

**SKAGIT COUNTY PLANNING COMMISSION
RECORDED MOTION RECOMMENDING APPROVAL OF THE PROPOSED
ALGER COMMUNITY PLAN**

WHEREAS, Chapter 14.08 of the Skagit County Code establishes a process for consideration of amendments to the text and maps of the Comprehensive Plan and Development Regulations, consistent with the Growth Management Act (Chapter 36.70A RCW) and the Planning Enabling Act (Chapter 36.70 RCW). The process codified in Chapter 14.08 SCC solicits public involvement in identifying potential plan and code amendments, and provides ample opportunities for meaningful public comment on the proposed amendments. Early, continuous and meaningful public participation is achieved through broad dissemination of proposals and alternatives, opportunity for written comments, public meetings after effective public notice, provisions for open discussion, information services, and consideration and response to public comments; and

WHEREAS, RCW 36.70A.080(2) establishes that a comprehensive plan may include subarea plans, consistent with the comprehensive plan, as an optional element of the comprehensive plan; and

WHEREAS, The Community Plans Development Element of the Skagit County Comprehensive Plan (2000) provides for the development of Subarea plans and establishes goals, objectives and policies to be followed in the development of Subarea plans. The Comprehensive Plan includes provisions noting the need for and authorization of further detailed community planning in certain areas of the county, including Alger; and

WHEREAS, Policy 4A-7.15(g) of the Skagit County Comprehensive Plan (2000) states that “[t]he community plan for Alger shall include an assessment of logical outer boundaries for more intensive rural development based on existing parcel densities and the built environment. Provisions for maintaining rural character and lifestyles shall also be addressed. Consideration should be given to the community’s previously drafted Subarea Plan”; and

WHEREAS, the Skagit County Board of County Commissioners adopted Resolution No. 20050418 in 2005 specifically authorizing preparation of a Subarea Plan for Alger to satisfy the requirements of Policy 4A-7.15(g) of the Skagit County Comprehensive Plan (2000) and to include consideration of the 1997 citizen-initiated Alger Subarea Plan Proposal, as well as provisions to maintain rural character; and

WHEREAS, the Skagit County Board of County Commissioners appointed a nine-member Citizen Advisory Committee (CAC) to work with Skagit County in preparation of a draft Alger Community Plan; and

WHEREAS, the Alger Community Plan Citizen Advisory Committee (CAC) met and hosted numerous public meetings and workshops in the community from 2005-2007 to solicit public input on the draft Alger Community Plan; and

WHEREAS, after conducting a public hearing on October 23, 2007 and conducting a thorough review, the Skagit County Planning Commission finds, as elaborated upon below, that adoption of the proposed Alger Community Plan will ensure the County's ongoing compliance with the goals and requirements of the GMA.

FINDINGS--General

A-1. The Alger Subarea boundary was established by the Alger CAC as part of its early deliberations. The Subarea encompasses more than 22 square miles. It contains a range of rural and resource lands, including Forest and Rural Resource lands, and small scale agriculture and forestry activities as well as scattered residential uses. Limited-scale commercial activities are scattered throughout the area with most concentrated small commercial activities located within the historic Alger Rural Village. Large scale commercial and recreational facilities include the Skagit Casino (Upper Skagit Tribe), 1000 Trails RV Park (allowed by Special Use Permit), and the Skagit Speedway (allowed by Special Use Permit).

A-2. Land use designations within the Alger Subarea include Industrial Forest, Secondary Forest, Rural Resource, Agricultural Resource, Rural Reserve, Rural Intermediate, Rural Village Residential, Rural Village Commercial, Rural Freeway Service, and Rural Business.

A-3. The Alger Citizens Advisory Committee (CAC) was comprised of nine members appointed by the Board of County Commissioners. The CAC held a total of 25 open public meetings from January 2006 to May 2007 to gather public input, including two community-wide public workshops on the draft plan.

A-4. The CAC made recommendations regarding land use designations, densities, allowed uses, development and design standards and transportation, parks and open space and capital facility improvements.

A-5. Old Highway 99 bisects the Alger community and is a major north-south transportation artery for the community. Lake Samish/Alger Cain Lake Road is a major east-west road that provides the most direct I-5 access for most of the community. Development in southern Whatcom County (Cain Lake) has increased traffic along Cain Lake Road to a point where the average daily vehicle volume now exceeds that of Old Highway 99. This has caused increased traffic congestion and safety problems at the intersection of Old 99 and Alger Cain Lake Road in the Alger Village.

