion is necessary within the 20-year planning period, that public facilities and services can be provided concurrent with development, and that reasonable efforts have been made to encourage infill and redevelopment within existing Urban Growth Area boundaries before those boundaries can be expanded.

The Applicant requests an upward adjustment of 8,500 in the current population forecast, to allow for appropriate planning for the next 20 years in Skagit County and to be reserved for the specific purpose of accommodating the proposed new fully contained community at Avalon. The current 20-year population forecast does not account for the proposed new fully contained community at Avalon intended to draw additional residents to Skagit County. The current Skagit County Comprehensive Plan, development regulations, or county-wide planning policies do not include any provision authorizing new fully contained communities, so there was no need to allocate or reserve additional population for a proposed new fully contained community at Avalon. Quite simply, a new fully contained community at Avalon, with all the amenities, and intended to draw new residents to Skagit County, was outside the population forecasting parameters used to develop the current population forecast. If a new fully contained community is preliminarily designated at Avalon as proposed, a new population forecast should be approved with a population reserve of 8,500 allocated to Avalon.

The requested upward adjustment to the 20-year population forecast will also provide an additional cushion in the event more capacity than anticipated is needed to meet the housing needs of the community in the 2016-2036 planning period. Population forecasts predict continued growth and economic recovery is resulting in the continued expansion of industry in the area (e.g., Janicki Bioenergy and Hexcel Corporation, as outlined in the response to nos. 2 & 9 herein). Many Skagit County cities have all but reached their growth capacity limits. Public facilities and services can be provided concurrent with development (see details regarding water and sewer above). In answer to Question No. 1, there is likely insufficient buildable land in the County for the proposed additional population allocation.

Policy 2A-1.5 Overall residential densities within Urban Growth Areas shall be a minimum of four (4) dwelling units per net acre, when urban services are provided. "Net density" is what results when only the area of the residential lots is counted, not roads, open spaces, drainage facilities, or other site uses that are not residential.

The Avalon proposal will be developed to meet or exceed the minimum density requirement, consistent with the above policy.

Goal 2A-2, Concurrency - Adequate urban public facilities and services shall be provided concurrently with urban development, as appropriate for each type of designated land use in the Urban Growth Area.

Avalon will provide for more than adequate urban facilities and services concurrent with urban level development consistent with the above policy.

Policy 2A-2.1 Encourage growth in areas already characterized by urban development or where the appropriate levels of urban public facilities and services are established in adopted capital facilities plans.

a) Ensure that adequate urban public facilities and services are provided in Urban Growth Areas concurrent with urban development.

Avalon will be developed such that adequate urban public facilities and services will be provided concurrent with urban level development. The County's Capital Facilities Plan will need to be updated to reflect the addition of the Avalon development.

Goal 2A-3, Urban Services - Within the designated Urban Growth Areas, coordinate with the respective local jurisdictions and other service providers within the Urban Growth Areas to ensure that growth and development are timed, phased, and consistent with adopted urban level of service standards.

Policy 2A-3.1 Urban public facilities include: improved streets, roads, highways, sidewalks, road lighting systems and traffic signals; urban level domestic water systems, sanitary sewer systems, storm sewer systems, park and recreational facilities and schools as defined in the Capital Facilities Element with adopted level of service standards.

Policy 2A-3.2 Urban public services include fire protection and suppression; emergency medical services; public safety; public health; education; recreation; environmental protection; and other services as identified in the Capital Facilities Element with adopted level of service standards.

CPP 1.3 Urban growth areas shall provide for urban densities of mixed uses and shall direct development of neighborhoods which provide adequate and accessible urban governmental services concurrent with development.

Consistent with the above goals and policies, the Avalon proposal will provide a variety of housing types, mixed uses (private and public), and walkable neighborhoods. Excellent access will be provided to a broad array of services, parks, and connecting trails, all designed to provide an attractive lifestyle for area residents. All necessary urban public facilities exist nearby, which may be efficiently upgraded to meet required standards.

CPP 1.4 Urban growth areas shall include greenbelt, open space, and encourage the preservation of wildlife habitat areas.

The Avalon proposal will include mixed uses at urban densities and will be developed and built out in conjunction with the provision of urban governmental services. (See discussion re water, sewer and storm water above). Transportation plans, and water and sewer plans will require amendments to properly plan for the development. Also, the Capital Facilities Plan will require amendments to address specific requirements of the development. (See above explanation of available water and sewer capacity). Ample parks and open space will be set aside in the Avalon development. See above. See also, above explanation of potential wildlife habitat corridors.

