



# PLANNING & DEVELOPMENT SERVICES

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## Memorandum

**To:** Skagit County Planning Commission  
**From:** Planning & Development Services Staff  
**Date:** October 9, 2008  
**Re:** Recommendations Regarding the 2007 Docket of Proposed Comprehensive Plan Amendments

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### Introduction

On Thursday, November 13, 2008, the Skagit County Planning Commission will hold a public hearing regarding various proposed amendments to the Comprehensive Plan and land-use/zoning map. This memorandum includes, for public and Planning Commission consideration, descriptions of the various map and text amendment proposals, and the Department's recommendations on each.

On Tuesday, December 2<sup>nd</sup>, the Planning Commission is tentatively scheduled to meet in public to deliberate on the merits of each proposal, and will shortly thereafter forward a set of recommendations to the Board of County Commissioners (Board) regarding the proposed amendments. Finally, on dates to be determined, the Board will hold its own public meetings to consider and take official action on the proposed Comprehensive Plan and land-use/zoning map amendments.

### Timing of the 2007 Comprehensive Plan Amendment Docket

These proposed Comprehensive Plan and land-use/zoning map amendments were initially proposed on or before October 10, 2007. Typically, Skagit County Code (SCC) 14.08.020(2) establishes a Comprehensive Plan amendment deadline of the last business day of July of each year. However, to allow time for the completion of the state-required Growth Management Act Update of the Comprehensive Plan, the Board extended the 2007 Comprehensive Plan amendment deadline to October 10, 2007 (Resolution No. R20070374).

The Board of County Commissioners established the 2007 docket (list) of proposed amendments on April 15, 2008 (Resolution No R20080186). The docket consisted of two citizen-initiated map amendments, eleven County-initiated map amendments, two proposed community (subarea) plans, and five miscellaneous policy amendments. The Department is recommending that certain of the proposed amendments be removed from this docket proposal (as explained below). As indicated, an analysis and recommendation for each of the remaining proposals is included below.

SCC 14.08.090(4) requires the Board of County Commissioners to approve, deny, or defer action on the current year's docket by the last business day of July or the docket will expire. However, several long-range planning projects over the past year have demanded the complete attention of Planning and Development Services staff, preventing significant progress on this 2007 docket until now.

The Board found it would be counterproductive to allow the 2007 docket to expire so on (July 29, 2008 (Resolution No. R20080369) the Board deferred final action of the 2007 Comprehensive Plan Amendment Docket into the 2008 docket year. Doing so also allowed that the 2007 docket may be considered separately from, and in advance of the 2008 Docket, provided that the Comprehensive Plan is amended only once per year.

**Certain Amendment Proposals Removed From 2007 Docket**

Due to staffing constraints, the complexity of the proposed amendments, and the desire to allow for final action on the 2007 docket before the end of the current calendar year, the Department has recommended removing four proposals from the 2007 Comprehensive Plan Amendment Docket. The Department has asked the Board to transfer three of the proposals to the 2008 docket and to identify one as a Trailing Issue for future consideration, date undetermined, as follows:

Name of Proposal	Description	Change in Status
Privately owned OSRSI	Review privately held properties throughout the county currently zoned OSRSI for possible redesignation from 'public' zoning to more appropriate designation.	Transfer to 2008 docket.
Guemes Island Subarea Plan	Review of Subarea plan submitted by Guemes Island Planning Advisory Committee.	Transfer to 2008 docket.
Small-lot Secondary/Industrial Forest perimeter properties	Review properties along the fringe of the Secondary Forest/Industrial Forest border that could be afforded relief with minor changes in the application of the Secondary Forest ¼ mile band around the Industrial Forest designation.	Remove from 2007 docket; address as Trailing Issue (not as part of 2008 docket).
Update of Related and Supporting Documents List	Update Comprehensive Plan Appendix C – Descriptions of Related Plans, Studies and Regulations	Transfer to 2008 docket.

The Department will ask the Board to make these actions official as part of its resolution establishing the 2008 docket, either late this year or in early 2009.

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**Planning & Development Services Recommendations  
Regarding the 2007 Docket of  
Proposed Comprehensive Plan and Land-use/Zoning Map Amendments  
October 10, 2008**

**Part A: Citizen-Initiated Map Amendment Requests**

**1. Windward Group, LLC – PL07-0597 (See Map No. A - 1)**

Proposal Summary:

The applicant proposes to add approximately 4.94 acres of Rural Reserve zoned land (P46542) to the Small Scale Recreation and Tourism (SRT) zone that currently includes the Guemes Island Resort, on the northeast side of Guemes Island. The subject property is owned by the applicant in common with the adjacent, 16.84 acre, SRT-designated parcel (P46541). Both parcels were at one time a single parcel zoned Commercial-Limited Industrial (C-LI).

This proposal was delayed until the Guemes Island Subarea Plan was developed to ensure consistency with any revised Subarea plan policies. The proposed Guemes Island Subarea Plan contains policy amendments but not map changes.

Proposal Analysis:

The applicant provides evidence that an historical segregation of the two parcels was determined to be illegal, rendering the smaller, vacant parcel ineligible for development under SCC 14.06.045, Lot Certification regulations. Now that the parcels are again under common ownership, uniform designation and zoning should be restored to the resort property as was past practice. Re-designation would increase total SRT acreage by 4.94 acres, to a total of 21.78, increasing the allowable developed area correspondingly (to a maximum of 20 acres of developed area). Pursuant to regulations governing SRT designated areas (SCC 14.16.130), more than 20 acres of land can be zoned SRT, however, there is a maximum allowed developed area of 20 acres. The applicant has not given any indication as to the future site plans for the smaller lot either as SRT as proposed or currently as Rural Reserve, although the applicant asserts that the parcel in question is now and will in the future be an integral part of the resort. Currently, there is an occupied mobile home on the subject parcel. The applicant has a submitted a “site plan” indicating the presence of the existing mobile home. However, there is no explanation as to how that existing use will be integrated into the resort consistent with the SRT designation. [Note: CP Policy 3C-4.5 states that CP amendments “*for new SRT designations shall include site plans as further specifi[ed] in the Legislative Actions section of the Unified Development Code.*” This is a reference to SCC 14.08.020(6)(b)(i) that requires a “*detailed development proposal that is consistent with the applicable designation criteria.*”]

It is not known or explained in the application how the existing mobile home will be integrated into the existing resort. The applicant should provide further explanation of how the existing

mobile home on the subject parcel will be integral to the resort or if an expansion of the resort is anticipated on the subject parcel, and if so, a site plan anticipating that expansion. There are no proposed policies in the draft Guemes Island Subarea Plan that appear to conflict with or are likely to be inconsistent with this proposed land use map amendment.

Proposal Recommendation:

**Based on the application materials submitted to date, the recommendation of the Department, at this point, is to provisionally deny the application for failure meet the SRT designation criteria outlined in CP Policy 3C-4.5 and the requirements of implementing regulation SCC 14.08.020(6)(b)(i). Should the applicant supply the missing site plan and detailed development proposal that wholly satisfies the referenced SRT designation criteria during the public comment review period, the Department sees no reason not to recommend approval and re-designation of P46542 (4.94 acres) from RRv to SRT as shown on Map A - 1.**

**2. Bouslog Investments, LLC – PL07-0808 (See Map No. A - 2)**

Proposal Summary:

The applicant originally proposed to change the designation of approximately 45 acres of land within the Bayview Ridge Urban Growth Area in the following manner:

- A. Rezone a 15-acre portion of P35378, located in Airport Environs Overlay Safety Zone 4S, from Bayview Ridge-Residential (BR-R) to Bayview Ridge-Community Center (BR-CC) to allow for a community park and playfields;
- B. Rezone roughly the east half of P20983 from BR-CC to BR-R, effectively transferring BR-R zoning from P35378 (see A above), for the purpose of siting a K-8 elementary school.
- C. Rezone an approximately 32-acre portion of the west half of P20983 from BR-CC to Bayview Ridge-Light Industrial (BR-LI).

Proposal Analysis:

- A. This proposal was **withdrawn** by the applicant on August 14, 2008, citing recent code amendments to SCC 14.16.155 allowing schools as a special use in the BVR-CC zone.
- B. This proposal was **withdrawn** by the applicant on August 14, 2008, citing recent code amendments to SCC 14.16.155 allowing schools as special uses in the BVR-CC zone.
- C. This proposal remains in place in a modified configuration (an approximately 15 acre portion of the west half of P20983 from BR-CC to Bayview Ridge-Light Industrial (BR-LI)) proposed by the applicant on August 14, 2008.

Designation of additional industrial property is inconsistent with the allocation of commercial/industrial land for the Bayview Ridge UGA in Countywide Planning Policy 1.1. Calculation of acreage generally available at the time the allocations were last developed indicates that the allocation is met with the adopted zoning for Bayview Ridge. As required by RCW 36.70A.120, all implementing regulations, including zoning maps and zoning regulations, shall be consistent with and implement these policies. Amendments to the implementing regulations shall conform to these policies.

The County intends to contract with HDR consultants to assist in developing further specifics for future development of Bayview Ridge, including fiscal impacts, a detailed transportation system plan, infrastructure coordination, a planned unit development ordinance, and other details. Until that is complete, it is not timely to consider changes in the adopted land use designations. Since schools can now be located within the BR-CC zone, the potential area for future commercial activity within the BR-CC designation should not be diminished in size. There are also potentially adverse impacts from locating industrial activities adjacent to a school site. In this regard, the BR-CC functions as a better buffer between the BR-LI and residential areas within Bayview Ridge.

Based on the factors of commercial/industrial allocation and the County's direction for future Bayview Ridge development and potential adverse impacts from industrial uses adjacent to a school, the Department recommends denial of this rezoning application.

Proposal Recommendation:

**Deny proposal PL07-0808 to rezone approximately 15 acres from Bayview Ridge Community Center to Bayview Ridge Light Industrial.**

## **Part B: County-Initiated Map Amendment Proposals**

### **1. MT Enterprises and surrounding (See Map No. B - 1)**

Proposal Summary:

The Department evaluated the strip of land between F&S Grade Road and Thomas Creek to determine the appropriate boundary for the Agricultural-Natural Resource Land (Ag-NRL) and Rural Reserve (RRv) districts in the area. The current boundary between the two districts is F&S Grade Road. The area between Thomas Creek and F&S Grade Road does have a change in elevation in comparison to the farmed land to the south. Soils maps also demonstrate that the soils change significantly in the area. This matter was deferred from the 2005 GMA Update process and was known as CPA05-01. The review area is roughly 34 acres in size and comprises the northern portions of several parcels located approximately between the intersections of Avalon Heights Way and Valley View Roads with F&S Grade Road (south of the road). The primary question to answer in this case is whether F&S Grade Road or Thomas Creek provides a more logical boundary between the land use designations based on designation criteria for both the Ag-NRL and RRv zones.

Proposal Analysis:

There are five parcels comprising approximately 34 acres subject to this proposal. These include P36102, P36100, P36098, P36132 and P36138. The largest parcel of the five is approximately 10 acres and the smallest is approximately 4 acres. Evaluation of these five parcels for consistency with the Ag-NRL designation criteria is shown in the following table. RRv designation criteria is limited to all parcels outside of urban growth areas, natural resource lands, open space designated lands and LAMIRDs (see CP Policy 3C-1.1).

None of the five parcels are utilized for agricultural purposes at the present time. Review of aerial photos dating back to 1998 and current site assessment indicates the area is comprised of cleared land, brush and wooded tracts. No animal grazing is evident on any of the parcels.

The average existing parcel size is approximately 7.4 acres – significantly closer to the 10 acre minimum density parcel size of RRv than the 40 acre figure for the Ag-NRL designation. Under current regulations, up to three new units could be built on the existing Ag-NRL parcels (without the CPA). Approximately four new units could be built under the proposed amendment to RRv (and up to seven units if utilizing the Conservation and Reserve Development (CaRD)).

4A-1.1	Ag-NRL Designation Criteria	Proposal Evaluation
a)	<i>Parcels 5 acres or greater that contain “prime farmland soils” as determined by the USDA Natural Resource Conservation Service</i>	Three of the five parcels are larger than 5 acres and two are less than five acres. Prime alluvial farmland soils cover a portion of the area below F & S Grade Road (the area below the toe of the slope where the topography levels out adjacent to Thomas Creek).
b)	<i>A majority of the area falls within the 100-year floodplain as adopted by the U.S. Federal Emergency Management Agency (FEMA).</i>	The 100-year floodplain covers at least a portion of each of the properties below the F & S Grade Road.
c)	<i>Parcels meeting both (a) and (b) above shall be further evaluated for inclusion or exclusion in Ag-NRL based upon the following additional factors:</i>	
(i)	<i>The land is in a current-use tax assessment program derived from the Open Space Taxation Act, RCW 84.34 as it pertains to agriculture.</i>	None of the five parcels in question are enrolled in the open space public benefit program.
(ii)	<i>The land is currently in agricultural use or has been in agricultural use within the preceding ten years.</i>	“Agriculture” is defined in the CP as “[t]he use of land for commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees...or livestock.”

4A-1.1	Ag-NRL Designation Criteria	Proposal Evaluation
		<p>The parcels in question are largely cleared with the exception of some small areas in woods, but most appear to have significant areas of brush and other non-farmed natural vegetation. There are no known livestock or dairy operations on the parcels. There is a significant drop-off in the slope away from the F&amp;S Grade Road toward Thomas Creek. Review of historic aerial photos dating back to 1998 indicates relatively little agricultural use over the past decade.</p>
(iii)	<p><i>Existing land uses are primarily agricultural and minimal financial commitment to non-farm uses has been made.</i></p>	<p>Of the five parcels in question, two have homes and only one of those has any agricultural-related improvements—a barn. The remaining parcel acreage is in cleared, brush-covered or wooded acreage.</p>
(iv)	<p><i>The area includes special purpose districts (such as diking and drainage districts) that are oriented to enhancing agricultural operations, including drainage improvement and flood control.</i></p>	<p>All five parcels in question are located outside of any diking or drainage district.</p>
(v)	<p><i>Adjacent lands are primarily in agricultural use.</i></p>	<p>Adjacent lands to the north (across F&amp;S Grade Road) are all in RRv zoning and rural residential use. Lands located south of the proposal (across Thomas Creek) are all in agricultural use and Ag-NRL zoning.</p>
(vi)	<p><i>Land use in the area demonstrates a pattern of landowner capital investment in agricultural operation improvements such as irrigation, drainage, manure storage, barn refurbishing, enhanced livestock feeding techniques, agricultural worker housing, etc.</i></p>	<p>There are no indications of landowner capital investment in agricultural operation improvements on the subject parcels (i.e., no barns, drainage improvements, manure storage, ag. worker housing, etc.), except for a loft barn on P36102 originally built in 1943.</p>
d)	<p><i>Parcels that may not meet any of the criteria described in (a), (b), and (c) above may nonetheless be included to provide logical boundaries to the Agricultural Resource lands designation and to avoid small “islands” or “peninsulas” of conflicting non-resource land uses in the midst of resource lands. Similarly, parcels that meet some or all of the criteria described in (a), (b), and (c) above may be excluded to provide logical boundaries to the Agricultural</i></p>	<p>It appears that the issue in this case relates to determining the logical boundary between the Ag-NRL and RRv zones. Owing to parcel size and current use, it appears that a more logical boundary between the two zones would be to follow the parcel boundaries in closest proximity to Thomas Creek rather than to the</p>



4A-1.1	Ag-NRL Designation Criteria	Proposal Evaluation
	<i>Resource lands designation and to avoid conflict with existing land uses.</i>	F&S Grade Road.

Proposed comprehensive plan land use map amendments that involve natural resource designated lands must demonstrate compliance with SCC 14.08.020(5)(d), which requires that “[a]ny proposed natural resource land map designation changes shall recognize that natural resource land designations were intended to be long-term designations and shall further be dependent on [one] or more of the following:

- (i) A change in circumstances pertaining to the Comprehensive Plan or public policy.
- (ii) A change in circumstances beyond the control of the landowner pertaining to the subject property.
- (iii) An error in initial designation.
- (iv) New information on natural resource land or critical area status.

In this case, close scrutiny of the parcels in question indicates that they are not actively utilized agricultural lands of long-term commercial significance nor were they likely in such use at the time of their original designation. This CPA corrects a logical boundary interpretation originally made between true agricultural lands of long-term commercial significance (located between Kelleher Road and Thomas Creek) and those rural lands occasionally used for agricultural purposes (located between Thomas Creek and F&S Grade Road). Soil maps of the area indicate that prime alluvial soils are only located on a portion of the subject properties, as well as 100 year floodplain designation. The topography of these parcels changes significantly (increases in slope) between the farmed fields below Thomas Creek and north to F&S Grade Road. The presence of Thomas Creek in close proximity to F&S Grade Road result in small portions of land isolated from the surrounding agricultural activities that are difficult to access for farming purposes.

Proposal Recommendation:

**Approve re-designation from Ag-NRL to RRv for the parcels shown on Map B - 1 and indicated below:**

- P36102—9.9 acres
- P36100—9.5 acres
- P36098—6.1 acres
- P36132—4.3 acres
- P36138—3.9 acres

**2. Ron Bates and surrounding area (See Map No. B - 2)**

Proposal Summary:

The area north of Highway 20 along Baker Lake Road in the Birdsvie vicinity will be reviewed to determine if changes to the properties currently designated as Rural Resource-

Natural Resource Lands (RRc-NRL) are appropriate. Any parcels found not to meet the designation criteria for the RRc-NRL zone will be considered for a more appropriate zoning designation. This is an issue that was deferred from the 2005 GMA Update process and was known as CPA05-26. Parcels south of the Highway were reviewed during the Update process. Any changes in the area would not greatly affect the development potential of many of the lots, but would instead act to recognize existing lot sizes and development patterns that may not meet the RRc-NRL designation criteria. Much of the area is currently located within ¼ mile of the Mineral Resource Overlay that also limits development densities regardless of zoning.

Proposal Analysis:

The area in question comprises more than twenty parcels currently designated RRc-NRL that account for more than 225 acres. Most of these parcels are small and well below the 40 acre threshold for the RRc-NRL designation criteria. Parcel sizes in the area range from less than one acre up to 39 acres. The majority of the parcels appear to be utilized for residential and recreational purposes. Generally, parcel sizes tend to increase further north along Baker Lake Road and away from SR 20. The largest parcels (e.g., 20 acres and larger) are presently utilized for timber management consistent with their RRc-NRL designation.

The entire area in question contains 16 existing single family homes—almost all of which are situated on parcels of 10 acres or less in size. Most of the existing parcels less than 10 acres are already developed with residential dwellings. So there is little or no additional potential density to be gained from re-designating those parcels to Rural Reserve (RRv). However, as many as eleven (11) additional residential units could be allowed on the three largest parcels (P42211—39 acres, P42233—19.4 acres, and P42362—37 acres) if they were re-designated to RRv (with an allowable density of 1 unit/10 acres) and as many as 23 new units if they were developed as CaRDs under the proposed RRv zoning. The potential to almost double the existing number of homes in the area—on the three largest parcels that are also characterized by steep slopes and the lack of public road access is problematic to ensuring the neighborhood’s rural character.

Grandy Creek which runs along Baker Lake Road, is classified as a "low flow" stream in the Skagit County Critical Areas Ordinance (CAO). Low flow streams are classified as Category 1 Aquifer Recharge Areas in the CAO (SCC 14.24.310). The low flow stream mitigation requirements of the CAO [SCC 14.24.350(5)] prohibit CaRD density bonuses for the affected RRc-NRL parcels (and even for parcels re-designated to RRv). In addition, SCC 14.24.350(5)(b)(vi) specifically states that "...[t]he County shall consider as part of its Comprehensive Plan limitations on the uses and densities within this designated low-flow stream corridor to limit new individual wells as necessary to protect base flows". To maintain consistency with the CAO provisions, significant density increases should be avoided in the Grandy Creek low-flow stream buffer that encompasses the entire area in question.

Analysis of compliance with the RRc-NRL designation criteria is shown in the following table.

4C-1.1	RRc-NRL Designation Criteria	Proposal Evaluation
a)	<i>All parcels approximately 40 acres or greater that contain one or both of "Prime upland farmland soils" as determined by USDA Soil Conservation Service</i>	There are no parcels technically larger than 40 acres within the area proposed for evaluation. However

4C-1.1	RRc-NRL Designation Criteria	Proposal Evaluation
	<i>(see Natural Resource Lands Profile), or Washington State Department of Revenue - private forest land grades (PFLG) 1 – 3.</i>	the three largest parcels (P42211—39 acres, P42233—19.4 acres, and P42362—37 acres) are adjacent to one another, are adjacent to SF-NRL designated parcels and define the upper or northern boundary of the evaluation area along Baker Lake Road. The entire area in question is underlain by either prime farmland soils or PFLG 1-3 soils.
b)	<i>Lands meeting (a) above that comprise contiguous areas of approximately 160 acres and larger; provided that any parcel 40 acres or larger that is located contiguous to any land designated Agriculture, Industrial Forest or Secondary Forest generally may be designated Rural Resource regardless of whether it is contained within such a large area.</i>	Again, the three largest parcels (P42211—39 acres, P42233—19.4 acres, and P42362—37 acres) are adjacent to one another and are adjacent to large blocks of SF-NRL designated parcels that cumulatively comprise areas of 160 acres or more in SF-NRL designation.
c)	<i>Parcels meeting both (a) and (b) above shall be further evaluated for inclusion or exclusion in Rural Resource Lands based upon the following additional factors:</i>	
(i)	<i>Participation in a current-use tax assessment program. Such current-use tax assessment status is not, by itself, a determining factor for inclusion or exclusion, but is only part of the relevant characteristics to be considered;</i>	None of the three largest parcels are enrolled in the current-use tax assessment program. One of those parcels (P42233) is owned by the Washington State DNR and is tax-exempt.
(ii)	<i>Whether the area is currently in small-scale agriculture or forestry use or has been in agricultural or forestry use within the preceding ten years, and minimal improvements or financial expenditures have been made to non-resource related uses in the area as a whole. Construction of a single-family residence on any parcel of land shall not be deemed a sufficient non-resource related expenditure for purposes of this subsection; and</i>	Two of the three largest parcels P42211 (Bates) and P42233 (DNR) are characterized by relatively steep slopes and have been and continue to be in forestry use. The remaining large parcel (P42362) comprises part of the Leisure Time Resorts KOA Campground but also includes significant undeveloped wooded areas along Grandy Creek. The KOA campground ownership also extends south into smaller parcels on level cleared land (traversed by BPA electrical transmission lines). All of the parcels south of the KOA campground along both sides of Baker Lake Road are in residential use (outside of the existing Creekside Camping Resort—designated RB on the Land Use Map). Parcels to the immediate west

4C-1.1	RRc-NRL Designation Criteria	Proposal Evaluation
		of Baker Lake Road are characterized by very steep slopes and, in some cases, have been recently harvested.
(iii)	<i>Whether the area has limited availability of public services and facilities (although the area may be located within a public water district).</i>	The area is not located within a public water or sewer system district.
d)	<i>Parcels that do not meet any of the criteria described above in (a), (b), or (c) may be designated as Rural Resource to provide logical boundaries to the Rural Resource lands designation and to avoid small “islands” or “peninsulas” of conflicting non-resource land uses in the midst of resource lands. Similarly, parcels that meet some or all of the criteria described above in (a), (b), or (c) may be excluded to provide logical boundaries to the Rural Resource lands designation and to avoid conflict with existing land uses.</i>	Given the relatively smaller parcel sizes and existing land use pattern in the area of residential properties, it appears appropriate to re-designate many of the smaller parcels that are closest to the SR 20/Baker Lake Road intersection from RRc-NRL to RRv, while maintaining the RRc-NRL designation for the larger parcels further north along Baker Lake Road to ensure consistency with the CAO provisions to limit density increases in low flow stream buffers and to prevent potential adverse drainage impacts on downhill properties from new development on the currently forested hillsides.

Proposed comprehensive plan land use map amendments that involve natural resource designated lands must demonstrate compliance with SCC 14.08.020(5)(d), which requires that “[a]ny proposed natural resource land map designation changes shall recognize that natural resource land designations were intended to be long-term designations and shall further be dependent on [one] or more of the following:

- (i) *A change in circumstances pertaining to the Comprehensive Plan or public policy.*
- (ii) *A change in circumstances beyond the control of the landowner pertaining to the subject property.*
- (iii) *An error in initial designation.*
- (iv) *New information on natural resource land or critical area status.*

In this case, close scrutiny of the parcels in question indicates that some of the smaller RRc-NRL designated parcels are not actively utilized agricultural or forest lands, nor were they likely in such use at the time of their original designation. In these cases, the department recommends re-designation to RRv. In other cases, the department recommends maintaining the RRc-NRL designation where smaller undeveloped parcels comprise important buffers to low-flow streams or adjacent resource lands. In cases where multiple parcels subject to a special use permit are in single ownership (such as the Leisure Time Resorts KOA Campground), it is often advisable to maintain consistent land use designations across all the affected parcels for purposes of permitting consistency. This CPA corrects a logical boundary interpretation originally made between true forest management-related resource lands (located

on the three largest parcels in the area) and those rural lands occasionally used for agricultural or forest-related purposes, but predominantly in rural residential use (located on the smaller developed parcels in the area). See Appendix A for additional analysis regarding rural land and resource land interface.