A-6. There are currently no vacant rural commercial zoned parcels within the Alger Subarea to accommodate new economic development opportunities. This situation prompted the CAC to evaluate and recommend several parcels for re-designation to applicable rural commercial zones to help ensure the economic viability of the community.

A-7. The Alger Community Plan identifies rural design features to be encouraged in the Alger Rural Village Commercial (RVC) zone for vehicular, pedestrian and bicycle access, signage, building, landscaping and stormwater drainage improvements.

A-8. Redesignation of several parcels from Rural Village Residential (RVR) to Rural Village Commercial (RVC), when combined with the rural commercial design features and new permitted uses in the RVC zone recommended in the Alger Community Plan, will help to promote future economic development activity within downtown Alger.

A-9. Provision of sanitary sewer service by the Samish Water District and public water service by the Skagit County PUD to portions of the Alger Subarea are consistent with the requirements of the Skagit County Comprehensive Plan and implementing development regulations so long as the uses remain rural.

A-10. There is public concern expressed through the public involvement process that the Conservation and Reserve Development (CaRD) provisions of SCC Chapter 14.18, while compliant with the provisions of the GMA, may result in inappropriate intensity and density of development that may threaten rural character.

A-11. Certain commercial and recreational uses in the Alger area approved by special use permit prior to Skagit County's implementation of the GMA create impacts that may threaten the rural character. Skagit County should review enforcement provisions of special use permits for these types of uses to ensure the protection of rural character.

A-12. The Alger Community Plan provides for the protection of rural character and delineation of limited areas of more intense rural development (LAMIRDs) consistent with the provisions of the Skagit County Comprehensive Plan and the GMA.

FINDINGS—Site-Specific Comprehensive Plan Land Use Map Amendments

Following are site-specific Comprehensive Plan Land Use Map amendments proposed as part of the development of the Alger Community Plan that were **recommended for approval** by the Alger CAC and with which the Planning Commission concurs with the CAC and also recommends approval.

B-1. Rural Freeway Service (RFS) LAMIRD at the Alger/I-5 Interchange (Jarvis). A site-specific application for RFS designation was made by Mr. Robert Jarvis for two parcels totaling 7 acres located at the I-5/Alger interchange. The parcels in question are currently zoned Rural Reserve and are located adjacent to and immediately across Lake Samish Road from the existing RFS designation adopted in 2000¹. The request includes two parcels: 1) a 5.5 acre parcel currently vacant but the site of an old home now demolished; and 2) a 1.5 acre parcel with a home built in the 1970's. The site is completely bordered by existing roads in place prior to

¹ For a comprehensive discussion of the RFS designation history refer to "Memorandum from Kirk Johnson, Skagit County Planning & Development Services, to Planning Commission, February 6, 2007, Re: Deliberations on the 2005 GMA Update—RFS and other I-5 corridor map amendment proposals"

1990—Lake Samish Road to the south, I-5 to the west and Barleen Road to the east and north. There are both public water and sewer lines in place along Lake Samish Road that access the property. The water line was constructed by the PUD in 2000 and service to the Jarvis property began in April 2000. The sewer line extension to the Alger/I-5 interchange was constructed in 1995 and sewer service to the property (the existing home) began in May 2003.

There are no vested development permits for the site. However, there is evidence in the record indicating that the previous property owner initiated correspondence with the County in 1984 regarding a special use permit application for a 50 unit RV park on the 5.5 acre parcel as well as correspondence with Whatcom Water District No. 12 (now Samish Water District) requesting water service. There is no indication in the record that a special use permit application was ever made nor such a permit issued by the County.

The CAC believes the site meets both the “logical outer boundary” and “built environment” requirements of the GMA since the site is completely surrounded by improved public roads in existence in 1990 and the presence of the existing home built in the 1970’s. The parcel sizes in the Jarvis proposal are consistent with those in the existing RFS designated area around the Alger/I-5 interchange. The existing RFS area at the I-5 interchange is already almost completely developed (i.e., gas station, convenience store, park & ride lot and mini-storage) and has little or no meaningful development potential remaining. Potential designation of the Jarvis site for RFS constitutes less area than the existing RFS designation and would not constitute “outfill” or contribute to expansion of low density sprawl. Its isolated nature also precludes further potential for any future expansion or adverse impact to the area’s rural character. No extension of governmental services would be required since the site is already served by public water and sewer.

