



# Comprehensive Plan/Zoning Map Amendment Request

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273  
 voice 360-416-1320 · inspections 360-416-1330 · 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 request amendments to the Skagit County Comprehensive Plan/Zoning Map. Please do not combine multiple unrelated map amendments on a single form. This form is for changes to the map; use the Policy or Development Regulation Suggestion form for changes to those regulations.

## Submitted By

Name \_\_\_\_\_ Organization \_\_\_\_\_  
 Address \_\_\_\_\_ City, State \_\_\_\_\_ Zip \_\_\_\_\_  
 Email \_\_\_\_\_ Phone \_\_\_\_\_

## Request Type

Choose one of the following:

- Site-specific map amendment, as defined in SCC 14.08.020(6), but NOT to a commercial/industrial designation.  
 Site-specific map amendment to a commercial/industrial designation per SCC 14.08.020(7)(c)(iii).

## Required Submittals

All map amendments and rezones:

- Fees  
 Land Use Map  
 Lot of Record Certification  
 Ownership Certification (if required below)

Commercial-Industrial map amendments and rezones:

- Site Plan  
 Commercial/Industrial Phasing Plan;  
 optional, see SCC 14.08.020(7)(c)(iii)

## Subject Property

Site Address \_\_\_\_\_ City, State \_\_\_\_\_ Zip \_\_\_\_\_  
 Parcel No(s) \_\_\_\_\_ Existing Zone \_\_\_\_\_  
 Acreage \_\_\_\_\_ Requested Zone \_\_\_\_\_

## Property Interest

Are you the owner of the subject property?

- Yes  Please attach Ownership Certification  
 No  Describe your interest in the subject property:

## Proposal Description

Please answer the questions that are applicable to your suggestion. You may answer questions on a separate sheet if needed.

1. Describe your proposed amendment.

2. *Describe the reasons your proposed amendment is needed or important.*
  
3. *Describe why existing Comprehensive Plan map designations should not continue to be in effect or why they no longer apply.*
  
4. *Describe how the amendment complies with the Comprehensive Plan's community vision statements, goals, objectives, and policy directives.*
  
5. *Describe the impacts anticipated to be caused by the change, including geographic area affected and issues presented.*
  
6. *Describe how adopted functional plans and Capital Facilities Plans support the change.*
  
7. *Describe any public review of the request that has already occurred.*
  
8. *Describe how the map amendment/rezone complies with Comprehensive Plan land use designation criteria in Chapter 2, the Urban, Open Space & Land Use Element; Chapter 3, the Rural Element; or Chapter 4, the Natural Resource Lands Element.*

9. *Population forecasts and distributions.*

*If you are proposing an **urban growth area boundary change**, describe how it is supported by and dependent on population forecasts and allocated urban population distributions, existing urban densities and infill opportunities, phasing and availability of adequate services, proximity to designated natural resource lands, and the presence of critical areas.*

*If you are proposing a **rural areas or natural resource land map designation change**, describe how it is supported by and dependent on population forecasts and allocated non-urban population distributions, existing rural area and natural resource land densities and infill opportunities.*

10. *If you are proposing a **natural resource land map designation change**, describe how the change is necessary based on one or more of the following:*

*(A) A change in circumstances pertaining to the Comprehensive Plan or public policy.*

*(B) A change in circumstances beyond the control of the landowner pertaining to the subject property.*

*(C) An error in initial designation.*

*(D) New information on natural resource land or critical area status.*

## Notices

**Fees.** For review that requires more than 80 hours of staff time, the applicant will be billed at the hourly rate as shown on the fee schedule.

**Refunds.** If an application is not approved for further review under SCC 14.08.030(2), or when an application is withdrawn or returned before such a preliminary decision is made, a refund of not more than 80% may be authorized by the Planning and Development Services Director. Refunds must be requested in writing within 180 days of the date the fee is collected.