Proposal Recommendation:

**Approve re-designation from RRc-NRL to RRv for the parcels shown on Map B - 2 and indicated below:**

- P99233—5 acres
- P42367—2.7 acres
- P42371—3.9 acres
- P42366—1 acre
- P42369—1 acre
- P110543—5 acres
- P42361—4 acres
- P42402—4.5 acres
- P42399—3.3 acres
- P42380—5.9 acres
- P42381—0.06 acres
- P102187—4.9 acres
- P42388—2.5 acres
- P102186—2.5 acres
- P42472—8.8 acres
- P42368—0.24 acres

**Maintain RRc-NRL designations on the following parcels:**

- P42211—39 acres,
- P42233—19.4 acres,
- P42362—37 acres,
- P42357—11 acres
- P117447—1.9 acres
- P42370—18.6 acres
- P42358—1.6 acres
- P42359—4.5 acres

**3. Birdsvie Rural Resource (See Map No. B- 3)**

Proposal Summary:

Four parcels in the western portion of Birdsvie currently designated as Rural Resource-Natural Resource Land (RRc-NRL) will be evaluated against the Rural Resource designation criteria for possible retention or de-designation. There is some question as to the appropriateness of designation of the current block of Rural Resource land considering existing development patterns in the area. The area to be reviewed is approximately 121 acres in size and is located south of Highway 20 and north of Rasar State Park. The surrounding area predominantly consists of Rural Reserve zoning with minimal areas of higher density Rural Intermediate as well as Public Open Space of Regional/Statewide Importance (OSRSI) identifying the state park. The area to be reviewed includes two 20-acre parcels and two 40-acre parcels each owned by a separate individual and each used for various purposes including residential, timber management as well as agriculture. This matter is also known as CPA05-31 and was deferred from the 2005 GMA Update process.

Proposal Analysis:

There are four parcels in question.

- **P42796**—40 acres. This parcel is undeveloped and has no improvements. It is classified as forest land by the Skagit County Assessor. It is not enrolled in a current use tax assessment program.
- **P42774**—20 acres. This parcel has one single family home on the property. It is not enrolled in a current use tax assessment program.
- **P42773**—20 acres. This parcel has one single family manufactured home on the property. It is not enrolled in a current use tax assessment program.
- **P101362**—40 acres. This parcel is undeveloped and has no improvements. It is enrolled in a current use tax assessment program.

Analysis of their compliance with the RRc-NRL designation criteria is shown in the following table.

4C-1.1	RRc-NRL Designation Criteria	Proposal Evaluation
a)	<i>All parcels approximately 40 acres or greater that contain one or both of “Prime upland farmland soils” as determined by USDA Soil Conservation Service (see Natural Resource Lands Profile), or Washington State Department of Revenue - private forest land grades (PFLG) 1 – 3.</i>	Two of the four parcels are 40 acres and the remaining two are 20 acres each. All parcels are underlain by either prime farmland soils or PFLG 1-3 soils.
b)	<i>Lands meeting (a) above that comprise contiguous areas of approximately 160 acres and larger; provided that any parcel 40 acres or larger that is located contiguous to any land designated Agriculture, Industrial Forest or Secondary Forest generally may be designated Rural Resource regardless of whether it is contained within such a large area.</i>	All of these parcels are surrounded by parcels designated either RRv, OSRSI or RI. Some smaller parcel platting has occurred in the vicinity although many of the adjacent parcels remain relatively large (i.e., greater than 10 acres).
c)	<i>Parcels meeting both (a) and (b) above shall be further evaluated for inclusion or exclusion in Rural Resource Lands based upon the following additional factors:</i>	
(i)	<i>Participation in a current-use tax assessment program. Such current-use tax assessment status is not, by itself, a determining factor for inclusion or exclusion, but is only part of the relevant characteristics to be considered;</i>	Only one of the four parcels (P101362) is currently enrolled in the current use tax assessment program.
(ii)	<i>Whether the area is currently in small-scale agriculture or forestry use or has been in agricultural or forestry use within the preceding ten years, and minimal improvements or financial expenditures have been made to non-resource related uses in the area as a whole. Construction of a single-family residence on any parcel of land shall not be deemed a sufficient non-resource related expenditure for purposes of this</i>	The parcels in question are all in small-scale agricultural or forestry use. There are existing homes on two of the four parcels. Forestry use and livestock grazing occur at present.

4C-1.1	RRc-NRL Designation Criteria	Proposal Evaluation
	<i>subsection; and</i>	
(iii)	<i>Whether the area has limited availability of public services and facilities (although the area may be located within a public water district).</i>	One of the parcels (P42796) lies within the Skagit County Water District No. 1 Service Area. The remaining parcels are all located outside the water district. According to the CWPP, the district has limitations on its existing water rights and plans to seek new water rights from the Department of Ecology in the future. No new water right is anticipated to be awarded in the near future.
d)	<i>Parcels that do not meet any of the criteria described above in (a), (b), or (c) may be designated as Rural Resource to provide logical boundaries to the Rural Resource lands designation and to avoid small “islands” or “peninsulas” of conflicting non-resource land uses in the midst of resource lands. Similarly, parcels that meet some or all of the criteria described above in (a), (b), or (c) may be excluded to provide logical boundaries to the Rural Resource lands designation and to avoid conflict with existing land uses.</i>	The existing RRc-NRL designation on these four parcels constitutes an “island” of Rural Resource land surrounded by more intensive rural land use designations (including RRv and RI) as well as OSRSI – Rasar State Park immediately to the south of the evaluation area. However, they provide an important component of the Birdsvie area rural character and open space that benefits other Birdsvie residents. The parcels in question constitute some of the largest remaining undeveloped parcels in the Birdsvie area and they provide an important buffer between the Rasar State Park and the more intensely developed 2.5 acre lots prevalent in much of Birdsvie.

The average existing parcel size within the proposal area is approximately 30 acres—more consistent with the 40 acre RRc-NRL density than with the proposed 10 acre RRv. Without the amendment, approximately 3 new homes could be built on the existing RRc-NRL designated parcels (without CaRDs). Skagit County regulations also allow a density of one unit per 10 acres if an owner pursues a CaRD subdivision in RRC-NRL areas. With re-designation to RRv, up to 11 new homes could be built on the affected parcels (without CaRDs), and up to 23 new homes (with CaRDs). The large size of the parcels means that up to three times the potential amount of residential development could be accommodated on these properties compared to existing zoning (up to eight times considering CaRD developments). There are already a significant number of existing 2.5 and 5 acre lots in the Birdsvie area—many undeveloped and for sale. Road access to the site is also a concern. There is no direct public road access to the parcels in question. Access is provided only by private roads and if new development at RRv or CaRD densities is approved, new private road construction would be required to access all the parcels.

The fact that the proposal area directly abuts the group camping area portion of Rasar State Park also raises some concerns about land use compatibility should the residential densities allowed by the RRv zone come to fruition. While technically outside the ½ mile wide Grandy Creek low-flow buffer, water supply is also a concern in the area. Only one of the parcels in question is located within the Water District No. 1 service area (P42796), but the 2000 Skagit County Coordinated Water System Plan indicates that the district needs additional water rights before it could expand.

Three letters from the public commented on this proposal as part of the 2005 Comprehensive Plan Update. Two letters were submitted opposing the re-designation (one from the owner of P101362, John Jonasson, and the second from an adjoining neighbor) and one letter from the owner of P42773 (Lincoln Aldridge) recommending the re-designation to RRv for purposes of developing a CaRD subdivision (Note that CP Policy 4C-1.2 already allows CaRD subdivisions in RRC-NRLs at a density of one unit per ten acres—the same density allowed in RRv without CaRDs).

Although the Birdsvew RRC-NRL designated lands in question do constitute an island of resource lands among otherwise rural lands, the GMA directive to protect natural resource lands, the large parcel sizes, present agricultural and forestry use, adjacency to Rasar State Park, water availability concerns, public input concerned about the density of development in Birdsvew, and the prevalence of small-lot RI development patterns in the greater Birdsvew area suggests that the parcels in question provide an important component of the Birdsvew rural character and appropriately meet the RRC-NRL designation criteria. See Appendix A for additional analysis regarding rural land and resource land interface.

Proposal Recommendation:

**Deny. Maintain existing RRC-NRL designations on all four parcels.**

- P42796—40 acres
- P42774—20 acres
- P42773—20 acres.
- P101362—40 acres

**4. Spinnaker Lane (See Map No. B - 4)**

Proposal Summary:

This proposal would adjust the zoning district boundaries on two properties located off Spinnaker Lane on Fidalgo Island to remedy the current occurrence of ‘split zoning’ on the properties. This situation was caused by several recent boundary line adjustments in the area. As a procedural matter, zoning district boundary lines cannot be changed concurrent with a boundary line adjustment, but instead must be included in the next annual Comprehensive Plan Amendment cycle such as this. This matter was deferred from the 2005 GMA Update process and was known as SC05-06. The correction of inadvertently split-zoned properties is an ongoing process and occurs as they are identified.



Proposal Analysis:

This County-initiated map amendment is intended to correct a split or dual zoning issue. Except for limited cases generally relating to Natural Resource Lands, it is desirable to have zoning district boundary lines follow existing parcel lines for the purposes of applying land use regulations. The purpose of this proposed change is to correct the inadvertent split zoning of parcel(s) with two separate map designations. The proposal will change small portions of two properties so that the entire property has a single zoning designation. In most cases, the split zoning resulted from technical changes/improvements in mapping technology affecting the locations of property boundaries and does not serve an intended land use purpose. Split zoned parcels complicate the processing of development permits and application of the zoning code to those properties. Eliminating these problematic situations provides for less confusion with landowners as well as County permitting staff. However, in cases where such a re-designation would significantly increase development potential on the subject parcel (otherwise lacking a request from the property owner for such an increase), the Department does not recommend re-designation along parcel boundaries. In the properties affected by this proposal, no re-designation is recommended if significant additional development rights would be granted by the action. This action is intended only to correct technical mapping errors by aligning zone boundaries more properly with parcel boundaries in cases where no significant changes to development rights result.

This proposal would adjust the boundaries between the RRv and the RI land use designations for selected parcels along Spinnaker Lane (Fidalgo Island) so that they align correctly with the appropriate parcel boundaries.

Proposal Recommendation:

**Approve re-designation from split RI/RRv designations to RRv (Rural Reserve) for the entire 30 acre parcel P32576 (the area proposed for redesignation totals approximately 2 acres).**

**Approve re-designation from split RI/RRv designations to RI (Rural Intermediate) for the entire 13.3 acre parcel P116518 (the area proposed for redesignation totals approximately .6 acres).**

**Maintain existing split RI/RRv designations for 20.9 acre parcel P32593. The parcel currently consists of approximately 5 acres of Rural Reserve and approximately 15 acres of Rural Intermediate.**

**5. Gregg Cooley/Frank Adams (See Map No. B – 5)**

Proposal Summary:

An existing area of Rural Business (RB) within the Alger Rural Village will be evaluated for retention/deletion as appropriate pursuant to the designation criteria. It appears that a mapping error occurred on the subject properties, based on confusion with other RB designated properties

in the direct vicinity, which lead to the current RB designation. The properties have no existing commercial use and are zoned Rural Village Residential on the majority of the parcels. There is an existing home on each parcel, which is not an allowed use in the RB zoning district unless associated with a commercial business. Permitting for improvements and/or accessory uses as desired by the owners is not possible with the current designation. The RB zone exists solely to recognize businesses in existence at the time of original adoption of the Comprehensive Plan (June of 1997) and does not appear to be an appropriate designation for these parcels.

#### Proposal Analysis:

This County-initiated map amendment is intended to correct a split or dual zoning issue. Except for limited cases generally relating to Natural Resource Lands, it is desirable to have designation boundary lines follow existing parcel lines for the purposes of applying land use regulations. The purpose of this proposed change is to correct the inadvertent split zoning of parcel(s) with two separate map designations. The proposal will change small portions of each property so that the entire property has a single designation. Split zoned parcels complicate the processing of development permits and application of the zoning code to those properties. Eliminating these problematic situations provides for less confusion with landowners as well as County permitting staff.

The first parcel in question is P70395. A 1.4 acre platted lot owned by Karen Cooley. The parcel has split RVR/RB designation. RVR is Rural Village Residential and RB is Rural Business. The parcel is located in the Alger Rural Village. The parcel contains an existing single family home (1601 Old Highway 99 North) on the lower portion of the property (the area that appears to be designated RB) and a large 3 stall garage and mobile home on the upper portion of the property (the area that appears to be designated as RVR). The RB designation is intended to recognize isolated rural businesses in existence at the time the Skagit County Comprehensive Plan was initially adopted (June 1997). There are no records indicating that the parcel was a legal business operating in June 1997 and therefore it does not qualify for RB land use designation. County records indicate that the large garage was permitted as a residential use, not as a business. There are no County permitting records for the existing mobile home located behind the garage. Records indicate the property is served by both public water (PUD No.1) and public sewer (Samish Water District).

The applicant has applied for an Accessory Dwelling Unit (ADU) permit and a corresponding boundary line adjustment to locate another manufactured home on the upper portion of the property apparently designated RB. The RB zone does not allow ADUs as it was intended to acknowledge existing businesses not residential uses. This analysis does not seek to comment on the applicability or veracity of the ADU permit application or the BLA application. Nevertheless, those applications cannot move forward until the split zoning issue is resolved.

It appears, in this case, that a mapping error occurred during the initial GMA comprehensive plan land use map designation process. The entire parcel (P70395) should be designated Rural Village Residential (RVR) to reflect the historic and current use of the parcel.

Associated with this issue is an adjoining parcel (P116893) owned by Mr. Frank Adams that also appears to have split RVR/RB designation that does not follow the parcel boundary. This parcel is 1.97 acres and contains an existing manufactured home. The lower portion of the property appears to have RB designation and the remaining upper portion of the property RVR designation. It appears that the RB designation is a mapping error associated with the same mapping error on the Cooley parcel. The entire parcel (P116893) should be designated Rural Village Residential (RVR) to reflect the historic and current use of the parcel.

Proposal Recommendation:

**Approve re-designation from split RVR/RB designations to only RVR (Rural Village Residential) for the entirety of the parcels shown on Map B - 5 and indicated below:**

- P70395 (1.4 acres)
- P116893 (1.97 acres)

**6. Bill Schmidt and surrounding (See Map No. B- 6)**

Proposal Summary:

The area east of Walker Valley has been identified as containing a hard rock resource known as andesitic basalt. An area of approximately 288 acres in size will be considered for inclusion in the Mineral Resource Overlay (MRO). The parcels proposed to be included in the MRO range from 20 acres to 80 acres in size and are designated either Secondary Forest-NRL or Industrial Forest-NRL. The discovery of the outcropping of minerals in this area was made after public comment had concluded on the 2005 GMA Update and was therefore deferred for a future amendment cycle. The Department believed that the comments deserved further review and agreed to recommend this as a county-initiated amendment in the next available Comprehensive Plan amendment cycle. Findings regarding the presence of mineral on the property will be reviewed against the designation criteria for the MRO to determine the appropriateness of an overlay designation for the area.

Proposal Analysis:

This proposed MRO designation includes the following six parcels:

<b>Parcel Number</b>	<b>Size</b>	<b>Property Owner</b>	<b>Comprehensive Plan Map Designation</b>
P30602	80 acres	WA DNR	IF-NRL
P30603	78 acres	William Schmidt <sup>1</sup>	IF-NRL
P30604	80 acres	WA DNR	IF-NRL
P30606	21 acres	William Schmidt	SF-NRL

<sup>1</sup> In the interest of full public disclosure, Mr. William Schmidt, owner of parcels P30603, P30606 and P107935 contained in this proposal, is a member of the Skagit County Planning Commission.

Parcel Number	Size	Property Owner	Comprehensive Plan Map Designation
P107935	29.5 acres	William Schmidt	SF-NRL

There are no improvements on any of the parcels in question. All of the parcels are designated either IF-NRL or SF-NRL. No changes to the allowable residential densities on the underlying parcels in question are proposed or considered as part of this proposal.

MRO designation is guided by criteria and policies in the Comprehensive Plan (CP) as discussed below.

**Policy 4D-1.1 Mineral Resource Designation Criteria**

This policy establishes criteria based on geologic, environmental and economic factors, existing land uses, surrounding parcel sizes, and other factors. Designating mineral resources of long-term commercial significance is required by the GMA and is not limited by a projection of need. Like agricultural and forest lands, mineral resources are to be protected for the long-term. This policy establishes criteria relating to the marketability as well as the type, volume and value of the mineral resource.

In this case, a licensed geologist from Skagit County Planning and Development Services conducted a geologic investigation of the parcels in question based on both geologic map review and field verification. That investigation confirmed the presence of hard rock minerals consisting of andesitic basalt (greenstone) of sufficient quantity and quality on the parcels in question to meet the MRO designation criteria of CP Policy 4D-1.1.

**Policy 4D-1.2 Standards for Geologic Information**

Adequate information for the purpose of designating areas within the Mineral Resource Overlay shall consist of, but not be limited to, site-specific information prepared by a licensed geologist, U.S. geological survey maps, and/or information on file with the Washington Department of Natural Resources.

In this case, both map review and field verification by a professional licensed geologist (John Cooper, Skagit County PDS) indicates that the U.S. Geological Survey maps of the area omitted the true extent of the mineral resource on the parcels in question. Field verification, which is more accurate than broader scale geologic bedrock mapping, confirms the presence of the mineral resource in sufficient quantity and quality to meet the MRO designation criteria.

**Policy 4D-1.3 Mineral Resource Designation Considerations**

This policy requires that all lands meeting the criteria in Policy 4D-1.1 above, shall be further reviewed considering the following additional criteria.

4D-1.3	MRO-NRL Designation Considerations	Proposal Evaluation
a)	<i>General land use patterns in the area;</i>	
(i)	<i>Designate MRO only on lands designated as Industrial Forest, Secondary Forest, or Rural Resource</i>	All of the parcels in question are designated either IF-NRL or SF-NRL.

4D-1.3	MRO-NRL Designation Considerations	Proposal Evaluation
(ii)	<i>Designate MRO lands outside National Park Service lands, National Forest Service lands, Wild and Scenic corridors, Agricultural Resource lands, and Open Space of Regional/Statewide Importance</i>	None of the parcels in question are within the limiting land use categories indicated.
(iii)	<i>Residential gross densities for land designated as MRO shall be no greater than 1 residential dwelling unit per 10 acres.</i>	Gross residential density in the IF-NRL designation is one unit per 80 acres. Gross residential density in the SF-NRL designation is one unit per 20 acres.
(iv)	<i>The preferred land uses adjacent to designated mining sites are open space, forestry, or industrial uses.</i>	Land uses to the north, east and south of the parcels in question consist of forestry or open space. Land uses to the immediate west of the parcels in question include the Fire Mountain Boy Scout Camp located around (man-made) Lake Challenge.
b)	<i>Surrounding parcel sizes and surrounding land uses. Designate MRO lands in areas with surrounding land uses that have a maximum designated density of 1 residence per 10 acres. Appropriate surrounding land use zoning for MRO lands include: Industrial Forest, Secondary Forest, Rural Resource, Rural Reserve, Natural Resource Industrial and other industrial uses;</i>	The entire area immediately surrounding the parcels in question is designated as either IF-NRL or SF-NRL, including the Fire Mountain Boy Scout Camp which is designated SF-NRL and operates under a special use permit.
c)	<i>Availability of public roads and other public services. Although mining within one to two miles of public roads is preferred, designation of mineral resources beyond this range may be necessary to preserve resources for future use;</i>	Access to the parcels in question is provided by private roads that extend from the terminus of Walker Valley Road at the Fire Mountain Boy Scout Camp. The parcels in question are all located within 1-2 miles of the Walker Valley Road terminus.
d)	<i>Division or zoning for urban or small lots. Designate MRO areas ¼ mile away from Rural Villages, Rural Intermediate, and Urban Growth Areas, except in limited cases where pre-existing MRO areas may be retained to address unique economic circumstances or proximity-to-market. Conservation and Reserve Developments are acceptable on and within ¼ mile of MROs, provided that the allowed density (with or without a density bonus) does not exceed 1 dwelling unit per 10 acres.</i>	The parcels in question are all located well more than ¼ mile from any of the referenced land use designations. However, the southwestern-most adjacent parcel to the proposal is a 39 acre SF-NRL parcel (P30605) located within ¼ mile of the Fire Mountain Boy Scout Camp. This parcel is also owned by the Boy Scouts of America.
e)	<i>Accessibility and/or distance from point of use. Although mining is preferred within two hours driving distance from incorporated cities or other points of use, designation of mineral resources beyond this range may be necessary to preserve resources for</i>	All of the parcels in question are within one-hour driving time to Interstate 5 and the City of Mount Vernon.

4D-1.3	MRO-NRL Designation Considerations	Proposal Evaluation
	<i>future use;</i>	
f)	<i>Physical and topographic characteristics of the site or area do not preclude mining;</i>	The parcels are located along steep slopes with an approximate 500-foot vertical elevation gain from southwest to northeast. However, most of the parcels in question have been logged and are already accessed by private logging roads.
g)	<i>Depth of the resource or its overburden does not preclude mining;</i>	Geologic site investigation indicates that the mineral resource was visually present at the surface on the parcels in question (see memo from John Cooper to Guy McNally, September 26, 2007).
h)	<i>Physical properties (such as strength or durability) and quality of resource (such as the percentage of fines in the resource) is sufficient to be marketable;</i>	Geologic site investigation indicates that the mineral resource on the parcels in question appears to be of very high and sufficient quality to be marketable (see memo from John Cooper to Guy McNally, September 26, 2007).
k)	<i>Life of the resource is sufficient to be marketable;</i>	Geologic site investigation indicates that the mineral resource on the parcels in question appears to be extensive and of sufficient quantity to be marketable (see memo from John Cooper to Guy McNally, September 26, 2007).
l)	<i>Resource availability in the region. All mineral resources of long-term commercial significance are designated. This helps to ensure that resources are available, and local industry can be responsive to future demand;</i>	Geologic site investigation indicates that the mineral resource on the parcels in question appears to be of sufficient quality and quantity to warrant MRO designation (see memo from John Cooper to Guy McNally, September 26, 2007).
m)	<i>Policies and regulations are in place to mitigate the potential effects of sediments and pollutants on public drinking water.</i>	MRO designation does not, in and of itself, authorize mining activities. SCC 14.16.440 contains the applicable requirements to regulate potential mining activities, including required setbacks, buffers, drainage, sedimentation and erosion control, and reclamation.

The parcels in question appear to meet the MRO designation criteria. However, one concern is the proximity of the proposed MRO designation (and implied future mining activities) to the pre-existing Fire Mountain Boy Scout Camp. It is unknown how potential future mining activities on the steep slopes of the parcels in question (immediately uphill from the camp) would impact the

future use and enjoyment of the Boy Scout Camp. It will be important to hear the Scouts' viewpoint on this proposal during the public comment period.

Proposal Recommendation:

**Approve Mineral Resource Overlay (MRO) designation for the parcels shown on Map B - 6 and indicated below:**

- P30602
- P30603
- P30604
- P30606
- P107935

**7. Sauk River (See Map No. B - 7)**

Proposal Summary:

An area along State Route 530 east of the Sauk River consisting of parcels currently zoned Secondary Forest-Natural Resource Land will be considered for redesignation to Rural Reserve. The area includes several platted lots approximately 3 acres or less in size. Similar parcels to the north were redesignated through the 2005 GMA Update process. The properties are used for residential and/or recreation and are isolated between the river and the highway. In order to achieve consistency of zoning with like parcels in the area as well as acknowledgement of existing development patterns, it appears that a redesignation is appropriate.

Proposal Analysis:

There are seven parcels in this proposal fronting between the Sauk River and SR 530 ranging in size from approximately 1 acre to 3.5 acres. The parcel inventory includes:

- P31053—2.9 acres
- P31052—3.2 acres
- P31051—2.8 acres
- P31072—3.5 acres
- P31059—1.55 acres
- P31060—1.1 acres
- P31061—1.8 acres

The average existing parcel size is 2.5 acres which is considerably closer to the 10 acre minimum parcel size in RRv than it is to the 20 acre minimum density for SF-NRL. Four of the seven parcels already have a home situated on them. There is potential for three new homes to be built on the three undeveloped parcels—regardless of whether the parcels remain in SF-NRL or are re-designated to RRv. The parcels are not of sufficient size to qualify for CaRD density bonuses. The parcels slope gently down to the river from the highway in sharp contrast to the very steep slopes of the SF-NRL lands on the other side of the highway.

Analysis of their compliance with the SF-NRL designation criteria is shown in the following table.