Existing comprehensive plan land use designations in Alger significantly restrict new rural economic development opportunities intended to serve the rural population. In and of itself, the 5.5 acre Jarvis parcel is too close to I-5 to be suitable for residential development. There is significant noise impact from vehicle travel on the interstate. The 1.5 acre parcel with the existing home is situated further away from the highway and not as impacted by vehicle noise. For this reason, as well as concerns over the potential traffic impacts from potential expansion of commercial uses east to the intersection of Colony Road and Lake Samish Road, the CAC recommends that only the 5.5 acre parcel be designated RFS and that the 1.5 acre parcel should remain in Rural Reserve. Based on analysis of the *logical outer boundary* and *built environment* characteristics of the existing I-5/Alger interchange RFS designation no other expansion of this LAMIRD is recommended. Planning Commission concurs with the CAC recommendation.

B-2. Alger Rural Village LAMIRD. One of the key findings of the Alger community planning process was the lack of any significant remaining vacant land zoned for rural commercial use in the community. One of the key focuses of the planning process was also to improve the identity of the Alger village. The village’s predominant land use is residential and there is limited commercial development—most of which is concentrated around the Old Highway 99/Alger Cain Lake Road intersection. Residents seeking most commercial services are forced to travel to Burlington or Bellingham to find them. There are currently no vacant undeveloped parcels remaining in the village designated Rural Village Commercial (RVC).

The CAC reviewed the existing development pattern in the village and recommended five parcels for re-designation from Rural Village Residential (RVR) to Rural Village Commercial (RVC) to help promote more economic development opportunities within the existing village boundaries. These include the following parcels:

- **P70380**—a largely undeveloped parcel comprising 0.67 acres located adjacent to Old 99. There is currently one manufactured/mobile home on the property. Owner: Donald Pulver.
- **P70381**—a vacant lot comprising 0.15 acres located adjacent to Old Highway 99. Owner: Donald Pulver.
- **P70370**—a lot containing the WSDOT Alger maintenance yard and shop. This parcel is 0.32 acres in size. WSDOT indicated by correspondence through the planning process that it intended to cease operations at the site within the next five years. Owner: WSDOT, Real Estate Services Division.
- **P70361**—a 0.21 acre lot with an abandoned 1,230 square foot home originally built in 1912. The lot is located at the southwest corner of the Old 99/Alger Cain Lake Road intersection. It is bordered on the south by Silver Creek. Owner: Larry Skaarup.
- **P70362**—a 0.81 acre lot with an 852 square foot home originally built in 1912. The lot is located adjacent to Alger Cain Lake Road, just west of its intersection with Old 99. It is bordered on the south by Silver Creek. Owner: Larry Skaarup.

These recommended rezones from RVR to RVC are intended to be accompanied by adoption of rural village design guidelines as part of this community plan to help promote new commercial development within the existing village boundaries as well as improve the parking and pedestrian access and associated building and site design improvements. Recently the Alger Acres CaRD plat was approved to allow a 13 one-acre lot “clustered” subdivision within the westernmost RVR-zoned portion of the village. This area was also the last significant remaining vacant portion of the village designated RVR. Given no significant remaining residential development capacity or potential for infill within the existing village boundaries, the CAC examined opportunities for limited expansion of the RVR boundaries but ultimately found no suitable areas:

- Expansion of the RVR village boundaries to the west was rejected owing to presence of critical areas and agricultural resource lands in the Friday Creek valley.
- Expansion to the east was rejected owing to the relatively large undeveloped properties that would not likely meet the *logical outer boundary* and *built environment* requirements for LAMIRD designation.
- Expansion of the RVR boundaries to the north encompassed two proposals—both of which were rejected by the CAC as not likely to meet the *logical outer boundary* and *built environment* requirements for LAMIRD designation.

The Planning Commission concurs with the recommendations of the CAC.

B-3. Alger Village South/Old Highway 99 Limited RI Rezone Request. This scenario was developed based on several premises:

- First that public input during the planning process indicated a desire for further residential development opportunities for property owners south of the village along Old Highway 99 where existing road and sewer access are already in place; and
- Secondly, that enhanced development opportunities in such a scenario should be limited to parcels that only front directly on Old 99 or that have indirect access to Old 99 via an adjoining public road that has direct access to Old 99.