**SEPA.** The SEPA checklist and fee, if required, are due upon request from the Department if the Board of County Commissioners docket this application for further consideration. This application may be considered complete without payment of the SEPA fee.

**Docketing.** SCC Chapter 14.08 governs the process for docketing of Comprehensive Plan amendments. Docketing 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.** A complete application for a map amendment must be received by the last business day of July for docketing. Requests received after that date will not be considered until the following year's docket.

**How to Submit.** Submit your requests via email (preferred) to [pdscomments@co.skagit.wa.us](mailto:pdscomments@co.skagit.wa.us) or to Planning & Development Services at the address above.



July 25, 2023

Sarah Ruether  
Skagit County Planning and Development  
1800 Continental Place  
Mount Vernon WA 98273

Dear Ms. Ruether,

Our firm has been retained by SMV LLC to apply for and manage their application for a rezone and redesignation of property along Cedardale Road, parcel numbers P16370 and P16372. It is our understanding that this property has a considerable amount of land-use history and at one time was considered for a UGA expansion. Due to changes in law regarding lands in the floodplain coming into the UGA, our client is now proposing that this property be rezoned from Agriculture- NRL to Rural Freeway Service. Given that this property no longer holds any value as agriculture land and its proximity to a freeway interchange, this designation is the highest and best use for the property while keeping its rural character and minimizing impacts to neighboring rural uses.

Below are our responses to the application criteria set forth in the rezone and redesignation application. Additionally attached is a completed SEPA checklist, and other required documents. Please let me know if you have any questions.

Thank you.

Peter Condyles  
Senior Project Manager

**1. Describe your proposed amendment.**

The applicant seeks to rezone 4.87 acres from Agriculture- NRL to Rural Freeway Service.

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

This property has been zoned for agriculture for many decades, and it has proved to be unusable for that purpose. Given its proximity to interstate 5, the property would be much better suited for a freeway service use such as those that are found on Highway 534 to the south, and Anderson Road to the north.

**3. Describe why existing Comprehensive Plan map designations should not continue to be in effect or why they no longer apply.**

This property has little if any useful purpose for agriculture. The site is too small and constrained by neighboring roads and the freeway to be farmed. The property directly to the north that also borders interstate 5 and is within the Mount Vernon City Limits is zoned for an urban level of use, and there are very few, if any, differences between the two properties besides being in the UGA and in the city limits. Skagit County code defines Rural Freeway Service as:

The purpose of the Rural Freeway Services district is to provide for small scale commercial uses at certain Interstate 5 freeway interchanges outside of urban growth areas as designated by the Comprehensive Plan to serve local populations and the traveling public with necessary goods and services.

This property is directly adjacent to an Interstate 5 interchange, and it is outside of the Urban Growth Area. Additionally, any future development here would be at a small scale as is stipulated in county code.

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

Support economic opportunities:

It is not economically viable to use this property for agricultural purposes. To truly create economic opportunities for this property, and for this part of the county, a rezone a comprehensive plan amendment would allow for the property to welcome a higher and

better use, and one that is much more compatible with surrounding uses, and its proximity to interstate 5.

Balance urban uses and environmental protection:

This property is outside the UGA, and will thus not develop at the same intensity as land inside the UGA. However, that doesn't mean that this property can't be economically viable, and useful given its positioning near a freeway interchange. Given this positioning, any development here would not be as impactful because of the adjacent freeway.

Protect and conserve agriculture, forest and mineral resource lands:

This property is not viable as agriculture land. Skagit County has done a great job historically of preserving farmlands, and it should continue to focus such preservation on land usable for farmers.

Respect property rights by avoiding nuisances through ensuring against incompatible neighboring land uses.

Most freeway interchanges in Skagit County, and Western Washington as a whole are zoned and used for freeway commercial uses. Additionally, property adjacent to freeways usually develop for industrial and commercial uses. By rezoning and redesignating this property, there will be no incompatibility for neighbors, as the property is already next to a freeway, and around properties zoned and developed for commercial and industrial uses.