Goal 2A-5, Commercial Development - Encourage commercial and industrial development to locate in well-defined centers within the Urban Growth Areas. Prohibit new zoning that furthers the continuation of strip commercial development.

Policy 2A-5.1 Plan for compact commercial and industrial centers in the Urban Growth Areas and provide infrastructure accordingly.

Policy 2A-5.2 Attract commerce and industry to designated areas within Urban Growth Areas by ensuring an adequate supply of land with adequate urban public facilities and services.

The Avalon proposal will include small planned commercial and possibly light industrial centers, with infrastructure sufficient to support the centers. Centers and pockets for conveniently located commercial development will be designed and sited to blend in with the surrounding community, and offer options within walking distance of nearby residences. Strip commercial development will not be allowed. Sufficient infrastructure for commercial and light industrial centers will be provided as required by the County.

Goal 2A-6, Quality of Life – Ensure a high quality of life within Urban Growth Areas.

Policy 2A-6.1 Foster development within Urban Growth Areas that creates and maintains safe, healthy and diverse communities. These communities should contain a range of affordable housing and employment opportunities, and school and recreational facilities, and be designed to protect the natural environment and significant cultural resources.

The Avalon proposal can be planned to ensure that a safe, healthy and diverse community is developed. Diverse and walkable neighborhoods will be located near commercial centers and pockets for shopping and services. Residents will be able to conveniently walk, bike, or drive to shops and stores integrated into the community. In addition to some affordable housing, commercial and possible small-scale light industrial development at Avalon will create new jobs. The new community of 8,500 will include a population who require services, which will result in the creation of professional service-related jobs. Avalon will include space for a new school, public athletic facilities, public parks, walking and bicycle trails, and other amenities. One of the centerpieces of the community will be the existing Avalon Golf Course. Overall, Avalon will generally provide a high quality of life to its residents and improve the recreational, educational, and career opportunities for Skagit County residents.

Policy 2A-6.2 Adopt plans, policies, codes and development standards that promote public health by increasing opportunities for residents to be more physically active. Such actions include: concentrating growth into Urban Growth Areas, promoting more compact urban development, allowing mixed-use developments, and adding pedestrian and non-motorized linkages where appropriate.

The Avalon proposal will provide compact urban development with residences and commercial uses and will provide a series of pedestrian and non-motorized sidewalks, pathways, and trails to promote physical activities among and interaction between its residents and guests.

Policy 2A-6.3 Concentrate facilities and services within Urban Growth Areas, using urban design principles, to make them desirable places to live, work, and play; increase the opportunities for walking and biking within the community; use existing infrastructure capacity more efficiently; and reduce the long-term costs of infrastructure maintenance.

The urban design of the Avalon proposal, which enjoys the advantage of being a “blank slate” around a beautiful high-end golf course, will be carefully planned to strategically locate public facilities and services in centers or pockets so as to provide residents with easy access by foot, bike, or car, and to blend into the community. Furthermore, subject to capacity increases, Avalon intends to use nearby portions of District #12’s (Samish Water District) and the City of Burlington’s existing infrastructure for sewer service and treatment; and Skagit County PUD No. 1’s existing infrastructure for municipal water service.

Chapter 3: Rural Element

As noted, approximately 49 acres of the Property is designated Rural Reserve (“RRv”). RRv contains a maximum allowed residential gross density one residence per five acres. (CP 3C-1.1) These few properties border the larger area designated with Rural Resource-NRL. The RRv parcel in the northeast corner of the Property is adjacent to RRv to the east. The RRv parcel in the northwest quadrant of the Property is adjacent to RRv to the west. There are currently 70,378³ acres in the County designated RRv. (CP Chapter 2, Table 1, p. 31). Therefore, the Avalon proposal seeks to convert a very tiny percentage (0.07%) of the overall RRv to UGA. And, given the contained nature of the Avalon proposal, the addition of these few parcels will not result in conversion of additional rural land. Further, by providing a variety of housing types in an attractive community, the Avalon proposal should reduce pressure for more intense development of rural lands in other parts of the County.

Goal 3A, Protect the rural landscape, character and lifestyle by...:

Policy 3A-1.1 ... Analyze development trends to determine if changes in land use designations are necessary or additional regulatory techniques or measures are needed to assure compliance with targeted urban/rural population distribution goals.