The Alger Village South/Old 99 Limited RI rezone scenario proposes to expand the existing RI LAMIRD by approximately 24 acres. It would designate approximately 6 parcels as RI and only apply that designation to the parcels immediately fronting or having indirect public access to Old Highway 99 between the current Rural Village boundary at Silver Creek and the northern terminus of the existing RI designation. It would apply the same RI designation to both sides of Old 99 (between the village boundary and the current RI zoned area) as was applied by the county to the west side of Old 99 in the original RI LAMIRD designation. LAMIRD analysis of this proposal based on the presence of public facilities and non-residential buildings and structures built before 1990 (and not shown on assessors records) indicates the area is predominantly delineated by the built environment². The development potential analysis indicates that, in and of itself, the potential for new development on the affected parcels constitute infill, not outfill. This indicates that the Alger Village South/Old 99 Limited RI LAMIRD scenario appears to meet the logical outer boundary, predominant built environment and infill requirements of RCW 36.70A.070(5)(d).

This same area was reviewed by the CAC for expansion of the Alger Rural Village designation but was rejected by the CAC owing to the fact that the average existing parcel size is 4.01 acres—significantly larger than the 1 acre minimum lot size allowed in the RVR zone. However, the CAC viewed the fact that the area could only accommodate an additional two units if rezoned to RI (at a 2.5 acre minimum lot size) as evidence that such a designation would not constitute significant expansion of low density sprawl. The CAC recommends adoption of the Alger Village South/Old 99 Limited RI LAMIRD scenario. The CAC felt that the relatively compact nature of the proposal, its limited new growth potential, its relatively small existing parcel size, its location adjacent to Old 99 and the Alger Rural Village, its ability to meet both the logical outer boundary built environment and infill requirements of the GMA and the fact that it would not require extension of any rural governmental services helped ensure that the proposal would not adversely impact the community's rural character or promote low density sprawl.

The Planning Commission concurs with the recommendations of the CAC.

² In this scenario, all of the parcels front on public roads (either Old Highway 99, Parkview Lane, or Friday Creek Road). The Samish Water District sewer force main is also located in the right-of-way of Old Highway 99. It was constructed along Old Highway 99 in 1975. Parkview Lane and Old 99, themselves, were constructed well before that. These public facilities constitute the built environment as defined by the growth management hearings boards. Subsequent and closer examination of the outer boundary of this scenario based on the presence of the public facilities and utilities along the stretch of Old Highway 99 within this scenario, as well as homes and other buildings and structures (barns) constructed before 1990 within the affected area, re-affirms a logical outer boundary that is predominantly delineated by the built environment.

B-4. Old Highway 99 East Limited RI Rezone Scenario. This scenario was developed based on several premises:

- First that public input during the planning process indicated a desire for further residential development opportunities for property owners south of the village along Old Highway 99 where existing road and sewer access are already in place; and
- Secondly, that enhanced development opportunities in such a scenario should be limited to parcels that only front directly on Old 99 or that have indirect access to Old 99 via an adjoining public road that has direct access to Old 99.

The Old Highway 99 East Limited RI rezone scenario proposes to expand the existing RI LAMIRD by approximately 146 acres³. It would designate approximately 19 parcels as RI and only apply that designation to the parcels immediately fronting or having indirect public access to Old Highway 99. It would apply the same RI designation to the east side of Old 99 as was applied by the county to the west side of Old 99 in the original RI LAMIRD designation. LAMIRD analysis indicates that this RI rezone scenario, in and of itself, results in a logical outer boundary that is predominantly delineated by the built environment⁴. The analysis, however, indicates that, in and of itself, the potential for new development is more than twice the level of existing development on the affected parcels—thus constituting outfill, not infill. This indicates that this RI rezone scenario, in and of itself, appears to meet the logical outer boundary predominant built environment requirements, but not the infill requirements of RCW 36.70A.070(5)(d).

However, when viewed cumulatively—combined with the existing RI LAMIRD conditions—the Old Highway 99 East Limited RI rezone scenario appears to meet both the logical outer boundary, built environment and infill requirements of the GMA.