4B-1.3	SF-NRL Designation Criteria	Proposal Evaluation
a)	<i>Secondary Forest lands are derived from initially designated Industrial Forest lands, and are located primarily within a ¼ mile band at the perimeter of Industrial Forest lands which contain one or more of the following characteristics:</i>	
(i)	<i>The area contains WA State Department of Revenue – Private Forest Land Grade (PFLG) soils 1-5.</i>	All seven parcels are underlain by PFLG 1-3 soil types.
(ii)	<i>The area includes lands which are primarily devoted to and used for growing and harvesting timber.</i>	Although most of the parcels are wooded to some degree, none are utilized solely for growing or harvesting timber.
b)	<i>The above described parcels shall be further evaluated for inclusion or exclusion based on the following additional factors:</i>	
(i)	<i>The parcel is enrolled in a current-use tax assessment program under the provisions of RCW 84.33 and 84.34 as it pertains to forestry. Such current-use tax assessment status is not by itself a sufficient determining factor for inclusion or exclusion, but is only part of the relevant characteristics to be considered.</i>	None of the parcels are enrolled in the Skagit County current-use tax assessment program.
(ii)	<i>The area has limited public services and facilities (although the area may be located within a public water district).</i>	None of the parcels are located within or served by a water or sewer district.
(iii)	<i>Secondary Forest lands need not be designated adjacent to Agricultural lands.</i>	There are no designated Ag-NRL lands in the area.
c)	<i>Parcels that do not meet any of the criteria described above in (a) or (b) may still be included or excluded to provide logical boundaries to the Secondary Forest lands designation and to avoid small “islands” or “peninsulas” of conflicting non-resource land uses in the midst of resource lands. Isolated, pre-existing residences shall not preclude the adjacent forest land areas from being classified Secondary Forest.</i>	The parcels in question are located immediately south of and adjacent to an area of existing small platted rural residential lots designated RRv. Across SR 530 are designated SF-NRL and IF-NRL lands on very steep slopes.

In this case, close scrutiny of the parcels in question indicates that the SF-NRL designated parcels in question fall well below the parcel size threshold for SF-NRL lands and, in fact, the parcels in question are not actively managed forest lands, nor were they likely in such use at the time of their original designation. This amendment proposal corrects a logical boundary interpretation originally made between true forest management-related resource lands (located on the large



forested tracts on the opposite side of SR 530) and those rural lands occasionally used for forest-related purposes, but predominantly in rural residential or recreational use (located on the much smaller parcels between the highway and the Sauk River). In this case, SR 530 functions as a clear boundary distinguishing not only parcel size but also parcel use and function in this area. This amendment proposal simply corrects the logical boundary line interpretation between true SF-NRL and RRv uses. Re-designation of these small parcels from SF-NRL to RRv does not harm the functions of the adjacent large block SF-NRLs.

Proposal Recommendation:

**Approve re-designation from SF-NRL to RRv for the parcels shown on Map B - 7 and indicated below:**

- P31053—2.9 acres
- P31052—3.2 acres
- P31051—2.8 acres
- P31072—3.5 acres
- P31059—1.55 acres
- P31060—1.1 acres
- P31061—1.8 acres

**8. State Parks to OSRSI (See Map No. B - 8a-8d)**

Proposal Summary:

There are several instances in the County where state parks do not currently hold the OSRSI designation and are instead erroneously zoned with miscellaneous rural- or resource-type designations. Based on a comment letter from Washington State Parks received during the 2006 GMA Update process, each state park has been reviewed for possible inclusion in the OSRSI zoning district as appropriate. Maintaining rural designations can pose difficulties for parks that seek to expand or develop as often park-type uses are not allowed at all or are only allowed through very extensive permitting processes.

Proposal Analysis:

The designation of Public Open Space of Regional/Statewide Importance (OSRSI) is intended for lands in public ownership that, “because their recreational, environmental, scenic, cultural and other open space benefit[s] extend beyond the local area to be regional or statewide in significance.” (CP policy 2B-1.2) The Department finds that the subject properties below meet the OSRSI designation criteria found in 2B-1.1 and 2B-1.2; and that designation is supported by Washington State Parks.

There are four specific instances where the change to OSRSI is proposed:

**a. Larrabee State Park, Washington State Parks (See Map B-8a)**

Parcel number P47650 is located within Larrabee State Park and is owned by Washington State Parks. P47650 is 40 acres in size and is currently designated SF-NRL and should be redesignated to OSRSI. This change from a natural resource land designation to OSRSI is consistent with

SCC 14.08.020(5)(d)(iii) and (iv), which requires that “[a]ny proposed natural resource land map designation changes shall recognize that natural resource land designations were intended to be long-term designations and shall further be dependent on [one] or more of the following:

- (iii) *An error in initial designation* [lack of recognition of Washington State Parks’ ownership of the property, and]
- (vi) *New information on natural resource land or critical area status* [that the parcel is owned by Washington State Parks and belongs, like the rest of Larrabee State Park, in the OSRSI designation.].

**b. Cone Islands State Park, Washington State Parks (See Map B-8b)**

Parcels P46504 and P46505 are three small islands referred to as the Cone Islands and are located off the eastern shores of Cypress Island. P46504 includes both Cone Islands nos. 1 and 2 which are 3.3 acres combined, and P46505 is solely Cone Island no. 3 which is 0.66 acres (for a total of 3.69 acres). All three islands are owned by Washington State Parks and are currently designated Rural Reserve (RRv). Because they are owned by Washington State Parks, they would be more appropriately zoned as OSRSI. This redesignation is consistent with SCC 14.08.020(5)(3)(iii) and (iv) for the reasons cited above.

**c. O’Brien-Riggs State Park, Washington State Parks (See Map B-8c)**

P45313, 45303, and 45546 are all owned by Washington State Parks and are part of O’Brien-Riggs State Park. These parcels are located east of the Skagit River off of Rockport Cascade Rd. and on Willow Lane in Marblemount. Parcels P45313 and 45546 are zoned Rural Reserve (RRv) and should be changed to OSRSI. P45303 is zoned Rural Resource- Natural Resource Land, and has a Mineral Resource Overlay (MRO) designation. This parcel should be rezoned to OSRSI, and the MRO should be removed because SCC 14.16.440 Mineral Resource Overlay states that the MRO layer may only overlay Natural Resource Lands.

**d. Rockport State Park, Washington State Parks (See Map B-8d)**

Parcels P44684 and P90165 are both owned by Washington State Parks . These parcels are located off of State Route 20 in Rockport and are part of Rockport State Park. P44684 is currently designated Industrial Forest-NRL with a Mineral Resource Overlay. P90165 is designated both SF-NRL and IF-NRL with a MRO. All three parcels should be redesignated to OSRSI and have the MRO removed.

Proposal Recommendation:

**Redesignate the above-mentioned parcels owned by Washington State Parks and located within state parks boundaries to OSRSI.**

**9. Healy Road area (See Map No. B - 9)**

Proposal Summary:

The Secondary Forest-Natural Resource Land ‘band’ in the area northeast of Lyman near Healy Road will be evaluated for possible re-designation to Rural Resource-Natural Resource Land or

Rural Reserve. Due to existing parcel sizes and the general development pattern in the area, this analysis considers whether to shift the location of the ¼ mile SF-NRL band up one quarter section to the north. Many of the parcels currently designated SF-NRL in this area are used for residential purposes and are 1-2 acres in size. The larger parcels are generally mixed in use with small-scale agriculture and some timber as well as large critical areas including steep slopes and streams. This proposal considers whether some combination of Rural Resource and Rural Reserve may better recognize the existing uses in the area and provide for a more appropriate designation generally. This matter was deferred from the 2005 GMA Update process and was known as FO05-10/11.

Proposal Analysis:

This is a relatively large area of 27 different tax parcels comprising approximately 231 acres of land devoted to forestry, agriculture and residential use. This analysis seeks to identify those parcels which best fit the appropriate land use designation criteria based on their size, current use, natural features and consideration of logical boundaries.

The area is characterized by large relatively flat open grasslands and creek drainages that transition to steeply sloped forested hillsides and an elevated forested plateau. The area is drained by three streams—Jones Creek and two forks of Mannser Creek. Jones Creek is classified as a “low flow” stream by the Skagit County Critical Areas Ordinance (CAO). Low flow streams are classified as Category 1 Aquifer Recharge Areas in the CAO (SCC 14.24.310). The low flow stream mitigation requirements of the CAO [SCC 14.24.350(5)] prohibit CaRD density bonuses regardless of land use designation. In addition, SCC 14.24.350(5)(b)(vi) specifically states that “...[t]he County shall consider as part of its Comprehensive Plan limitations on the uses and densities within this designated low-flow stream corridor to limit new individual wells as necessary to protect base flows”. To maintain consistency with the CAO provisions, significant density increases should be avoided in the Jones Creek low-flow stream buffer that encompasses the area in question.

Analysis of parcel compliance with the SF-NRL designation criteria is shown in the following table.

4B-1.3	SF-NRL Designation Criteria	Proposal Evaluation
a)	<i>Secondary Forest lands are derived from initially designated Industrial Forest lands, and are located primarily within a ¼ mile band at the perimeter of Industrial Forest lands which contain one or more of the following characteristics:</i>	
(i)	<i>The area contains WA State Department of Revenue – Private Forest Land Grade (PFLG) soils 1-5.</i>	The entire area is underlain by PFLG 1-3 soils and/or prime farmland soils.
(ii)	<i>The area includes lands which are primarily devoted to and used for growing and harvesting timber.</i>	Timber management in the area is practiced primarily on the larger upland parcels located above the valley floor. The parcels on the

4B-1.3	SF-NRL Designation Criteria	Proposal Evaluation
		valley floor are utilized primarily for livestock grazing (especially horses), pasture and residential development.
b)	<i>The above described parcels shall be further evaluated for inclusion or exclusion based on the following additional factors:</i>	
(i)	<i>The parcel is enrolled in a current-use tax assessment program under the provisions of RCW 84.33 and 84.34 as it pertains to forestry. Such current-use tax assessment status is not by itself a sufficient determining factor for inclusion or exclusion, but is only part of the relevant characteristics to be considered.</i>	The following parcels are either enrolled in the Skagit County current-use tax assessment program related to forestry or classified as forest land for assessment purposes by the Skagit County Assessor: <ul style="list-style-type: none"> <li>• P101668—14.5 acres</li> <li>• PP40901—23 acres</li> <li>• P40902—35 acres</li> <li>• P40896—27 acres</li> <li>• P40895—13 acres</li> <li>• P40897—39 acres</li> <li>• P40905—39 acres</li> <li>• P40904—34 acres (ag.)</li> <li>• P102027—24 acres (ag.)</li> <li>• P40921—10 acres</li> </ul>
(ii)	<i>The area has limited public services and facilities (although the area may be located within a public water district).</i>	The area is not located within a public water or sewer system district.
(iii)	<i>Secondary Forest lands need not be designated adjacent to Agricultural lands.</i>	There are no designated Ag-NRL lands in the area although the adjacent area to the south of Hamilton Cemetery Road is characterized by small-scale agricultural uses and rural residential development.
c)	<i>Parcels that do not meet any of the criteria described above in (a) or (b) may still be included or excluded to provide logical boundaries to the Secondary Forest lands designation and to avoid small “islands” or “peninsulas” of conflicting non-resource land uses in the midst of resource lands. Isolated, pre-existing residences shall not preclude the adjacent forest land areas from being classified Secondary Forest.</i>	The majority of the parcels that remain in the SF-NRL designation are significantly smaller than those identified above, are characterized by existing residential development and small hobby farms—but are not in forest use or management. In fact much of the lower valley floor below the wooded slopes are cleared and in use as pastures for horses and other livestock. There is also a large wetland area associated with Mannser Creek that runs through the middle of this area. However, there is no clear boundary between the large block resource parcels and the

4B-1.3	SF-NRL Designation Criteria	Proposal Evaluation
		<p>smaller rural residential parcels. The current rural residential uses on the small parcels represent fragmentation of what were once large blocks of prime agricultural land. This is evidenced by the fact that the remaining large tracts are actively utilized for livestock grazing. In this case, the logical boundary criterion for SF-NRL is met due to the presence of small non-conforming parcels on the valley floor that constitute a <i>“peninsula of non-resource land uses in the midst of resource lands.”</i> Here also the criterion anticipates that in some cases, such as this one, the presence of <i>“pre-existing residences shall not preclude the...area from being classified SF-NRL.”</i> In this case, the application of the SF-NRL designation looks to have satisfied the desired ¼ mile buffer between the IF-NRL parcels and the RRv area to the south of Hamilton Cemetery Road by including those small non-conforming parcels north of the road within the overall SF-NRL designation. In this case, the GMA directive to protect resource lands is correctly adhered to by maintaining a logical boundary between resource and rural lands along Hamilton Cemetery Road.</p>

One public comment letter was received on this proposal when it was included in the 2005 CP Update docket. That was a letter from Mr. Ryan Jepperson, owner of P40897 (40 acres), opposing the proposed re-designation of large IF-NRLs and SF-NRLs to RRv in this area. See Appendix A for additional analysis regarding rural land and resource land interface.

Proposal Recommendation:

**Given parcel size, current use, natural features, the presence of critical areas, determination of logical boundaries between resource lands and rural lands and the GMA directive to**

**protect natural resource lands, the Department recommends no changes in the IF-NRL and SF-NRL designation pattern in the Hamilton Cemetery Road/Healy Road area.**

**Retain IF-NRL land use map designations for the following parcels:**

- P40902—35 acres
- P40903—4.1 acres
- P40895—12.7 acres
- P40896—27 acres

**Retain SF-NRL land use map designations for the following parcels:**

- P101668—14.5 acres
- P40901—23 acres
- P40905—39 acres
- P40904—34.4 acres
- P102027—23.5 acres
- P40897—39 acres
- P40914—20 acres
- P40887—1 acre
- P40910—1 acre
- P40889—1 acre
- P40923—1.3 acres
- P40892—1 acre
- P40921—10.7 acres
- P40922—1 acre
- P99863—1 acre
- P40888—1 acre
- P40917—2.4 acres
- P40918—2.5 acres
- P40920—4.9 acres
- P40915—3.9 acres
- P40916—4 acres
- P40935—0.9 acres
- P40919—0.9 acres

All of the small parcels (less than 10 acres) in the SF-NRL designation in this area are already developed to their maximum potential density under either SF-NRL or RRv. Therefore, there is no potential density gain to be obtained by rezoning them to RRv. Maintaining the current resource designations on the smaller parcels will have no adverse impact on rural character and will not adversely effect the ability for landowners to continue utilizing their property as they have been either for forestry, agriculture or residential uses. In addition, maintaining the IF-NRL and SF-NRL designations on the applicable large parcels already in that use conserves existing forest land (CP Policy 4B-3.1), reflects the consolidated ownership patterns in the area (CP Policy 4B-3.2), and is consistent with the designation and de-designation criteria for forest lands (CP Policy 4B-3.3). Maintaining consistent SF-NRL designation in this area reflects the intent of the Comprehensive Plan to discourage forest land fragmentation.

## **Part C: Alger Community Plan**

### **Consideration of the Proposed Alger Community Plan**

This proposal includes, for possible final adoption only, the Planning Commission-recommended Alger Community Plan. The Department issued a DNS on this proposal on September 27, 2007. The Alger Community Plan then underwent agency and public review, and the Planning Commission held a public hearing on October 23, 2007. Following that, the Planning Commission forwarded a

recommendation to the Board of County Commissioners (Skagit County Planning Commission Recorded Motion Recommending Approval of the Proposed Alger Community Plan, February 15, 2008) (Appendix B). The Board of County Commissioners reviewed the proposed plan and included it in this 2007 docket for final adoption in order to fulfill the applicable adoption requirements of SCC 14.08. These include SCC 14.08.030(1), which requires that “[a]ll amendment petitions...are to be considered in a single annual docket so that the cumulative impacts of the proposed amendments can be reviewed.”

The County does not intend for the Alger Community Plan to undergo a second public hearing, as this would be unnecessarily duplicative, except where further testimony may be offered relating to cumulative land use impacts or probable significant environmental impacts resulting from the combination of the Alger Community Plan with other proposed amendments in this 2007 Comprehensive Plan Amendment docket.

## **Part D: County-Initiated Policy Amendment Proposals**

### **1. Amendments to Comprehensive Plan Definitions (Comprehensive Plan Appendix A)**

The proposal updates Comprehensive Plan Appendix A – Acronyms and Definitions, to address omissions, errors or inconsistency with adopted policies and development regulations. The proposed amendments are shown on Attachment 2.

### **2. Consistency With 2008-2013 Capital Facilities Plan**

The proposed amendments to the Comprehensive Plan Capital Facilities Element and Profile are intended to ensure consistency with the recently adopted 2008-2013 Skagit County Capital Facilities Plan. The proposed amendments are shown on Attachment 3.

### **3. List of Pending Community Plans**

The proposal would amend Comprehensive Plan Chapter 12 – Plan Implementation and Monitoring, Policy 12A-4.2, to emphasize that the list of future community plans is not all-inclusive. The proposal also identifies the Lake Cavanaugh Rural Village as a potential future community plan to reflect Planning Commission findings regarding the potential need for commercial uses. The proposed amendment is shown below in underline/strikethrough format:

#### **Policy 12A-4.2**

The following areas and issues have been identified for future community planning, although no specific timing or order of priority has been established.  
Other areas may be identified in the future.

[Subsections (f) through (i) no change]

j. Lake Cavanaugh Rural Village. No commercial services currently exist within the Lake Cavanaugh Rural Village. A limited scope, or phased

community planning process may be necessary to assess the feasibility of establishing commercial services, including a community store, within the existing boundaries of the Rural Village. The feasibility study would include an assessment of the community's need for commercial services, whether there are suitable properties for such uses within the Rural Village, and property-owner interest in establishing such uses. If the establishment of commercial services within the boundaries of the Rural Village is determined infeasible, then consideration should be given to the feasibility of expanding the Rural Village to accommodate the commercial needs of the community.

#### **4. Urban Growth Area Modification Policies**

The proposal would amend Comprehensive Plan Chapter 2 – Urban, Open Space and Land Use, Policy 2A-1.2, to reflect adoption of urban growth area modification criteria developed and approved by the Skagit County Growth Management Act Steering Committee. The proposed amendment is shown below in underline/strikethrough format:

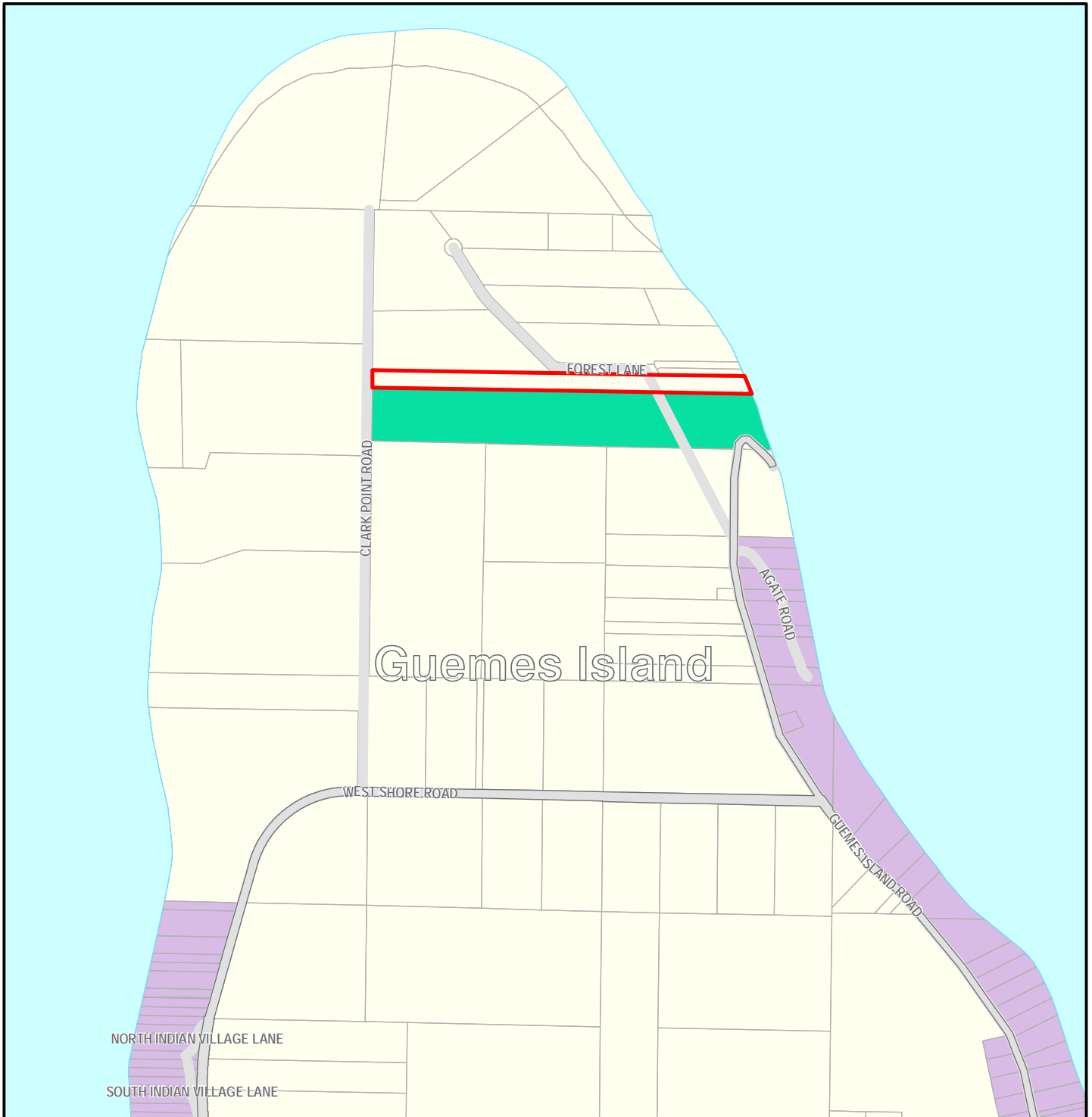
##### **Policy 2A-1.2**

Proposals for Urban Growth Area expansions shall be evaluated for their consistency with the ~~Work with the cities and towns to establish criteria for evaluating future proposals for~~ Urban Growth Area Modification Criteria developed and approved by the Growth Management Act Steering Committee. These criteria address issues ~~expansions~~ including: land capacity analysis; ability to provide urban services; impacts on critical areas, natural resource lands, and hazard areas; and compliance with related Countywide Planning Policies. Urban Growth Area expansion proposals shall demonstrate that expansion is necessary within the 20-year planning period, that public facilities and services can be provided concurrent with development, and that reasonable efforts have been made to encourage infill and redevelopment within existing Urban Growth Area boundaries before those boundaries can be expanded.