The Avalon proposal is consistent with Goal 3A, and helps protect the rural landscape, character, and lifestyle. (CP 73). The Avalon proposal is also consistent with the above policy as re-designation of rural land is necessary for the County to reach its urban distribution goals. Rather than sprawling development, the Avalon proposal presents an opportunity for a contained well-planned urban development.

Chapter 4: Natural Resource Lands Element

As noted, approximately seven (7) acres of the Property is designated Agricultural (Ag-NRL) on the north side of Kelleher Road and west of a drainage ditch. There is a total of 89,277 acres of land zoned Ag-NRL; this parcel makes up 0.008% of all Ag-NRL land. The parcel is not presently used for agriculture because it is wet. It is understood that in the last three years the parcel has only

³ Or 70,740 acres, per Comprehensive Plan, Chapter 3, Table 1, p.62.

been mowed and no agricultural production is taking place. The parcel has no long term commercial significance for agricultural uses. Also, the landowner, Frederick Butler, is in favor of including his land in the Avalon proposal. Certain land was included in the ag-NRL designation in order to create logical boundaries to the designation and not because it meets the criteria for designation as agricultural land. There is one such parcel, in the lower southeast corner of the Property (parcel id no. 36088). (See, Att. B, Parcel Information and Att. D, Land Use Map). Therefore, this parcel is ripe for de-designation from the Agricultural designation.

Policy 4A-3.1 Designation of Agricultural Lands is intended to be long-term. De-designation is discouraged, but may be considered only when compelled by changes in public policy, errors in designation, new information on resource lands or critical areas, circumstances beyond the control of the landowner, or an overriding benefit to the agricultural industry. ...

The parcel at issue is not being utilized for long term commercial production and was probably erroneously designated in the first place. Due to the need for additional buildable land, de-designation is compelled by this new information.

CPP 8.4 Mining sites or portions of mining sites shall be reclaimed when they are abandoned, depleted, or when operations are discontinued for long periods.

Goal 4D-1, Mineral Resource Designation Criteria - Designate and map long-term commercially significant mineral resource lands as an overlay to the Comprehensive Plan Map.

Policy 4D-1.1 Mineral Resource Designation Criteria

Marketability. ...

Minimum Threshold Volume. ...

Policy 4D-1.3 Mineral Resource Designation Considerations. All lands meeting the criteria in Policy 4D-1.1 shall be further reviewed considering the following additional criteria. ... g) Depth of the resource or its overburden does not preclude mining;

See answer to Question No. 3 above for the reasons why the Avalon proposal is consistent with the above goals and policies.

Chapter 5: Environmental Element.

The Environmental Element contains many policies and goals which pertain to the County's identification of critical areas and adoption of regulations which protect critical areas. The Avalon proposal will comply with all of the County's regulations.

Policy 5A-5.2 Land uses that are incompatible with critical areas shall be discouraged.

The majority of the Avalon Property is outside critical areas; the wetlands and lake on the Property will be protected from development in compliance with County policies and regulations. The Applicant will be required to comply with all Skagit County regulations and plans, including Shoreline Master Plan, Natural Hazards Mitigation Plan, and the various Regional Water Resource Plans.

Chapter 7: Housing Element

This chapter supports the Avalon proposal because it identifies market trends for an aging “baby boomer” population that need places to live, and prefer a newly built home. It also identifies the need for more dwelling units in Skagit County. The Avalon proposal seeks to satisfy both of these needs.

Trends show that younger buyers are more likely to buy older homes or previously owned homes because of the price benefits and value compared to a new home, while baby boomers are more likely to buy a new home in order to cut down on renovation and maintenance (National Association of Realtors, 2014). In addition, younger buyers place a high priority on proximity to their job and associated commuting costs and other amenities and don’t necessarily [intend on] staying in their home for the long-term (National Association of Realtors, 2014). (p. 189). Homes at Avalon will be new which is attractive to baby boomers and near to jobs to attract younger buyers.

The 2013 ACS estimated an average overall household size for renters and owners of 2.6. At this household size, there would be a total demand for more than 13,700 new occupied dwelling units, not accounting for vacancy. Assuming a future vacancy rate between 5 and 10 percent, the total need for housing in 2036 would be between 14,489 and 15,294 units. At a steady rate of production between 2015 and 2036, this will mean that between 690 and 728 units will need to come on line each year, with around twenty percent of these new units in rural areas and the remaining in urban areas. This annual future need is significantly more than the rate of production in recent years, which averaged less than 250 annually between 2009 and 2013. See Table 16. (p.207-208). The homes at Avalon could help alleviate the shortage between the housing that is needed and the housing that is built in Skagit County.

