

**Skagit County Planning and Development Services  
Notice of Availability, Issuance of SEPA Addenda, and  
Notice of Two Planning Commission Public Hearings on  
Bayview Ridge Subarea Plan and Urban Growth Area Compliance Proposals**

The Skagit County Planning and Development Services Department will release for public review and comment two proposals intended to bring the Bayview Ridge Subarea Plan and Urban Growth Area into compliance with the Growth Management Act. The proposals are in response to findings of non-compliance and invalidity by the Western Washington Growth Management Hearings Board in Case No. 07-2-0002.

**Proposal 1**, consisting of proposed development regulations addressing sewer requirements and other development standards, and school siting within the Bayview Ridge Urban Growth Area (UGA), will be released for public review and comment on Friday, April 11, 2008. A public hearing before the Skagit County Planning Commission will be held on this proposal on Tuesday, May 6, 2008.

**Proposal 2**, containing amendments to the Bayview Ridge Subarea Plan, the boundaries of and zoning within the UGA, and amendments to development regulations applicable within the UGA, will be released for public review and comment on Friday, April 25, 2008. A public hearing before the Skagit County Planning Commission will be held on this proposal on Tuesday, May 13, 2008.

### **Background**

In December 2006, Skagit County adopted the Bayview Ridge Subarea Plan and Development Regulations to accommodate urban residential and commercial and industrial growth within a cohesive, non-municipal urban growth area encompassing 3,633 acres at Bayview Ridge. That action, through Ordinance No. O20060007, expanded the existing industrial Bayview Ridge UGA by 107 acres and added a 705-acre residential area and a 40-acre community center centered around the Skagit Regional Airport.

Skagit Growthwatch appealed the Bayview Ridge Subarea Plan and Development Regulations to the Western Washington Growth Management Hearings Board (Hearings Board), alleging that the Subarea Plan and residential portion of the UGA were not compliant with the Washington State Growth Management Act (GMA). In a Final Decision and Order issued August 6, 2007, the Hearings Board found a major portion of the Subarea Plan provisions and development regulations compliant with the GMA. However, it also identified approximately one dozen issues of non-compliance, as well as one issue of “invalidity” or substantial interference with the GMA.

## Contents of the Proposals

**Proposal 1** consists of the following:

1. A new section of Skagit County Code (SCC), SCC 14.16.215, Bayview Ridge Urban Growth Area, which sets forth development standards within the Bayview Ridge UGA for streets, water service, stormwater, and sanitary sewer service. In particular, this section requires new development or redevelopment to connect to the public sewer system except for individual, single family dwelling units or residential accessory uses located greater than 200 feet from a City of Burlington sewer line, with certain conditions.
2. Amendments to SCC Chapter 14.28, Concurrency, which remove certain provisions specific to the Bayview Ridge UGA from the Concurrency ordinance (former SCC 14.28.105) and replace them with a new code section, SCC 14.16.215, noted above. These are provisions that are not truly related to concurrency but are rather development standards and therefore belong in Chapter 14.16, Zoning. Where former section SCC 14.28.105 did contain concurrency requirements, these have been incorporated into the general provisions of SCC Chapter 14.28.
3. Amendments to SCC 14.16.155 which allow the location of a school within the Bayview Ridge Community Center (BR-CC) zoning district, with a Hearing Examiner special use permit, and subject to certain conditions.
4. Amendments to SCC 14.16.210(11) to allow an exception to the current maximum building size limit of 15,000 square feet for schools locating in the BR-CC zone.

