

An Ordinance Adopting the 2016 Comprehensive Plan Update including amendments to the Comprehensive Plan and the Land Use/Zoning Map; revisions to the Airport Environs Overlay Maps; amendments to the Countywide Planning Policies; and amendments to Skagit County Code Title 14, Unified Development Code

Whereas Skagit County is required by the Growth Management Act (GMA), RCW 36.70A.130, to conduct a periodic review and update of its comprehensive plan and development regulations to ensure consistency with updated state laws and population and employment projections;

Whereas work on the 2016 Update began in 2014, and included discussions with the cities and towns on updated population and employment forecasts; identification of new state laws that the Comprehensive Plan and development regulations must comply with; and the conduct of a public comment period and hearing before the Board of County Commissioners (“Board”) to help the County determine the scope of the 2016 Update;

Whereas based on that preliminary work, the Board adopted Resolution R20140374 on December 16, 2014, establishing the scope of work and work program for the 2016 Update;

Whereas the Planning & Development Services Department (“the Department”) and the Planning Commission held numerous public work sessions and community meetings in 2015 and early 2016, taking public input on various Comprehensive Plan elements, proposed code amendments, and other aspects of the 2016 Update;

Whereas based on significant input from the Planning Commission and the public, Skagit County developed and then released the 2016 Comprehensive Plan Update proposal for public review and comment in early March of 2016;

Whereas after a 42-day public comment period which included a public hearing in early April, the Skagit County Planning Commission met four times in May to deliberate on the proposal, completing its work and its recorded motion on May 31, 2016;

Whereas the Board met on June 7 to consider the Planning Commission’s recorded motion, and directed that the County hold an additional public comment period, focusing primarily on 38 changes to the original proposal as recommended by the Planning Commission and several additional changes directed by the Board at that meeting;

Whereas the second public comment period ran from June 10 through June 23, 2016, and included a June 20 public hearing before the Board;

Whereas the Board met with the Department on June 28 to give final direction, based on the entire record before it, on what should be included in the ordinance adopting the 2016 Comprehensive Plan Update;

Whereas, per RCW 36.70A.130(5)(b), this periodic update must be completed by June 30, 2016;

Now Therefore, Be It Ordained by the Board of County Commissioners that:

Section 1. The Board of County Commissioners adopts the following findings of fact, in addition to the findings of fact included in the Planning Commission's Recorded Motion (Attachment 1):

- A. The County's 2016 Update process included extensive opportunities for public input, review and comment, including opportunities for the public to comment on the scope of the update process; to propose policies, code amendments and map amendments for inclusion in the update proposal; and to comment in public workshops on key elements of the Comprehensive Plan and development regulations identified by the scope as being updated through the process. After releasing the 2016 Update proposal, the County held two separate public review and comment periods including public hearings—one before the Planning Commission and one before the Board of County Commissioners. The public input process met and exceeded the requirements in SCC Chapter 14.08 Legislative Actions, and in the Growth Management Act (RCW 36.70A.130(2)(a), RCW 36.70A.140, and RCW 36.70A.035).
- B. The Board directed the Planning & Development Services Department to work directly with the Planning Commission during the development of the 2016 Update proposal, rather than with a separate citizen advisory committee. This helped to ensure that the Planning Commission was familiar with the various aspects of the Comprehensive Plan, development regulations, and land use/zoning map, and with relevant GMA requirements, once the process entered the formal public review and comment period including the Planning Commission's deliberations and development of recommendations on the proposal.
- C. The second formal public review and comment period, before the Board of County Commissioners, allowed the public an opportunity to comment on the 38 revisions to the original proposal as recommended in the Planning Commission's Recorded Motion, and on additional revisions directed by the Board at its June 7 meeting, consistent with Skagit County Code (SCC) 14.08.090, Review and decision by Board.
- D. The Board respects the Planning Commission's recommendation to move reference to the adopted 2009 Skagit Countywide UGA Open Space Concept Plan from policy to narrative. At the same time, it is important for Skagit County to continue to work with its partners to identify, prioritize, and conserve open space corridors within and between urban growth areas, as described in the revised language in policy 2B-1.3 adopted by this ordinance. There was significant public comment in the comment period before the Board of County Commissioners in support of this policy regarding continued cooperation with local partners on open space conservation.