CPP 4. Housing - Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

CPP 4.1 Local governments shall allow for an adequate supply of land use options to provide housing for a wide range of incomes, housing types and densities.

CPP 4.3 The Comprehensive Plan should support innovative land use management techniques, including, but not limited to, density bonuses, cluster housing, planned unit developments and the transfer of development rights.

CPP 4.6 Comprehensive Plan provisions for the location of residential development shall be made in a manner consistent with protecting natural resource lands, aquatic resources, and critical areas.

Goal 7A, Housing Quantity – Ensure that the supply of housing and sufficient land capacity keep pace with population growth in the County.

Policy 7A-1.1 Work with housing producers and stakeholders in urban and rural areas to apply creative solutions to infill and development using techniques such as attached dwelling units, co-housing, home-sharing, accessory dwelling units, clustering, planned unit developments and lot size averaging, consistent with the community's vision for urban growth areas and rural character.

Policy 7A-1.4 Ensure zoning and subdivision regulations provide for the efficient use of lands for residential development where appropriate to increase available land supply and opportunities for affordable housing to match the demographic and economic housing needs of the County's current and projected population.

Policy 7B-1.3 Establish development standards and design guidelines for Urban Growth Areas, Rural Villages, and large CaRD developments, to promote efficient, pedestrian friendly, and attractive communities.

Construction of new homes is not on track to meet demand in Skagit County. According to the SCOG Housing Report, Skagit County is on track to produce fewer new homes this decade than in any of the previous four-decade periods. (Att. GG at 3.) Consistent with the above goals and policies and as discussed in detail in the response to question no. 2 above, there is a great need for additional housing in the County at all price points and in both single-family and multi-family configurations. Avalon can offer a partial solution to this problem. SCOG Housing Report suggests that some of the biggest barriers to housing development in Skagit County are regulatory. Most land is zoned single-family. There is a lack of sizable, vacant land for multifamily housing. (Id at 13) Avalon would contain large swaths of land that could be dedicated to multifamily housing, townhomes, and densely-packed single family homes. This might alleviate some of the pressure on the very tight housing market. Also, GMA requires that the Avalon proposal provide affordable housing.

In addition to homes at Avalon attracting existing Skagit County residents, a principal market for the Avalon proposal is retired or near-retirement aged moderately affluent people from the greater Seattle-King County metropolitan area looking for a new home at a lower price. See Att. K, Peterson Report. These new residents are expected to produce an ongoing significant net positive outcome for local communities in revenue growth. In addition, designation of the Property to a UGA now will help ensure that the County has a sufficient land supply (including urban densities) and time for proper urban planning to meet the needs of forecasted population. The Applicant will work with the County to develop a plan to ensure that an efficient, pedestrian friendly, and attractive community is built.

Goal 7C, Housing Distribution And Accessibility - Strive to ensure that a variety of housing types, densities, and values can be produced in the rural area, Urban Growth Areas, and Rural Villages appropriate to the character of the individual communities. Additionally, ensure sufficient infrastructure capacity is available to accommodate growth and provide housing opportunities for all economic segments of the population.

Policy 7C-1.1 Allow mixed residential and commercial uses in Urban Growth Areas and Rural Village commercial districts to promote housing affordability and availability.

The Avalon proposal will provide a variety of housing types from condos/apartments to small cottage homes to larger more traditional single-family homes. The variability in housing choice will produce a wide price range which will greatly enhance the affordability and availability of housing in Skagit County. As previously stated, the Property enjoys excellent access to existing infrastructure capable of additional capacity, which should lower development costs, and commercial development will be interspersed with residential development for walkable neighborhoods.

Chapter 8: Transportation Element

Goal 8A-6, Non-Motorized Transportation Network - Provide a safe and efficient network of trails and bikeways, including both on- and off-road facilities that link populated areas of the County with important travel destinations. Achieve high standards in meeting the needs of non-motorized users through appropriate planning, design, construction and maintenance of user-friendly facilities. . . .

Policy 8A-6.4 Provide for the diverse needs of bicycle, pedestrian and equestrian modes through appropriate routing and the utilization of single-use and shared-use facilities. . . .

Policy 8A-6.9 Promote non-motorized transportation as a viable, healthy, non-polluting alternative to the single-occupancy vehicle.

