

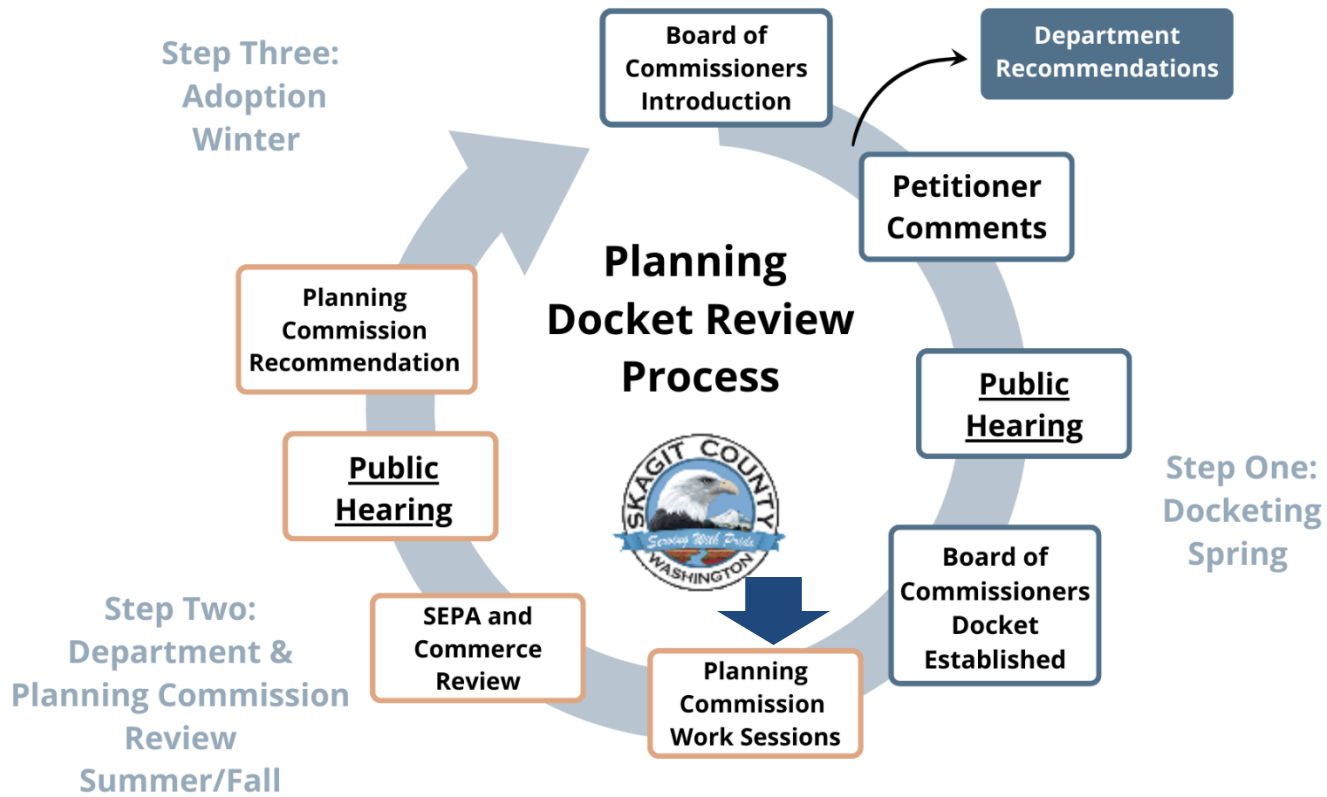
Work Session

2023 Docket



Sarah Ruether, Senior Planner
Planning and Development
Services
September 12, 2023





2023 Petitions and Supporting Documents can be found at:

www.skagitcounty.net/2023CPA



LR23-01 Dunlap Rural Reserve Rezone

- Rezone 21 acres from Agriculture-Natural Resource Lands to Rural Reserve
- Would allow petitioner to build additional residential units through a CaRD development
- Rezone has been delineated so that new parcels, will not contain agricultural soils of commercial significance
- The department recommends approval of LR23-01



LR23-01 Dunlap Rural Reserve Rezone

Parcel	Acres	Approx Acres Rezoned	Existing Structures
P15174	24.85	14	Misc. Outbuildings
P95578	1.14	1.14	SFR
P15175	1.0	.75	SFR
P15190	2.03	1.3	
P15173	31.97	4.0	
Total	60.99	21.19	2 SFR