- E. Existing code allows administrative variances for standard zoning setbacks to reduce those setbacks up to 100%. While the original proposal reduced the allowable reduction to 50%, variable lot sizes and configurations may frequently necessitate 100% reductions when no purpose would be served by Hearing Examiner review (proposed SCC 14.10.020(1)(d)).
- F. The proposed Guemes Island Overlay combined setbacks/height limit may adversely affect a number of small properties that ought to be able to receive relief through an administrative variance process because no purpose would be served by Hearing Examiner review (proposed SCC 14.10.020(1)(f)).
- G. The 2016 Update process revealed confusion about the process for adding transportation projects to the Comprehensive Plan's 20-year transportation project list, the County's Six-Year Transportation Improvement Program, and the Skagit Council of Government's regional transportation plan and regional transportation program. The additional narrative and flow charts added to the Transportation Element describing these processes will help clarify these issues for all participants in the planning process now and in the future.
- H. There was significant public comment before the Board of County Commissioners supporting inclusion of non-motorized transportation projects in the Transportation Element, and thereby enhancing safety and mobility and benefiting public health and the local economy. Comments also noted that it is important to respect property that neighbors trails and other public access points with regard to trespass, trash, privacy, and animal waste.
- I. The public comment period before the Board included a limited amount of comment in opposition to the proposed code amendments regarding storage of junk. This requirement already exists in Skagit County Code and has been enforced for many years. No substantive change has been proposed. The code amendment will simply make the prohibitions clearer by not having to refer to both permitted uses in various zoning districts and to definitions. A decision not to adopt the proposed amendments will have no effect on current enforcement practices, but will forfeit an opportunity to make the code clearer and more understandable to the public and easier to implement for the Department.
- J. Due to the variety of zones and lot sizes adjacent to Ag-NRL, landowners should be able to obtain administrative relief from the 200-ft setback in cases where they cannot obtain the signature of the NRL property owner but they meet the criteria for a setback variance.
- K. The County, cities, and towns worked together as the GMA Steering Committee to update Countywide Planning Policy (CPP) 1. The update includes a new population and employment forecast to 2036 and corresponding allocations to the various jurisdictions, and establishes an annual countywide land use monitoring program. Each jurisdiction determined through its own planning process that it could accommodate its preliminary population and employment allocation proposed under CPP 1, so those preliminary allocations are being formally adopted through this ordinance.

- L. **Burlington Urban Growth Area.** The situation facing the County, the City of Burlington, and the Housing Authority of Skagit County on the eastern edge of Burlington is unique in Skagit County. The Housing Authority property is improperly designated Ag-NRL, as it already supports 81 farmworker housing units built at urban densities and an additional 75 units are authorized under binding County resolutions enacted pursuant to the Housing Cooperation Law, RCW Chapter 35.83. The existing housing units are served by septic systems that have failed previously and are likely to fail again.
- M. The Housing Authority has funds (and County zoning approval based on those binding resolutions) to build a new farmworker housing project on its property on public sewer; and those funds would also pay for the connection of Raspberry Ridge 1 and 2 to public sewer. Sewer can only be extended to the new Housing Authority development if the property is brought within the urban growth area.
- N. Because the property is largely already developed, it will not add significantly to Burlington's residential development capacity. Additionally, there is a very limited supply of farmworker housing in the County as a whole; this property is one of the few meeting this specific need. As such, the proposal is consistent with the preliminary population allocation provided to the City of Burlington by the GMA Steering Committee in 2014.
- O. The UGA expansion is effective with the adoption of this ordinance, which applies County zoning of Burlington Urban Development District, allowing the city to implement the residential zoning of its choosing. The city has yet to determine the effective zoning of the property, as it is not yet done with its 2016 update.
- P. **Sedro-Woolley Urban Growth Area.** The City of Sedro-Woolley has documented the need, through its buildable lands analysis, to expand its northern UGA area to accommodate projected population and employment growth over the next 20 years. The Planning & Development Services Department and Planning Commission have carefully scrutinized the city's UGA expansion proposal and find it consistent with the range of discretion provided to a city under the Growth Management Act. Approval of the UGA expansion is accompanied by a policy stating that "By June 30, 2018, or prior to annexation, whichever comes first, the City shall provide a sewer plan amendment or other documentation to the County showing the sewer service extension plan for the northern UGA expansion area."
- Q. The western UGA expansion proposal is limited in scope, would affect only Rural Reserve property, and would allow the City owned property to be part of the city limits, abutting other public land (Janicki Playfields). The proposal does not affect the capacity of the UGA for housing or employment. Designated resource lands are not affected. Critical areas can be protected through city ordinances and the SEPA process.