Consistent with the above goal and policies, the Avalon proposal will be designed to include sidewalks along streets, and also a comprehensive network of paths and trails that allow users to travel within the UGA by foot, bicycle and other non-motorized means. These paths and trails will be located so as to provide residents with easy access to commercial services and recreational amenities within the community. As the development of the Property progresses, it is expected that the Avalon proposal will be connected to more regional paths and trails outside the development area.

Goal 8A-13, Land Use and Development - Incorporate transportation goals, policies, and strategies into all County land use decisions.

Policy 8A-13.1 Impacts of Growth – Growth and development decisions shall ensure that the short- and long-term public costs and benefits of needed transportation facilities are addressed concurrently with associated development impacts.

Policy 8A-13.2 Directing Growth – Mitigate transportation impacts, wherever possible, by directing new development into areas where long term capacity exists on the arterial and collector system.

Policy 8A-13.7 Right-of-Way Dedication – The County shall require dedication of right-of-way for needed roads in conjunction with the approval of development projects.

Consistent with the above goal and policies, the Avalon proposal will be developed with awareness of local and regional transportation needs. Its location very near two Interstate-5 interchanges and Old Highway 99 provides accessibility and an excellent starting point from which to make the reasonable transportation improvements needed to provide long term capacity for future population. (See Att. Q, Letter Re: Avalon Infrastructure Context, KPFF).

Concurrency Goal 8A-14, Ensure that suitable mitigation measures for addressing the impacts of growth are fair and equitable, and that transportation impacts at the project and system levels are mitigated concurrently with the project.

Policy 8A-14.1 When a development project has a particular impact on the safety, structure or capacity of the County's road system, suitable mitigation shall be required in the form of improvements or through the use of adopted impact fees.

Policy 8A-14.4 The County may consider the use of impact fees and SEPA mitigation fees as a means to ensure that adequate facilities (including but not limited to transit, pedestrian, bikeways, or roadways) are available to accommodate the direct impacts of new growth and development.

Policy 8A-14.5 If an impact fee ordinance is not in place, the County may require large developments to make traffic impact contributions if the development significantly adds to a road's need for capacity improvement, to a roadway safety problem, or to the deterioration of a physically inadequate roadway. Such traffic impact contributions are in addition to transportation facility improvements required in the immediate area for access to and from the development.

The Applicant will work with the County and other agencies to improve impacted roads and fully mitigate growth and transportation impacts within Avalon and outside Avalon all of which is required for new fully contained communities under RCW 36.70A.350. It is expected that the County will fully review and require appropriate mitigation for these impacts as part of the SEPA process.

Chapter 9: Utilities Element

Water – Goal 9A-8, To influence the development and use of the water resources of Skagit County in a manner that is consistent with the Countywide Planning Policies and the Comprehensive Plan.

Policy 9A-8.1 Cooperation with water districts and other water providers shall be extended to support them in their responsibility to provide a reliable service to assure an adequate quality and quantity of potable water and high quality water supply within their service areas.

Policy 9A-8.4 Water supply development and service shall be consistent with all related plans, including but not limited to, the Coordinated Water Systems Plan, the Anacortes-Fidalgo Island Coordinated Water System Plan, this Comprehensive Plan, and related purveyor plans as they are developed.

The Applicant will work with the Skagit PUD and other purveyors to ensure that its water supply is developed consistent with each agency's comprehensive plan and with the Skagit County Coordinated Water System Plan. Amendments to such plans will be pursued as necessary. The Applicant further intends to explore the re-use of reclaimed water for the existing Avalon Golf Course and other water conservation methods to conserve water use and enhance local water resources.

Stormwater Policy 9B-1.8 **Natural Drainage** – Natural drainage shall be preferred over the use of pipelines or enclosed detention systems, where possible.

The natural topography of the Property includes gently sloped hills and highly permeable soils, which will allow for efficient natural drainage management of stormwater runoff toward the Skagit Basin.

Chapter 10: Capital Facilities Element

Goal 10A-1, Capital Facility Needs - Establish the baseline for the types of capital facilities to be addressed, levels of service, needed capital improvements to achieve and maintain the standards for existing and future populations, and to repair or replace existing capital facilities.

Policy 10A-1.4 [Excerpt]

Urban water service provided by a utility and designed to meet the needs of the designated service areas consistent with the Skagit County or City Comprehensive Plan, the Coordinated Water System Plan, and the designated water utility's Water System Plan shall meet the design criteria of the Coordinated Water System Plan.