The CAC recommends adoption of the Old Highway 99 East Limited RI rezone scenario⁵. The CAC, overall, felt that the relatively compact nature of the proposal, its limited new growth potential, its existing development pattern, its location adjacent to Old 99 and downtown Alger, its ability to meet both the logical outer boundary, built environment and infill requirements of the GMA—when combined with the existing RI zoned area—and the fact that it would not require extension of any rural governmental services helped ensure that the proposal would not adversely impact the community’s rural character or promote low density sprawl.

³ In the interest of full public disclosure, one Alger CAC member lives and owns property within this proposed RI rezone area.

⁴ In this scenario, all of the parcels would front on public roads (either Old Highway 99 or Minnie Road). The Samish Water District sewer force main is also located in the right-of-way of Old Highway 99. It was constructed along Old Highway 99 in 1975 and Old 99, itself, was constructed well before that. Both of these public facilities constitute the built environment as defined by the growth management hearings boards. Subsequent and closer examination of the outer boundary of this scenario based on the presence of the public facilities and utilities along the entire length of Old Highway 99, as well as homes constructed before 1990 within the affected area, reaffirms a logical outer boundary that is predominantly delineated by the built environment.

⁵ However, this recommendation was not unanimous and some members expressed concerns. The CAC voted 5-3 to recommend approval of this rezone request.

The Planning Commission concurs with the recommendations of the CAC.

Following are site-specific Comprehensive Plan Land Use Map amendments proposed as part of the development of the Alger Community Plan that were **recommended for denial** by the Alger CAC and with which the Planning Commission concurs with the CAC and also recommends for denial.

B-5. 1997 Citizen-Initiated Alger Subarea Plan Rezone Request. The area within the 1997 “Alger Subarea Plan Proposal” was zoned for 2.5 acre maximum density beginning in the early 1970’s—well before GMA was adopted by the Washington state legislature in 1990⁶. During development of the County’s first GMA-compliant comprehensive plan from 1996-1998, a group of homeowners and property owners in the area east of Old 99 developed a “grass roots” planning effort to maintain all of that pre-GMA 2.5 acre zoned area within the new GMA-compliant RI zone. Those efforts culminated in July 1997 with preparation of the “Alger Subarea Plan Proposal”. That document was submitted to the County for its consideration during development of the comprehensive plan. The document was revised and resubmitted in 1998 and again in 2001. However, the County did not adopt the “Alger Subarea Plan Proposal”. The County’s final decision to adopt the present GMA-compliant RI zone LAMIRD ultimately excluded large areas which historically had 2.5 acre pre-GMA zoning. Those remaining properties—comprising the 1997 “Alger Subarea Plan Proposal”—were given a Rural Reserve land use designation instead which establishes a base density one unit per 10 acres (with an allowed CaRD density bonus provision it allows an effective density of one unit per five acres). However, the adopted comprehensive plan and subsequent Skagit County Resolution No. 20050418 specifically directed further review and analysis of the 1997 “Alger Subarea Plan Proposal” to determine if there were any areas that warranted additional RI designation.

The 1997 “Alger Subarea Plan Proposal” proposes to expand the existing RI LAMIRD located between Old Highway 99 and Friday Creek Road by more than one thousand acres⁷. LAMIRD analysis of this proposal by the CAC indicates that this RI rezone scenario would result in a logical outer boundary that is *not* predominantly delineated by the built environment. It also concluded that the potential for new development is more than three times greater than the level of existing development—thus clearly constituting outfill, not infill. This indicates that the 1997 “Alger Subarea Plan Proposal” RI rezone scenario clearly fails to meet the logical outer boundary and predominant built environment and infill requirements of RCW 36.70A.070(5)(d). The CAC recommended denial of this request. The Planning Commission concurs.

B-6. 1000 Trails Master Planned Resort (MPR) Rezone Request. This request is to rezone the 1000 Trails RV Park which currently operates under a Special Use Permit from Rural Reserve to MPR and allow up to an additional 600 unit resort adjacent to the Skagit Casino. The CAC found this proposal inconsistent with the rural character of Alger and recommended denial. The Planning Commission finds that the scale and intensity of this proposal are clearly

⁶ Subsequent growth management hearings board decisions since that time clarified that pre-GMA zoning cannot be used solely to justify LAMIRD designations.

⁷ In the interest of full public disclosure, two members of the Alger CAC live and own property within this proposed RI rezone area.

inconsistent with the protection of rural character in the Alger Subarea required by the GMA and as envisioned in the Alger Community Plan. When this proposal came before the Planning Commission as part of the 2005 Comprehensive Plan Update, the Commission also found that this proposal was inconsistent with the MPR implementing regulations and recommended denial. Planning Commission again recommends denial of this request.

