



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>Nielsen Brothers, Inc. (NBI)</u>	Organization	<u></u>	
Address	<u>100 Pine Street</u>	City, State	<u>Bellingham, WA</u>	Zip <u>98227</u>
Email	<u>DarcieN@nielsenbrothers.net</u>	Phone	<u>360-671-9078</u>	

Proposal Description

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

1. Describe your proposed amendment.

Amendment to Comprehensive Plan policies Section 4 regarding Agricultural Resource Lands – Allowable Land Uses.

Amendment to SCC 14.16.400 regarding Agricultural Resource Lands (Ag-NRL) zone provisions.

The proposed amendments would allow for expansion of pre-existing natural resource-based uses in Agricultural resource lands subject to administrative review.

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

NBI is interested to expand their current shop building facility located at 25046 State Route 20 (SR-20) just east of Sedro Woolley to create larger work bays and make other improvements to the drainage and operational layout of the 11 acre site including installation of a zero-discharge closed loop water recycling wash rack for heavy equipment. However, in May 2019 NBI was informed by the Skagit County Planning Department that the current natural resource based industrial use of the property is considered "non-conforming" in the Ag-NRL zone, and as such, no enlargement, alteration, expansion or change is allowed. This came as a surprise as the County granted NBI a building permit for a commercial addition/remodel of the shop building in November 2000 and a commercial site grading permit in March 2002 for placement of 4,500 cubic yards of fill material, the forest resource based industry use on the site was clearly recognized by the County as 'conforming' at that time.

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

Amendment to Comprehensive Plan policies Section 4 regarding Agricultural Resource Lands – Allowable Land Uses, to add new policy 4A-4.7.

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 amendment would not create inconsistencies within 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?

Yes, an addition to Ag-NRL code is being proposed.

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

Proposed amendment to SCC 14.16.400 (3) Administrative Special Uses to add new section (n).

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:*

See 2. Above.

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

See attached proposed amendments to both Comprehensive Plan and SCC.

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

The proposal does not change or alter existing policies, all will remain in effect.

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

The proposal is consistent with the Growth Management Act (GMA) Goal 8:

"Maintain and enhance natural-resource based industries, including productive timber, agricultural, and fisheries industries; encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses." RCW 36.70A.020(8).

And consistent with the County Vision Statement:

•Support economic opportunities: This plan strives to promote a strong and diverse economy for Skagit County residents through policies and programs that promote new business opportunities, increase family wage jobs and create a predictable regulatory environment for businesses and citizens. Sustainable economic development efforts will focus on providing all communities with a balance of jobs and housing and helping communities with redevelopment or new economic initiatives.

And in line with the Comprehensive Plan Countywide Planning Policy (CPP) 5.4:

"Commercial and industrial activities directly related to local natural resource production may be allowed in designated natural resource areas provided they can demonstrate their location and existence as natural resource area dependent businesses."

And the policy directives of the CPPs:

8.8: Skagit County shall encourage sustainable use of the natural resources of the county, including but not limited to agriculture, forestry, and aquatic resources.

8.9: Skagit County shall conserve agricultural, aquatic based, forest and mineral resources for productive use by designating natural resource lands and aquatic resource areas where the principal and preferred land uses will be long term commercial resource management.

And is further supported by Goal 4B-7:

Establish, in all aspects of forest management regulations, support for the forest product industry and its ability to keep and economically manage forest lands.

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

There are no anticipated impacts to be caused by the changes as they would only apply to pre-existing natural resource uses located on Agricultural Resource Lands. This is a minor change that only acknowledges that some non-agricultural resource-based businesses pre-exist on Ag lands yet are dependent and/or support the natural resource-based economy of Skagit County.

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

The amendments support pre-existing uses and therefore will have no impact on adopted functional plans and Capital Facilities plans.

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

None.

Notices

Fees. No fees are required for a policy or code change suggestion, per Skagit County Fee Schedule, SCC 14.08.030(3).

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.

Proposed Amendment to Skagit County Comprehensive Plan and Zoning Code:

In accordance with the Growth Management Act (GMA) Goal 8:

“Maintain and enhance natural-resource based industries, including productive timber, agricultural, and fisheries industries; encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.” RCW 36.70A.020(8).

And in line with Comprehensive Plan Countywide Planning Policies:

5.4 - Commercial and industrial activities directly related to local natural resource production may be allowed in designated natural resource areas provided they can demonstrate their location and existence as natural resource area dependent businesses.

8.9 - Skagit County shall conserve agricultural, aquatic based, forest and mineral resources for productive use by designating natural resource lands and aquatic resource areas where the principal and preferred land uses will be long term commercial resource management.

Amend the Comprehensive Plan Agricultural Resource Land Policies – Allowable Land Uses to add a new Policy 4A-4.7:

Pre-existing Natural Resource area dependent uses: Subject to conditions to minimize conversion of agricultural land, existing non-agricultural natural resource area dependent businesses located on agricultural resource lands may be expanded if the site has direct access to a major arterial.

Following the policy above, amend SCC 14.16.400 Agricultural—Natural Resource Lands (Ag-NRL).

(3) Administrative Special Uses.

To Add:

(n) Expansion of existing non-agricultural natural resource dependent businesses including forest industry equipment maintenance buildings and storage yards, provided the expansion is limited to only the area necessary for the business; and provided that any conversion of agricultural land is minimized to the greatest extent possible, and that the site has direct access to a major arterial.