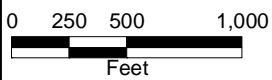
Individual Maps of Comprehensive Plan Map Amendment Proposals

# 2007 Comprehensive Plan Map Amendment Proposal



**Windward Group LLC**

From: Rural Reserve [RRv]  
To: Small-Scale Recreation  
& Tourism [SRT]



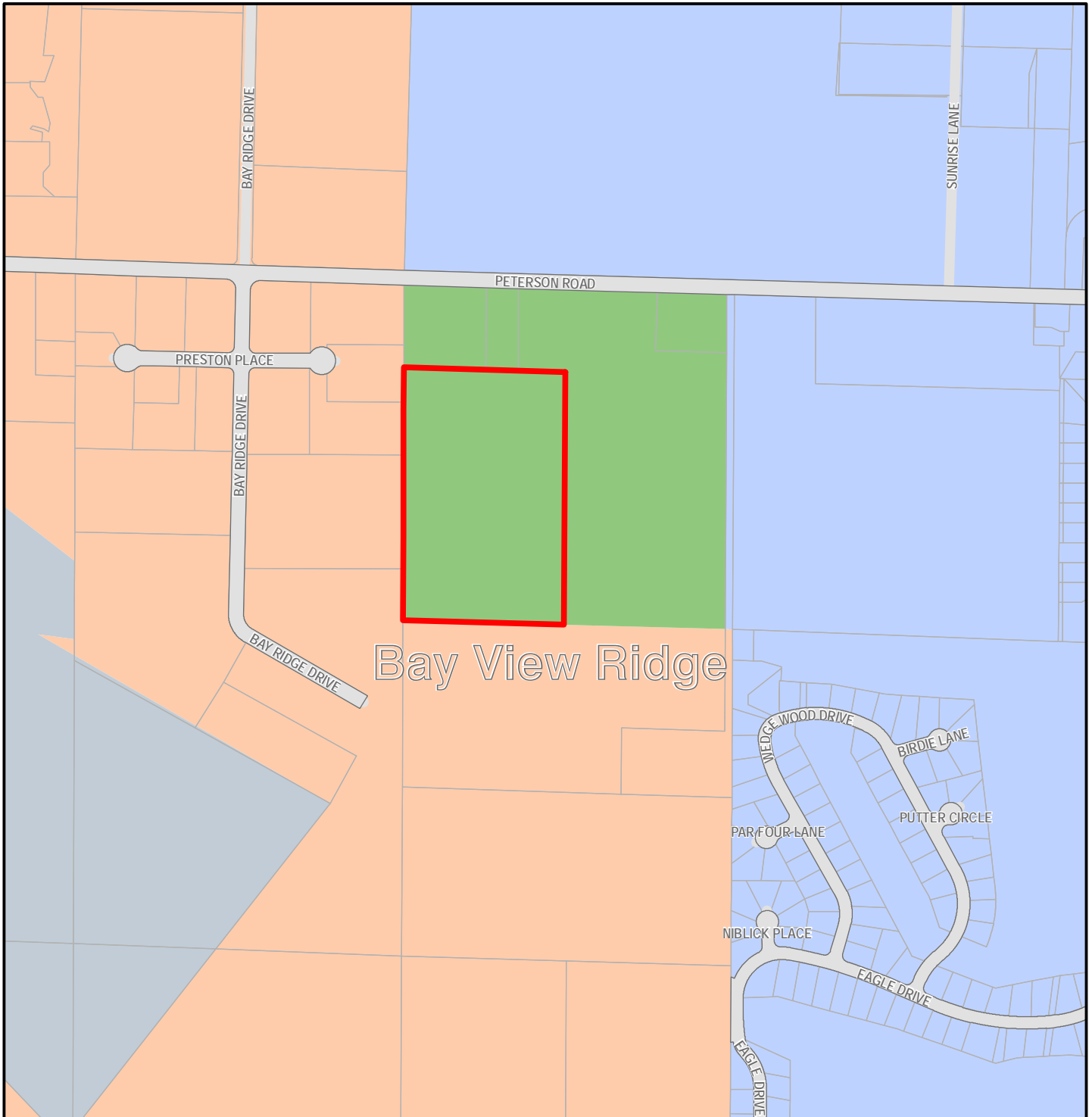
Proposal Area

**No Change Proposed  
(Conditional)**

**Part A: Map 1**

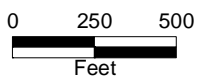
October 2008

# 2007 Comprehensive Plan Map Amendment Proposal



## Bouslog Investments

From: Bayview Ridge  
Community Center [BR-CC]  
To: Bayview Ridge  
Light Industrial [BR-LI]



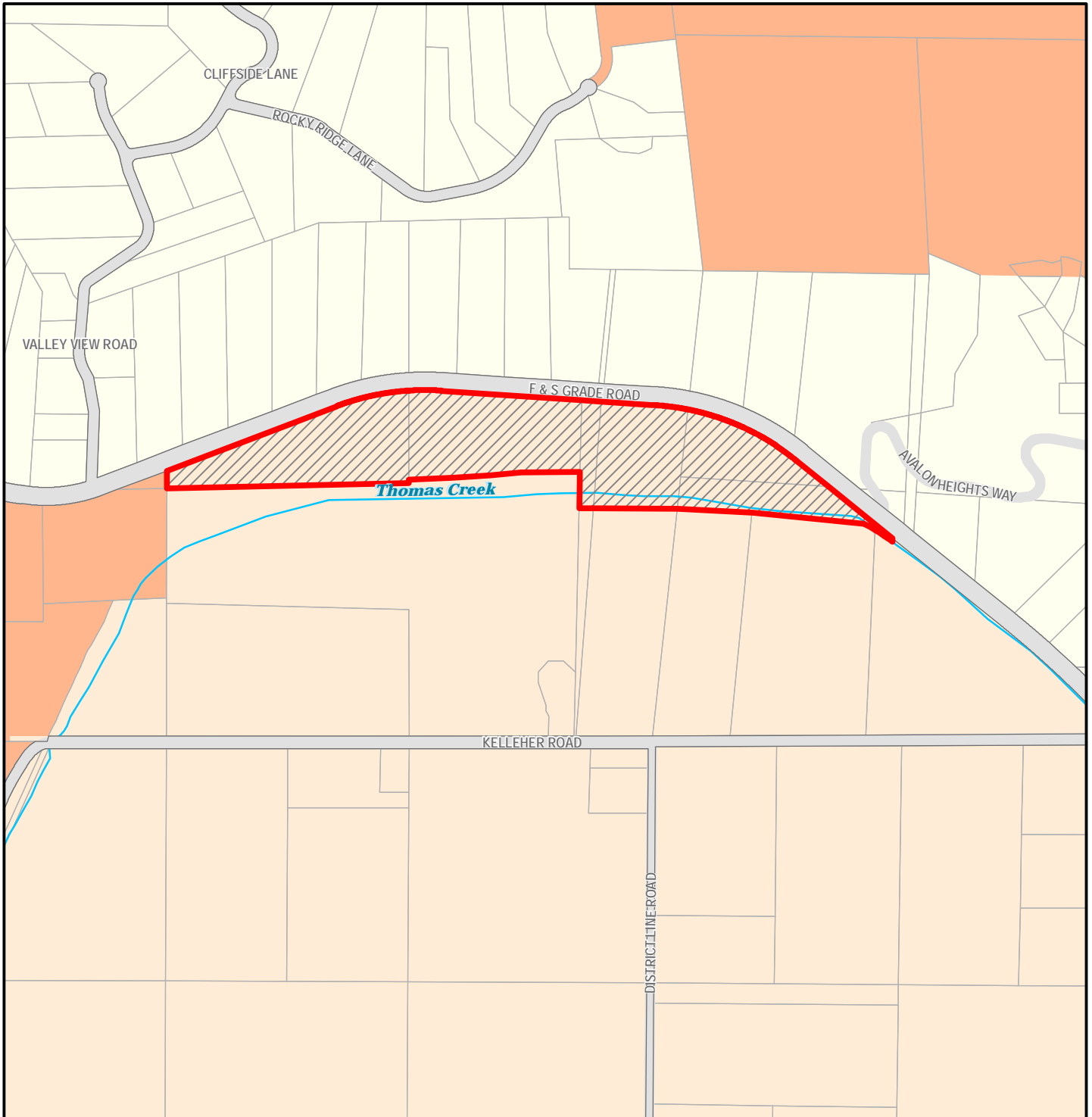
Proposal Area

**No Change Proposed**

**Part A: Map 2**

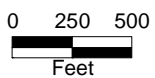
October 2008

# 2007 Comprehensive Plan Map Amendment Proposal



**MT Enterprises**

From: Agriculture [Ag-NRL]  
To: Rural Reserve [RRv]



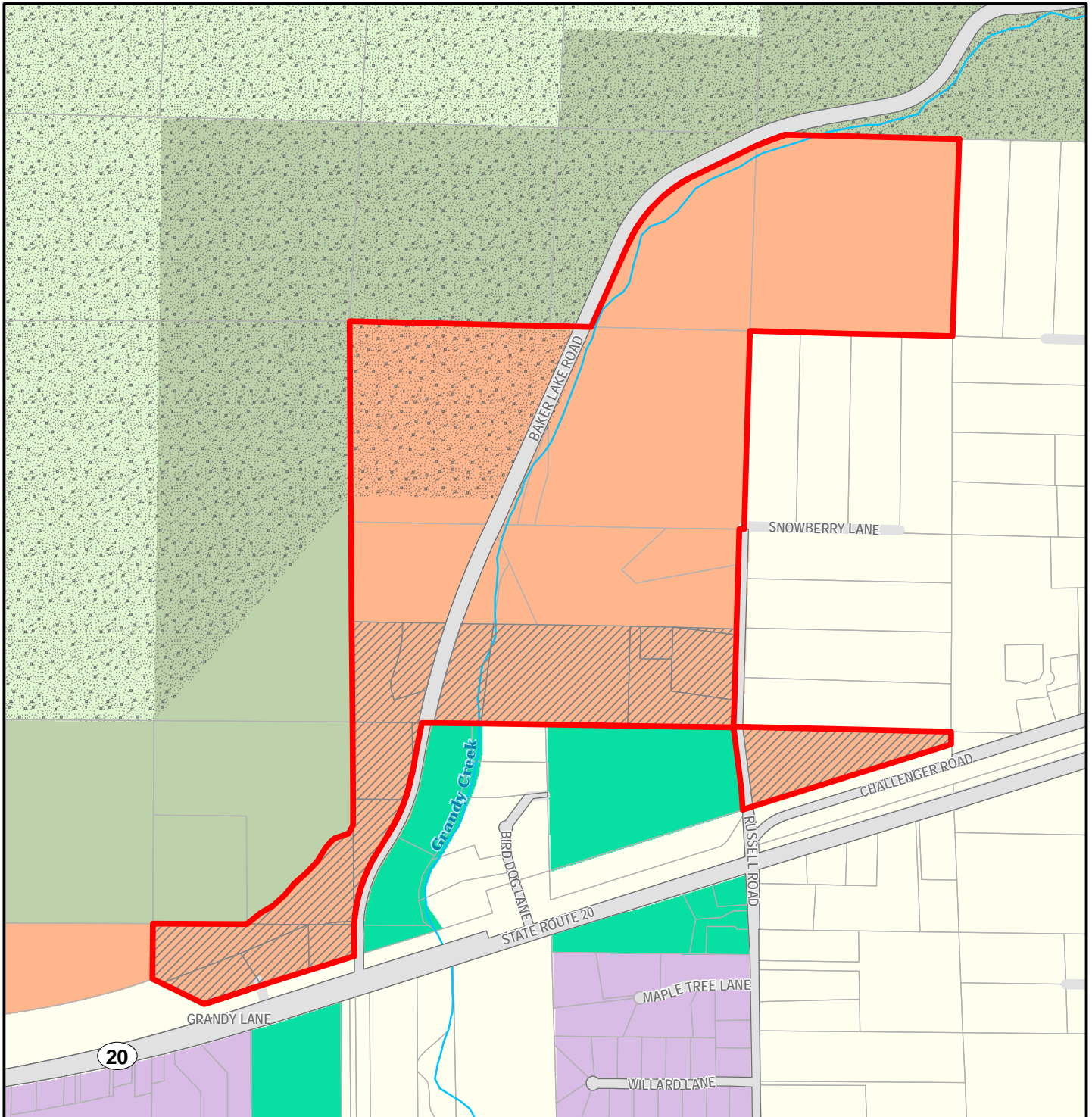
Proposal Area

PDS Recommended Zone Change

October 2008

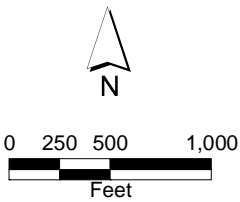
**Part B: Map 1**




# 2007 Comprehensive Plan Map Amendment Proposal



**Ron Bates**

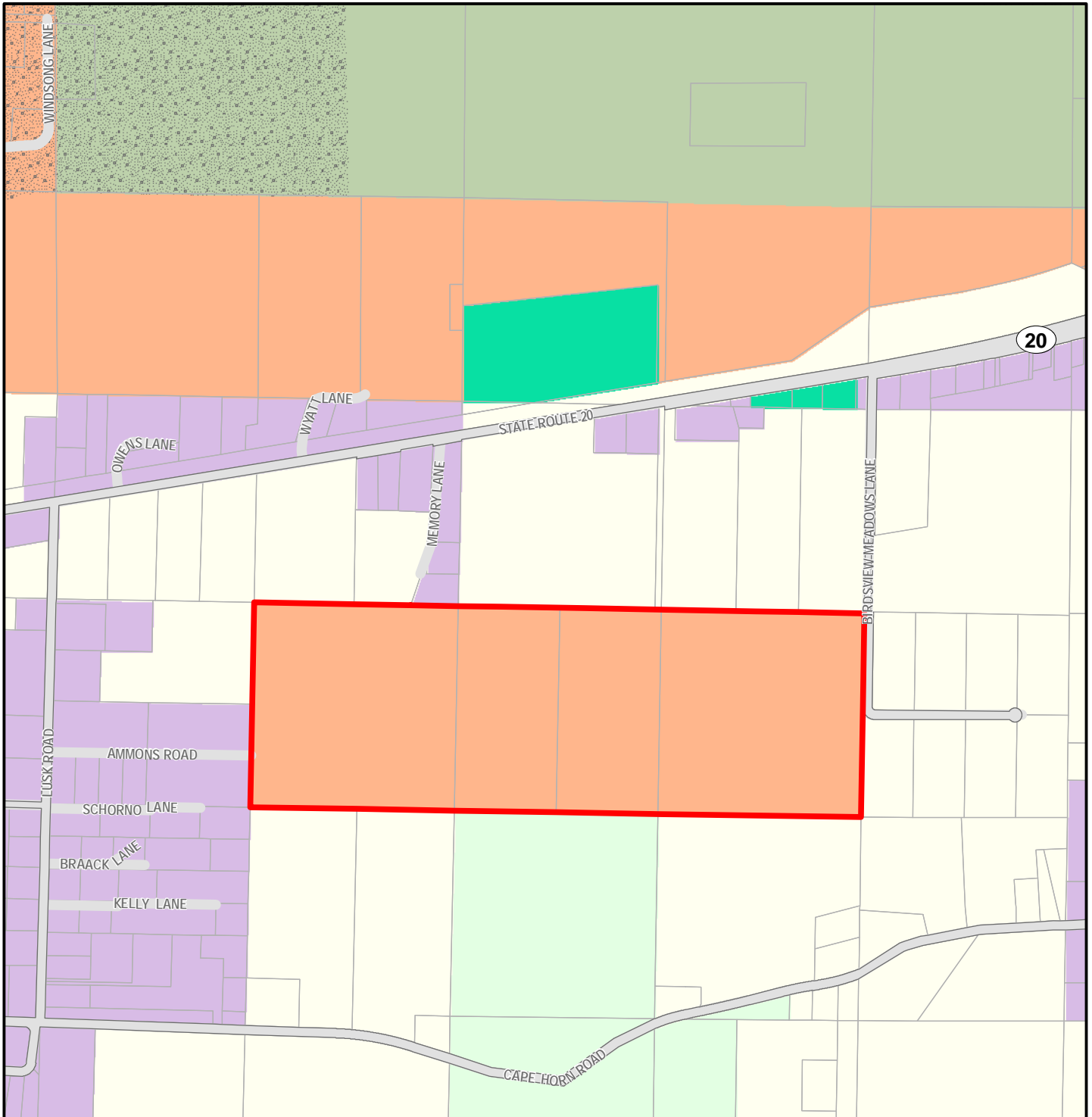
From: Rural Resource [RRc-NRL]  
To: Rural Reserve [RRv]



-  Proposal Area
-  PDS Recommended Zone Change
-  Mineral Overlay [MRO]

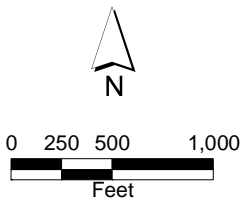
**Part B: Map 2**

# 2007 Comprehensive Plan Map Amendment Proposal



## Birdsview

From: Rural Resource [RRc-NRL]  
To: Rural Reserve [RRv]



Proposal Area



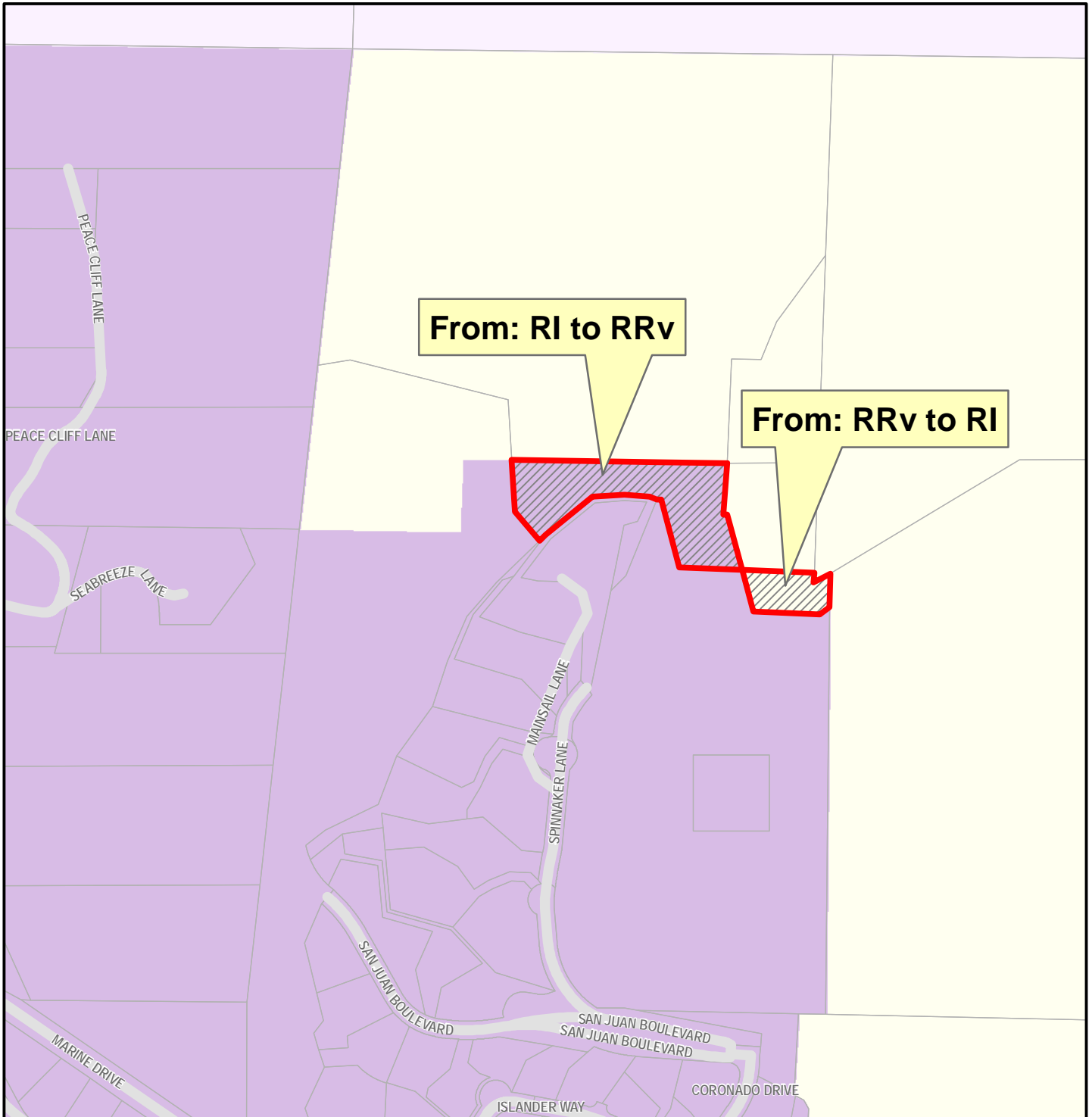
Mineral Overlay [MRO]

**No Change Proposed**

**Part B: Map 3**

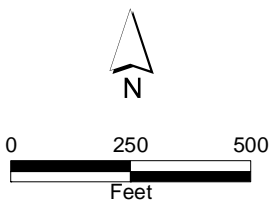
October 2008

# 2007 Comprehensive Plan Map Amendment Proposal



## Spinnaker Lane

From: Rural Reserve [RRv]  
& Rural intermediate [RI]  
To: Rural intermediate [RI]  
& Rural Reserve [RRv]



Proposal Area

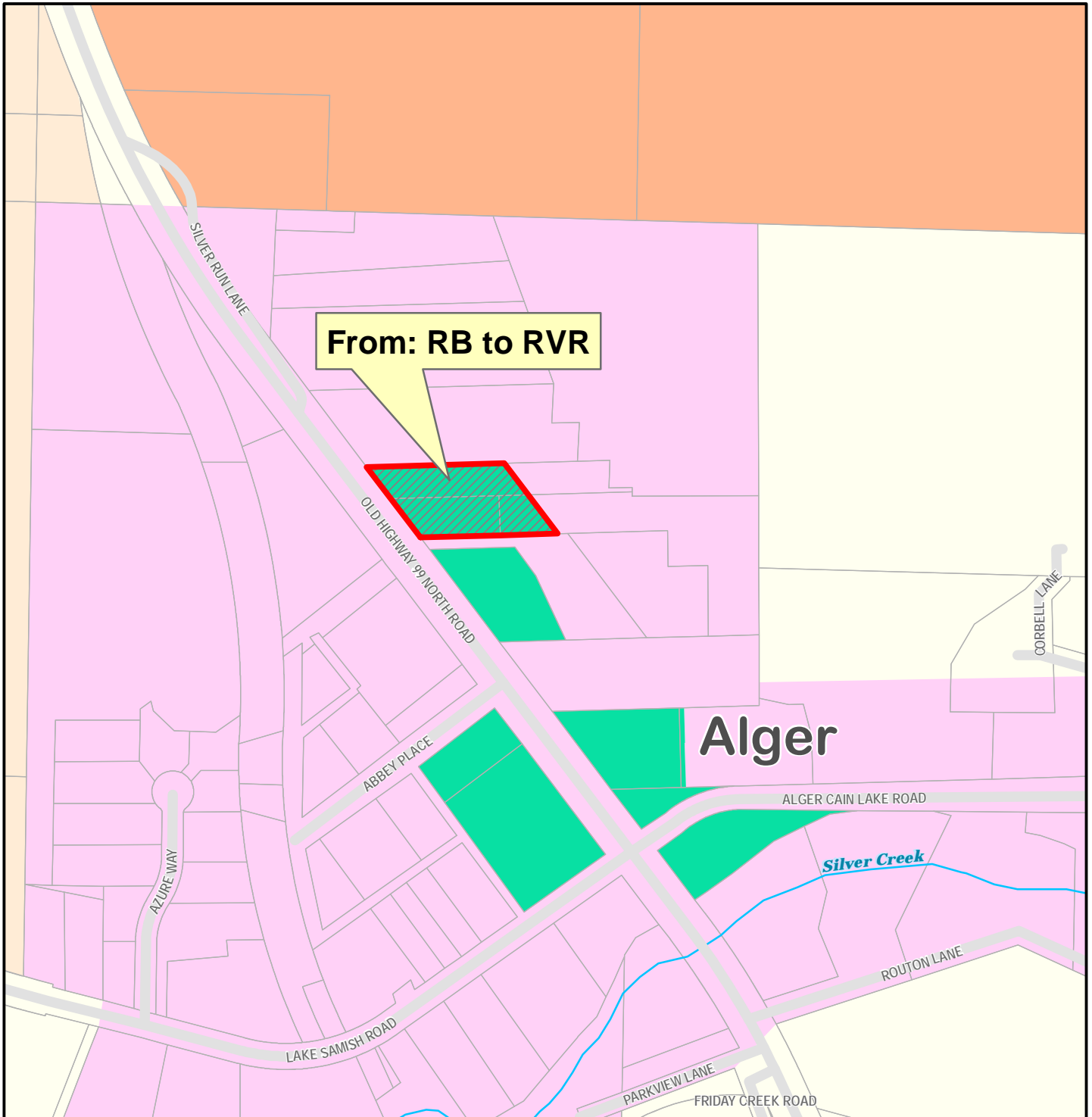


PDS Recommended Zone Change

October 2008

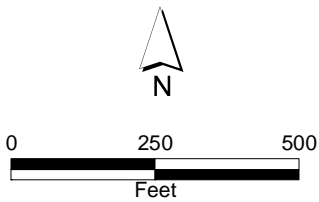
**Part B: Map 4**

# 2007 Comprehensive Plan Map Amendment Proposal



**Cooley / Adams**

From: Rural Business [RB]  
To: Rural Village Residential [RVR]

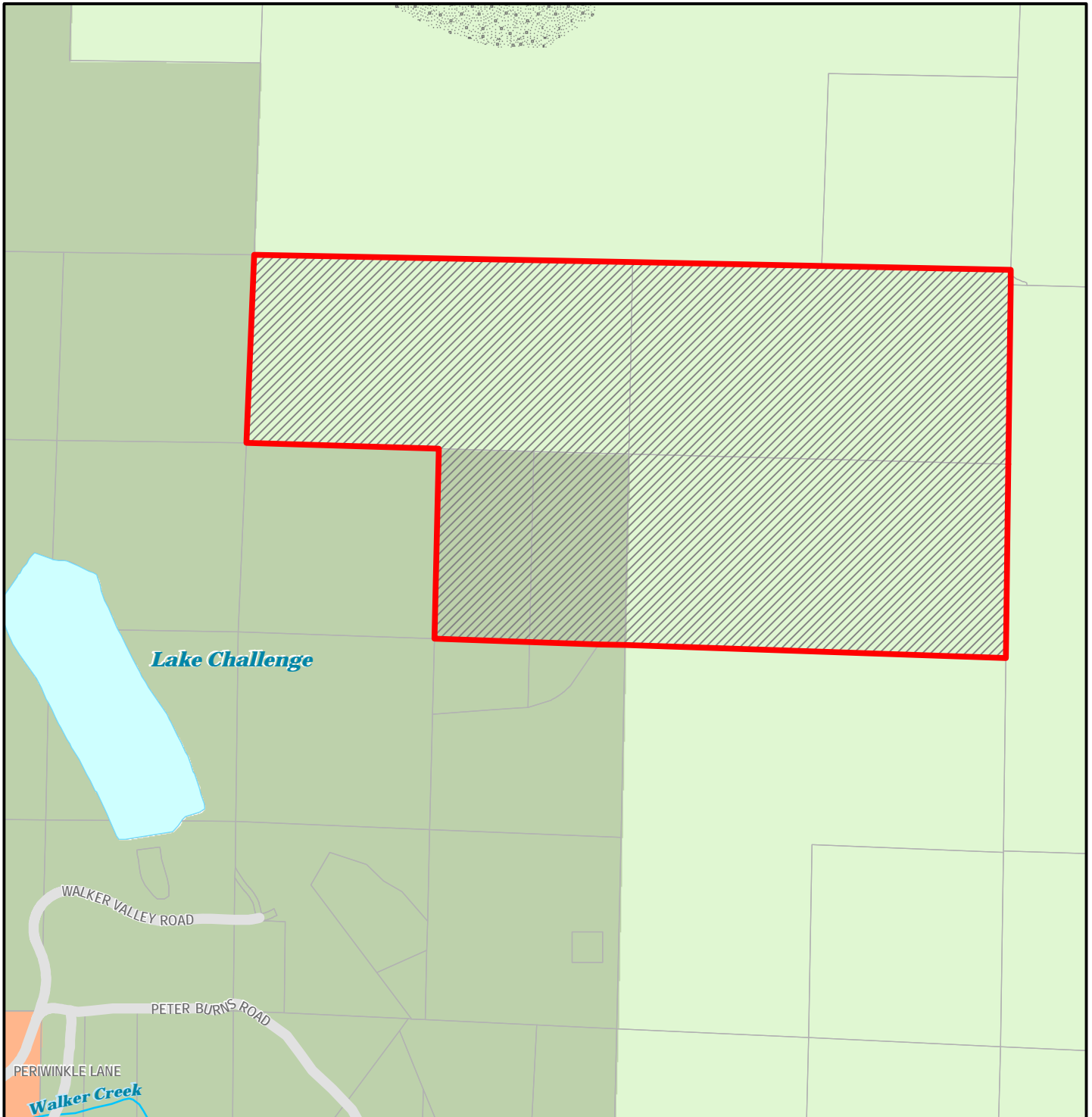


-  Proposal Area
-  PDS Recommended Zone Change

**Part B: Map 5**

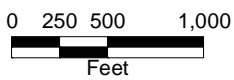


# 2007 Comprehensive Plan Map Amendment Proposal



**Bill Schmidt**

From: Secondary Forest [SF-NRL]  
& Industrial Forest [IF-NRL]  
To: Mineral Resource Overlay [MRO]