B-7. Alger 888 Limited Rezone Request. This request is to rezone approximately 160 acres adjacent to the Alger/I-5 interchange from a combination of Rural Reserve and Rural Resource to UGA. The owner requested re-designation to allow for urban-level commercial/industrial development on the site, including “big box” retail services. The CAC reviewed the proposal and found that it would require an urban growth area designation to allow the type of development envisioned by the property owner. The CAC felt that a UGA designation did not fit with the community’s rural vision for Alger nor that such a proposal would likely be able to meet the strict UGA designation criteria of the GMA. The CAC recommended denial of the proposal. Planning Commission concurs.

B-8. Alger Grange Hall Rezone Request. To rezone the Alger Grange Hall parcel from Rural Resource-NRL to RVR. This 3.14 acre parcel contains the historic Grange Hall building (built in the early 1900’s) and is currently owned by the Alger Christian Reformed Church. The CAC discussed and ultimately decided not to recommend a rezone to RVR owing to the historic nature of the Grange Hall. The Church appeared to be satisfied with the existing Rural Resource designation. The CAC also did not want a rezone to inadvertently encourage redevelopment of the historic structure. The Planning Commission concurs with the CAC recommendation for denial.

B-9. Silver Mountain Heights Ranch Rezone Request. This request comprises 43 undeveloped acres immediately north of the existing Alger Rural Village. Although designated as Rural Resource-NRL (with an allowable density of one unit/20 acres), it is subject to a vested approved subdivision (Long Plat No. PL 96-0403) creating eight (8) five acre lots. The approved plat is called the Silver Mountain Heights Ranch Community. The owner requested inclusion in the Alger Rural Village at either a 1.25 acre minimum RVR density or an alternative re-designation to Rural Intermediate (RI) at 2.5 acre minimum RI density. The CAC discussed and ultimately decided not to recommend a rezone to either RVR or RI owing to the fact that the proposals did not appear to meet the logical outer boundary and built environment requirements of the GMA. The large and undeveloped area could not meet the built environment test, since the area in question is almost as large as the existing village boundary and contains no pre-1990 existing built environment. The proposal would have clearly constituted “outfill” and not “infill” development within the village. In addition, the parcel sizes of the proposed expansion area were significantly larger than the average parcel size found in the existing RVR zone. Furthermore, the CAC felt that, if the proposal were approved, the steep slopes of the development area were likely to cause downslope drainage problems for such a relatively high density development. The Planning Commission concurs with the CAC recommendation for denial.

B-10. Carruthers RI Rezone Request. This rezone request was proposed by representatives of the property owners of these parcels. It includes two large undeveloped parcels totaling 23 acres. This scenario is located immediately south and east of the existing Alger Rural Village

boundaries. Both of these parcels are presently designated as Rural Reserve (RRv). LAMIRD analysis of this proposal indicates that this RI rezone scenario, in and of itself, results in a logical outer boundary that is *not* predominantly delineated by the built environment⁸. The analysis also indicates that, in and of itself, the potential for new development is eight times greater than the level of existing development on the affected parcels—constituting outfill, not infill. This indicates that this RI rezone scenario, in and of itself, fails to meet the logical outer boundary, predominant built environment and infill requirements of RCW 36.70A.070(5)(d). The CAC recommended denial of the proposal. Planning Commission concurs.

B-11. Echo Hill/Butler Creek Road Limited RI Rezone Request. This request was proposed by the property owners of these parcels. It includes three parcels totaling 30 acres. The parcels are located in the area adjoining both Echo Hill Road and Butler Creek Road. All three parcels are presently designated as Rural Reserve (RRv). LAMIRD analysis indicates that this RI rezone request, in and of itself, would result in a logical outer boundary that is *not* predominantly delineated by the built environment. The analysis also indicates that, in and of itself, the potential for new development is five times greater than the level of existing development on the affected parcels—constituting outfill, not infill. This indicates that this RI rezone request, in and of itself, fails to meet the logical outer boundary, predominant built environment and infill requirements of RCW 36.70A.070(5)(d). The area is located away from Old Highway 99. The large parcel sizes of the affected parcels are also significantly larger than the 2.5 acre minimum allowed by the RI zone. Furthermore, there are concerns about adequate groundwater availability in this area and the CAC felt that the potential for additional new units in this more remote rural area could be viewed as inconsistent with the GMA for promoting expansion of low density rural sprawl and requiring the possible future extension of public services, such as public water, where it is not now provided. The CAC recommended denial of the proposal. Planning Commission concurs.