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

Any impacts to this site due to rezone and redesignation would mostly be related to traffic increases along Mount Vernon Road South, and Cedardale Road that would be associated with a commercial business on the site. Given the properties proximity to Interstate 5, and land developed for commercial and industrial uses, this part of the county is already impacted by urban levels of development.

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

The Capital Facilities Plan does not specifically address this portion of the county in regard to facilities upgrades, however many upgrades have taken place over the years to this area particularly related to transportation and traffic. This includes work on Cedardale Road, and the addition of the South Mount Vernon Park and Ride. Additionally, any further improvements that would be needed to accommodate development on this site would be agreed upon with the county at the time of any future project application.

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

This property was proposed to enter the Urban Growth Area many years ago. The plan ultimately fell through, and that was the extent of public review done.

**8. Describe how the map amendment/rezone complies with Comprehensive Plan land use designation criteria in Chapter 2, the Urban, Open Space & Land Use Element; Chapter 3, the Rural Element; or Chapter 4, the Natural Resource Lands Element.**

Goal 2A-1 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.

The Rural Freeway Service designation was established to allow land along freeway interchanges to develop with the needed commercial services while maintaining a rural character in the neighborhoods. This would be the intention of the rezoned land.

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.

There are already necessary urban public facilities in this area including developed roads, interstate 5, Skagit Transit Route 202, and nearby water and sewer connections. Although sewer cannot be extended to the site, water would be available.

Goal 3A Protect the rural landscape, character, and lifestyle by Encouraging economic prosperity for rural areas; and ensuring that appropriate and adequate rural levels of service are provided.

Because this property is no longer viable as an agricultural use, the best way to encourage economic prosperity would be to rezone and redesignate this property to a use that would be beneficial to the general public. Given its proximity to Interstate 5, rural freeway service would open to door to potentially significant economic growth and prosperity for the property.

Goal 3A-2 Provide for a variety of residential densities and business uses that maintain rural character, respect farming and forestry, buffer natural resource lands, retain open space, minimize the demand and cost of public infrastructure improvements, provide for future Urban Growth Area expansion if needed, and allow rural property owners reasonable economic opportunities for the use of their land.

Given this property abuts not only Interstate 5, but also the Mount Vernon City Limits, any development on this site would be compatible with the surrounding uses and not threaten any natural resource lands or open space. Additionally, there are already significant public infrastructure improvements that have already been done to this part of the county that would make commercial development here easier and more cost effective for the county.

Policy 3A-2.7 Develop and implement standards to ensure that noise and light impacts from residential and commercial development in the rural area do not diminish rural character.

Given this property abuts not only Interstate 5, but also the Mount Vernon City Limits, any development on this site would be compatible with the surrounding uses and not diminish rural character.

New rural commercial and industrial uses should be located principally within designated commercial areas to avoid the proliferation of commercial businesses throughout the rural area. However, certain limited commercial uses, resource related uses, home based businesses and other non-residential uses may be permitted if carefully reviewed, conditioned and found to be compatible with rural areas. To encourage efficient use of the land, the broadest range of commercial and industrial uses should be allowed in areas already accommodating such use and development, with greater limitations placed upon such uses within areas devoted predominantly to residential use (i.e., Rural Intermediate, Rural Village Residential and Rural Reserve areas).

This property is near other previously developed commercial and industrial land. This proposed rezone would minimally expand commercial zoning in an area that already has this focus. Thus, the proposed rezone and redesignation is no incompatible.

Comprehensive Plan Amendment applications to any of the rural commercial or industrial designations must meet the following criteria in order to be found consistent with the Comprehensive Plan. The proposed designation and use must:

(a) be consistent with the existing rural character of the area

Given this site is adjacent to Interstate 5 and previously developed commercial and industrial land, any rezone of this property that allows for commercial uses would be consistent with the existing character of this area.