- R. **Lake Erie Trucking.** The subject property meets the criteria in policy 4D-1.3 for the presence of mineral resources as required for a property to be included within the MRO. The property is designated Rural Resource-NRL (RRc-NRL), and residential densities on the subject land are less than one residence per 10 acres, also meeting the designation criteria for MRO. Although portions of the property are less than one quarter mile away from areas designated Rural Intermediate, any expansion of mining and quarry operations requires a Hearing Examiner special use permit and public hearing. That process and the MRO development regulations will address issues including mineral operational plans, impacts and mitigation (noise, vibration and dust levels), reclamation, groundwater and aquifer protection, identification of critical areas, traffic studies, effects on surrounding properties, stormwater runoff and erosion impacts, impacts on public interests (i.e., fishing, boating, hiking, camping), establishment of buffers, and hours of operation.
- S. **Edison Granary.** There is an existing granary building on the property and the intention is to convert it into a fully functional community events space and grange hall, and to establish a seasonal weekly farmer's market to showcase and support the many small-scale local producers and growers in the area. Event parking can be accommodated on-site. The property has a residential sanitary use permit associated with the community septic system.
- T. The redesignation is consistent with applicable policies in the Comprehensive Plan's Rural Element, including policy 3C-2.5 regarding Rural Village Commercial uses serving "the everyday needs of rural residents and natural resource industries and to provide goods, services, and lodging for travelers and tourists to the rural area"; 3C-2.6 regarding the clustering of new commercial uses around existing such uses; 3C-2.7 regarding typical uses within Rural Village Commercial districts; and 3C-2.8 regarding size limits for uses within the Rural Village Commercial districts intended to retain the area's rural character.
- U. **Concrete Concepts.** The map amendment will allow a pre-existing building on site to be used for an art gallery/studio. The parcel contains two metal buildings not intended for residential use and is adjacent to other parcels designated Rural Village Commercial. The property has a residential use permit associated with the community septic system.
- V. As with the Edison Granary, the redesignation is consistent with applicable policies in the Comprehensive Plan's Rural Element, including policy 3C-2.5 regarding Rural Village Commercial uses serving "the everyday needs of rural residents and natural resource industries and to provide goods, services, and lodging for travelers and tourists to the rural area"; 3C-2.6 regarding the clustering of new commercial uses around existing such uses; 3C-2.7 regarding typical uses within Rural Village Commercial districts; and 3C-2.8 regarding size limits for uses within the Rural Village Commercial districts intended to retain the area's rural character.

- Section 2. The Skagit County Comprehensive Plan is adopted as shown in Attachment 2 to replace all prior versions of the Comprehensive Plan; the existing Shoreline Master Plan policies in Chapter 6 are retained.
- Section 3. The Skagit County Comprehensive Plan Land Use/Zoning Map is re-adopted and amended to implement the changes shown in Attachment 3.
- Section 4. Countywide Planning Policy 1 is amended as shown in Attachment 4.
- Section 5. The Airport Environs Overlay Building Heights Restriction Contours map and FAA Aeronautical Review Contours map, are adopted as shown in Attachment 5.
- Section 6. Skagit County Code Title 14 is hereby amended as shown in Attachment 6.
- Section 7. Resolution 15570 (December 12, 1994) adopting an interim seawater intrusion policy, is repealed.
- Section 8. This ordinance is effective on July 5, 2016.

Witness Our Hands and the Official Seal of Our Office this 30th day of June, 2016.

