



Planning & Development Services

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

Memorandum: Deliberation 2024 Docket

To: Board of County Commissioners
From: Robby Eckroth, AICP, Senior Planner
Date: May 7, 2024
Re: Deliberation on Petitions for 2024 Docket of Proposed Policy, Code, and Map Amendments

Background

The County Commissioners are in the process of establishing the 2024 Docket of Comprehensive Plan, Map and Code amendments. This memo addresses the Board of County Commissioners potential action at the May 13th meeting and the comments received during the open comment period April 4th – April 25th.

Skagit County received four timely petitions and one deferred petition from previous dockets to amend the Comprehensive Plan, Comprehensive Plan Map, or development regulations. The Planning and Development Services Department (“**Department**”) is also proposing four additional amendments. The Department released these proposals, along with its docketing recommendations for public review and comment on April 4, 2024. The Board held a public hearing on April 23rd and took written comments through April 25th at 4:30 pm.

For each proposal, the Department has provided a summary of the proposal, analysis against the docketing criteria, and a recommendation found in the March 19th Staff Report. This staff report, public comments, and full text of each petition is available on the [2024 Docket webpage](https://www.skagitcounty.net/Departments/PlanningAndPermit/2024CPA.htm). (<https://www.skagitcounty.net/Departments/PlanningAndPermit/2024CPA.htm>).

Requested Action

The Board of County Commissioners may choose to take action at the May 13th meeting. It is important to note that a decision to include a proposed amendment in the docket is procedural and does not constitute a decision as to whether the petition will ultimately be approved.

The Board establishes the annual Comprehensive Plan amendment docket through a resolution. The resolution will contain one of the following decisions for each of the proposals:

- **Include, petition in docket for further review**
- **Defer**, the proposal until the next annual amendment cycle
- **Exclude** from the docket, without prejudice

Items that are **Included** in the docket will move as a group through the legislative process with the intent of completing the docket by the end of 2024. The Board can docket some modified form of the proposal.

Items that are **Excluded** from the docket will not move forward for any further review or consideration at this time. This does not prevent the applicant from bringing the petition back in the future for consideration.

The petitions included in the docket move forward for SEPA analysis, Department of Commerce review, legal review, and subsequent review by the public, Planning Commission, and the Board through the process described in SCC 14.08.080-090 as shown in Figure 1.