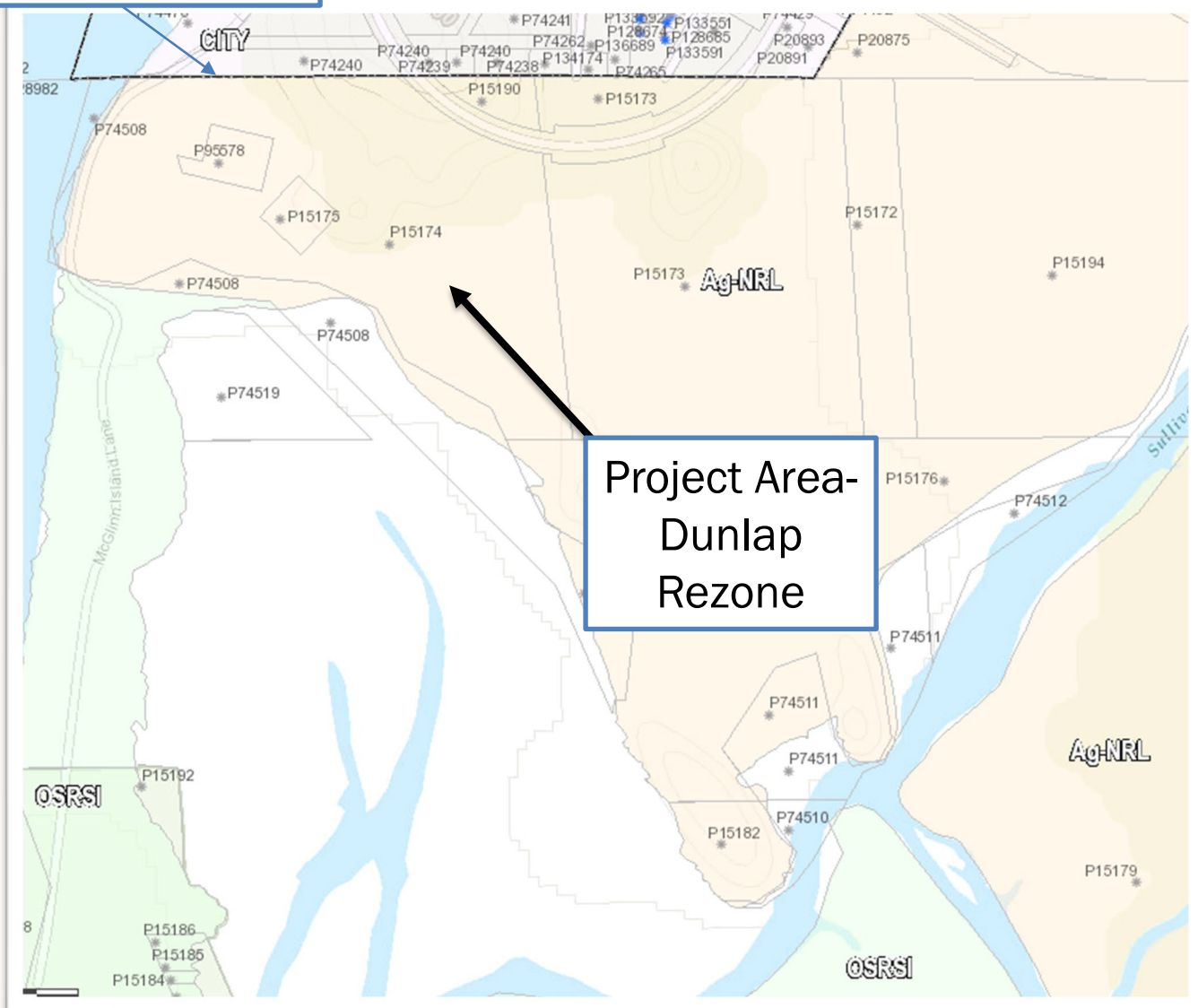




07/18/2022



Town of La Conner

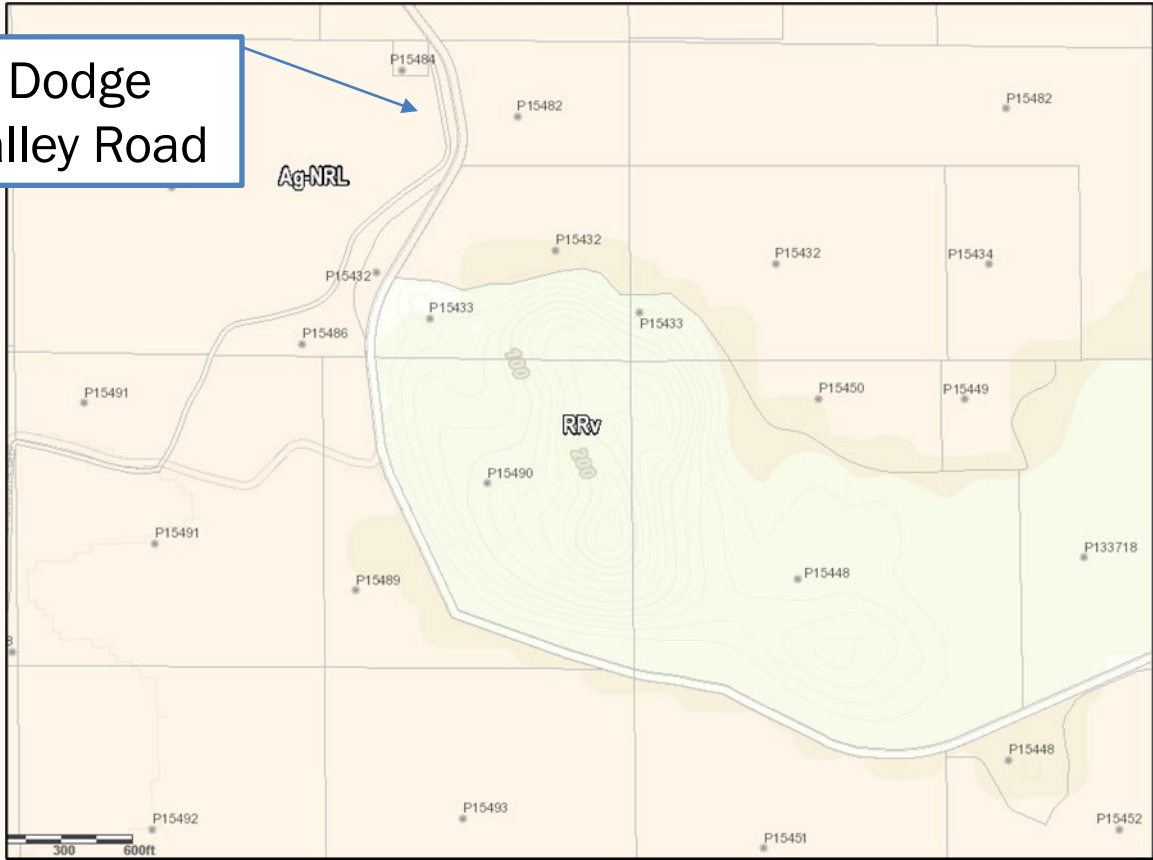


Project Area-
Dunlap
Rezone



Figure 3 in Staff Report, Dunlap Re-zone

Dodge Valley Road

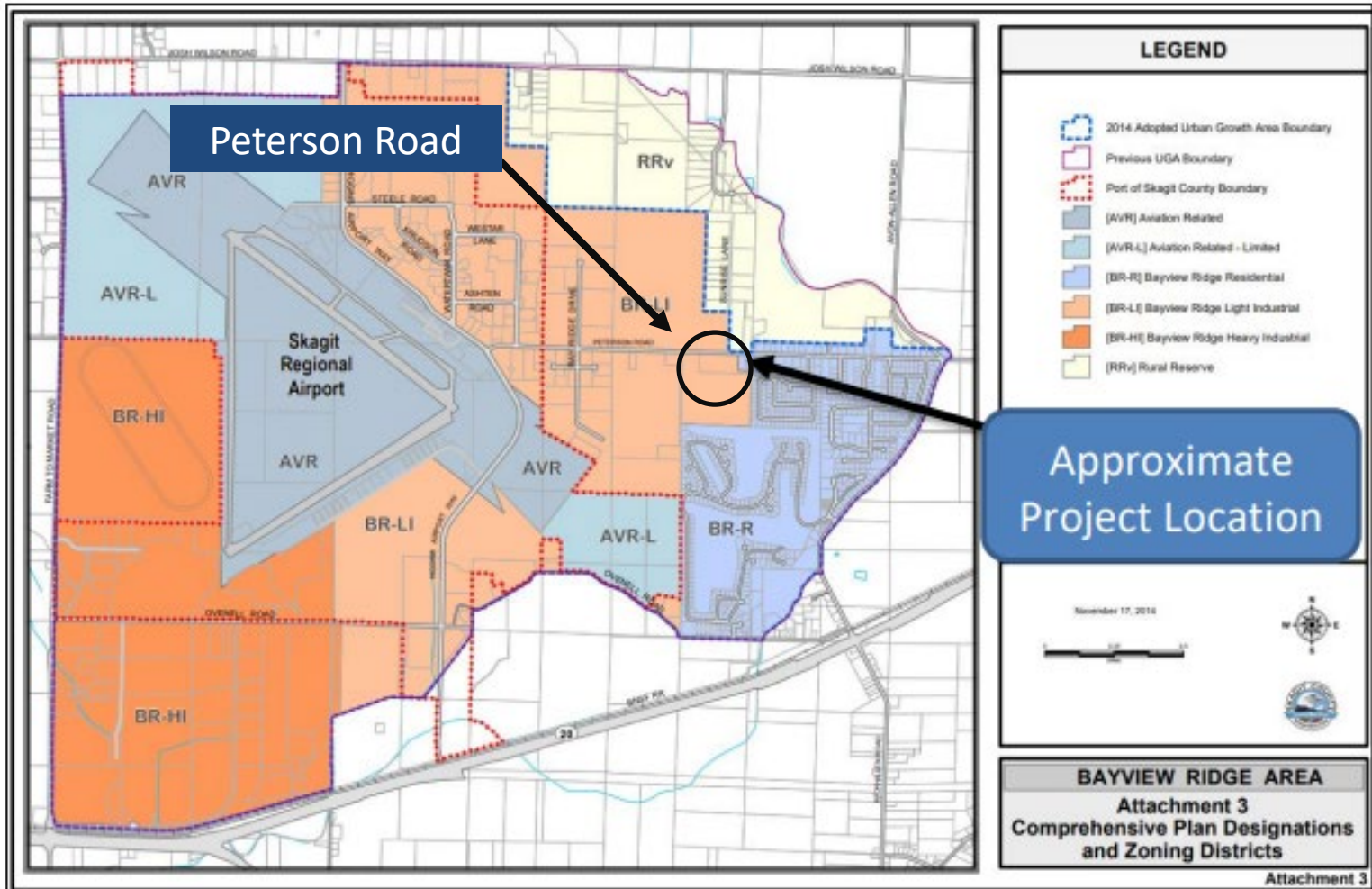


LR23-03 Port of Skagit Bayview Ridge Rezone

- 7.54 acre parcel has split zoning of Bayview Ridge-Residential and Bayview Ridge-Light Industrial
- Petition requests to rezone the entire parcel Bayview Ridge-Light Industrial and correct the split zone