**Board of County Commissioners
Skagit County, Washington**

ATTEST:



 Clerk of the Board



 Lisa Janicki, Chair

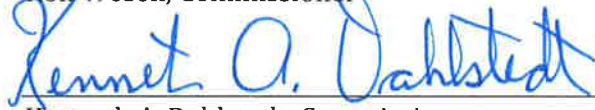
APPROVED AS TO CONTENT:



 Dale Pernula, Director
 Planning & Development Services




 Ron Wesen, Commissioner



 Kenneth A. Dahlstedt, Commissioner

APPROVED AS TO FORM:



 Will Honea, Civil Deputy
 Skagit County Prosecutor's Office

Attachment 1
Planning Commission's Recorded Motion

Skagit County Planning Commission’s Recorded Motion Regarding the Comprehensive Plan 2016 Update

Proposal publish date:	March 3, 2016
Proposal name:	Comprehensive Plan 2016 Update
Documents available at:	www.skagitcounty.net/2016update
Public hearing body:	Skagit County Planning Commission
Public hearing date:	Tuesday, April 5, 2016, at 6 p.m.
Written comment deadline:	Thursday, April 14, 2016, at 4:30 p.m.
PC deliberations:	May 10, May 17, May 24, and Tuesday, May 31, 2016

After considering the written and spoken comments and considering the record before it, the Planning Commission enters the following findings of fact, reasons for action, and recommendations to the Board of County Commissioners.

Findings of Fact and Reasons for Action

1. In its resolution establishing the scope of the 2016 Update, the Board of County Commissioners expressed its satisfaction with the plan in general and its desire to keep the scope of the update narrow.
2. “Related Studies and Plans” are not incorporated into the Comprehensive Plan. These are reference material only to which the Comprehensive Plan refers and are not part of the Comprehensive Plan itself. These materials are subject to change or update outside the control of the Comprehensive Plan amendment process.
3. The map amendments as proposed, with the exception of the Sedro-Woolley southern UGA expansion, are consistent with the Comprehensive Plan designation criteria.
4. The Sedro-Woolley southern UGA expansion does not meet the criteria for de-designation of Ag-NRL land. Sedro-Woolley’s proposed use of the property in question as a stormwater management facility may be accomplished within the County’s Ag-NRL zoning as a Hearing Examiner Special Use Permit, which will allow for mitigation of impacts.
5. The latest Sedro-Woolley analysis demonstrates that almost 20 acres are not developable due to existing development and a utility easement for overhead power lines and therefore supports the full 149.3 acres in the city’s northern UGA expansion proposal.
6. The County must ensure all buildings requiring potable water can demonstrate a legal use of that water, so policies regarding ensuring legal use of water should refer to “all buildings requiring potable water” not just “residences.”

7. Rainwater catchment can be a valuable source of drinking water.
8. The Open Space Taxation Act, enacted in 1970, allows property owners to have their open space, farm, and agricultural and timber lands valued at their current use value as the basis for assessment of property taxes by the county assessor.
9. In its scoping resolution, the Board did not express a desire to update policy 2B-1.3 to “implement” the Skagit Countywide UGA Open Space Concept Plan. The plan was adopted in 2009; the existing policy to identify open space has been achieved. Implementation of the Open Space Concept Plan requires further work or study (e.g., funding, advisory committees, a tax levy).
10. There may be a future need to convert Ag-NRL land to an industrial use for creation of an industrial park to serve agricultural processing.
11. “Home-Based Business 3” in Ag-NRL duplicates “Farm-Based Business,” so should be deleted. HBB3 should not be loosened to allow non-agricultural home-based businesses in Ag-NRL to keep uses in Ag-NRL consistent with agricultural use.
12. NRL property owners have vested interests that are affected by neighboring setback variances.
13. GMA requires both a 6-year financial plan for transportation facilities and a 20-year plan for meeting transportation needs; the 20-year plan is necessarily more conceptual.
14. Prior versions of the Comprehensive Plan have lacked a 20-year transportation facilities list.
15. There has been considerable confusion regarding the public process for some of the projects listed in the Transportation Technical Appendix.
16. The various non-motorized projects in the Transportation Technical Appendix were not described consistently in the proposal.
17. Many of the non-motorized projects in the proposal’s 20-year list are only conceptual.
18. Projects should not be sent to SCOG for the regional TIP until they have been approved by the County.
19. Several of the non-motorized projects in the proposal were wholly new and had not previously been through any public vetting process or needs analysis.
20. The projects in the Planning Commission’s recommendation are either on an existing adopted County plan, are small safety projects, or have been specifically requested by the community (e.g., the Guemes Ferry trail).