The Applicant will work with the County to ensure compliance with the Coordinated Water System Plan and all other County planning documents. The Applicant expects that the Capital Facilities Plan and the comprehensive plans of service providers will require amendments to capture the new development. (*See also* detailed responses re water and sewer services herein).

Goal 10A-2, Financial Feasibility - Provide means to balance needs with available funding.

Policy 10A-2.4 Future Needs – New growth shall pay its fair share of capital improvements cost necessary to support its demands. This may include voluntary contributions for the benefit of any capital facility, impact fees, mitigation payments, capacity fees, dedications of land, provision of public facilities, and future payments of user fees, charges for services, special assessments and taxes. These revenue sources shall not be used to pay for the portion of any public facility that reduces or eliminates existing deficiencies.

Policy 10A-2.14 Ensuring Concurrency – Impacts of development on capital facilities occur when development is constructed. The county may issue development permits only after it has determined that there is sufficient capacity of Category-A and Category-B public facilities to meet the LOS standards concurrent with the proposed development.

Policy 10A-2.17 Capital Facilities and Concurrency in Non-municipal UGAs – Capital facility requirements and concurrency within county-governed, non-municipal UGAs shall be developed for the specific urban growth area using a combination of county- and non-county-provided services at adopted urban levels of service appropriate to the planned urban development.

CPP 12. Public Facilities and Services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

CPP 12.5 Lands designated for urban growth by this Comprehensive Plan shall have an urban level of regional public facilities prior to or concurrent with development.

CPP 12.6 Development shall be allowed only when and where all public facilities are adequate, and only when and where such development can be adequately served by regional public services without reducing levels of service elsewhere.

CPP 12.7 Public facilities and services needed to support development shall be available concurrent with the impacts of development.

CPP 12.8 The financing for system improvements to public facilities to serve new development must provide for a balance between impact fees and other sources of public funds and cannot rely solely on impact fees.

CPP 12.9 New development shall pay for or provide for its share of new infrastructure through impact fees or as conditions of development through the environmental review process.

As stated herein and consistent with the above policies, the Applicant will work with the County and all other agencies to ensure capital facilities are built concurrently with the development phases, to ensure impacts are addressed with appropriate mitigation or impact fees, and to ensure that sufficient urban levels of services are provided as needed. The costs of facilities upgrades made necessary by the development will be paid for by the developer. Most of the foregoing policy objectives are included as requirements for any new fully contained community under RCW 36.70A.350.

Attachment C
Answer to Question 5, Map Amendment Application, 07/31/18

5. Describe the impacts anticipated to be caused by the change, including geographic area affected and issues presented.

Expansion of urban governmental services and facilities will be required to fully develop the Property. This will include improvements to streets and roads, sidewalks, traffic systems; sanitary sewer; water systems; storm sewer systems; park and recreational facilities and schools.

Avalon will impact urban public services, including fire protection and suppression; emergency medical services; public safety; public health; and recreation. Avalon's impact on schools will be less than most new developments because most new home buyers will be beyond childrearing years.

The geographic area affected by the proposed amendment will be mainly limited to the approximately 1244 acres involved in this proposal. Additionally, there will be impact on surrounding roads and highways outside the Avalon area such as, old Highway 99, Kelleher Road, Butler Hill Road and F&S Grade Road.

As Avalon is developed, from breaking ground to final occupancy, the County will collect various permit and development fees. The purpose of said fees are to mitigate the impact of the costs associated with the increased and improved public services and facilities to the Property. The Applicant will implement required mitigation of other impacts through the SEPA process. Additionally, once homes and businesses are built on the Property, the County will see increased tax revenues on an annual basis. Furthermore, Avalon will contribute to the vitality of Skagit County's economy through establishment of new businesses and permanent job creation. (See Att. W, "Jobs Created in the U.S. when a Home is Built," *Eye on Housing*, 5/2/14; see also, Att. K, Peterson Report).

The Avalon proposal will have the beneficial impact of locating future population growth in a concentrated area near important services and infrastructure. It has close access to two Interstate 5 interchanges and other existing road networks, and easy access to adjacent municipal water and sewer infrastructure, thereby reducing pressure for more intense rural development in other parts of the County. The Property is well above the flood zones, drains quite well, and contains minimal resource lands (no forest resource land; only 7 acres of unproductive farm land; and mining activity near the end of its productive life). Shops and restaurants are in nearby Burlington, Mt. Vernon, and Sedro Woolley. It is the ideal location to accommodate future growth in Skagit County, the planning for which should commence.