- Rezone would allow more flexibility of industrial uses on the property – Watershed Business Park is proposed.

The department recommends **approval**





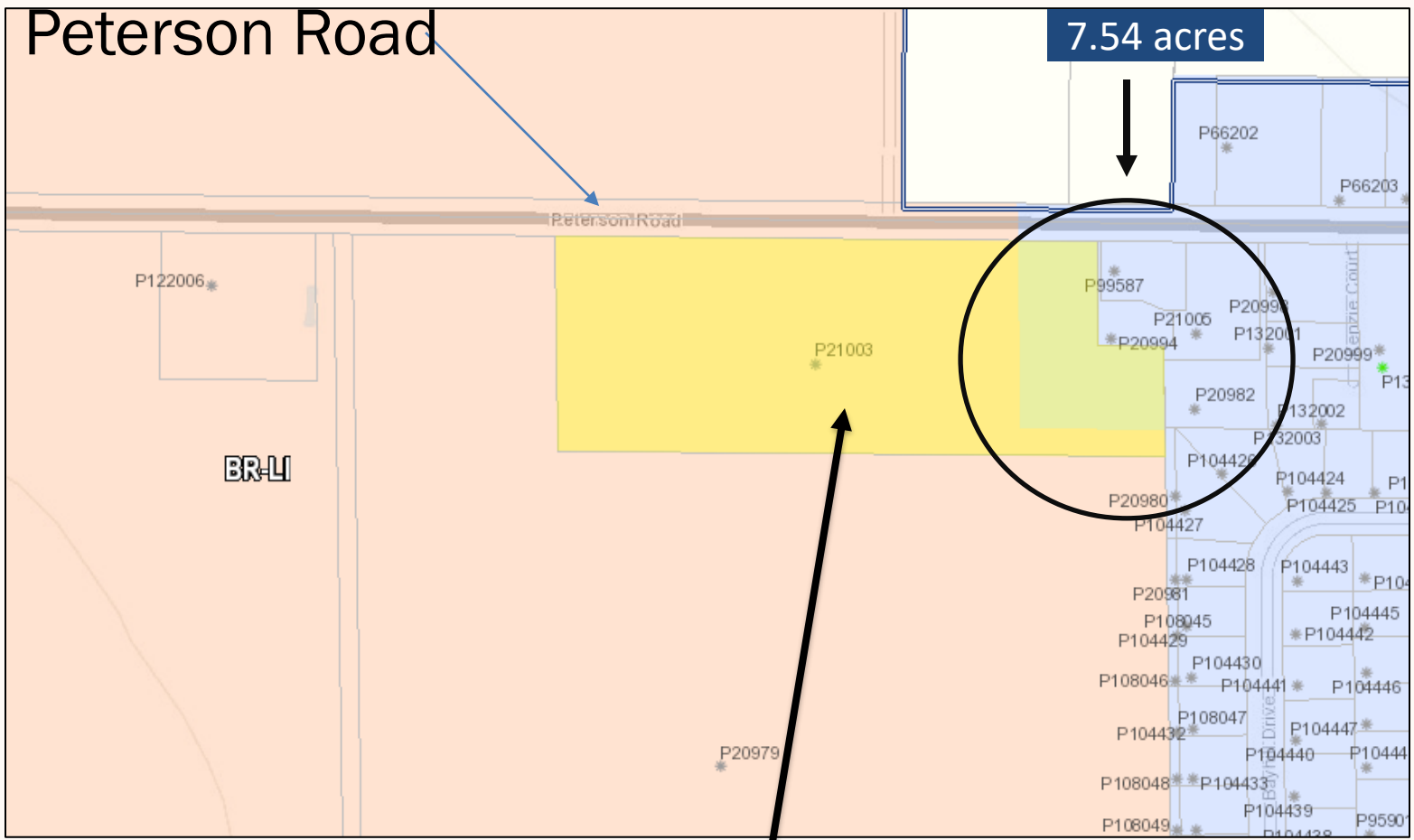
Peterson Road

Approximate Project Location



Peterson Road

7.54 acres



P21003



LR23-03 Port of Skagit Bayview Ridge Rezone - Setbacks

- The light industrial buffers for Bayview Ridge [per SCC 14.16.180 \(6\)\(a\)](#) are **35 feet for the front setback.**
- For the side setbacks, [per SCC 14.16.180 \(6\)\(a\) \(ii\)](#)
- **50 feet if adjacent to other residential zoning designations.**
- [SCC 14.16.180\(7\)](#) Loading Areas: Truck loading operations and maneuvering areas may not be located **within 250 feet of areas zoned for residential use,** unless the loading and maneuvering area is located on the opposite side of a building from a residential zone.