Proposal Area



PDS Recommended Zone Change

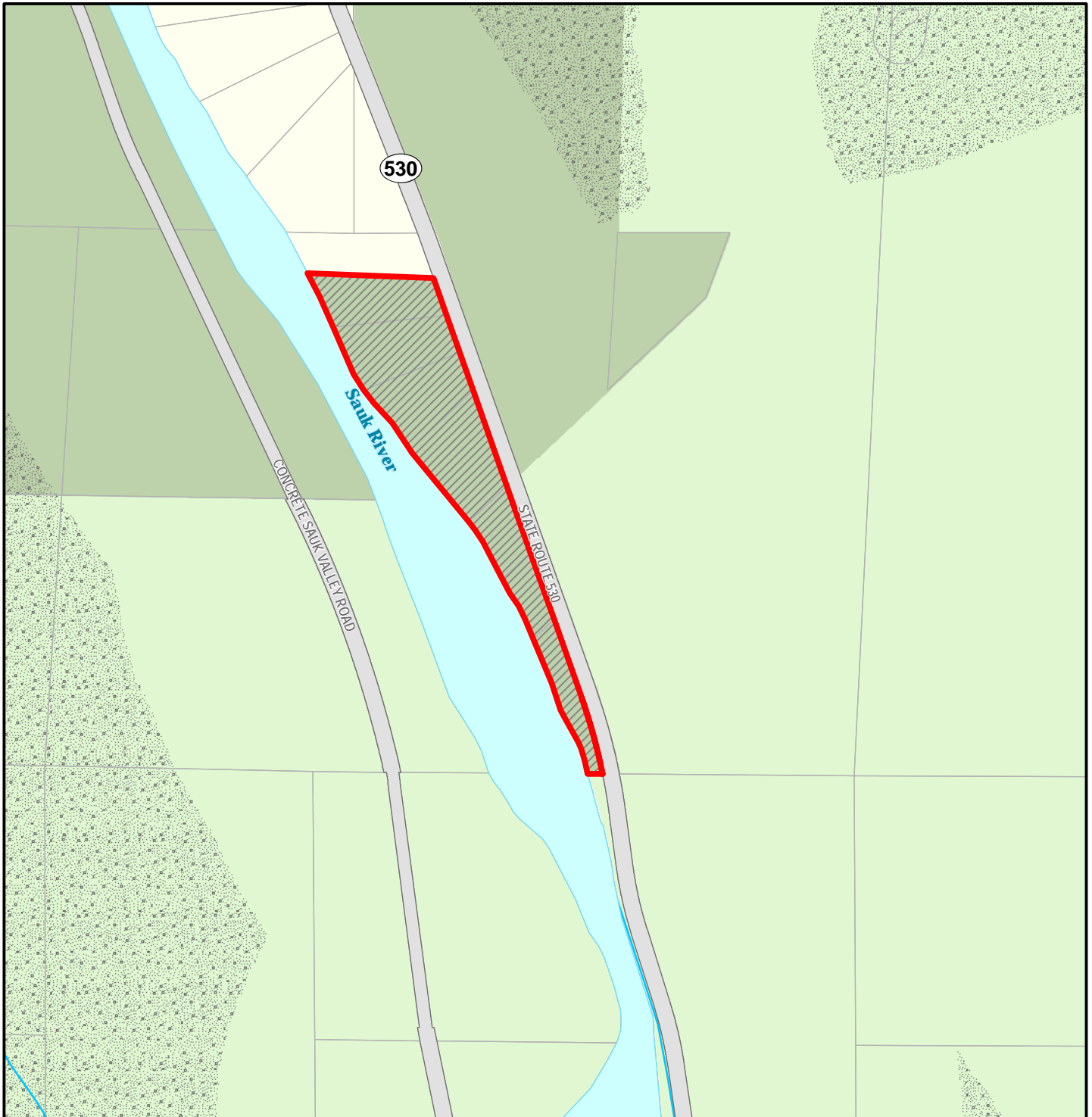


Mineral Overlay [MRO]

October 2008

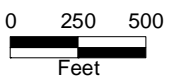
**Part B: Map 6**

# 2007 Comprehensive Plan Map Amendment Proposal



**Sauk River**

From: Secondary Forest [SF-NRL]  
To: Rural Reserve [RRv]



Proposal Area



PDS Recommended Zone Change

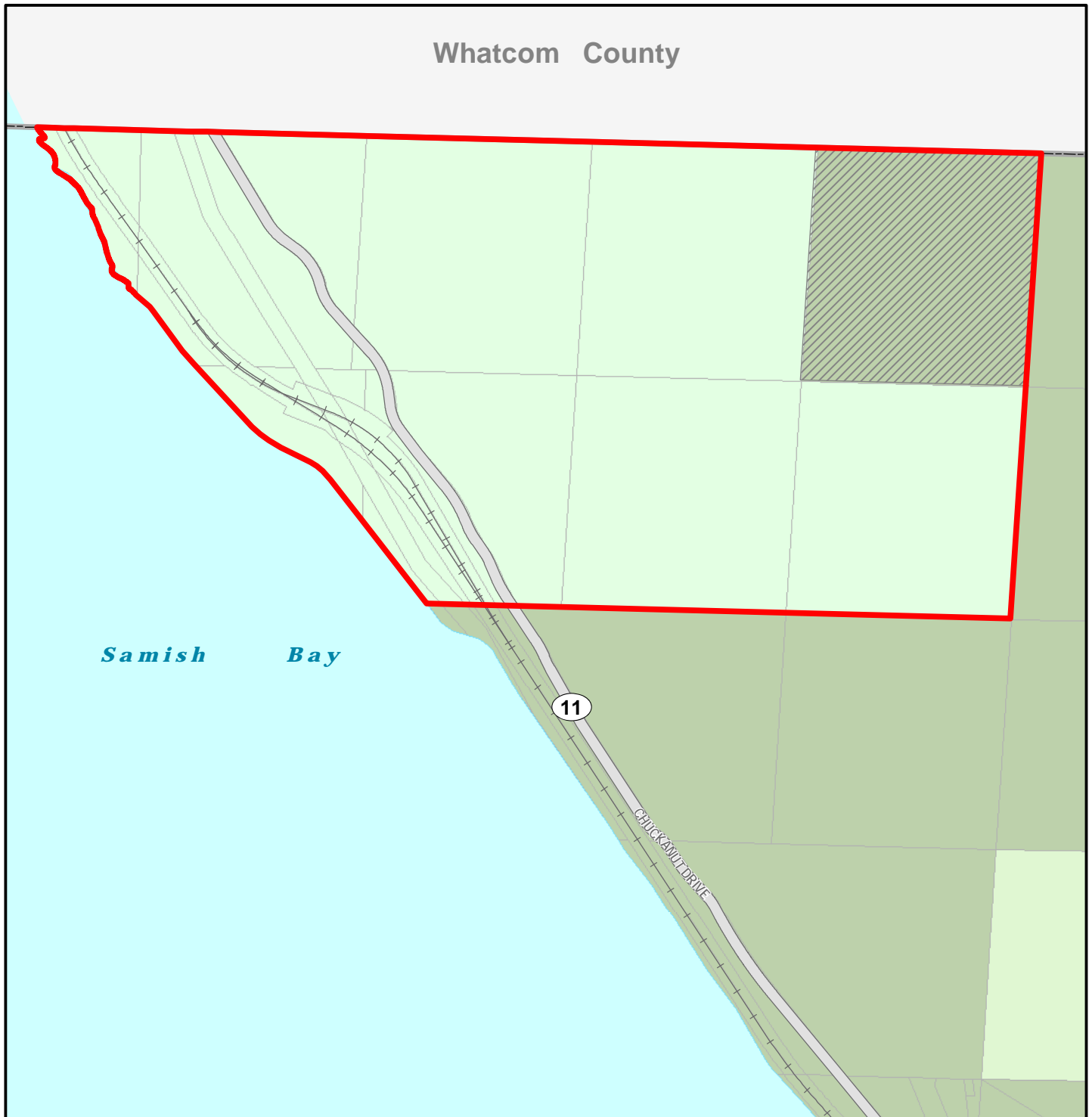


Mineral Overlay [MRO]

October 2008

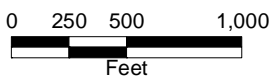
**Part B: Map 7**

# 2007 Comprehensive Plan Map Amendment Proposal



## Larrabee State Park

From: Secondary Forest [SF-NRL]  
To: Public Open Space of  
Statewide / Regional  
Importance [OSRSI]



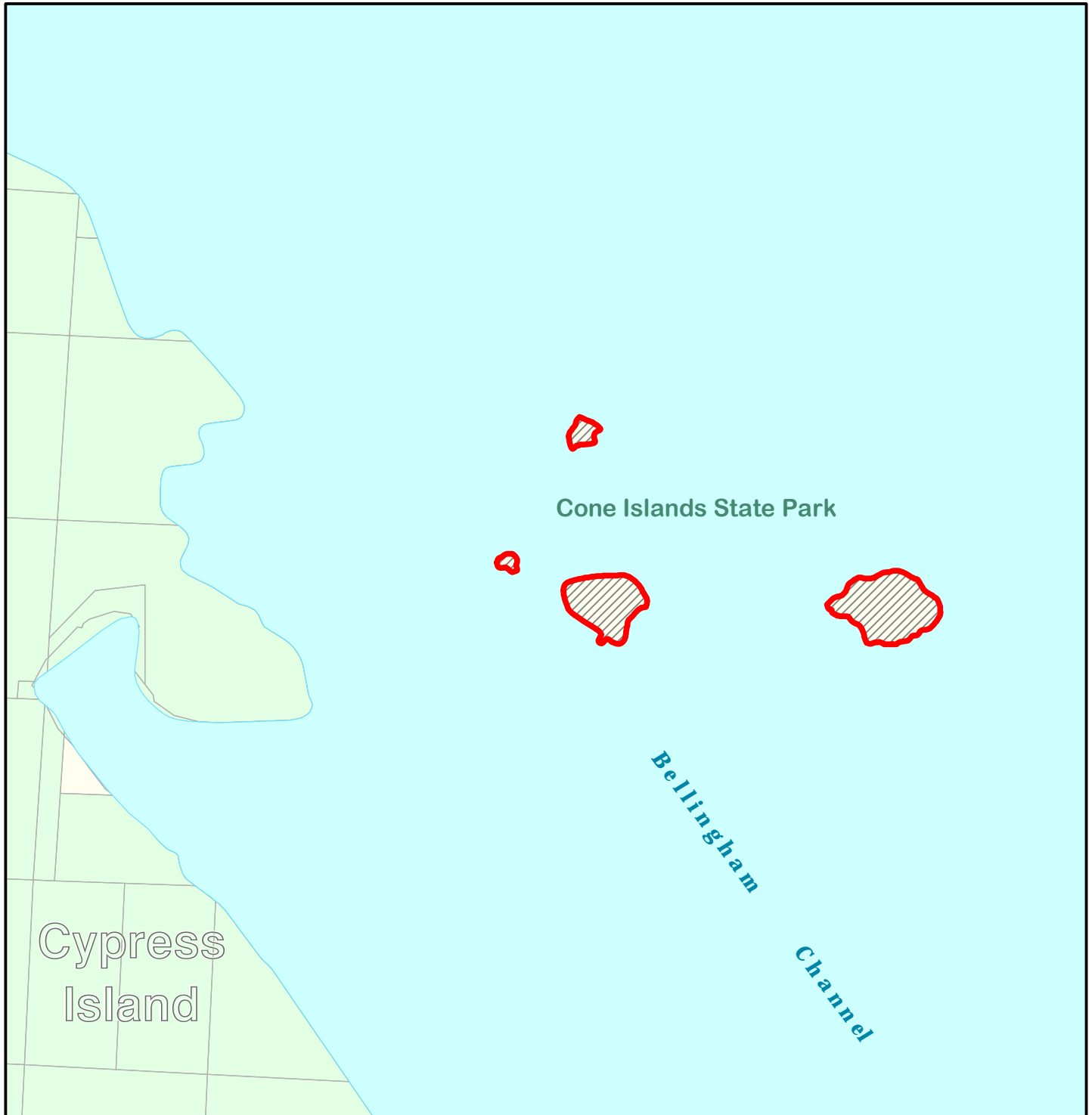
Proposal Area

PDS Recommended Zone Change

October 2008

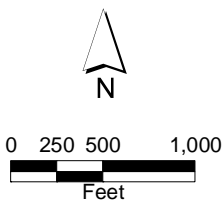
**Part B: Map 8a**



# 2007 Comprehensive Plan Map Amendment Proposal



## Cone Islands State Park

From: Rural Reserve [RRv]  
To: Public Open Space of  
Statewide / Regional  
Importance [OSRSI]

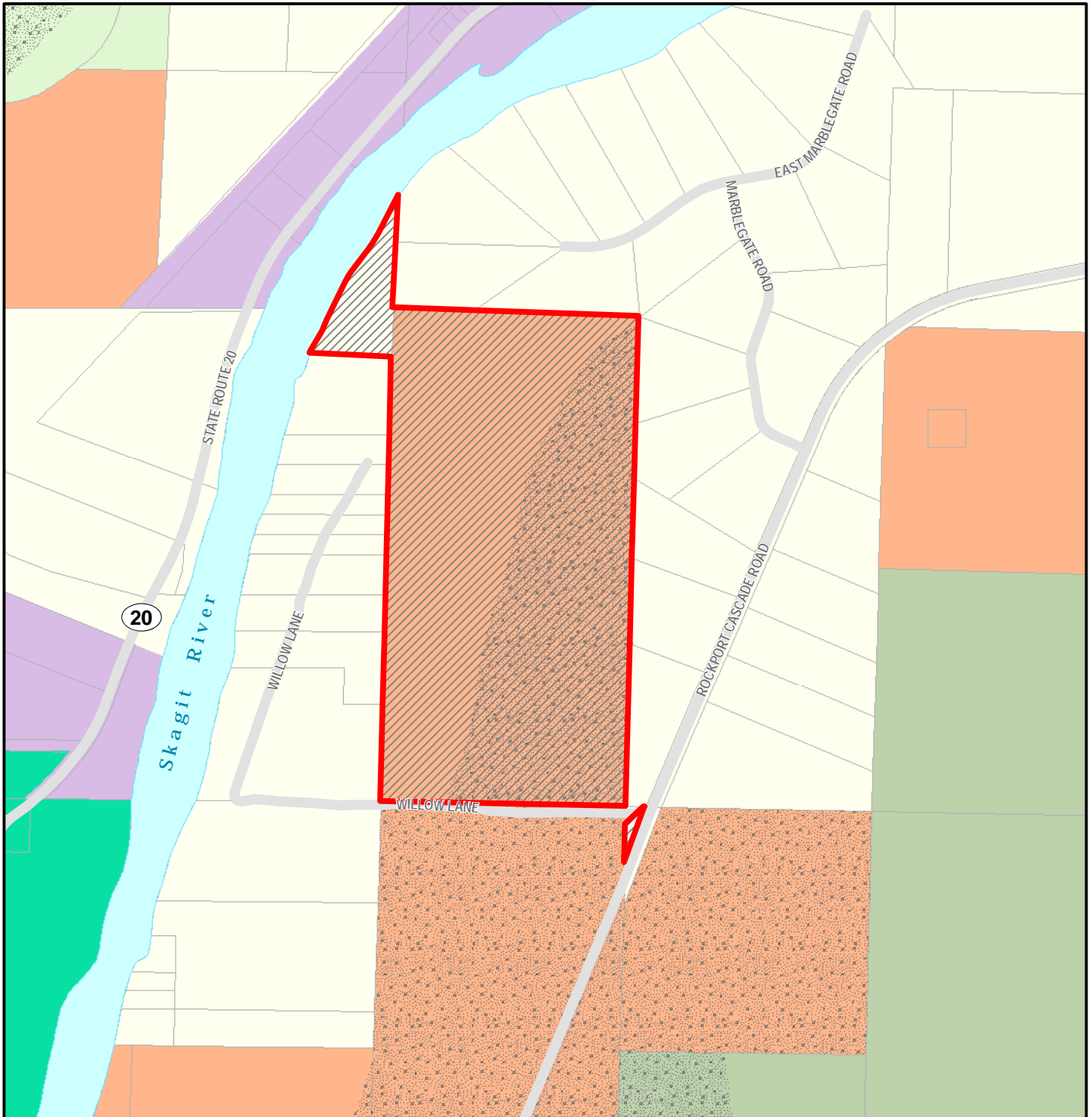


-  Proposal Area
-  PDS Recommended Zone Change

October 2008

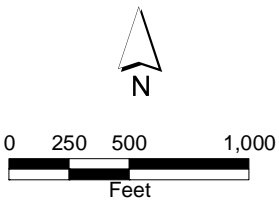
**Map 8b**

# 2007 Comprehensive Plan Map Amendment Proposal



## O'Brien-Riggs State Park

From: Rural Reserve [RRv]  
& Rural Resource [RRc-NRL]  
To: Public Open Space of  
Statewide / Regional  
Importance [OSRSI]



Proposal Area



PDS Recommended Zone Change

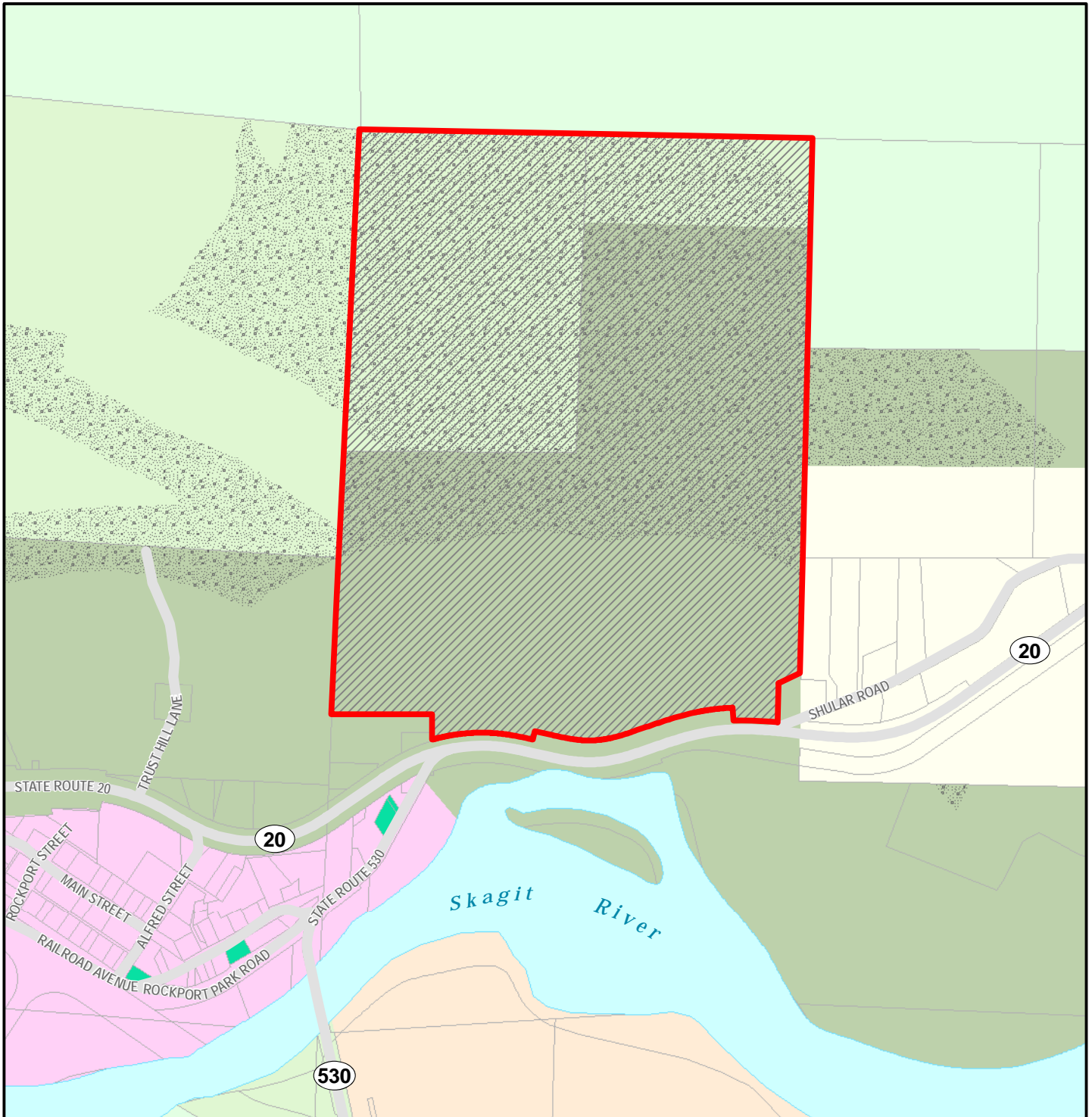


Mineral Overlay [MRO]

**Part B: Map 8c**

October 2008

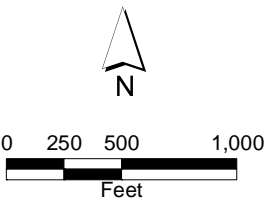
# 2007 Comprehensive Plan Map Amendment Proposal






## Rockport State Park

From: Secondary Forest [SF-NRL] & Industrial Forest [IF-NRL]

To: Public Open Space of Statewide / Regional Importance [OSRSI]

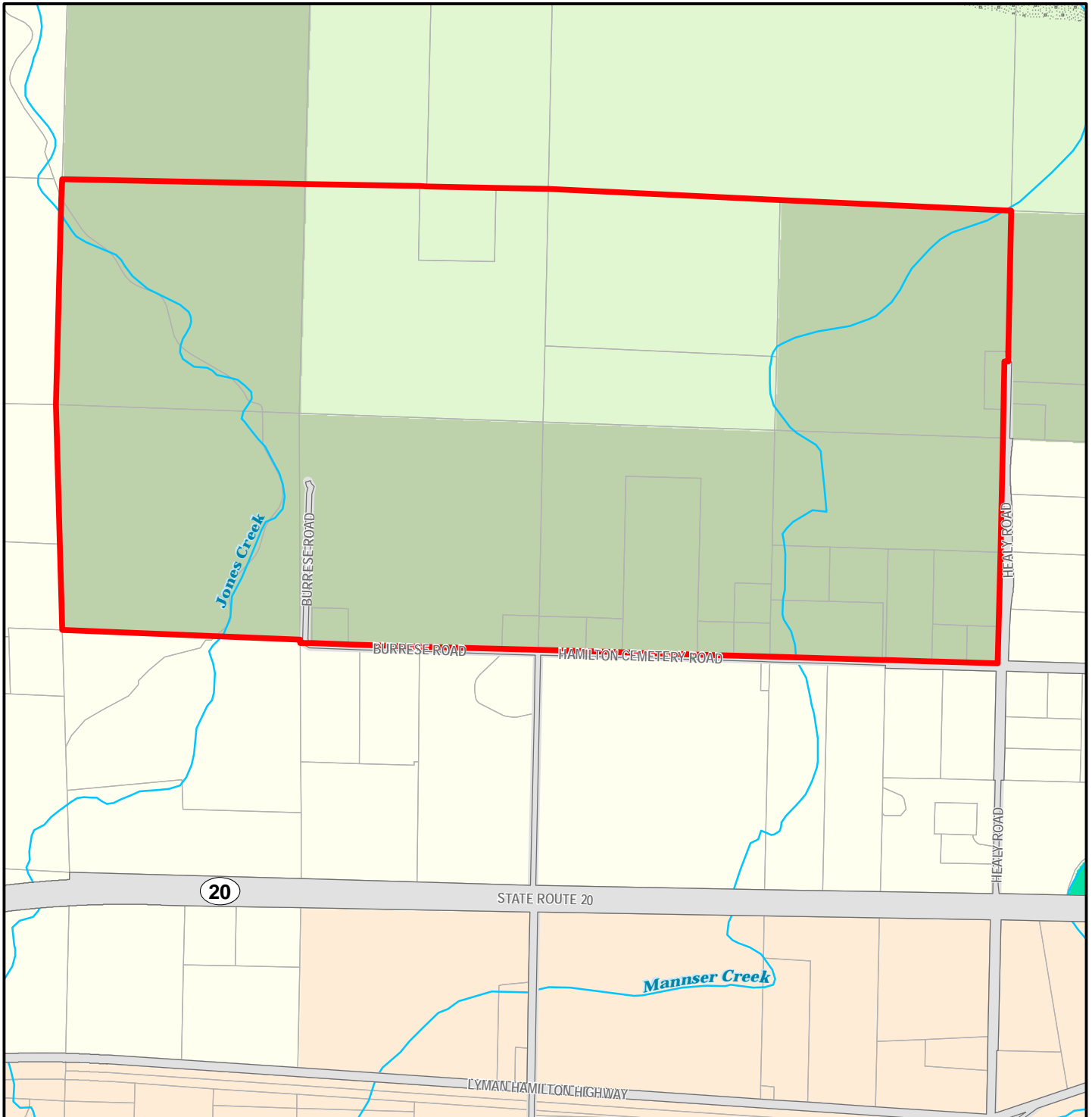


-  Proposal Area
-  PDS Recommended Zone Change
-  Mineral Overlay [MRO]