RECOMMENDATION:

Based on the above findings and on the record in this matter, the Planning Commission recommends adoption of the Department Report on the Alger Community Plan, Exhibit A, with the following exceptions:

Citizen Advisory Committee (CAC) Recommended Land Use Changes

A.1. Rural Freeway Service (Jarvis). The Planning Commission recommends that the Jarvis RFS rezone proposal move forward as recommended by the CAC, contrary to the recommendation stated in the Department Report.

2.b. Old Highway 99 East Limited Rural Intermediate. The Planning Commission recommends that the Old Highway 99 East Limited Rural Intermediate rezone proposal move

⁸ Neither parcel fronts Old 99. Although one parcel fronts Alger Cain Lake Road and the other has access to it via a long drive-way, neither parcel contains an existing home. One parcel is also bisected by both Silver Creek and Friday Creek and is subject to flooding.

forward as recommended by the CAC, contrary to the recommendation stated in the Department Report.

MOTION:

Based on the above findings, Jason Easton moved and Bill Schmidt seconded that the Skagit County Planning Commission recommends that the Jarvis RFS rezone proposal move forward as recommended by the CAC, contrary to the recommendation stated in the Department Report.

VOTE:

	<u>Support</u>	<u>Oppose</u>	<u>Absent</u>	<u>Abstain</u>
Dave Hughes, Chair	X			
Jan Ellingson, Vice Chair			X	
Jason Easton	X			
Carol Ehlers	X			
Herb Goldston			X	
Jerry Jewett	X			
Bill Schmidt	X			
William Stiles III	X			
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MOTION:

Based on the above findings, Jason Easton moved and William Stiles seconded that the Skagit County Planning Commission recommends that the Old Highway 99 East Limited Rural Intermediate rezone proposal move forward as recommended by the CAC, contrary to the recommendation stated in the Department Report.

VOTE:

	<u>Support</u>	<u>Oppose</u>	<u>Absent</u>	<u>Abstain</u>
Dave Hughes, Chair	X			
Jan Ellingson, Vice Chair			X	
Jason Easton	X			
Carol Ehlers	X			
Herb Goldston			X	
Jerry Jewett	X			
Bill Schmidt	X			
William Stiles III	X			
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RECOMMENDATION:

Based on the above findings and on the record in this matter, the Planning Commission recommends adoption of the revised Alger Community Plan (CAC-Recommended Draft).

MOTION:

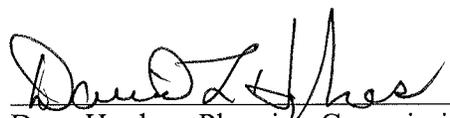
Based on the above findings, Jason Easton moved and Jerry Jewett seconded that the Skagit County Planning Commission recommends to the Board of County Commissioners, pursuant to the authority of RCW 36.70A, adoption of the proposed CAC-Recommended Draft Alger Community Plan (as amended), as indicated in Attachment A to this transmittal.

VOTE:

	<u>Support</u>	<u>Oppose</u>	<u>Absent</u>	<u>Abstain</u>
Dave Hughes, Chair	X			
Jan Ellingson, Vice Chair			X	
Jason Easton	X			
Carol Ehlers	X			
Herb Goldston			X	
Jerry Jewett	X			
Bill Schmidt	X			
William Stiles III	X			
	6	0	2	0

NOW, THEREFORE, on January 8, 2008, the Skagit County Planning Commission voted, as recorded above, to forward to the Board of County Commissioners the foregoing recommendations to approve the revised Alger Community Plan (CAC-Recommended Draft).

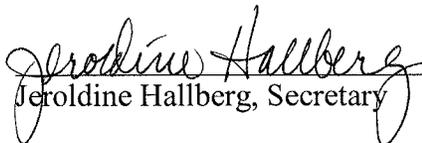
SKAGIT COUNTY PLANNING COMMISSION
SKAGIT COUNTY WASHINGTON



Dave Hughes, Planning Commission Chair

2/15/08

Date



Jeroldine Hallberg, Secretary

2/15/08

Date