LR23-03 Port of Skagit Bayview Ridge Rezone - Setbacks

- Building height **may not exceed 35 feet** for those portions of a building located within **100 feet from a residential zone**
- **Within 250** feet of a residential zone all outdoor lighting must be full cut-off.
- **Within 100 feet** of a residential zone, mechanical equipment located on the roof, façade, or external portion of a building shall be architecturally screened by incorporating the equipment in the building and/or site design so as not to be visible from adjacent residential zones or public streets.”
- The Department recommends **approval of LR23-03**



C23-1 Seawater Intrusion Area Well Drilling Requirements

- Petition would require county review prior to drilling before any well can be drilled in a sole source aquifer (SSA)
- Guemes Island was designated a SSA by the EPA in 1997.
- The EPA defines a SSA as “an aquifer that supplies at least 50 percent of drinking water for it’s service area; and has no reasonably available drinking water sources, should the aquifer become contaminated”

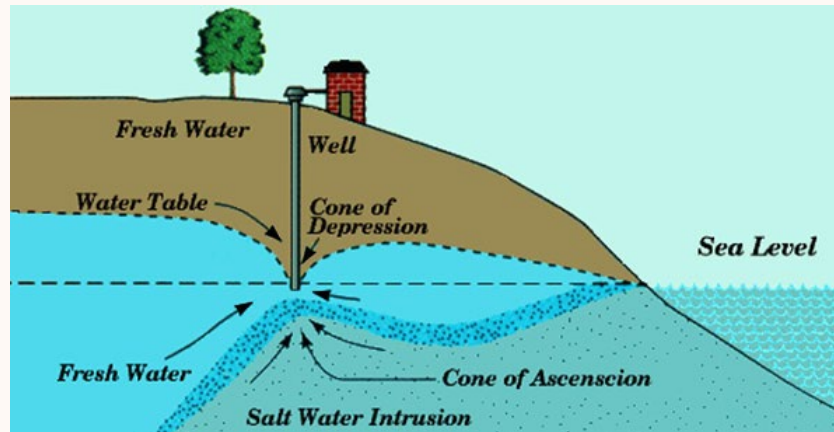


C23-1 Seawater Intrusion Area Well Drilling Requirements

- The petition would add language to SCC 14.24.380(2) to require the following information to be submitted prior to drilling in a SSA:
 - A site plan (including inland well site location)
 - Estimated depth of well
 - Estimated land elevation of the well
 - Depth and chloride levels of surrounding wells
 - Drilling plan
 - Applicable fees