**Proposal 2** consists of the following:

1. **Consistent Planning Period.** The Bayview Ridge Subarea Plan has been updated to ensure consistency with the County's Comprehensive Plan, which was updated pursuant September 10, 2007. These Subarea Plan updates are described in Comprehensive Plan Chapter 12, Community Plans and Implementation. The Bayview Ridge Subarea Plan and County Comprehensive Plan now utilize the same planning period of 2005 to 2025 as required by RCW 36.70A.070 and 37.70A.080(2).
2. **Capital Facilities.** The Subarea Plan has been updated to reflect Skagit County's adoption of a Capital Facilities Plan (CFP) for the six-year time period 2008-2013. The County CFP addresses some of the capital needs for the Bayview Ridge UGA. This Subarea Plan update incorporates changes made in the County CFP and updates all of the facilities listed in the original Bayview Ridge Subarea Plan. New information is provided for county and non-county service providers, as follows:
  - County: transportation, stormwater, parks, law enforcement, solid waste.
  - Non-county: City of Burlington sewer facilities, fire districts 6 and 2, Burlington-Edison School District, PUD #1 water service, Skagit Regional Airport, telecommunications and energy providers.

3. **UGA Residential Allocation.** To ensure consistency with the County's adopted 2025 population forecast, the 315-acre area outside of the UGA that is designated Bayview Ridge Urban Reserve would be added to the UGA. The Bayview Ridge Urban Reserve and Bayview Ridge Residential areas will accommodate a total of 5,600 people, the population allocated to Bayview Ridge through Countywide Planning Policy 1.1. The Bayview Ridge Urban Reserve is proposed to be phased in as the Bayview Ridge Residential zone is developed and infrastructure becomes available to the Bayview Ridge Urban Reserve portion.
4. **Development Regulations.** Amendments to Skagit County Code (SCC) 14.16.180, Bayview Ridge Light Industrial, are proposed to address manufacturing processes conducted outdoors to implement plan policies requiring compatibility between new industrial uses and adjacent proposed residential areas. Language in SCC 14.16.210, Airport Environs Overlay, regarding approved FAA permit requirements, is proposed to be amended. Amendments are proposed to SCC 14.16.335, Bayview Ridge Residential, to require minimum densities of 4 dwelling units per acre to ensure urban levels of growth in the UGA consistent with RCW 36.70A.110. A density bonus of up to one additional unit per acre is proposed to be available through a purchase of development rights program. Amendments are also proposed to modify dimensional requirements to meet plan policies as well as to address processing of applications for attached and multifamily residences. Amendments are proposed to SCC 14.04.020, Definitions, to remove the definition of 'manufactured home'. As this definition is only applicable in UGAs it is therefore inappropriately located in the general definitions section. Amendments are proposed to SCC 14.16.336, Bayview Ridge Urban Reserve, to rectify inconsistencies in setback provisions overlooked in the original adoption. SCC 14.16.830, Landscaping Requirements, is proposed to be amended to include landscaping requirements for the newly created Bayview Ridge Community Center zone. New language is proposed for SCC 14.16.850, General Provisions, to include provisions addressing existing, substandard lots in the Bayview Ridge UGA.

#### **Levels of Service (LOS)**

5. **Parks:** The level of service standards for parks, including proposed locations and capacities, have been updated in Chapters 9 – Parks, and 7 – Capital Facilities.
6. **Transportation:** Subarea Plan policy 6A-1.2, addressing transportation Level of Service, has been amended to eliminate several exceptions to the LOS standard found to be non-compliant by the Growth Management Hearings Board.

#### **Availability of Documents**

The following documents related to the two proposals will be available for public review and comment on the dates indicated.

**Proposal 1: Available on Friday, April 11, 2008**

1. Addendum No. 1 to the Bayview Ridge Final Environmental Impact Statement and Draft Environmental Impact Statement.
2. Department report describing the proposal.
3. A new code section, SCC 14.16.215, Bayview Ridge Urban Growth Area, and proposed amendments to SCC 14.28 Concurrency, SCC 14.16.155, Bayview Ridge Community Center and SCC 14.16.210 Airport Environs Overlay.