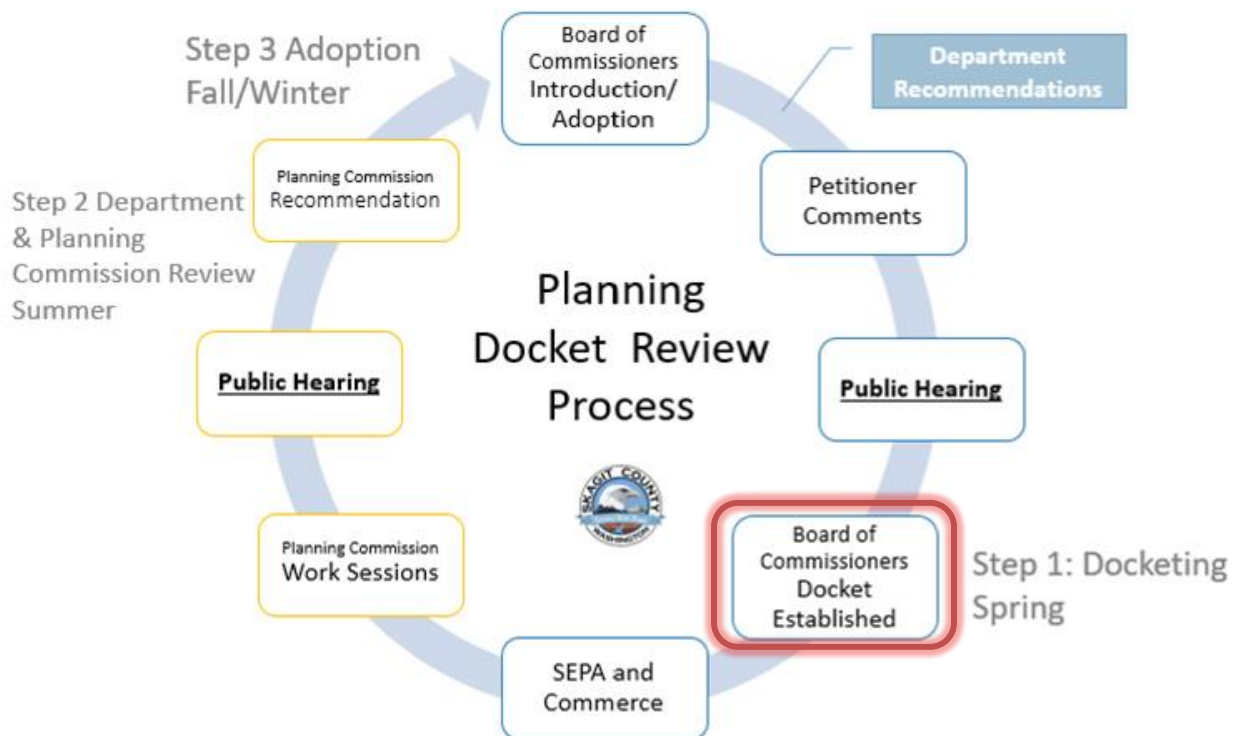


Figure 1: Simplified diagram of the annual docketing process

Petitions and Recommendations Summary

The tables below provide a summary description and title for each petition being considered for the docket. The last column indicates the Department’s recommendation on whether to docket the proposal.

Citizen Amendments Summary Table

Number	Title & Petitioner	Description	Department Recommendation (Include, Exclude, or Defer)
Rezoning/Map Amendments			
LR24-01	Deception Pass State Park Rezone, (Washington State Parks and Recreation Commission)	Rezone 77.85 acres from Rural Reserve (RRv) to Public Open Space of Regional/Statewide Importance (OSRSI). Following an approved Boundary Line Adjustment, the adjusted parcel is now held by Washington State Parks and Recreation Commission (WSPRC) and has been incorporated into the boundary of Deception Pass State Park. Changing the zoning will allow WSPRC to provide recreation and conservation of forest lands.	Include
LR24-03	Cedardale Road/Interstate 5 interchange Rezone, (SMV LLC)	Rezone one 4.87-acre parcel from Agriculture-NRL to Rural Freeway Service to allow for the applicant to use the parcel for other commercial purposes.	Exclude
Comprehensive Plan/Development Code Amendments			
LR24-02	Bayview Ridge Light Industrial Buffer Reductions, (John Bouslog)	Amend the Bayview Ridge Light Industrial Zone by reducing buffering requirements and amending the landscaping requirements (SCC 14.16.180(7)).	Include
LR24-04	Airport Environs Overlay Disclosure, (Port of Skagit, Heather Rogerson)	The Port of Skagit proposes updates to the Airport Environs Overlay Skagit County Code 14.16.210 to improve awareness of the Skagit Regional Airport and address airport compatibility of future development in the vicinity of the airport by adding a new property disclosure requirement.	Include

County Amendments Summary Table

Number	Title	Description	Department Recommendation (Include, Exclude, or Defer)
C24-1	Countywide Planning Policies Update (PDS)	Adopt amended countywide planning policies recommended by the GMA Steering Committee.	Include
C24-2	Fences Section (PDS)	Creation of a new section in SCC 14.16 – Zoning to regulate fencing. The new section will also add restrictions to razor wire and barbed wire fencing.	Include
C24-3	Storage of Unlicensed and/or Inoperable Vehicles Amendment (PDS)	Removes use allowing storage of unlicensed and/or inoperable vehicles from all zones except the Urban Reserve Commercial-Industrial (URC-I).	Include
C24-4	General Code Language Clean Up (PDS)	Correct the height limit restriction of the Guemes Island Overlay in SCC 14.16.360(7)(b)(i) to only apply to proposed development in flood hazard areas and eliminate duplicate language in SCC 14.18.300(1)-(4).	Include

Citizen Comments Summary

The following section provides the number of comments, written and verbal, as well as the source of the comments and a basic overview. There is no attempt to capture all the comments made in this summary. All timely comments are provided to the Board of County Commissioners and compiled for the public to view. Those comments can be found here: <http://www.skagitcounty.net/2024CPA>

LR24-01 Deception Pass State Park Rezone

Comments Summary

- 0 - Written Comments
- 0 - Hearing testimony

LR23-02 Bayview Ridge Light Industrial Buffer Reductions

Comments Summary

- 4 - Written Comments: John Bouslog, Port of Skagit, 2 Citizen Comments
- 1 - Hearing testimony: John Bouslog (Applicant)