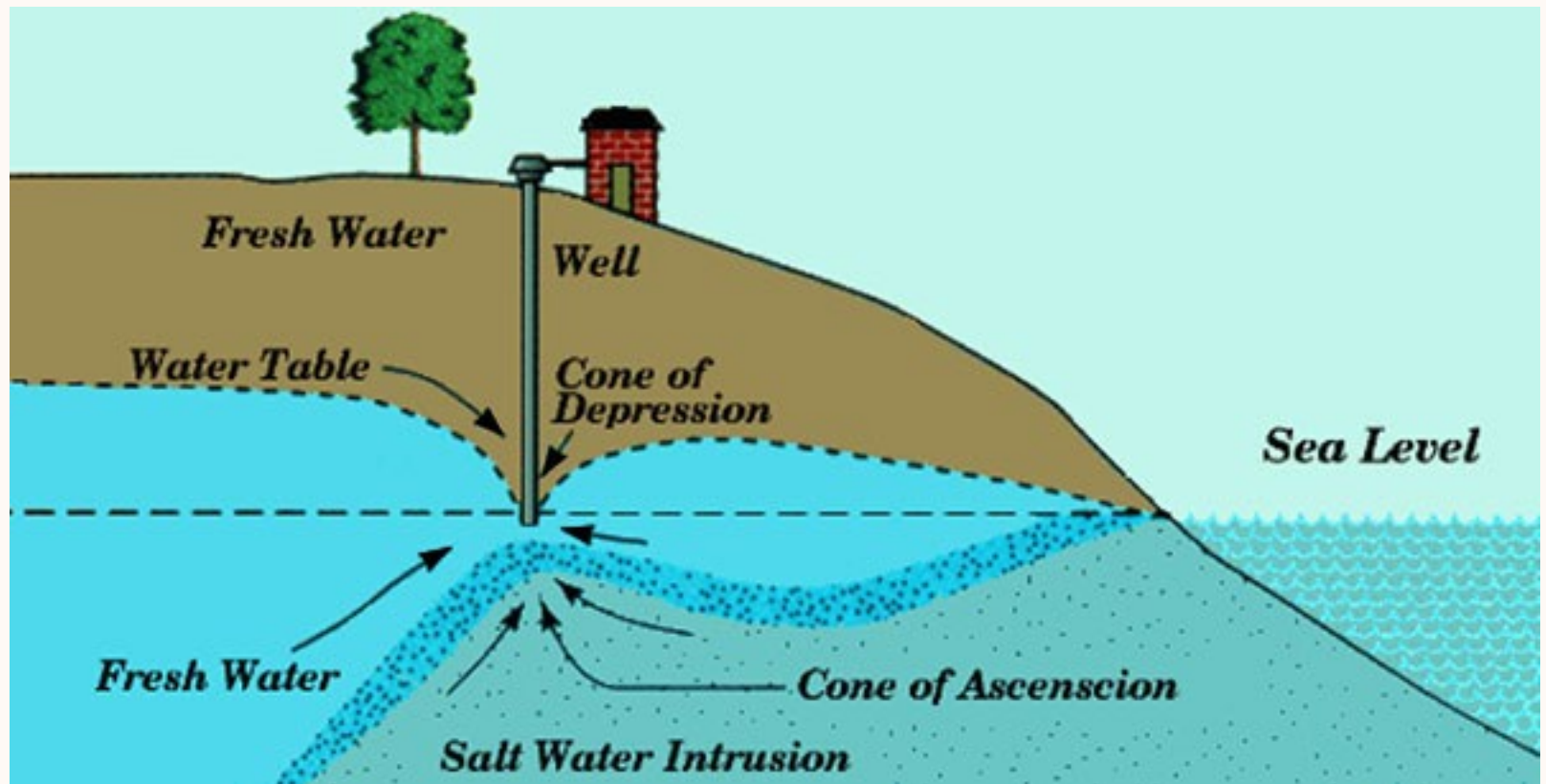
C23-1 Seawater Intrusion Guemes



- Beneath coastal land fresh water “floats” on seawater. Pumping from wells causes the fresh/saltwater boundary to rise. Seawater renders water not potable.
- Permanently pumping down the aquifer one foot causes the seawater boundary to rise 40 feet.



C23-1 Seawater Intrusion Guemes



C23-1 Seawater Intrusion Guemes

- No rivers or Lakes on Guemes Island
- Guemes Island is in a rain shadow and gets an average of 29 inches of rain a year.
- The new proposed language would require an applicant who wishes to drill a well in a SSA to submit an application regardless of the type of development application.
- This is important because the siting, depth and other information can protect against seawater intrusion



Staff recommends **approval**

C23-2 Qualified Professional Definition

- Amends the definition of Qualified Professionals to ensure consistency with surrounding jurisdictions
- Increases the years of experience required from 2 to 4 years
- Refers the definition of stormwater professional to the Skagit County Stormwater Manual for consistency



C23-2 Qualified Professional Definition – Why the Change?

- If reports are incomplete or inaccurate it is a cost to the applicant and slows down project approval
- The proposal recommendation to increase the number of years experience from two to four is based on adjacent jurisdictions requirements.
- The change will have the most impact on wetlands and watercourses as they don't have professional certifications for these disciplines.
- The Department recommends **approval of C23-2**



Type of Work	Type of Professional Required	Washington State License or Certification Required?	Skagit County Experience Required
Wetlands, Watercourses, and Wildlife Habitat Conservation Areas	Wetland, Watercourse, or Wildlife Habitat Conservation Specialist	No	Bachelor's degree or equivalent in relevant field of work and four years professional experience in comparable ecological systems to Western Washington
Geotechnical Reports and Geotechnical Design Recommendations	Professional Engineering Geologist or Civil Engineer	Washington State license required	Four years of relevant experience in geotechnical engineering and landslide evaluation
Critical Aquifer Recharge Areas	Hydrogeologist, geologist, or professional engineer	Washington State license required	Four years of relevant professional experience analyzing geologic, hydrologic, and groundwater flow systems
Stormwater Management	Civil engineer, Geotechnical engineer, geologist, engineering geologist, or hydrogeologist	Washington State license required for Skagit County	Four years of relevant experience which meets the 2019 Stormwater Manual requirements



C23-3 OSRSI Allowed Uses

- Amends the Open Space of Regional and State Importance zone to allow trails as an outright permitted use
- Currently, trails and trailheads are an administrative special use
- Petition would allow trails to be permitted outright, but keep trailheads as a special use



Department recommends **approval of C23-3**

C23-3 OSRSI Allowed Uses

Also submitted on 2019 Docket

- This petition was also submitted for the 2019 docket but the Planning Commission recommended the use be increased to a hearing examiner special use
- Biggest issue was notice of development for interested parties
- The Board remanded the issue back to the Department for further evaluation