October 2008

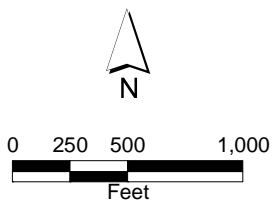
**Part B: Map 8d**

# 2007 Comprehensive Plan Map Amendment Proposal



## Healy Road

From: Secondary Forest [SF-NRL]  
& Industrial Forest [IF-NRL]  
To: Secondary Forest [SF-NRL]  
& Rural Resource [RRc]  
& Rural Reserve [RRv]



 Proposal Area

**No Change Proposed**

**Map 9**

# APPENDIX A

## ACRONYMS AND DEFINITIONS

### LIST OF ACRONYMS

<b>ADT</b>	average daily traffic
<b>BMP</b>	best management practice
<b>CAC</b>	Citizen Advisory Committee
<b>CAO</b>	Critical Areas Ordinance
<b>CEDS</b>	Comprehensive Economic Development Strategy
<b>CFP</b>	Capital Facilities Plan
<b>CIP</b>	capital improvement program
<b>CaRD</b>	Conservation and Reserve Development
<b>CCR</b>	Conditions, Covenants, and/or Restrictions
<b>CTED</b>	Department of Community, Trade and Economic Development (State of Washington)
<b>CPP</b>	Countywide Planning Policies
<b>CWSP</b>	Coordinated Water System Plan
<b>DEIS</b>	Draft Environmental Impact Statement (see also FEIS, DEIS, SEIS, DSEIS)
<b>DNR</b>	Department of Natural Resources (State of Washington)
<b>DOE</b>	Department of Ecology (State of Washington)
<b>DSEIS</b>	Draft Supplemental Environmental Impact Statement (see also FEIS, DEIS, SEIS, DSEIS)
<b>EDASC</b>	Economic Development Association of Skagit County



<b>EES</b>	Economic and Engineering Services (private consulting firm)
<b>EIS</b>	Environmental Impact Statement (see also FEIS, DEIS, SEIS, DSEIS)
<b>ELF</b>	extremely low frequency
<b>EMF</b>	electric and magnetic fields or electromagnetic field
<b>FEIS</b>	Final Environmental Impact Statement (see also FEIS, DEIS, SEIS, DSEIS)
<b>FEMA</b>	Federal Emergency Management Agency
<b>FERC</b>	Federal Energy Regulatory Commission
<b>FGTS</b>	freight goods transportation system
<b>FPA</b>	forest practice application
<b>GMA</b>	Growth Management Act
<b>HCA</b>	habitat conservation area
<b>IVM</b>	integrated vegetation management
<b>JOA</b>	joint operating agreement
<b>LID</b>	<u>local improvement district</u>
<b>LOS</b>	level of service
<b>MOU</b>	memorandum of understanding
<b>MPO</b>	Metropolitan Planning Organization
<b>MPR</b>	Master Planned Resort
<b>MRO</b>	Mineral Resource Overlay
<b>NRL</b>	Natural Resource Land
<b>NWCAA</b>	Northwest Clean Air Agency
<b>OFM</b>	Office of Financial Management (State of Washington)
<b>OHWM</b>	ordinary high water mark
<b>PCA</b>	Protected Critical Area
<b>PDR</b>	purchase of development rights
<b>PFLG</b>	private forest land grade
<b>PUD, Skagit</b>	Skagit Public Utility District
<b>PUD</b>	planned unit development

<b>RCW</b>	Revised Code of Washington
<b>RTPO</b>	Regional Transportation Planning Organization
<b>SCC</b>	Skagit County Code
<b>SCOG</b>	Skagit Council of Governments
<b>SEIS</b>	Supplemental Environmental Impact Statement (see also FEIS, DEIS, SEIS, DSEIS)
<b>SEPA</b>	State Environmental Policy Act
<b>SRS</b>	scientific resource site
<b>TDM</b>	transportation demand management
<b>TDR</b>	transfer of development rights
<b>TIP</b>	transportation improvement program
<del><b>TSM</b></del>	<del>transportation management system</del>
<b>TSP</b>	Transportation Systems Plan
<b>UGA</b>	Urban Growth Area
<b>USDA</b>	United States Department of Agriculture
<del><b>V/PC</b></del>	<del>volume over planned capacity</del>
<del><b>VMT</b></del>	<del>vehicle miles traveled</del>
<del><b>VPH</b></del>	<del>vehicles per hour</del>
<b>WAC</b>	Washington Administrative Code
<b>WSDOT</b>	Washington State Department of Transportation
<b>WUTC</b>	Washington Utilities and Transportation Commission

## DEFINITIONS

### **Access Management**

~~Regulations that limit the direct vehicle access that individual housing units and businesses onto major highways and other roadways.~~

### **Accessory**

As applied to a use, building or structure, means customarily subordinate or incidental to, and located on the same lot with a principal use, building, or structure.

### **Act**

The Growth Management Act as enacted in chapter 17, Laws of 1990, 1st Ex. Session, and chapter 32, Laws of 1991, 1st Special Session, State of Washington.

### **Adaptive Reuse**

~~The conversion of outmoded buildings can provide the opportunity for new residential uses within a community. Buildings being converted are often large and vacant and were used for institutional or other non-residential activities. Adaptive reuse projects have traditionally been old school buildings, train stations, hospitals and other public buildings; inns and hotels and warehouses, factories and other industrial buildings. Hotels and schools have been converted to apartments, and industrial buildings have turned into live/work spaces.~~

### **Adequate Public Facilities**

Facilities that have the capacity to serve development without decreasing levels of service below locally established minimums.

### **Affordable Housing**

Housing where the occupant is paying no more than 30 percent of gross income for gross housing costs, including utility costs. In the case of ownership housing, the purchase costs of a housing unit is equal to or less than three times a household's annual gross income.

### **Agriculture**

The use of land for commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees (not subject to excise tax imposed by RCW 84.33.100 through 84.33.140), or livestock.

**Agricultural Advisory Board**

A formally established board that reviews and monitors agricultural policies and programs, and advises the Skagit County Board of Commissioners, the Planning Commission, and the Planning and Development Services Department Permit Center on issues regarding agriculture lands in Skagit County. ~~This group will be the principle group responsible for developing and implementing the policies within the Agricultural Element of the Comprehensive Plan~~ [GRM1]

**Agricultural Land**

Land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, or livestock and that has long-term commercial significance for agricultural production.

**~~Agriculture – Non-soil Dependent~~**

~~Any use which is included in the definition of agriculture, but which is not dependent on the use of native, indigenous soil or which does not allow continued and future use of the soil for growing crops.~~

**~~Agriculture – Soil Dependent~~**

~~Any use that is included in the definition of agriculture which is dependent on the use of native, indigenous soil and which allows continued and future use of the soil for growing crops~~ [GRM2]

**Agricultural Support Services**

Any non-agricultural use which is directly related to agriculture and directly dependent upon agriculture for its existence. These support services generally exist off-site and within districts that are intended to facilitate the production, marketing and distribution of agricultural products. Agricultural support services are separate and distinct from Farm-based businesses (see Farm-Based Business).

**All Weather Road System**

Roadway not normally subject to Winter Weight Restrictions.

**Americans with Disabilities Act of 1990 (ADA)**

Ensures access for the disabled for publicly used facilities, employment, public transportation and public communication.

**Annual Program**

This is similar to the six year program, except it covers only the projects that will be constructed within the next year (see Six Year Transportation Program).

**Aquifers**

Any geologic formation that will yield water to a well or other withdrawal works in sufficient quantity for beneficial use.

**Aquifer Recharge Areas**

Areas where an aquifer that is a source of drinking water is vulnerable to contamination that would affect the potability of the water.

**Arterial roadways**

A class of roadway serving major movements of traffic not served by freeways. Arterial roadways are functionally classed depending on the degree to which they serve through traffic movements versus access to land.

**Available Public Facilities**

Means that facilities or services are in place or that a financial commitment is in place to provide the facilities or services within a specified time. In the case of transportation, the specified time is six years from the time of development.

**Average Daily Traffic (ADT)<sup>[GRM31]</sup>/Annualized Average Daily Traffic (AADT)**

~~Average Daily Traffic (ADT) This is the average amount of traffic (average number of vehicles) crossing one location of a roadway within a 24 hour period. Generally the Annualized Average Daily Traffic (AADT) is a yearly average. ADT and other traffic level measurements differ from the VMT in that they measure traffic crossing at one point while VMT measures the total miles driven along a certain stretch of roadway within a given period of time. The confusion between these two terms stems from the fact that a specific ADT (a point location measure) is often assigned to a whole stretch of a roadway.~~

**Benchmarks**

A strategic planning tool to measure policy outcomes across time and space.

**Best Management Practices (BMP)**

Practices or structures designed to reduce the quantities of pollutants - such as sediment, nitrogen, phosphorus, and animal wastes - that are washed by rain and snow melt from farms into nearby surface waters, such as lakes, creeks, streams, rivers, and estuaries. Agricultural BMPs can include fairly simple changes in

practices such as fencing cows out of streams (to keep animal waste out of streams), planting grass in gullies where water flows off of a planted field (to reduce the amount of sediment that runoff water picks up as it flows to rivers and lakes), reducing the amount of plowing in fields where row crops are planted (in order to reduce soil erosion and loss of nitrogen and phosphorus from fertilizers applied to the crop land). BMPs can also involve building structures, such as large animal waste storage tanks that allow farmers to choose when to spread manure on their fields as opposed to having to spread it based on the volume accumulated.

**Buffer**

An area contiguous with a critical area, natural resource land, or urban growth area that is required for the integrity, maintenance, function, and stability of the area or land.

**Business Park**

A development providing for a mix of light industrial distribution and related commercial retail, office and service uses.

**Calibration**

The procedure used to adjust travel models to simulate base year travel.

**Capacity**

The maximum number of vehicles that can pass over a given section of a lane or roadway in one direction (or in both direction for a two- or three-lane facility) during a given time period under prevailing roadway and traffic conditions. It is the maximum rate of flow that has a reasonable expectation of occurring.

**Capital cost**

Costs of transportation systems such as purchase of land, construction of roadways, and acquisition of vehicles. Distinguished from operating costs.

**Capital facilities**

As a general definition, public structures, improvements, pieces of equipment or other major assets, including land, that have a useful life of at least 10 years. Capital facilities are provided by and for public purposes and services. For the purposes of the capital facilities element, capital facilities are surface water management, solid waste disposal, law and justice, general government, parks and recreation, airport, transportation, education, fire protection, sanitary sewer and public water supply systems.

**Capital Improvement Program (CIP)**

A plan that matches the costs of capital improvements to anticipated revenue and a time line. CIPs are usually prepared for six or more years, updated annually, and coordinated with the comprehensive planning process.

**City**

Generally refers to ~~Any city or town within Skagit County including a code~~  
~~city~~[GRM4].

**Clear Zone**

~~That roadside border area, starting at the edge of the traveled way, available for safe use by errant vehicles. Establishment of a minimum width clear zone implies that rigid objects and certain other hazards with clearances less than the minimum width should be removed, relocated to an inaccessible position or outside the minimum clear zone, remodeled to make safely traversal or breakaway, or shielded.~~

**Coastal High Hazard Area**

The area subject to high velocity and/or volume of waters, including but not limited to storm surge or tsunamis. The area is designated on a Flood Insurance Rate Map as Zone V1-30.

**Collector System**

In Rural Areas Principal Arterials, Minor Arterial Roads, Collector Roads, Local Roads. In Urbanized Areas Principal Arterials, Minor Arterial Streets, Collector Streets, and Local Streets. In Small Urban Areas Principal Arterials, Minor Arterial Streets, Collector Streets, and Local Streets.

**~~Common Wall Construction~~**

~~A wall shared by two different units. Often it would be required to be a firewall.~~

**Commuter Rail**

Rail service targeted for daily commuters traveling under 40 miles. The service tends to be frequent, at least every half-hour during rush periods, and stops are often spaced from 5 to 10 miles apart.

**Compatible**

Capable of existing together without discord or in a state of mutual tolerance.

**Comprehensive Land Use Plan, Comprehensive Plan, or Plan**

The policies and proposals approved and recommended by the planning agency or initiated by the Board of County Commissioners (the Board) and approved by motion of the Board (a) as a beginning step in planning for the physical development of the county; (b) as the means for coordinating county programs and services; (c) as a source of reference to aid in developing, correlating and coordinating official regulations and controls, and; (d) as a means for promoting the general welfare. Such plan shall consist of the required elements set forth in R.C.W. 36.70A.070 and may also include the optional elements set forth in R.C.W. 36.70A.080 which shall serve as a policy guide for the subsequent public and private development and official controls so as to present all proposed developments in a balanced and orderly relationship to existing physical features and governmental functions.

**Comprehensive Plan Amendment**

An amendment or change to the text or maps of the Comprehensive Plan.

**Concurrency**

Means that adequate public facilities are available when the impacts of development occur. This definition includes the two concepts of "adequate public facilities" and of "available public facilities" as defined above.

**Concurrency Management System**

An financial and accounting system that keeps track of cumulative impacts of developments, impact fees, level of service on impacted roads, and timing for road improvements in order to ensure that the concurrency requirements of GMA are met.

**Congestion management**

A process whereby multi-modal solutions to critical traffic congestion problems are identified, coordinated among affected jurisdictions, and programmed for funding or implementation. Solutions are wide-ranging and could involve physical improvements to the arterial network, traffic signalization, transit service enhancements, programs to reduce commuter travel and travel information systems. The affected jurisdictions would be the county, cities, Washington State Department of Transportation.

**Conservation and Reserve Development (CaRD)**

A technique of land division characterized by the placement of dwellings and accessory buildings in a pattern of development which reduces impervious surface area, lowers costs of development and maintenance and retains larger expanses of



property available for agriculture, forestry, or continuity of ecological functions characteristic of the property to be developed.

**Contiguous development**

Development of areas immediately adjacent to one another.

**Cooperative Home Ownership**

~~An enterprise or organization owned by and operated for the benefit of those using its services. The basic six principles providing the framework for cooperative housing are open and voluntary membership, democratic control, limited rate of return on investment, return of surplus to members, cooperation among cooperatives and constant education. Housing cooperatives offer low-income families the opportunity to own a share of stock in a housing corporation that gives its members many advantages over rental housing[GRM5].~~

**Coordination**

Consultation and cooperation among jurisdictions.

**Countywide planning policies**

Written policy statements used solely for establishing a countywide framework from which county and city comprehensive plans are developed and adopted. (RCW 36.70.210)

**Covenants**

Private restrictions placed on land regulating land use activities.

**Creative Financing**

~~Creative financing revolves around simply maximizing your existing resources. The recognition and leveraging of these resources can actually be fairly conservation in nature[GRM6].~~

**Critical Areas**

Areas of environmental sensitivity, which include the following areas and ecosystems (a) wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas.

**Critical Facilities**

Schools, hospitals, police, fire, emergency response installations, nursing homes, and installations which produce, use or store hazardous materials or hazardous waste.

**Current Use Open Space Taxation**

Current Use Open Space Taxation Program includes properties utilized for agriculture, timber and open space uses as provided in RCW 84.34.

**Demand Management Strategies or Transportation Demand Management Strategies (TDM)**

Strategies aimed at changing travel behavior rather than at expanding the transportation network to meet travel demand. Such strategies can include the promotion of work hour changes, ride-sharing options, parking policies, telecommuting.

**~~Demand-response service~~**

~~Transportation service designed to carry passengers from their origins to specific destinations (often door to door) by immediate request or by prior reservation. A form of Paratransit. (Also referred to as dial a ride [GRM7])~~

**Density**

The ratio between the number of families, individuals, housing units, or residential dwelling units per land surface area (usually ~~expressed as square miles or acreage~~). Gross density means the total number of dwelling units divided by the total land area of the site or area, excluding nothing. Net density means the total number of dwelling units divided by the net area of the lot or site. The net area excludes roads, public open spaces, community facilities, and critical areas.

**Density Bonuses**

Where a proposed development is designed and constructed at a level of quality in excess of the minimum, additional development rights may be allowed in locations where added density can be accomplished while still providing appropriate protection to neighboring properties and the general public.

**Development**

Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations. Any action requiring a land use permit or approval regulated by Titles 14 and 15, SCC, including, but not limited to,

subdivisions, binding site plans, site specific rezones, unclassified special use permits, variances, building permits, shoreline permits, or flood area development permits.

**Development Code**

Skagit County Code (SCC) Titles 14 and 15.

**Development Regulation(s)**

The controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical area ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in a resolution or ordinance of the legislative body of the county or city.

**Ecological Functions**

Those uses of land that are part of a larger related natural system. These functions include, but are not limited to, storm water detention; floodway/floodplain; drainway; sediment collection area; aquifer recharge area; fish and wildlife habitat conservation area; wind break; noise, sight, or dust barrier; shade; erosion control; waste disposal; and, maintenance of slope stability.

**Erosion Hazard Areas**

Those areas containing soils which, according to the United States Department of Agriculture Soil Conservation Service soil Classification System, may experience severe to very severe erosion.

**Essential public facilities**

Facilities that are typically difficult to site, such as airports, state education facilities, and state or regional transportation facilities, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities and group homes. (RCW 36.70A.200)

**Extremely Low Income**

Income below 30% of median income.

**Facilities**

The physical structure or structures in which a service is provided.

**Fair-Share Allocations**

~~Seeks to answer what is a municipality's fair share of responsibility for affordable housing. The answer to this question will need to satisfy the political needs and interests of diverse communities, ranging from larger central cities to small rural communities with little infrastructure.~~<sup>[GRM8]</sup>

**Farm-Based Business**

An on-farm commercial enterprise devoted to the direct marketing of unprocessed and/or value-added and soil-dependent agricultural products that are produced, processed, and sold on-site. Farm-based businesses are intended to supplement farm income, improve the efficiency of farming, and provide employment to farm family members. Farm-based businesses are separate and distinct from Agricultural support services (see Agriculture Support ~~Services~~).

**Farm-Worker Housing**

Permanent housing for seasonal and year around farm workers and their families.

**Freight and Goods Transportation System (FGTS)**

A system of streets, roads, and highways formally designated by the State as current truck routes.

**Fish and Wildlife Habitat Conservation Areas**

Fish and Wildlife Habitat Conservation Areas and their networks shall be classified as follows

- a) Areas with which endangered, threatened, and sensitive species have a primary association;
- b) Habitats and species of local importance that have been designated by the County at the time of application;
- c) All public and private tidelands suitable for shellfish harvest;
- d) Kelp and eelgrass beds, herring and smelt spawning areas;
- e) Naturally occurring ponds under twenty acres and their submerged aquatic beds that provide fish or wildlife habitat;
- f) Waters of the state as defined by WAC 222-16;
- g) Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity;

- h) Areas with which anadromous fish species have a primary association;
- i) State Natural Area Preserves and Natural Resource Conservation Areas;  
and
- j) Other aquatic resource areas.

**Fixed-route service**

Transportation service operated over a set route on a regular schedule.

**Floodproofed**

~~Indicates that a structure is watertight (walls substantially impermeable to the passage of water) to one foot above the base flood elevation [GRM10].~~

**Forest Land**

Land primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, including Christmas trees subject to the excise tax imposed under RCW 84.33.100 through 84.33.140 and that has long-term commercial significance. In determining whether forest land is primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, the following factors shall be considered (a) the proximity of the land to urban, suburban, and rural settlements; (b) surrounding parcel size and the compatibility and intensity of adjacent and nearby land uses; (c) long-term local economic conditions that affect the ability to manage for timber production; and (d) the availability of public facilities and services conducive to conversion of forest land to other uses.

**Frequently Flooded Areas**

Lands in the floodplain subject to a one- percent or greater chance of flooding in any given year. These areas include, but are not limited to, streams, rivers, lakes, coastal areas, wetlands, and the like.

**Functional Classification**

Functional Classification is the grouping of highways, roads, and streets that serve similar functions into distinct systems or classes. Functional Classification defines the primary role a road or street serves within the total existing or future highway network (see Collector System above).

**General Comprehensive Plan Amendment**

~~— A general comprehensive plan amendment is a policy or land use designation which is applied to a broad class of situations and to a large number of parcels and persons that are not readily identifiable [GRM11].~~

**Geologically Hazardous Areas**

Areas that, because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns.

**Goal**

A goal is a direction setter. It is an ideal future end, condition, or state related to the public health, safety, or general welfare toward which planning and implementation measures are directed. A goal is a general expression of community values and, therefore, is abstract in nature. Consequently, a goal is generally not quantifiable, time-dependent, or suggestive of specific actions for its achievement.

**Gravity model**

~~— A mathematical model of trip distribution based on the premise that trips produced in any given area will distribute themselves in accordance with the accessibility of other areas and the opportunities they offer [GRM12].~~

**Gross Density**

Gross density means the total number of dwelling units divided by the total land area of the site or area, excluding nothing.

**Growth Management Act (GMA)**

~~see definition of Act.~~ The Growth Management Act as enacted in chapter 17, Laws of 1990, 1st Ex. Session, and chapter 32, Laws of 1991, 1st Special Session, State of Washington, and as amended.

**Habitats of Local Importance**

These include a seasonal range or habitat element with which a given species has a primary association, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long-term. These might include areas of high relative density or species richness, breeding habitat, winter range, and movement corridors. These might also include habitats that are of limited availability or high vulnerability to alteration, such as cliffs, talus, and wetlands.

**Highway Heritage**

An expansion of the scenic highways concept to include highways with scenic, cultural, historic, archeological and/ or other environmental resources.

**Highway Oriented Commercial Uses**

Food service, fuel and repair service for motorists, transient lodging.

**Home Based Business**

Home based businesses are home occupations that remain incidental to the use of a residence for general dwelling purposes and are compatible with rural character.

~~Different categories of home based businesses may be regulated. Two categories of Home Based Businesses are<sup>3</sup> allowed in Skagit County, Home Based Business I and Home Based Business II. Home Based Business I is generally a permitted use while Home Based Business II requires a Special Use Permit~~

**Housing Opportunity Sites**

~~Where land is zoned specifically for the development of affordable housing [GRM13].~~

**Impact Fees**

Standard fees for development impacts on governmental facilities. Impact fees are often levied per housing unit and usually include transportation impacts.

**Implementation measure**

Regulatory and non-regulatory measures used to carry out the plan.

**Infrastructure**

Facilities and services needed to sustain the functioning of an urban area land use activities. Infrastructure includes water, sewer, roads, parks, schools and other such public facilities.

**Integrated Vegetation Management (IVM)**

~~An approach to vegetation control that utilizes regular monitoring to determine if and when treatments are needed. The approach emphasizes physical, mechanical, cultural, and biological tactics to keep vegetation problems low enough to prevent intolerable damage, annoyance, or public safety hazards. When chemical controls are necessary they will be the least toxic available and will be used only when no other control methods would be effective or practical.~~<sup>[GRM14]</sup>.

**Joint Planning**

Plans that address small geographic areas and focus on issues of local concern. Joint plans may be developed with other planning jurisdictions and communities for urban growth areas (UGAs), rural villages (RVs), and tribal community plans (Swinomish Tribal Community).

**Land Bank**

~~Land is acquired independently of a specific development project, for the expressed purpose of providing affordable housing at a future time.~~<sup>[GRM15]</sup>.

**Land Conservation**

The placement of dwellings and accessory buildings in a pattern of development which reduces impervious surface area, lowers costs of development and maintenance and retains larger expanses of property available for agriculture, forestry, or continuity of ecological functions characteristic of the property to development.

**Landslide Hazard Areas**

Areas potentially subject to risk of mass movement due to a combination of geologic, topographic, and hydrologic factors.

**Lot of Record**

~~Any lot platted under a Skagit County Subdivision Ordinance on or after March 1, 1965; any tract of land divided by metes and bounds or fractional section description or platted and recorded with the auditor prior to March 1, 1965; or any tract of land defined by metes and bounds or fractional section description and conveyed by notarized deed prior to March 1, 1965 (SCC 14.04.030 (5)).~~

**Lot of Record, Legal**

~~A definition used prior to the adoption of the June 20, 2000 Unified Development Code referring to a lot of record meeting the aggregation requirements of SCC 14.04.190(5).~~



**Level of Service**

~~means an established minimum capacity. A measure of the amount of a public facilities or services that is being or will be must be provided per unit of demand or other appropriate measure of need.~~

**Link**

~~A section of the highway network defined by a node at each end. A link may be one-way or two-way.~~

**Local Improvement District (LID)**

A quasi-governmental organization formed by landowners to finance and construct a variety of physical infrastructure improvements beneficial to its members. A Road Improvement District is a specific type of LID that is formed to finance road improvements.