The petitioner, Mr. Bouslog, provided verbal testimony at the public hearing. Mr. Bouslog explained that the existing 250 buffer from loading areas in the Bayview Ridge Light Industrial (BR-LI) from residential zones has made it difficult to sell his properties located in the BR-LI zone as perspective buyers find the buffer overly cumbersome. Mr. Bouslog indicated that his petition does not include the properties south of Peterson Road*. The current code and the proposed amendments do not distinguish BR-LI development standards based on a property's proximity to Peterson Road. The proposed amendments would apply to all properties located in the BR-LI zone. Mr. Bouslog noted that the properties to the north of his properties are used for an agricultural processing and storage business and should not need to be buffered. Mr. Bouslog also submitted two public comments reiterating his support for docketing this petition and noted the potential increase in tax revenue from allowing more development.

Two written comments were also submitted with concerns about the adverse impacts to adjacent residential properties, specifically those within the Bayview Ridge-Residential zone. One comment highlighted the petitioner's comparison of the existing buffer requirements with various cities' buffering regulations and noted that cities have a much higher density than the County.

The Port of Skagit submitted a comment on April 25, 2024, in support of the proposed amendments as the amendment will allow for more industrial development.

**Staff Note: The current code and the proposed amendments do not distinguish BR-LI development standards based on a property's location in relation to Peterson Road. The proposed amendments would apply to all properties located in the BR-LI zone.*

LR24-03 Cedardale Road/Interstate 5 Interchange Rezone

Comments Summary

- 0 - Written Comments
- 0 - Hearing testimony

LR24-04 Airport Environs Overlay Disclosure Amendment

Comments Summary

- 1 - Written Comments: Port of Skagit
- 1 - Hearing testimony: Port of Skagit

The petitioner, Heather Rogerson (Port of Skagit), provided verbal testimony during the public hearing. She outlined the historical significance of the Skagit Airport and detailed its economic impact. Ms. Rogerson also explained the purpose of the Airport Environs Overlay (AEO). Furthermore, the Port of Skagit submitted a comment letter on April 25, 2024, delineating the requested amendments and underscoring the significance of heightening awareness regarding the airport and ensuring compatibility with its surrounding land use.

County-Initiated – Comprehensive Plan or Code

C24-1 Countywide Planning Policies Update

Comments Summary

0 - Written Comments: Friends of Skagit County

1 - Hearing testimony: Friends of Skagit County

C24-2 Fences Section

Comments Summary

1 - Written Comments

1 - Hearing testimony

During the public hearing, Randy Good, President of Friends of Skagit County, presented verbal testimony and submitted a written recommendation. He advocated for the addition of an exemption to the fencing regulations within the Agricultural – Natural Resource Lands zone to accommodate the protection of farmland, livestock, crops, horses, and residential areas. Mr. Good also highlighted the presence of elk fencing within Urban Growth Areas, noting its height can reach up to 8 feet.

C24-3 Storage of Unlicensed and/or Inoperable Vehicles Amendment

Comments Summary

2 - Written Comments

0 - Hearing testimony

The Port of Skagit County wrote a letter in support of the amendment. The Port currently owns AVR and NRI zoned properties and understands that the use of storage of unlicensed and/or inoperable vehicles may be removed from these zones.

Darcie Nielsen, Government Liaison of Nielsen Brothers, submitted a written comment objecting to the proposed amendment. Nielsen Brothers conducts its logging operations out of a property zoned Natural Resource Industrial (NRI) and repairs and stores parts for heavy equipment and trucks. Ms. Nielsen expressed concern that the proposal to remove the storage of unlicensed and/or inoperable vehicles as an Administrative Special Use could impact Nielsen Brothers ability to conduct operations in the future*.

**Staff Note: The Natural Resource Industrial zone allows for uses related to forestry, including forest industry storage and maintenance facilities (SCC 14.16.160(2)(B)(ii)). The NRI zone also allows industrial vehicle storage facilities and metal working shops for the maintenance and repair of equipment used by the primary use (SCC 14.16.160(3)(b&c)).*

C24-4 General Code Language Clean Up

Comments Summary

1 - Written Comment

0 - Hearing testimony

One citizen submitted a written comment agreeing that the proposed amendment would correct the language of the Guemes Island Overlay height limit for structures located within the flood zone but recommends that the Department entirely remove the height restriction. The citizen believes that the section is overly burdensome on Guemes Island west shore property owners and that the code provides no benefit.

*All timely comments are provided to the Board of County Commissioners and compiled for all at the Comprehensive Plan Amendments website:
<https://www.skagitcounty.net/2024CPA>*