Attachment D
Answer to Question 6, Map Amendment Application, 07/31/18

6. Describe how adopted functional plans and Capital Facilities Plans support the change.

Functional plans for water, sewer, stormwater, fire, the Burlington-Edison School District, and police service will require analysis and amendment to ensure sufficient levels of service are provided. The recommended increase to the population projection (adding an additional 8,500 to the County's 20 year projection), will require amendments to the Capital Facilities Plan. The foundational infrastructure for water and sewer service is already in place and capable of providing additional capacity. The Skagit PUD No. 1 indicates it has sufficient water supply available. See Att. O, Letter from Skagit PUD No. 1 dated, July 14, 2016. Please see further support in the analysis of the *Coordinated Water System Plan* and the *Skagit PUD 2013 Water System Plan* in response to question no. 4 above.

The Samish Water District indicates that sewer service will be provided based on the approval of the "Growth Management Board" and Skagit County and if the District is capable of providing service. (See Att. N, Letter from Samish Water District, 7/20/16; see also further support in the analysis of the *Samish Water District 2013 Comprehensive Sewer Plan* and the *City of Burlington's 2005 Comprehensive Plan* in response to question no. 4 above). The Burlington-Edison School District would like the opportunity to include property within the Avalon proposal for a school. (See Att. P, Letter from Board President to Vineyard Development, 07/26/16).

Resolution No.

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

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;

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 began deliberations on the proposals for the 2018 Docket including public comments. The Board also made a motion to hold an additional public hearing to consider the addition of a County-initiated map amendment to the 2018 Docket as authorized by SCC 14.08.030(2)(a);

Whereas Skagit County Planning & Development Services published notice of the public hearing on December 26, 2017 and accepted written public comments through January 18, 2018;

Whereas on January 16, 2018, the Board held a public hearing and on January 23, 2018 the Board deliberated on the proposals for the 2018 Docket including public comments.

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 is hereby adopted and attached as **Exhibit A**.

Witness Our Hands and the Official Seal of Our Office this 29 day of January, 2018.



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

Kenneth A. Dahlstedt

Kenneth A. Dahlstedt, Chair

Lisa Janicki

Lisa Janicki, Commissioner

Ron Wesen

Ron Wesen, Commissioner

ATTEST:

Amber Erps
Clerk of the Board

APPROVED AS TO CONTENT:

Tim Holloran
Tim Holloran, Interim Director
Planning & Development Services

APPROVED AS TO FORM:

Julie Nicoll
Julie Nicoll, Civil Deputy
Skagit County Prosecutor's Office

EXHIBIT A

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

| PDS | # | Petitioner | Subject |
|---|-----------|--|---|
| 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) or another appropriate designation. |
| 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 or Modify Comprehensive Plan Policy 4A-5.6. |
| 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 | Delete reference to Master Planned Resort as a special use. |
| 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. |
| Include | C-19 | PDS | Amend the Comprehensive Plan 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. |
| 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. |

A Resolution Establishing the Docket for the 2017 Comprehensive Plan Policy and Map, and Code Amendments

Whereas SCC 14.08.030 provides that Skagit County will accept proposals for Comprehensive Plan policy, map, or code amendments through the last business day of July each year;

Whereas Skagit County received numerous proposals for policy, map, and code amendments for consideration through the 2017 docket;

Whereas the Board of County Commissioners (“Board”) met on September 13, 2016, to consider the initial list of proposals and add its own for the purpose of receiving public comment;

Whereas the County published notice of the docket proposals on November 10, 2016, and accepted written comment through December 8, 2016;

Whereas the Board held a public hearing on the proposals on December 5, 2016;

Whereas the GMA Steering Committee (composed of representatives of the county, cities, and towns) met on December 14, 2016, and recommended 5-2 against the Board docketing the Avalon Fully Contained Community (FCC) proposal and against revisiting the 20-year urban population forecast and allocations to accommodate Fully Contained Communities;

Whereas the Board deliberated on the 2017 docket proposals and the public comment on December 20, 2016;

Whereas RCW 36.70A.130(2)(a) generally allows for the Comprehensive Plan to be amended only once per year;

Whereas the Board may later decide to add items that do not require Comprehensive Plan amendments to the Department’s work program;

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

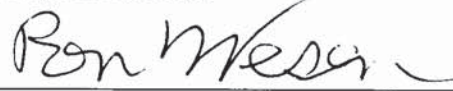
The 2017 Docket of Comprehensive Plan Policy, Map and Code amendments consists of the proposals identified as “docket” in Attachment A.