**Local road**

A class of roadway with the primary function of providing access to abutting properties. Traffic control is usually limited with slow speeds and numerous driveways. This roadway class typically carries low traffic loads and is usually 1 to 2 lanes. They can be paved or gravel and don't often extend over much distance.

**Long-term Commercial Significance**

Includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.

**Low-Income**

Households whose income is between 51% and 80% of the median income for the area, as determined by the Department of Housing and Urban Development (HUD).

**Manufactured Housing**

A manufactured building or major portion of a building designed for long-term residential use. It is designed and constructed for transportation to a site for installation and occupancy when connected to required utilities.

**Metropolitan Planning Organization (MPO)**

A federally mandated organization, in urbanized areas, responsible for planning, programming and coordination of federal highway and transit investments. The Skagit Council of Governments is the lead agency for the local MPO.

**Mass transit**

~~The general term used to identify bus, rail, or other types of transportation that move large numbers of people at one time.~~

**Multi-modal**

Two or more modes or methods of transportation.

**Middle Income**

Between 96% and 120% of median income.

**Mine Hazard Areas**

Areas underlain by or affected by underground mine workings such as adits, tunnels, air shafts and those areas adjacent to steep slopes produced by open pit mining or quarrying, but excluding any areas where the mine workings have been properly stabilized and closed and made safe consistent with all applicable federal, state and local laws..

**Minerals**

Clay, coal, gravel, industrial mineral, valuable metallic substances, sand, stone, and other similar solid materials or substances ~~to be~~ excavated from natural deposits on or in the earth for commercial, industrial, or construction use.

**Mineral Resource Lands**

Lands containing mineral deposits, both active and inactive, that have known or potential long-term commercial significance for the extraction of minerals and which are in close, economic proximity to locations where the deposits are likely to be used.

**Mixed-Use**

~~Mixed use buildings, typically, buildings with residential units above or beside a story or two of commercial spaces. This category provides for a mixture of uses where no single use predominates. The mixed use district allows for a mixture of residential housing types and densities; commercial, office, and institutional uses; parks and recreation uses; and public uses.~~

**Mobile Home Park Preservation**

~~Preserving mobile home parks allows a community to protect a valuable source of usually irreplaceable affordable housing. Existing mobile home parks continue to be threatened by the escalating value of land and accompanying development pressures.~~

**Moderate Income**

Between 81% and 95% of median income.

**Multi-modal**

Two or more modes or methods of transportation.

**~~Mutual Housing Associations~~**

~~Members share ownership of an association that owns housing cooperatives. Residents participate in the development, operation, and management of the property. (They do not build up equity in their housing but have the right to residency as stipulated by an occupancy agreement).~~

**Natural Resource Lands**

Lands designated on the official Skagit County Comprehensive Plan/Zoning Map as Agricultural (Ag-NRL), Industrial Forest (IF-NRL), Secondary Forest (SF-NRL), Mineral Resource Overlay (MRO-NRL), and Rural Resource (RRc-NRL) which have long-term commercial significance.

**Network**

~~A system of links and nodes describing a transportation system~~

**Net Density**

~~The total number of dwelling units divided by the net area of the lot or site. The net area excludes roads, public open spaces, community facilities, and critical areas (environmentally sensitive areas).~~

**Nonconformance or nonconforming**

Any use, improvement or structure established in conformance with Skagit County rules and regulations in effect at the time of establishment that no longer conforms to the range of uses permitted in the site's current zone or to the current development standards of the Code due to changes in the Code or its application to the subject property.

**Non-Motorized Transportation**

Bicycle, pedestrian and equestrian transportation modes.

**~~Non-profit Community Based Housing Development~~**

~~A community development corporation develops, and may continue to own or manage housing that has been tailored to community needs and resources.~~

**Official Controls**

Legislatively defined and enacted policies, standards, precise detailed maps and other criteria, all of which control the physical development of a county or any part thereof or any detail thereof, and are the means of translating into regulations and ordinances all or any part of the general objectives of the Comprehensive Plan. Such official controls may include, but are not limited to, ordinances establishing zoning, subdivision control, platting, and adoption of detailed maps.

**One Hundred Year Floodplain**

Land within a community subject to a one (1) percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.

**Open Space**

Any land area, the preservation of which in its present use would conserve and enhance natural or scenic resources; or, protect streams or water supplies; or, promote conservation of soils, wetlands, beaches or tidal marshes; or, enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations; or, sanctuaries or other open space; or, enhance recreation opportunities; or, preserve historic sites. Public Open Space are public owned lands that have been or will be set aside for open space and recreational use. Private Open Space are privately owned lands that have been or will be set aside by operation of the Critical Areas Ordinance, by voluntary conservation, or by land reserve easements. Current Use Open Space Taxation Program includes properties utilized for agriculture, timber, and open space uses as provided in RCW 84.34.

**Operating costs**

Those recurring costs in a transportation system, such as salaries and wages, maintenance, energy, taxes, insurance, and supplies. Distinguished from capital cost.

**Objective**

An objective is a specific end, condition, or state that is an intermediate step toward attaining a goal. It should be achievable and, when possible, measurable time-specific. An objective may only pertain to one particular aspect of a goal or it may be one of several successive steps toward goal achievement. Consequently, there may be more than one objective for each goal.

**Paratransit**

~~Flexible transportation services that are operated publicly or privately, and are generally distinct from conventional transit and outside the conventional fixed route, fixed schedule systems. Vans and mini-buses are typical paratransit vehicles used. Demand response transportation services are a form of paratransit.~~

**Passenger Rail**

~~Rail service for passengers traveling between cities for non-commuter trips. Service is generally provided from once to several times per day, and the distance between rail terminal stops is often 20 to 30 miles.~~

**Pedestrian Friendly Development**

Development designs that encourage walking by providing site amenities for pedestrians. Pedestrian friendly environments reduce auto dependence and may encourage the use of public transportation.

**Performance Standards**

These provide criteria for testing the degree of hazard, environmental damage, or nuisance from land use activities creating smoke, dust, noise, glare, odor, erosion and sediment, runoff, liquid, solid, or airborne wastes, fumes or traffic.

**Policy**

A policy is a specific statement that guides decision-making. It indicates a clear commitment of the local legislative body. A policy is based on a comprehensive plan's goals and objectives as well as the analysis of data. A policy is effectuated by implementation measures (such as zoning, land division, and environmental ordinances).

**Private Open Space**

Private Open Space are privately owned lands that have been or will be set aside by operation of the Critical Areas Ordinance, by voluntary conservation, or by land reserve easements.

**Public Facilities**

Include streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreational facilities, and schools.

**Public Open Space**

Public owned lands that have been or will be set aside for open space and recreational use.

**Public Services**

Include fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.

**Public transportation**

A wide variety of passenger transportation services available to the public including buses, ferries, rideshare, and rail transit.

**Public water**

Any system providing water intended for, or used for, human consumption or other domestic uses. It includes, but is not limited to... facilities where water is furnished to any community, or number of individuals, or is made available to the public for human consumption or domestic use, but excluding water systems serving one single family residence (RCW 70.116.030).

**~~Ready-to-Build Industrial or Commercial Sites~~**

~~Ready-to-build sites consist of immediately available vacant land of sufficient size that is properly zoned, served with adequate infrastructure, and free of land use and environmental constraints that would render a site non-competitive for development.~~

**Regional Transportation Planning Organization (RTPO)**

A State authorized organization of local governments responsible for transportation planning, growth management compliance, and the development and adoption of regional transportation plans. The Skagit Council of Governments is the lead agency for the Skagit RTPO.~~The voluntary organization conforming to RCW 47.80.020, consisting of local governments within a region containing one or more counties which have common transportation interests.~~

**Regional Transportation Planning Organization**

~~An organization of cities and one or more Counties (with representation from ports, tribes and the state) whose goal is to coordinate transportation decisions among those jurisdictions.~~

**Roadway**

An open, generally public way for the passage of vehicles, persons, and animals. Limits include the outside edge of sidewalks, curbs and gutters, or side ditches.

**Rural Lands**

All lands which are not within an urban growth area and are not designated as natural resource lands having long term commercial significance for production of agricultural products, timber, or the extraction of minerals.

**Rural Villages**

Predominantly residential unincorporated rural communities or centers supported by limited commercial and compatible industrial, and community services which typically include a post office, church, elementary school, fire hall, grocery store, service station, tavern, restaurant, or other small retail business catering to local rural needs. Compact development within designated boundaries distinguishes a village from surrounding undeveloped land.

**Sanitary Sewer Systems**

All facilities, including approved on-site disposal facilities, used in the collection, transmission, storage, treatment or discharge of any waterborne waste, whether domestic in origin or a combination of domestic, commercial or industrial waste.

**Scenic Highways**

A Washington State designation for highways that have particular scenic characteristics. This designation was originally initiated to control billboards.

**Scenic Resources**

Includes, among other things, the historical pattern of land use (including logging and farming activities).

**Seismic Hazard Areas**

Areas subject to severe risk of damage as a result of earthquake induced ground shaking, slope failure, settlement, or soil liquefaction.

**Sensitive Species**

A species native to the State of Washington, that is vulnerable or declining and is likely to become endangered or threatened in a significant portion of its range within the State without cooperative management or the removal of threats as designated by WAC 232-12-011.

**Self-Help Housing**

~~Self help, or sweat equity, housing enables potential homeowners to build up credit for a down payment on a home by contributing their labor to the construction or renovation. It can be a means for the low income household to enter the housing market.~~

**Shared Housing**

~~Occurs when people reside together for social contact, mutual support and assistance, and/or to reduce housing expenses. This may range from two elderly persons sharing a small home to several disabled adults sharing a large single family home. A single mother with an extra bedroom may share her home with an elderly person who helps with childcare and/or living expenses. The degree of assistance can vary from none (other than from other members of the household) to live in, full time help. This matching can be accomplished through placing a newspaper advertisement or perhaps through a non-profit agency that prescreens applicants and matches needs and wants of participants.~~

**Shoreline Master Program**

A program adopted in 1976 to promote the public health, safety and general welfare by providing long range, comprehensive policies and effective, reasonable regulations for development and use of Skagit County shorelines. Definitions specifically addressing shorelines terminology may be located within the Skagit County Shoreline Master Program document.

**Shoulder**

~~That portion of the roadway contiguous with but outside of the traveled way.~~

**Site-specific Comprehensive Plan Amendment**

~~A site-specific comprehensive plan amendment is a policy or land use designation that is applied to a specific number of parcels that are in readily identifiable ownership. A proposal that formulates policy yet affects relatively few individuals will generally be characterized as a site-specific action.~~



**Six-Year Transportation Improvement Program**

A plan that shows road and other transportation projects planned for the next six years. Both cities and counties are required to update the six-year program each year.

**Sole Source Aquifer**

Sole Source Aquifer is an EPA definition. It defines those areas where more than 50 percent of the drinking water is obtained from the groundwater.

**Species of Local Importance**

Those species that may not be endangered, threatened or sensitive from a statewide perspective, but are of local concern due to their population status, sensitivity to habitat manipulation, or other educational, cultural or historic attributes.

**Special Needs Populations**

Populations with special needs in Skagit County include the mentally ill, with chemical dependency, developmentally disabled, persons with drug and/or alcohol addiction, victims of domestic violence, youth, the elderly and farmworkers.

**~~Streamlined Permitting~~**

~~For the expressed purpose of developing affordable housing, a municipality may take steps to eliminate excessive time, risk, and cost by providing "one step" permitting.~~

**Suburban**

Blending or characterized by the blending of the urban and the rural. A land use development pattern that is dispersed as opposed to decentralized.

**Sub-Area Planning/Community Planning**

~~Subarea plans, also called community plans, are more detailed land use plans for smaller geographic areas within which water drains into a particular river, stream or body of water in the County. Community plans focus on local issues, problems and opportunities, and may address land use, economic, social and other issues of local concern, at a finer level of detail than in the general policies of the Comprehensive Plan. They are an integrated, collaborative management planning approach to sustaining economic development opportunities and protecting the natural environment by addressing issues within watershed basins.~~

**Supportive Housing**

~~Housing for groups or individuals that need assistance to be able to maintain independent living.~~

**System-Wide Deviation**

~~A percentage of the total vehicle miles traveled (VMT) on the road system that is allowed to be on roads which have traffic levels higher than planned capacity before the level of service standard is exceeded.~~

**Traffic Demand Models (Traffic Models)**

~~Software systems that use land use information to simulate the traffic patterns of an area. These models can convert future land use growth projections into future traffic volumes.~~

**Transfer of Development Rights (TDR)**

The transfer of the right to develop or build, expressed in dwelling units per acre, either on land within one zoning district under contiguous ownership, or from land in one zoning district to land in another district where such density/development is permitted.

**Transit**

A general term applied to passenger rail and bus service available for the use by the public and generally operated on fixed routes with fixed schedules.

**Transitional Housing**

~~Per the definition of Transitional Housing from the Federal McKinney Act, transitional housing is made available for up to 24 months to people who are homeless or are leaving emergency shelters.~~

**Transportation Demand Management (TDM)**

Methods or strategies aimed at changing travel behavior by reducing the demand for single occupancy vehicle travel rather than by expanding transportation facilities to meet travel demand. The strategies can include such things as expanding transit of ride-sharing options, changing parking policies, promoting work hour changes, and providing for telecommuting.

**Transportation Improvement Program (TIP)**

A plan or schedule showing specific expenditures for transportation capital projects over a specific time period, often for six years.

**Transportation Facilities**

Includes capital facilities related to air, water or land transportation.

**Transportation Level of Service Standards**

A measure that describes the operational condition of the travel stream and acceptable adequacy requirements. Such standards may be expressed in terms such as speed and travel time, freedom to maneuver, traffic interruptions, comfort, convenience, geographic accessibility, and safety.

**Transportation System Management (TSM)**

The use of inexpensive capital expenditures and other methods to increase the efficiency and capacity of the transportation system. TSM strategies include such things as intersection signalization, synchronization of traffic signals, the provision of left turn lanes, and the designation of one way streets.

**Trip**

A one-direction movement, which begins at the origin at the start time, ends at the destination at the arrival time, and is conducted for a specific purpose.

**Trip generation**

A general term describing the analysis and application of the relationships between the trip makers, the urban area, and the trip making.

**Urban Density**

Density equal to or higher than four dwelling units per one acre.

**Urban Governmental Services**

Include those governmental services historically and typically delivered by cities, and include storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, public transit services, and other public utilities associated with urban areas and normally not associated with non-urban areas.

**Urban Growth**

Refers to growth (commercial, industrial, and residential) that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of such land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources. When allowed to spread over wide areas, urban growth typically requires urban governmental services. "Characterized by urban growth" refers to land having

urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.

### **Urban Growth Area**

An area designated by the County within which most new growth is planned for and encouraged to locate. ~~urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature.~~ Urban Growth Areas include incorporated cities and towns (municipalities) along with any unincorporated area designated for future urban growth and annexation into the municipality's corporate limits. Urban Growth Areas also may be non-municipal, such as the Bayview Ridge UGA and the Swinomish UGA. Regulatory control of land within ~~the unincorporated~~ Urban Growth Areas remains with the County until annexed into a city. The land and development controls within unincorporated Urban Growth Areas, however, may be subject to joint county/city or tribal interlocal planning agreements and concurrency.

### **Urban Sprawl**

Urban sprawl manifests it self in one or more of the following patterns (a) Leapfrog development which bypasses vacant parcels located closer to the urban area that are suitable for development and instead locates away from existing urban areas; (b) strip development which allows commercial, retail, and multi-family residential developments to locate in a linear pattern along both sides of a major arterial; and (c) large expanses of low density, single-family dwelling development.

### **Use**

The specific purpose for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained.

### **Utilities or Public Utilities**

Enterprises or facilities serving the public by means of an integrated system of collection, transmission, distribution, and processing facilities through more or less permanent physical connections between the plant of the serving entity and the premises of the customer. Included are systems for the delivery of natural gas, electricity, and telecommunications services.

### **~~Very Low Income~~**

~~Between 31% and 50% of median income.~~

### **~~Vehicle Miles Traveled (VMT)~~**

~~This is a measure of the miles traveled by motorist in a specific period of time over a specific section of roadway. For instance, to calculate the average daily VMT over~~

~~a 1.5 mile roadway section, you would multiply the ADT on that roadway section by 1.5 miles. To calculate peak hour VMT on that same roadway section, you would multiply the peak hour volume by 1.5 miles.~~

**Visioning**

A process of citizen involvement to determine values and ideals for the future of a community and to transform those values and ideals into manageable and feasible community goals.

**Volcanic Hazard Areas**

Areas subject to pyroclastic flows, lava flows, and inundation by debris flows, mudflows, or related flooding resulting from volcanic activity.

**~~Volume over Planned Capacity~~**

~~A congestion measure used in the Birdsall LOS methodology, which divides the traffic volume on a specific roadway by its planned capacity volume. When this ratio exceeds 1.0, an LOS deficiency occurs. The “Planned capacity” of the roadway is generally less than the roadway’s “capacity” since the former takes into account the perceived safety of drivers as well as the safety of multi-modal users of the roadway.~~

**Warrant**

~~An indicator, as defined by the Manual on Uniform Traffic Control Devices (MUTCD), of a road intersection condition or conditions, which may justify further study and analysis of the intersection.~~

**Wetland or Wetlands**

Areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas created to mitigate conversion of wetlands.

**Zone and Zoning District**

A legislatively defined and enacted policy, including standards, a detailed map and other criteria, all of which control and define areas of physical development of the county or any part thereof or any detail thereof and which are classified by the zoning ordinance as available for certain uses and unavailable for certain other uses.

**Zoning**

The demarcation of an area by ordinance (text and map) into zones and the establishment of regulations to govern the uses within those zones (commercial, industrial, residential) and the location, bulk, height, shape and coverage of structures within each zone.

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# CHAPTER 10

## CAPITAL FACILITIES AND ESSENTIAL PUBLIC FACILITIES

### INTRODUCTION

No change

### CAPITAL FACILITIES ELEMENT SOURCE DOCUMENTS

No change

### GMA MANDATE

No change

### **Goal A**

*Ensure that adequate public facilities are provided to accommodate the needs of Skagit County citizens for the next 20 years by:*

- *maintaining level of service standards for capital facilities;*
- *providing consistency among functional plans;*
- *ensuring timely provision and financing of facility improvements; and*
- *taking advantage of revenue sources such as impact mitigation, grants, and loans.*

## CAPITAL FACILITY NEEDS

### GOAL A1 FACILITY NEEDS

*Establish the baseline for the types of capital facilities to be addressed, levels of service, needed capital improvements to achieve and maintain the standards for existing and future populations, and to repair or replace existing capital facilities*

#### Policies

**10A-1.1 Capital Facilities** – Capital facilities are publicly-owned lands, buildings, and infrastructure that have an expected useful life of at least 10 years, not including county-owned vehicles, materials and furnishings that are funded through the County’s annual operating budget.

#### **10A-1.2 Capital Facilities Categories -**

- A: Capital facilities owned or operated by Skagit County and subject to the requirement for concurrency including roads, Sheriff’s facilities, and county-owned drainage facilities.
- B: Capital facilities owned or operated by federal, state, or city governments, independent districts, or private organizations and subject to the requirement for concurrency including water, fire and sewer, and drainage facilities where applicable.
- C: Capital facilities owned or operated by Skagit County but not subject to the requirement for concurrency including parks and recreation, general government, fair, senior services, public safety and solid waste.
- D: Facilities owned or operated by Federal, State, or City governments, independent districts, or private organizations but not subject to the requirement for concurrency including schools.



**11A-1.3 Application of Standards** - The following application of the LOS standards shall be used by the county in assessing facility needs and financing:

Category A facility standards shall apply to development permits issued by the County and shall be used in evaluating future capital improvement programs and budgets.

Category-B standards shall apply to development permits issued by the County but shall not apply to the County's annual budget or its Capital Improvements Program.

Category-C & D standards shall be the basis for annual reporting but not for development permit review.

**10A-1.4 Urban Water Service Standards** - Urban water service provided by a utility and designed to meet the needs of the designated service areas consistent with the Skagit County or City Comprehensive Plan, the Coordinated Water System Plan, and the designated water utility's Water System Plan shall meet the design criteria of the Coordinated Water System Plan.

**10A-1.5 Rural Water Service Standards** - Rural water service provided by individual wells, community systems, or extensions of urban water systems shall be designed to meet the rural water supply needs of the rural area users consistent with by the Skagit County Comprehensive Plan and the Coordinated Water System Plan for rural domestic water supply and fire protection.

**10A-1.6 Sanitary Sewer Standards** - Except as determined by the County Health Department, urban sanitary sewer service shall only be provided in urban growth areas by cities or county-approved special districts.

**10A-1.7 Fire Service Standards** – The county shall ensure that adequate fire and emergency medical service facilities are located or planned to accommodate current and future population. Standards for urban levels of fire service shall be consistent with Countywide Planning Policy 1.7. Non-urban fire level of service shall be as follows:

- A. Fire facilities shall maintain a Washington Survey and Rating Bureau (WSRB), public protection classification No. 8 or better, and fire flow in accordance with the Coordinated Water System Plan (Section 4 – Minimum Design Standards).

~~**10A-1.8 Park Standards**—The county shall use the following standards to determine the need for parks, open space, and recreation facilities as part of its on-going planning:~~

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Regional Parks:	10.45 acres per thousand population
Community Parks:	0.77
Neighborhood Parks:	0.08
Open Space & Undeveloped:	7.70
Special Use Park Land:	N/A

~~**Total:** 18.75 acres per thousand population<sup>1</sup>~~

~~**10A-1.9.8 Determining Public Facility Needs** – Facility needs shall be calculated determined by comparing existing facility capacity to using current and estimated future demand based on the adopted levels of service (LOS), minus the existing capacity national standards, regional averages, or assessments of a particular facility or service demand.~~

~~**10A-1.10.9 LOS Exceptions Level of Service (LOS) Alternatives** – Factors in addition to LOS for calculating needs include:~~

- Repair, renovation, or replacement of existing facilities;
- Provision of facilities exceeding LOS;
- Use of non-capital solutions such as programs that reduce needs or substitute for facilities; reduce demands;
- Replacement of traditional LOS;
- Creation of additional capacity within existing facilities; or
- Support for the provision of services at the end users' locations.

~~**10A-1.11.10 Prioritizing Improvements** - Capital improvement decisions shall be based on the following criteria:~~

- Safety – elimination of hazards;
- Efficiency – reduction of operational costs;
- LOS – achievement of adopted or desired standards;
- Community – satisfaction of expressed desires; and
- Funding – use of non-county funds.

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<sup>1</sup> Note on edit: The application of LOS standards in parks planning was changed, as discussed in the 2008-2013 Capital Facilities Plan, Ordinance No. O20070012, page 94.

**10A-1.12-11 Coordination** - All facilities scheduled for construction or improvement in accordance with adopted policies shall be coordinated with any plans of the State, other local governments or junior taxing districts that may have an effect on the County's proposed capital improvement.

**10A-1.13-12 Review of Other Providers' Plans** - The County shall acknowledge and incorporate the Capital Facilities Plans of other public facility and service providers that are consistent with this Comprehensive Plan.

## FINANCIAL FEASIBILITY

No change

## CITIZEN INVOLVEMENT

No change

## ESSENTIAL PUBLIC FACILITIES

No change



# CAPITAL FACILITIES AND ESSENTIAL PUBLIC FACILITIES PROFILE

## INTRODUCTION

This section is an overview of the “universe” of capital facilities and services that are necessary to support growth and development in Skagit County. This section summarizes the capital facilities planning process, and provides an overview of the 6-year Capital Facilities Plan (CFP) including a general profile of existing public facilities provided by Skagit County.

## THE CAPITAL FACILITIES PLAN (CFP)

Long-range capital facility planning is a public process accomplished through the development of facility-specific general plans such as the Comprehensive Parks and Recreation Plan or Transportation Systems Plan. Specific studies and needs analyses may inform the planning process (see Appendix C for a listing of related plans and studies). In the short term, Skagit County plans for the physical provision of facilities through the use of a 6-year Capital Facilities Plan (CFP).

The Capital Facilities Plan is a component of this Capital Facilities Element, and is required by the Growth Management Act. The CFP contains an inventory of existing County and non-County capital facilities, a forecast of future needs and projects, and a 6-year financing plan.

## Capital Facilities Financing

The CFP is fully funded, meaning that the cost of all identified facility improvements is matched to realistic funding sources based on an analysis of available funding capacity and financial resources. However, capital facility planning often requires multi-year commitments of financial resources. The CFP assumes receipt of outside grants and voter approved bonds. If grants or bonds are not forthcoming projects included in the

plan may be delayed or removed. The CFP is a planning document; not a budget for expenditures, nor a guarantee that the projects will be implemented.

## Facility Capacity

A key feature of the CFP is to provide public facility capacity to meet current demand based on capacity assumptions and population trends. Capacity assumptions are often called levels of service (LOS) and can be established by applying national standards, regional averages, or service-level assessments for a particular facility or service.

Levels of service are measures of the amount of public facilities that are provided to the community (e.g., number of jail beds). Levels of service may also measure the quality of public facilities (e.g., water quality). Typically, measures of levels of service are expressed as ratios of facility capacity to demand (i.e., actual or potential users).