21. The beginning of the Transportation Element describes the procedure for creating the 6-year TIP and should have included a description for the 20-year project list. The same explanations for the creation of the 20-year project list should also be included.
22. There are separate processes for adding projects to the Comprehensive Plan's 20-year project list and to the County's 6 year TIP. Both processes involve public hearings, and both require final decisions by the Board of County Commissioners. A project on the Comprehensive Plan's 20-year project list must go through the 6-year TIP process before it can also be placed on that list.
23. It is important to respect property that neighbors trails and other public access points with regard to trespass, trash, privacy, and animal waste.

Recommendation

The Planning Commission recommends that the Board of County Commissioners **approve** the proposal with the following changes:

1. Approve the Burlington UGA expansion without the Rohweder and Sager parcels that Burlington did not approve.
2. Approve the Concrete Concepts map amendment.
3. Approve the Edison Granary map amendment.
4. Approve the Lake Erie Trucking map amendment.
5. Approve the full 149.3-acre northern UGA expansion area, based on the further analysis provided by the City of Sedro-Woolley identifying what portion of the northern area is not available for further development.
6. Approve the western Sedro-Woolley UGA expansion.
7. Deny the southern Sedro-Woolley UGA expansion.
8. Remove references to the 6-year TIP and to the 2016–2021 vs. 2022–2036 time periods from the narrative, project list, and tables in the finance section (Sec. 8) of the Transportation Technical Appendix. Instead, this section should reference the County's 20-year transportation plan and projects and the 20-year planning period 2016-2036.
9. Replace the unnumbered non-motorized transportation projects on pages 58-60 and 91-92 of the proposed Transportation Technical Appendix with the information from the attached table [in supplemental staff report #4].
10. Rename project #38 in the Study list, currently labelled "South Skagit Highway Realignment" to "South Skagit Highway Mill Creek Savage Creek Habitat Restoration"; and move it to the Project list, with a reduced price tag of \$10 million.

11. Change policy 2B-1.3 to narrative and modify to reflect that the plan was adopted in 2009.
12. Revise Goal 2B to say “between” rather than “around” urban growth areas.
13. Revise policy 3A-2.1(a) to refer to “a building requiring potable water” rather than a “residential building,” and add language at the end of the policy stating that the water source meets drinking water standards.
14. Add a new policy comparable to policy 3A-2.1(a) that applies to land divisions but without language prohibiting rainwater catchment systems.
15. Revise applicable instances of “residential building” to “building requiring potable water.”
16. List approved rainwater catchment systems in Comp Plan policies and narrative where that is an available and legal option.
17. Revise policy 3A-3.6 by adding the following two additional conditions from GMA: urban services must be financially supportable at rural densities and will not permit urban development.
18. Retain Natural Resource Industrial (NRI) policy 3C-5.5 regarding establishment of an ag industrial park on Ag-NRL land.
19. Delete Home-Based Business 3 from Ag-NRL.
20. Amend policy 3C-1.7 to indicate that landowners and residents of an area being considered as a newly designated Rural Village should be involved in that planning.
21. Policy 4B-2.11 should be corrected to note NFPA not DNR.
22. Add Health’s suggested language to policy 7B-1.8 to focus efforts on expanding the supply of housing affordable at or below 50% of area median income.
23. In the Guemes Island Overlay, modify the height limit so that height is measured from the Base Flood Elevation.
24. Revise SCC 14.18.100(5)(i) to ensure the 200 ppm chloride limit applies to all seawater intrusion areas as defined in SCC 14.24.380.
25. Strike the proposed reference to TMDL plans in policy 5A-4.1.
26. Move text in policy 12A-4.1 about adopted subarea plans into narrative.
27. Move the Fidalgo Subarea Plan to existing policy 12A-4.2 as a future plan.
28. Strike the proposed descriptive language about the 2006 Fidalgo subarea planning process.