**Proposal 2: Available Friday, April 25, 2008**

1. Addendum No. 2 to the Bayview Ridge to the Bayview Ridge Final Environmental Impact Statement and Draft Environmental Impact Statement.
2. Department report describing the proposal.
3. Proposed amendments to the Bayview Ridge Subarea Plan.
4. Proposed amendments to the Skagit County Comprehensive Plan/Zoning Map to:
  - a) add the 315-acre area Bayview Ridge Urban Reserve to the UGA with a Bayview Ridge Urban Reserve zoning designation;
  - b) Rezone some portions of the Bayview Ridge Light Industrial zone to the Bayview Ridge Heavy Industrial zone.
5. Proposed amendments to SCC 14.16.180, Bayview Ridge Light Industrial (BR-LI), SCC 14.16.210, Airport Environs Overlay, SCC 14.16.335, Bayview Ridge Residential, SCC 14.16.335, Bayview Ridge Residential, SCC 14.04.020, Definitions, SCC 14.16.336, Bayview Ridge Urban Reserve, SCC 14.16.830, Landscaping Requirements, and SCC 14.16.850, General Provisions.

These documents will be available for review, on the dates indicated, at the Skagit County Planning and Development Services Department, 1800 Continental Place, Mount Vernon, WA, Monday – Friday, 8:00 a.m. – 4:30 p.m. They will also be available for viewing, on the dates indicated, on the Skagit County website at [www.skagitcounty.net/bayviewridgeplan](http://www.skagitcounty.net/bayviewridgeplan).

The documents may also be purchased from the Skagit County Planning and Development Services Department. Please contact Patti Chambers, (360) 336-9410, ext. 3497.

**SEPA Addendum**

The Planning and Development Services Department will issue two separate addenda (Nos. 1 and 2) to the following existing environmental documents:

- Bayview Ridge Subarea Plan and Development Regulations, Final Environmental Impact Statement (FEIS), February 2004.
- Bayview Ridge Subarea Plan, Draft Environmental Impact Statement (DEIS), April 2003.
- Bayview Ridge Subarea Plan, Pre-Draft Draft Environmental Impact Statement (DEIS), January 2, 2002.

Per WAC 197-11-600(4)(c) and 625, an addendum is appropriate when a proposal has been modified, but the changes will not result in any new significant adverse environmental impacts. The addenda provide additional information and analysis about the proposals. These documents meet the Department's environmental review needs for the current proposal. They will be circulated to affected agencies and interested parties per WAC 197-11-625.

### **Comment Submittal Requirements**

The Department invites you to comment orally or in writing on the Proposals.

Written or faxed correspondence must be submitted to: Skagit County Planning and Development Services, c/o Jeroldine Hallberg, Senior Planner, 1800 Continental Place, Mount Vernon, WA 98273-5625, (360) 336-9410, ext. 3175 or fax (360) 336-9416.

Written comments on **Proposal 1** must be submitted to the Department at the above address by 4:30 p.m. on Friday, May 2, 2008; or they may be submitted directly to the Planning Commission at its May 6<sup>th</sup> public hearing.

Written comments on **Proposal 2** must be submitted to the Department at the above address by 4:30 p.m. on Tuesday, May 13<sup>th</sup>, 2008; or they may be submitted directly to the Planning Commission at its May 13<sup>th</sup> public hearing.

Written comments must be submitted on 8½" by 11" paper in black and white. Maps and other documents must be in black and white and on 8½" by 11" paper for reproduction purposes.

**E-mails will not be accepted.**

### **Planning Commission Public Hearing**

The Skagit County Planning Commission will hold a public hearing on **Proposal 1** on Tuesday, May 6, 2008, beginning at 6 p.m., or as soon thereafter as possible.

The Skagit County Planning commission will hold a public hearing on **Proposal 2** on Tuesday, May 13, beginning at 6 p.m., or as soon thereafter as possible.

Both hearings will be held at the Skagit County Commissioners Hearing Room, 1800 Continental Place, Mount Vernon, WA.

For citizens with special needs, the hearing room is accessible. Persons with special needs or disabilities are asked to call the Commissioners' Office at (360) 336-9300 at least 4 days before the hearing to discuss and arrange any needed accommodations.

Transmitted to the Skagit Valley Herald on April 8, 2008  
To be published on April 10 and April 24, 2008

# # #