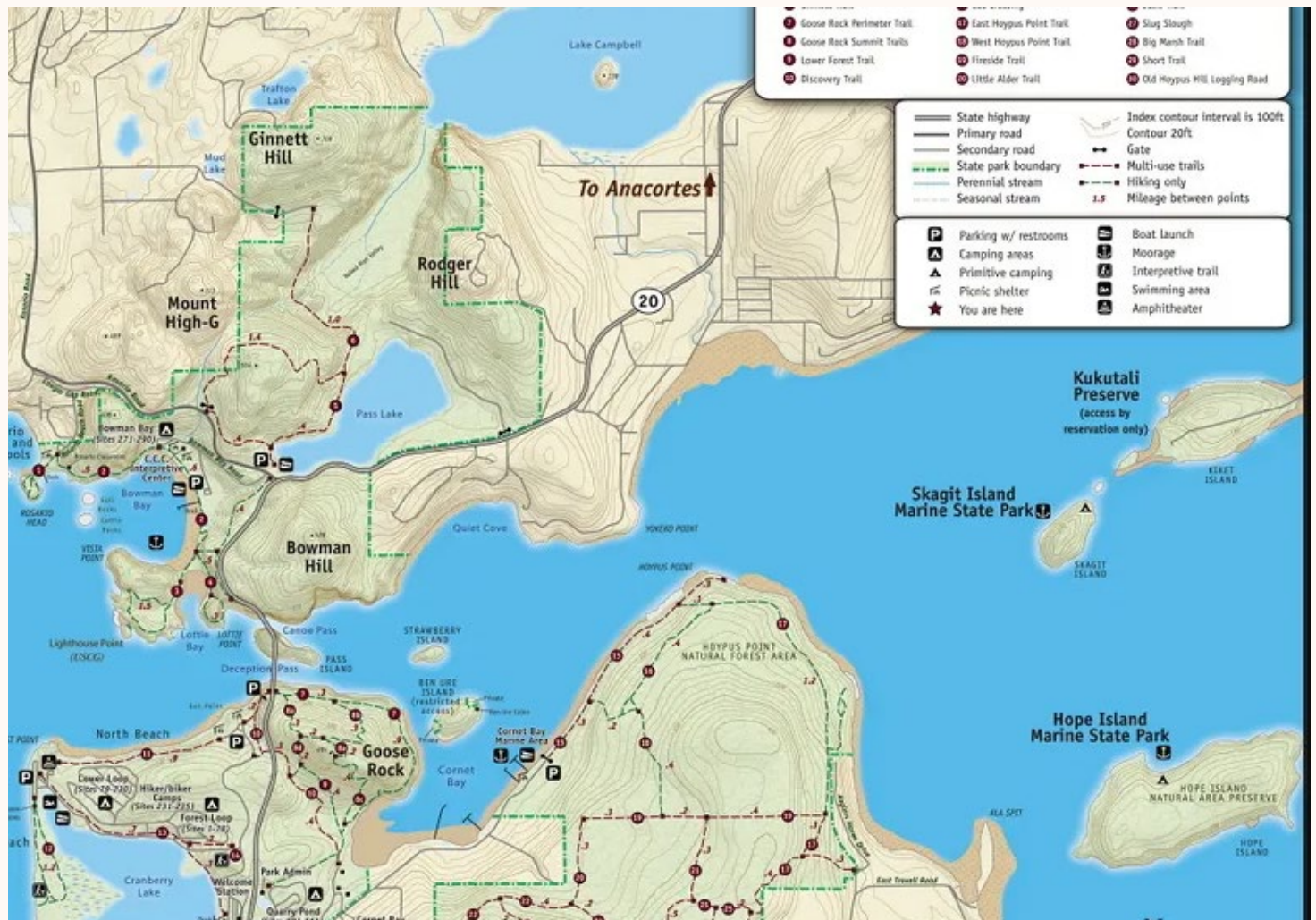


C23-3 OSRSI Allowed Uses

- Benefits of trails as an outright permitted use: **less cost and time** for building trails in OSRSI zones.
- **SEPA which provides notice** would be triggered for a grading permit **if more than 500 cubic yards** of fill and grade proposed
- If there are wetland impacts or if a trail is in the shoreline or crosses a stream, SEPA would be required.
- Many OSRSI properties are remote islands or far away from residential areas, which means the impacts of trails would be minimal to residents.