(b) not create conflicts with surrounding agricultural, forest, and mineral resource lands and practices

There are currently no agricultural, forest, or mineral resources land uses that would conflict with this proposal.

(c) provide for the protection of critical areas, frequently flooded areas, and surface water and ground water resources, including sole source aquifers

This property does not require any special protections for water, ground water, or aquifers.

Goal 3C-3 Serve local rural populations and the traveling public with appropriate commercial goods and services at certain Interstate 5 interchanges already characterized by more intensive rural development.

This property is adjacent to an Interstate 5 off ramp, which makes it a natural place for freeway services that would serve both the traveling public and residents in this part of the county. This area has already seen a significant amount of intensive development both commercial and industrial.

Policy 4A-1.1 Agricultural Resource Lands Designation Criteria: The following criteria, together with the Washington Department of Commerce Minimum Guidelines to Classify Agricultural Lands in WAC 365-190-050, shall be considered when designating Agricultural Resource Lands:

(a) Generally, all lands in unincorporated Skagit County which are parcels 5 acres or greater, and that contain "prime farmland soils" as determined by the USDA Natural Resource Conservation Service, shall be identified (see the narrative for a description of prime farmland soils).

This property is under 5 acres, and is not viable for agricultural uses.

Goal 4A-3 Promote preservation of agricultural land for agricultural uses, minimize non-farming uses on agricultural lands; and develop incentive programs to promote farming.

There are no agricultural uses that would be successful on this property.

Policy 4A-3.1 Long-Term Designation of Agricultural Lands: 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. Evaluate de-designation requests with the same criteria under policy 4A-1.1 used for designation of Agricultural-Natural Resource Lands.

Given the development near this property inside the Mount Vernon City Limits, and the impact from Interstate 5, this property is no longer viable for agricultural uses. Keeping it zoned for agriculture long-term will not benefit the overall goals of preserving usable farmland in Skagit County.

**9. If you are proposing a rural areas or natural resource land map designation change, describe how it is supported by and dependent on population forecasts and allocated non-urban population distributions, existing rural area and natural resource land densities and infill opportunities.**

This property has no value or use as farmland given its small size, and proximity to Interstate 5 and other commercial/industrial developments. However, because of these factors, the land would be a compatible location for freeway services that are low impact and are not a detriment for the rural character of this part of Skagit County. As the population of Skagit County grows, and the tourism industry continues to grow, the need for freeway-based services will only increase. Given that this property is located adjacent to an interchange with Interstate 5, it would be one of the best locations in the county to grow that service base, all while keeping impacts low.