29. In policy 10A-1.4, reverse rural and urban water Level of Service so that they are listed in the correct columns.
30. In the Capital Facilities Profile, clarify the description of the relationship between the Capital Facilities Element and the annually updated Capital Facilities Plan.
31. Fix missing headings and goals and proofreading (e.g., “colocation”).
32. Relabel the “general policy goals” in Chapter 4 as “guiding principles.”
33. Replace the maximum lot coverage table in SCC 14.16.320, for Rural Reserve with a limit of 5,000 sq ft or 20%, whichever is greater, not to exceed 25,000 square feet.
34. Exempt agricultural accessory and processing uses from the Rural Reserve lot coverage maximum, up to 35%.
35. Retain the requirement in SCC 14.16.810(7) that for a NRL setback reduction through a waiver, the neighboring resource landowner’s approval is required; and require any variance from an NRL setback be a hearing examiner variance.
36. Revise 14.06.110(13) to clarify that the Hearing Examiner’s decision on the SEPA threshold determination is final and no appeals to the Board are allowed.
37. Renumber the lettered sub-policies in the Environment element consistent with the rest of the Comprehensive Plan.
38. Make very clear in the Introduction (and anywhere else) which documents are part of the Comprehensive Plan and which are not, and note that documents not part of the Comprehensive Plan are not subject to the Comprehensive Plan update process.

Additional Recommendations:

1. The Board should take public comment on Recommendation #8 (re TIP time periods).
2. The Board should create a steering and/or citizen advisory committee to assist the PC and BOCC in identifying and vetting non-motorized transportation projects for the 20-year transportation plan, including representatives from Parks, Planning, Public Works, user groups, property owners, and citizens.
3. Look into adding emergency markers and addresses for emergency situations for trails and public access points.
4. Look at the possibility of allowing rainwater harvesting as a water source for land divisions.
5. The matter of requiring permanent protection of open space created through CaRDs on Guemes Island should be taken up as part of a future development code amendment project.

6. Review the junk code with respect to art and historical displays and differentiation between trash and junk in the near future.
7. The Board should ensure needs analysis is performed on the 20-year non-motorized projects.
8. The Board should consider changing the terminology for the 20-year non-motorized projects to "conceptual projects" for those projects that are unfunded to flag them to be vetted, to have needs analysis, and to be prioritized.

This recorded motion approved May 31, 2016:


Commission Vote	Support	Oppose	Absent	Abstain
Josh Axthelm, Chair	✓			
Annie Lohman, Vice Chair	✓			
Tammy Candler	✓			
Hollie Del Vecchio	✓			
Amy Hughes	✓			
Kathi Jett	✓			
Kathy Mitchell	✓			
Tim Raschko	✓			
Martha Rose	✓			
Total	9	0	0	0