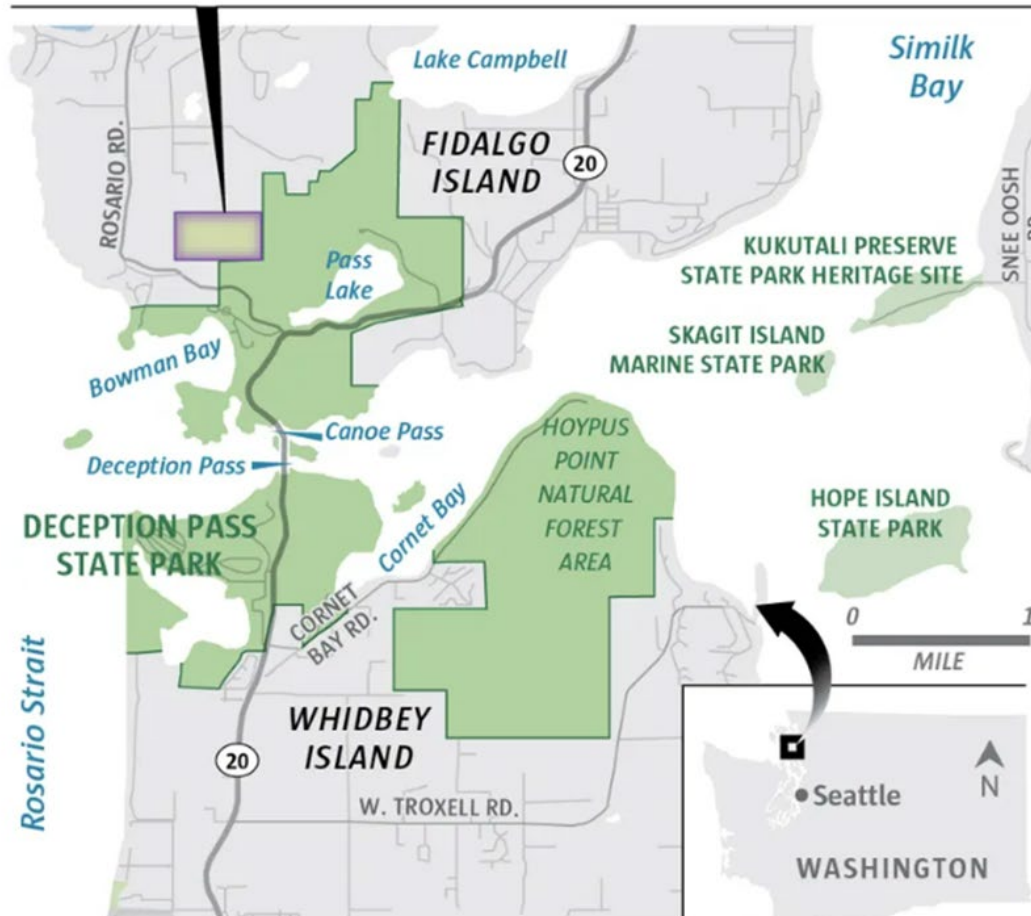
OSRSI Uses in Skagit County



Deception Pass State Park to get 78-acre expansion



A partnership between Skagit Land Trust, Washington State Parks and Recreation, Skagit County Parks and Recreation and South Fidalgo community members is on track to expand the state park by 78 acres by the end of the year.



Sources: Esri, Skagit Land Trust

MARK NOWLIN / THE SEATTLE TIMES



C23-4 Master Planned Resort Designation

- Amends code language to refer to a Master Planned Resort as a zone designation, not a special use, to remain consistent with the Comprehensive Plan.
- This was an administrative error, and this docket item corrects that error.
- Examples of Master Planned Resorts – Crystal Mountain, Skamania Lodge, Sun Mountain Resort

The Department recommends **approval**



C23-5 Fire Marshal Code Amendment

- Removes the **requirement** for structures built outside of a fire district to have a foam applicator for fire fighting hoses. It takes training and diligence to keep up with best practices and its toxicity to humans and the environment. This docket item does not prohibit it's use.
- Firefighting foam has toxic chemicals that are dangerous to human health and environmentally.
- Water is now the accepted standard for firefighting
The Department recommends **approval**



C23-6 Temporary Manufactured Homes Title Notice Requirement

- Adds a new requirement for temporary manufactured homes to submit a title notice on the property
- Temporary Manufactured Homes are required to be removed when the use is completed
- TMHs are only allowed for medical reasons or farmworker housing
- Property owner may apply for a permit for an ADU to make it permanent, if they meet requirements.

Department recommends **approval**



C23-7 Flow Sensitive Basin Rules

- Update flow sensitive basin regulations which have been superseded by the Skagit and Stillaguamish Instream Flow Rules.
- Current code refers to withdrawal limits that are now outdated, which is confusing.
- Petition would remove the old language and refer to the new Ecology rules
- Department recommends **approval**



C23-9 Primitive Campground Definition Amendment

- Amends the definition of primitive campground to clarify minimal amenities should be shared amongst campsites
- Also refers to regulations for recreational vehicles to ensure primitive campgrounds are limited to two RVs maximum, with only one RV inhabited

Department recommends approval



C23-10 Countywide Planning Policies Update

- Petition to adopt recommended changes to the Countywide Planning Policies by GMA Steering Committee
- New language would direct the Board of County Commissioners to disband the Boundary Review Board by June 30, 2025



C23-11 General Code Language Clean-Up

- Amends stormwater and wireless facility language to reflect inconsistencies found by the code revisers during the updates in 2022
- Department recommends **approval**



Next Steps

- **October 24, 2023** Hearing for Docket
- **November 14, 2023** Public Comments presented for Docket
- **December 12, 2023** Deliberations for Docket

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