# SMV LLC Aerial



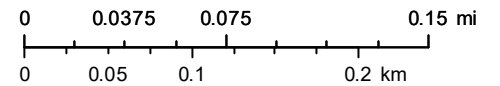
July 31, 2023

## Legend

-  County Boundary
- City Names
- Road Labels

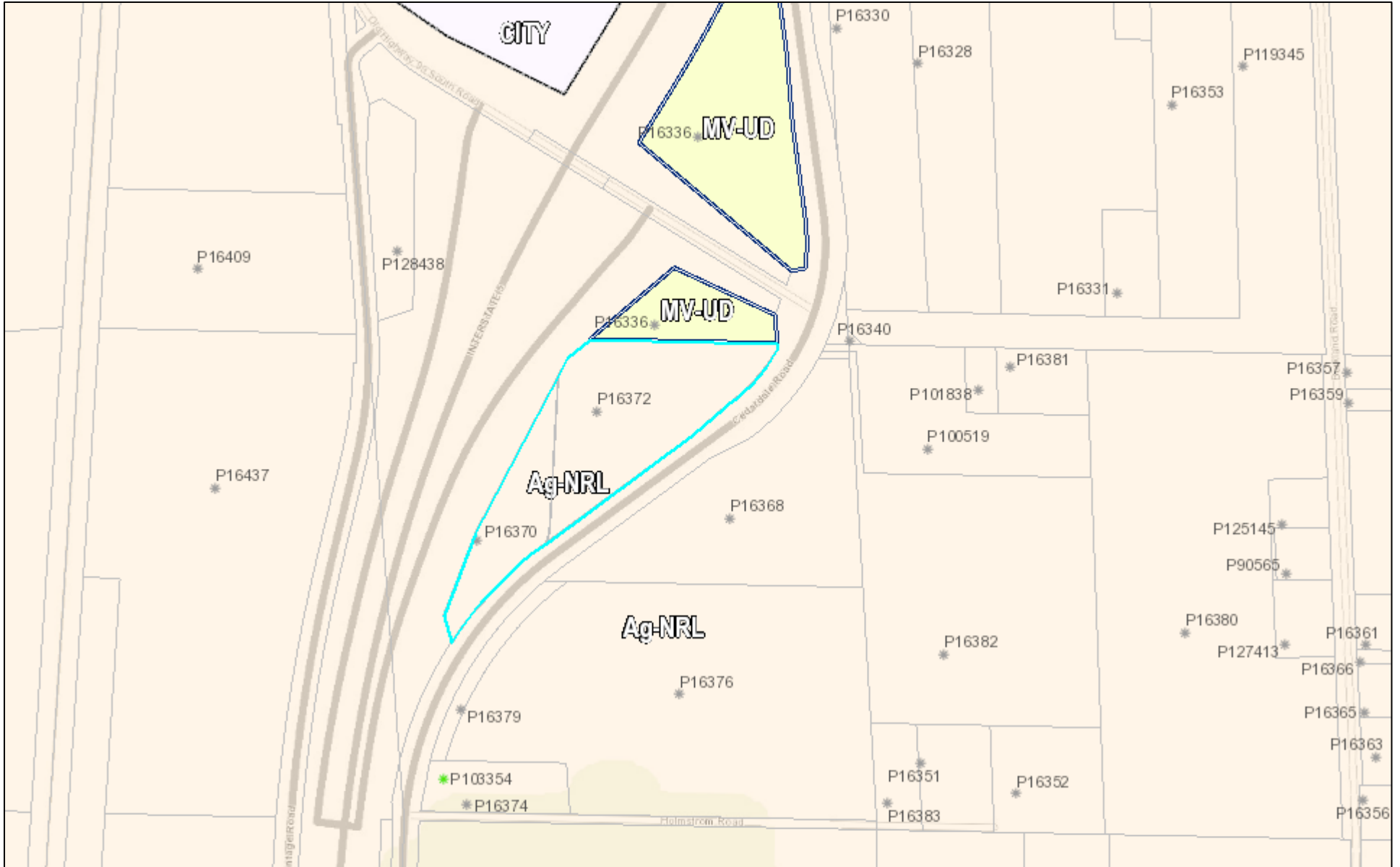
- Hydro Labels
- Regional Labels

1:4,514



**Data Accuracy Warning:** All GIS data was created from available public records and existing map sources. Map features have been adjusted to achieve a best-fit registration. While great care was taken in this process, maps from different sources rarely agree as to the precise location of geographic features. Map discrepancies can be as great as 300 feet.

# SMV LLC Site Plan

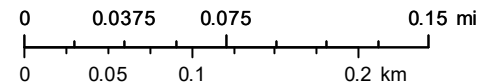


July 31, 2023

1:4,514

**Legend**

- |                                |                           |  |
|--------------------------------|---------------------------|--|
| Tax Parcels                    | UGA Areas                 | Mobile Home Only Accounts                |
| County Boundary                | <b>Tax Parcel Numbers</b> | Building Only Accounts                   |
| Incorporated Areas             | Dirt Accounts             | Guemes Island Overlay                    |
| Airport Environs Overlay [AEO] | Senior Citizen Accounts   | Mineral Resource Overlay 1/4 Mile Buffer |



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