No standard formula or methodology is used, as the considerations for assessing needed parks and recreation facilities, for example, is entirely different than that used for assessing road-improvement priorities. Therefore, the Capital Facilities Plan predicts the demand for various facilities based on capacity assumptions unique to each type of facility. Such assumptions are stated in the Capacity Analysis for each type of facility, or the documentation in support of the analysis is cited where appropriate.

## Non-County Capital Facilities

The County's primary responsibility is to ensure that adequate facilities and services are, or will be in place, to support forecasted growth. This includes County owned and operated facilities as well as those of other providers. Within the unincorporated area, the County is primarily responsible for facilities and services supporting community activities, law and justice, solid waste, surface water management, and transportation. Water supply, fire and emergency medical service, schools, sanitary sewer collection and treatment, diking and drainage, transit, and port services are the responsibility of other providers outside of the ownership and management of Skagit County. However, the GMA requires the County to coordinate with these other facility providers' plans and to recognize them within the Comprehensive Plan.

Skagit County is not responsible for the provision of planning and land use regulation services within the incorporated portions of the municipal UGAs. However, the County must ensure that public facilities and services are available, adequate and concurrent with development within non-municipal unincorporated UGAs and the unincorporated portions of municipal UGAs prior to annexation. The Framework Agreement between the County and the cities and towns requires that those jurisdictions plan and implement capital facilities improvements adequate to accommodate growth within their respective UGAs so that concurrency with adopted levels of service is maintained. This requirement provides for the transition of

government from the County, to the cities, as intended by GMA. Skagit County solicits capital facilities plans and related information of non-County service providers in conjunction with annual CFP updates, and provides ongoing consultation and assistance to encourage coordination of capital facilities planning across jurisdictions.

## CAPITAL FACILITIES PLANNING PROCESS

The GMA lays out the statutory requirements for planning capital facilities to ensure that they are, or can be, available when needed to accommodate forecasted growth. This includes the regular maintenance of the inventory of existing facilities; assessment of current and future needs based on adopted LOS standards or planning assumptions; and plans (including financing) for meeting the needs. The specificity of the needs assessments and plans varies as inventories, needs and capacity information is more certain with more specificity necessary for the immediate future and less so for the later years of the 20-year GMA horizon.

Skagit County reviews and updates the Capital Facilities Plan periodically to reflect official population estimates and projections by the State Office of Financial Management, revisions to the County-wide Planning Policies and population allocations, and any revisions to facility-specific plans or data. The update generally coincides with the annual budget process and includes:

1. Revision of population projections.
2. Updating the inventory and capacities of public facilities.
3. Determining facilities needs based on adopted or desired level of service standards and planning assumptions.
4. Updating the costs of public facilities.
5. Updating capital improvements project needs for the next six fiscal years.
6. Updating the revenue forecast and analysis of financial capacity.
7. Amending the CFP, and Comprehensive Plan (if necessary) including level of service standards, capital projects, and/or the financing plan sources of revenue.

## LEVEL OF SERVICE

For the capital facilities under its authority, Skagit County plans in two ways. The *needs-driven* approach anticipates capital projects and related financing strategies. This is sometimes called a “wish list.” The *revenue-driven* approach starts by determining the County’s financial capacity, and then anticipates capital projects that do not exceed available revenues. This is called “financially constrained.” The needs-driven approach may exceed the County’s capacity to pay for the projects it needs to achieve adopted level of service standards, and to provide those facilities concurrent with development. On the other hand, the revenue-driven approach may limit the County to capital projects that provide a lower level of service than the community desires.

A hybrid approach that overcomes these problems is the *scenario-driven* approach. In this approach, two or more scenarios are developed using different assumptions about needs (levels of service) and revenues. The scenarios help to identify the best combination of level of service and financing.

Levels of service are measures of the amount of public facilities that are provided to the community. Levels of service may also measure the quality of public facilities. Typically, measures of levels of service are expressed as ratios of facility capacity to demand (i.e., actual or potential users). Table 1 lists examples of levels of service measures for some capital facilities. Each level of service standard uses the specific unit quantity that measures the current or proposed level of service. For example, the adopted *standard* for parks might be 5 acres per 1,000 population, but the *current* level of service may be 2.68 acres per 1,000, indicating a shortfall of facilities.

**Table 1**  
**Sample Level of Service Measurements**

<u>Type of Capital Facility</u>	<u>Sample Level of Service Measure</u>
Corrections.....	Beds per 1,000 population
Fire and Rescue.....	Average response time Hospitals
	Beds per 1,000 population
Law Enforcement.....	Officers per 1,000 population, average response time
Library.....	Collection size per capita, Building square feet per capita
Parks.....	Acres per 1,000 population
Roads and Streets.....	Ratio of actual volume to design capacity

Schools .....	Students per Classroom
Sewer .....	Gallons per customer per day, Effluent quality
Solid Waste .....	Tons (or cubic yards) per capita or per customer
Surface Water & River Levees .....	Design storm (i.e., 50-year storm), Runoff water quality
Transit .....	Ridership
Water .....	Gallons per customer per day, Water quality

## **SETTING THE STANDARDS FOR LEVELS OF SERVICE (LOS)**

Because the need for capital facilities is largely determined by the adopted LOS standards, the County has engaged in extensive research and analysis and community outreach to select the standards that are included in the Comprehensive Plan and the Capital Facilities Plan. Level of service standards are measures of the quality of life of the community. The standards should be based on the community's vision of its future and its values.

When community expectations and desires for facilities and services exceeds the County's financial capacity to deliver, the level of service for some facilities may need to be adjusted periodically in order to fully fund existing and planned capital facilities. Ideally, the specific adopted level of service standards should be generated in the following process:

- (1) The current actual level of service are calculated.
- (2) National/regional standards or guidelines and examples of local LOS from other local governments are reviewed.
- (3) Local standards from County studies, master plans, ordinances and development regulations are examined.
- (4) Preliminary recommendations for standards are formulated.
- (5) Scenarios of needed capacity and cost implications of the recommendations are derived.
- (6) The Board of County Commissioners reviews the results.
- (7) Specific capital improvements projects to support the LOS are prepared.



- ~~(8) A draft CFP is prepared using the current LOS as the basis of proposed capital projects, their costs, and a financing plan necessary to pay for the costs.~~
- ~~(9) The draft CFP is reviewed by Board of County Commissioners, followed by public hearing(s) and deliberation of the Planning Commission. The Planning Commission then forwards its recommendation to the Board of County Commissioners.~~
- ~~(10) The Board of County Commissioners adopts levels of service standards as part of the CFP.~~

~~The final standards for levels of service are specified in the Capital Facilities policies. These standards are the basis for determining the need for capital improvements and are the benchmark for testing the adequacy of public facilities for each proposed development pursuant to the "concurrency" requirement. The standards can be amended, if necessary, once each year as part of the annual update of the Capital Facilities Plan or amendment of the Comprehensive Plan.~~

## ~~FINANCING STRATEGIES~~

~~The process of identifying revenues for the capital facilities financing plan involves:~~

- ~~1) Calculating the total costs for each type of public facility.~~
- ~~2) Matching existing restricted revenue sources with the related facility types.~~
- ~~3) Subtracting existing restricted revenues from costs to identify the unfunded "deficit."~~
- ~~4) Applying additional restricted revenues to the related facility types.~~
- ~~5) Allocating unrestricted revenue to unfunded deficits.~~

~~Implementation of the Capital Facilities goals and policies is dependent upon the constant monitoring of needs, LOS, and concurrency as growth occurs. The County's annual budget includes appropriations for subsequent fiscal year projects, contained in the schedule of capital improvements. The Capital Facilities Plan is reviewed and updated periodically in conjunction with the budget process, the release of official population estimates and projections by the State Office of Financial Management, any revisions to the County-wide Planning Policies and population allocations. The update is integrated with the Comprehensive Plan update process and includes:~~

1. ~~Revision of population projections.~~
2. ~~Updating the inventory of public facilities.~~
3. ~~Updating the costs of public facilities.~~
4. ~~Updating public facilities requirements and capacities analysis (actual levels of service compared to adopted standards).~~
5. ~~Updating revenue forecasts.~~
6. ~~Updating capital improvements project needs for the next six fiscal years.~~
7. ~~Updating the analysis of financial capacity.~~
8. ~~Amending the CFP, and Comprehensive Plan (if necessary) including level of service standards, capital projects, and/or the financing plan sources of revenue.~~

## ~~CONCURRENCY SYSTEM~~

~~The County maintains concurrency implementation and monitoring systems that include:~~

~~**Annual Report on Facility Capacities and LOS.** The report summarizes the actual capacity of public facilities compared to the adopted standards for levels of service and forecast the capacity of public facilities for the six succeeding fiscal years. The annual report provides the initial determination of the capacity and levels of service of public facilities for the purpose of issuing development permits during the next year. Each permit application is analyzed separately for concurrency.~~

~~**Public Facility Capacity Review of Development Applications.** The review of permit applications in the UGAs is conducted according to the terms of the Framework Agreement(s) between the County and the cities and towns. Records of the cumulative impacts of all development permits approved during each fiscal year on the capacity of public facilities are maintained. The county development regulations provide that permit applications may be denied because of insufficient capacity of public facilities, but that the applications may be resubmitted when the capital facility shortfalls have been addressed.~~

~~**Review of Changes to Planned Capacity of Public Facilities.** The County may amend the Capital Facilities Element goals and policies and the Capital Facilities Plan if the concurrency monitoring process reveals unforeseen issues or circumstances.~~

~~**Concurrency Implementation Strategies.** The County also reviews the concurrency implementation policies and strategies to determine if they are effective.~~

~~**Impact Mitigation.** The County may impose system impact fees or environmental impact mitigation fees on new development consistent with the proportionate impacts that the development may have on the LOS of any or all capital facilities.~~

## **COUNTY-OWNED CAPITAL FACILITIES**

For the purposes of capital facilities planning, Skagit County categorizes the facilities and services that it provides into four general categories:

- General Government
- Community Services
- Justice System
- Public Works

The following recapitulates the general inventories and proposed capital projects, by category of facility, stated in the 2003-2013 Skagit County Capital Facilities Plan.

### **GENERAL GOVERNMENT**

General government services include administration buildings, public-safety buildings, courthouses, community support facilities, special offices (Boundary Review Board offices), and storage.

## **LAW AND JUSTICE**

### **SHERIFF ADMINISTRATION**

The Sheriff Department provides a full range of law enforcement services, including jail services. ~~The Department consists of 55 sworn Deputy Officers and 30 Sheriff/Jail employees.~~ The Sheriff Administration has 12,000 square feet of office space and jail facilities equivalent to 158 beds. A new regional jail is planned to serve Skagit, Island, and Whatcom counties. Two proposed capital projects with an estimated cost of

\$4,100,000 include expansion of office space into the current County GIS facility (\$100,000), and Skagit County's share (\$4,000,000) of the construction cost of a Regional Jail facility.

### **YOUTH AND FAMILY SERVICES**

Youth & Family Services consists of the A.R.I.S. (At Risk Intervention Specialists) Administration Building (6,880 square feet) and the Juvenile Detention Center (14,000 square feet and 44 beds). There are no CFP projects proposed.

### **COURTS**

The court system consists of four Superior Court courtrooms and three District Court courtrooms located at the County Courthouse in Mount Vernon. There are no current CFP projects but the County is considering the addition of another court which would require additional facilities.

## **PUBLIC WORKS**

### **PUBLIC WORKS ADMINISTRATION**

In addition to its administrative offices, the Public Works inventory includes 21,200 square feet of working area space used for various shops and storage areas for a total of 39,200 square feet. A proposal for construction of a 2,500 square feet salt and bunker shed at a cost of \$150,000 is included.

### **SOLID WASTE**

The County provides solid waste collection and recycling services through three facilities. No solid waste capital facilities projects are included in the CFP.

### **SURFACE WATER MANAGEMENT**

Surface water management within unincorporated Skagit County includes a combination of regulations, physical structures, planning efforts, special assessment districts, and quantity and quality control facilities. The ownership, maintenance, and stewardship of drainage facilities take place through a variety of means including:

1. Administrative and regulatory measures such as regulations, drainage districts, the Skagit County Drainage Utility, and sub-flood control zones;
2. Flood Control measures that include dike districts and the Skagit River

- Feasibility Study for flood damage prevention;
3. Fish passage facilities; and
  4. Water quality actions that include watershed planning and implementation of state and federal water quality standards.

The County's Surface Water Management Plan inventory identifies the type and condition of surface water facilities within the County, and describes the County's plan for capital improvements to the drainage system infrastructure of surface water management. The County's surface water management facility proposals include 11 capacity projects (\$2,844,000) which primarily represent drainage improvement projects, and 3 non-capacity projects (\$758,000), which represent rehabilitation or restoration projects for ponds, creeks, and sloughs.

## COMMUNITY

Capital facilities for community uses include , County fairgrounds, senior services, and parks and recreation (trails and open space).

### FAIRGROUNDS

The County Fairgrounds consists of a total of 14.0 acres, 2,400 square feet of administrative office space, and 53,092 square feet for other building/exhibition entries. The Plan includes one capital project for various facilities Improvements at an estimated cost of \$600,000.

### SENIOR SERVICES

Senior Services consists of five senior centers located throughout the County, totaling just over 40,000 square feet of space. These centers have a total capacity of about 318,000 visits per year, which is utilized about one-third of the time. No additional facilities are planned.

### PARKS AND RECREATION

Skagit County's park system consists of a total of 1,700 acres (developed and undeveloped) of regional and community parkland, playfields and playgrounds, trails, open space, and boat launches. The current inventory does not include any indoor facilities – one is proposed in the CFP. This proposal is for a 40,000 square feet indoor sport court facility. The total proposed parks and recreation facilities include 11 capital projects at a total estimated cost of \$5,538,000, including \$1,970,000 for two

recreation facility capacity projects and \$3,568,000 for non -capacity development and improvements projects. Additional information from the *Comprehensive Parks and Recreation Plan*, adopted in 2004 is provided below.

### **Parks and Recreation Plan Summary**

The *Comprehensive Park and Recreation Plan* (CPRP) represents an extensive effort to redefine county policy and establish the vision for the recreational needs of the citizens. The CPRP fulfills a GMA requirement and meets grant funding eligibility criteria required by the State Interagency for Outdoor Recreation (IAC). The CPRP goals and objectives provide the County Parks and Recreation Department with direction for the implementation of strategies and actions for property acquisition, park development, capital improvement planning, and programs for the next six years.

Skagit County Parks and Recreation (SCPR) owns or manages 1,700 acres of parkland, both developed and undeveloped. SCPR-operated parks come in an range of configurations and sizes and provide a variety of activities and functions. They range from small neighborhood parks to large areas of open space and offer many unique recreational opportunities available to the citizens of Skagit County.

County park land is classified according to size, service area and types of use. These categories are as follows:

**Regional Parks** are generally larger sites that offer a variety of unique features or recreational experiences that serve the entire county population and beyond. These may include one-of-a-kind natural, cultural, or historic features, water access, or a concentration of facilities that can accommodate large-scale events.

**Community Parks** are generally larger than neighborhood parks and smaller than regional parks. They contain a range of sport fields and facilities and accommodate a variety of features and activities such as open space, swimming, BBQs and picnic areas for larger gatherings.

**Neighborhood Parks** are generally small, pedestrian oriented and situated to serve residents of a neighborhood or walkable community. Recreational activities may include both passive and active uses such as basketball or tennis courts and play equipment. Passive uses include open play areas. Passive recreational facilities may include nature trails, picnicking facilities, shelters, park benches, environmental-, cultural-, or historic interpretive facilities, and parking.

**Open Space Parks and Undeveloped Parks** are identified as available for passive outdoor recreation, offering trails for viewing, parking and other limited improvements.

Open space and undeveloped parks often allow for passive recreation opportunities in the form of sightseeing, picture taking, picnicking, beachcombing and other activities.

**Special Use Park Lands** are acquired to provide for activities that have specific needs that may or may not be compatible with other uses. Examples include golf courses, off-road vehicle facilities, or shooting ranges.

## LEVEL OF SERVICE

### Park Classification Needs

Park Classifications	Standard (acres/1000 people)
Regional Parks	10.45/1000
Community Parks	.77/1000
Neighborhood	.08/1000
Open Space & Undeveloped	7.7/1000
Special Use Park Land	N/A
<b>Total</b>	<b>18.75/1000</b>

### Park Inventories

Park Classifications	Existing Inventory		Year 2010 Demand*	Need 2010
	Acre	Acre	Acre	Acre
Regional	540	1295	755	
Community	49	95	46	
Neighborhood	1	9.9	8.9	
Open Space & Undeveloped	1085	954	0	
<b>Total</b>	<b>1675</b>	<b>2354</b>	<b>679</b>	

\* Based on a 2010 population of 123,900

### Demand and Need for Park Facilities

#### Regional Parks

Current Situation (acres/pop.)	5.14/1000
Aggregate LOS (acres/pop.)	10.45/1000

<del>Aggregate acres/105,000</del>	<del>1097 acres</del>
<del>SCPR Existing Acreage/105,000</del>	<del>540 acres</del>
<del>Need/Difference in Acreage (2003)</del>	<del>557 acres</del>
<del>Projected SCPR Need (2010)</del>	<del>755 acres</del>

### **Community Parks**

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<del>Current Situation (acres/pop.)</del>	<del>.45/1000</del>
<del>Aggregate LOS (acres/pop.)</del>	<del>.60/1000</del>
<del>Aggregate acres/105,000</del>	<del>63 acres</del>
<del>SCPR Existing Acreage</del>	<del>49 acres</del>
<del>Need/Difference in Acreage (2003)</del>	<del>14 acres</del>
<del>Projected SCPR Need (2010)</del>	<del>25 acres</del>

### **Neighborhood Parks**

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<del>Current Situation (acres/pop.)</del>	<del>.01/1000</del>
<del>Aggregate LOS (acres/pop.)</del>	<del>.04/1000</del>
<del>Aggregate acres/105,000</del>	<del>4.2 acres</del>
<del>SCPR Existing Acreage</del>	<del>1 acres</del>
<del>Need/Difference in Acreage (2003)</del>	<del>3.2 acres</del>
<del>Projected SCPR Need (2010)</del>	<del>4.3 acres</del>

### **Open Space**

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<del>Current Situation (acres/pop.)</del>	<del>10.3/1000</del>
<del>Aggregate LOS (acres/pop.)</del>	<del>7.70/1000</del>
<del>Aggregate acres/105,000</del>	<del>808.5 acres</del>
<del>SCPR Existing Acreage</del>	<del>1085 acres</del>
	<del>(276.5)</del>
<del>Need/Difference in Acreage (2003)</del>	<del>acres</del>
<del>Projected SCPR Need (2010)</del>	<del>0 acres</del>



## EVALUATING LOGICAL BOUNDARIES ALONG THE RURAL-NATURAL RESOURCE LAND INTERFACE

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Skagit County faces and will continue to face in the future, requests for conversion of resource lands to rural lands. These requests most frequently affect the Rural-Natural Resource Lands (NRL) interface. Five such cases are included in the 2007 proposed CPAs. Guidance on this issue is provided primarily by the applicable designation criteria for designated NRLs in the Comprehensive Plan. Upon analysis, many of the cases in the 2007 CPAs, however, rely on the most subjective part of the designation criteria—the provision of logical boundaries. This “criterion” is common to all NRL designation criteria in the CP and typically applies to cases where “[p]arcel[s] that do not meet any of the [other] criteria... may still be included or excluded to provide logical boundaries to the [NRLs designation] and to avoid small islands or peninsulas of conflicting non-resource land uses in the midst of resource lands”. Given the close-up lens through which these cases are scrutinized through the public review and approval process, it is perhaps appropriate to try and explain the rationale for the interpretation of such “logical boundaries”.

Although the Growth Management Act (GMA) seeks to protect both natural resource lands as well as rural lands and rural character, it’s clear from the rulings of the Growth Management Hearings Boards that the GMA places a higher degree of importance on the designation and protection Natural Resource Lands than that of Rural lands. Skagit County’s Comprehensive Plan policies place a similarly high emphasis on the protection of Natural Resource Lands. ***Therefore application of the logical boundaries criterion at the Rural-NRL interface must favor protection of the NRLs.*** An important component of this determination is the “long term commercial significance” of the NRLs imbedded in their definitions. This implies that the NRLs are important for countywide [and potentially regionally or statewide] economic reasons. As is the case for many commodities including minerals, timber and agricultural products, the year-to-year economic cycles and conditions [often caused by national, statewide or regional economic influences] affect the decisions of local NRL property owners as to their business and associated NRL property management.

In other words, in lean economic times, NRL property owners may seek other ways to maximize or diversify their economic return. In some cases, that may result in the desire to increase the range of uses and activities allowed on their NRLs—most directly achieved by re-designation to a Rural land use designation. Whereby, based on the record of such conversions in the past, large NRL parcels are subdivided into smaller parcels, sold, and typically developed for rural residential and/or associated small-scale agricultural or animal husbandry uses. The NRL utilization effectively changes the NRL land base permanently since the fragmentation of such parcels significantly reduces their long-term commercial significance. Such conversions may result in new development that may stimulate short-term construction related employment and new property tax revenues. However, most studies indicate that those new rural residential uses and even regional land use patterns, if replicated over a large enough area, result in a greater demand for new rural governmental services than they return in new tax revenue to pay for those services. This inevitably results in overall diminished rural levels of service and reduced, not enhanced, delivery of rural services by local government providers. Consistent with the “law of diminishing returns”, as demand for rural governmental services increases, the cost to provide those services increases but the resulting service is usually provided at a diminished level due to the spatial cost-inequities of providing those services to ever expanding and broader rural geographic areas.

The Rural-NRL interface is also subject to another significant problem—land use conflicts. Beyond the “pig-in-the-parlor” issue of nuisances such as odors, noise and aesthetics that often accompany the Rural-NRL interface—most often raised by the rural side of the interface—is the adverse impact of rural activities on NRLs. The burden put on resource operators by more and more residential neighbors cannot be understated. The concessions required on the part of the resource operations in order to “keep the peace” in the neighborhood often result in loss of profit either through added expense or reduced production. Many times, concessions are insufficient and the resource operator succumbs to induced rural growth. In many cases, incursions of rural lands into or adjacent to NRLs also adversely impact the long-term commercial significance of the NRLs by increasing road traffic on what were designed to be “farm-to-market” roads, increasing trespass and vandalism onto NRLs, increasing environmental degradation and loss of wildlife habitat, diminished water supply and/or quality and increased localized flooding.

Given these factors affecting the Rural-NRL interface, the County carefully reviews cases of potential conversion of NRLs to rural uses. In this sense, the *logical boundaries* become significant and perhaps less subjective, given that the GMA requires preference be given to protecting and promoting NRLs when applying the designation criteria along the interface. From a land use regulatory standpoint, it is, in general, more often advisable (and protective of NRLs) to manage, for example, a jagged edge of small parcels along the Rural-NRL interface as legal non-conforming NRLs than as outright Rural designated parcels if there is not a clear and defined geographic as well as a functional land use boundary or distinction between the NRL and Rural uses. For example, in areas where large parcel NRLs may abut small lot developed rural residential lots that have compatible current uses in common (such as agriculture, animal husbandry, or wooded lots) and are not separated by a definable border or buffer (such as a road, river or highway) designation of the smaller lots that don’t meet the minimum NRL parcel size criterion as non-conforming NRLs is preferable. On the other hand, in cases where there is a clear separation of uses by a definable border (such as a road, river, or highway) and by the nature of the size, current use and location of such small parcels, their potential for NRL utilization is significantly diminished and conversion of such parcels to Rural or some other non-NRL designation is not likely to significantly adversely impact the nature and operation of the adjacent NRLs, then such parcels may be more effectively managed as Rural.

A pattern of small rural use parcels immediately adjacent to contiguous NRLs may be compatible, but the potential for conflict is significant given the industrial scale natural resource related operations that are permissible on NRLs under regulated conditions. Furthermore, such a logical boundary clearly establishes the GMA primacy of NRLs over Rural lands in such situations and clearly indicates to future decision-makers that past (*pre-GMA*) incursions of rural land subdivision into NRLs are a land use planning relic and no longer a recommended pattern of sustainable land use development.

**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 2000<sup>1</sup>. 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

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<sup>1</sup> 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 are is predominantly delineated by the built environment<sup>2</sup>. 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.

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<sup>2</sup> 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 acres<sup>3</sup>. 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 environment<sup>4</sup>. 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 scenario<sup>5</sup>. 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.

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

<sup>4</sup> 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.

<sup>5</sup> 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 1990<sup>6</sup>. 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 acres<sup>7</sup>. 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

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

<sup>7</sup> 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 environment<sup>8</sup>. 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

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<sup>8</sup> 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			
	6	0	2	0

**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			
	6	0	2	0

**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:**

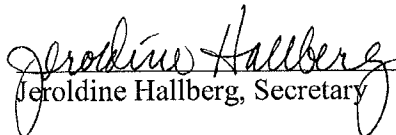
	<u>Support</u>	<u>Oppose</u>	<u>Absent</u>	<u>Abstain</u>
Dave Hughes, Chair	X			
Jan Ellingson, Vice Chair			X	
Jason Easton	X			
Carol Ehlers	X			
Herb Goldston			X	
Jerry Jewett	X			
Bill Schmidt	X			
William Stiles III	X			
	6	0	2	0

**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