Witness Our Hands and the Official Seal of Our Office this 20 day of Dec., 2016.

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



Lisa Janicki, Chair



Ron Wesen, Commissioner



Kenneth A. Dahlstedt, Commissioner

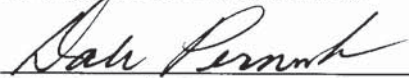


ATTEST:



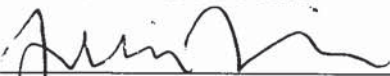
Clerk of the Board

APPROVED AS TO CONTENT:



Dale Pernula, Director
Planning & Development Services

APPROVED AS TO FORM:



Julie Nicoll, Civil Deputy
Skagit County Prosecutor's Office

Attachment A

2017 Comprehensive Plan Policy, Map, and Code Amendment Proposals

| Decision | # | Petitioner | Subject |
|------------------------------------|-----------|---|---|
| Policy Suggestions (Public) | | | |
| Exclude | P1 | Friends of Skagit County (Bynum) | Reform CaRD ordinance. |
| Exclude | P2 | Friends of Skagit County (Good) | Create standing committees to work with the Planning Commission. |
| Exclude | P3 | Friends of Skagit County (Good) | Implement no loss of agricultural land policy. |
| Exclude | P4 | Friends of Skagit County (Stauffer) | Develop data base of buildable rural lands. |
| Exclude | P5 | Guemes Island Planning Advisory Committee (Fox) | Require permit application for new wells on Guemes Island. |
| Exclude | P6 | Guemes Island Planning Advisory Committee (Rooks) | Encourage rainwater collection on Guemes Island; revise definition of adequate water supply; allow homeowners to design own rainwater collection system. |
| Docket | P7 | Guemes Island Planning Advisory Committee (Fox) | Require permanent protection of CaRD open space on Guemes Island. |
| Exclude | P8 | Roger Mitchell | Ensure equitable distribution of water resources for Skagit County citizens. |
| Exclude | P9 | Roger Mitchell | Make access to water a fundamental right. |
| Exclude | P10 | Roger Mitchell | Require cost benefit analysis using quantitative metrics for all planning projects. |
| Exclude | P11 | Roger Mitchell | Require a geohazards checklist for all planning and permitting projects. |
| Docket | P12 | Roger Robinson | Rezone Rural Reserve on South Fidalgo Island to new zone called South Fidalgo Rural Residential |
| Map Amendments (Public) | | | |
| Docket | PL16-0352 | Port of Skagit | Redesignate two Port-owned properties from Aviation Related (AVR) to Bayview Ridge Light Industrial (BR-LI). |
| Defer | PL15-0383 | 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. |

| Decision | # | Petitioner | Subject |
|-----------------------------------|----------|--------------------|--|
| County Initiated Proposals | | | |
| Exclude | C1 | Commissioner Wesen | Wiseman Creek Boardwalk Project Removal. |
| Docket | C2 | Commissioner Wesen | Coast to Cascades Corridor study revision |
| Docket | C3 | PDS | Garage setbacks in Bayview Ridge Residential |
| Docket | C4 | PDS | Major utility development in Bayview Ridge Residential |
| Docket | C5 | PDS | Temporary events in various Bayview Ridge zones |
| Docket | C6 | PDS | Prohibit creation of multiple lots in small scale business. |
| Docket | C7 | PDS | Rural Freeway Service and Rural Center development size limits |
| Docket | C8 | PDS | Mobile home parks |
| Docket | C9 | PDS | Similk Beach septic |
| Docket | C10 | PDS | Affidavit for accessory dwelling unit |
| Docket | C11 | PDS | Variance chapter formatting error |
| Docket | C12 | PDS | Repair, replacement, and maintenance of water lines. |
| Docket | C13 | PDS | Reorganize personal wireless services facilities code |
| Docket | C14 | PDS | Update and simplify the Airport Environs Overlay (AEO) map |
| Docket | C15 | PDS | Ika Island to Rural Reserve. |
| Docket | C16 | PDS | Department of Natural Resource (DNR) Lands to OSRSI |
| Docket | C17 | PDS | Seattle City Light Lands to OSRSI |
| Docket | C18 | PDS | Pressentin Park to OSRSI |
| Docket | C19 | PDS | Island International Artists Rural Business correction |
| Docket | C20 | PDS | Weide Mineral Resource Overlay (MRO) |
| Docket | C21 | PDS | Jensen Rural Reserve correction |