SKAGIT COUNTY PLANNING COMMISSION
SKAGIT COUNTY, WASHINGTON



Josh Axthelm, Chair

5/31/16
Date



Dale Pernula, Secretary

5/31/16
Date

Project	Location	Description	Project Cost	Recommendation & Rationale
Bicycle Route 5 (Coast Millennium Trail) Safety/Mobility Improvement Study ⁵	Southern County line to Bayview State Park	This is an existing A-north / south multimodal transportation corridor from the southern County line north to Bay View State Park which passes through the Town of La Conner and Bay View utilizing County roads and the existing Padilla Bay Trails . The projects would include paved shoulder widening, trail improvements, and signing along the corridor. Connects or will ultimately connect to bicycle routes in Whatcom and Snohomish Counties.	\$7,000,000 \$200,000	Retain, but change from project to study. There is already significant use of this corridor by bicyclists. The study would consider potential safety and mobility improvements to make the existing road more bicycle friendly, through shoulder and signage improvements. There is strong interest in Bicycle Route 5 in La Conner and Edison, as it brings many cyclists to the communities who frequent local businesses and services.
North Fork Bridge Safety Project	North Fork Bridge	Improvements to the bridge to increase driver awareness and bicyclist safety; located on Bicycle Route 5 (Coast Millennium Trail). The project would install rider activated flashing beacons and signs warning motorists of bicycles on the bridge.	\$7,000	Retain. This is a safety project on an existing bicycle route (BR 5) and road and bridge facility. It has been brought to the attention of Public Works staff by bicyclists who feel the narrow bridge is unsafe for bike passage. It is the only direct way to get from Fir Island to La Conner.
Existing Bicycle Route 14 Shoulder Enhancements	Mount Vernon to McLean Rd. Pock Park Rest Area	Bicycle Route 14 is an existing. A-east/west multimodal transportation corridor from Mount Vernon to the McLean Pocket Park and Bicycle Route 5 (Coast Millennium Trail) utilizing McLean Road. The project would include shoulder maintenance and widening where needed with the addition of signing.	\$100,000	Retain. This corridor is already heavily used by bicyclists. The project would involve improvements to the road shoulder and improved signage. Enhancements would be completed when the road is scheduled for general road improvements or rebuilding.

⁵ A designated regional bike route is a route that Skagit County in collaboration with cities, towns, and user groups identified as existing corridors that are used by non-motorized users, especially bicyclists. Following guidance from WSDOT, the routes are named and numbered to be consistent with what other counties and local jurisdictions had named the routes.

Project	Location	Description	Project Cost	Recommendation & Rationale
McLean Road Rest Area Pocket Park	Best Road and McLean Road	A rest stop with amenities for the bicycle/pedestrian community positioned at the intersection of Best Road and McLean Road and centrally located between Skagit County's major destinations. This rest area project-park would include bicycle racks, picnic area, toilets, and informational signing of bicycle routes and trails in the area.	\$300,000	Retain. This project would be located on property already owned by Skagit County. Local area residents and property owners have expressed support for this project, which has been on the TIP in past years when the County was actively seeking grant funds.
Bayview Ridge Spur	City of Burlington to Bay View Ridge	An alternative parallel multimodal transportation corridor to USBR 10 that connects the City of Burlington to Bay View Ridge and Bicycle Route 5 (Coast Millennium Trail). This project would construct a multi-use trail connecting to other existing and planned routes and trails.	\$3,780,000	Remove. This project can be removed as a separate item, and can be considered as part of the US Bicycle Route 10 (Coast to Cascades) Corridor Study discussed below.
Swinomish Indian Tribal Community Safe Routes	Swinomish Indian Tribal Community to La Conner and La Conner Schools	Improvements to Tribal, Town, and County roads and sidewalks from the Swinomish Indian Tribal Community to La Conner and La Conner Schools to increase bicyclist and pedestrian safety for residents and students. This project would make pedestrian and bicycle improvements to the existing road system that include flashing crosswalks, bicycle lanes, signing, and pavement markings.	\$800,000	Remove. This is primarily a Town of La Conner, Swinomish Tribe, and La Conner Schools "safe routes to schools" project that includes only a small portion of County road. The project has already been funded, is being constructed this year, and can be removed from this list.
Burlington to Edison Multi-Modal Pathway (Tiger Trail)	City of Burlington to the Town of Edison	A separated non-motorized trail adjacent to State Route 11 connecting the City of Burlington to the Town of Edison and Bicycle Route 5 (Coast Millennium Trail). This project would acquire right-of-way/easement adjacent to SR 11 for a separated multi-use trail, connecting the Allen, Blanchard, Bow, Edison area to the City of Burlington and other planned bicycle routes and trails.	\$8,900,000	Remove. A study of this corridor may make sense in the future, given existing and future usage; however, this item should be removed at this time.

Project	Location	Description	Project Cost	Recommendation & Rationale
Avon Multimodal Cutoff	SR 20 east of Burlington	An east / west multimodal corridor from City of Burlington to the intersection of Higgins Airport Way and State Route 20, utilizing unopened county right-of-way. This project would construct a trail from the Pulver Road area to Higgins Airport Way connection to the Port trail system utilizing existing County owned right-of-way.	\$3,000,000	Remove. This project can be removed as a separate item, and can be considered as part of the US Bicycle Route 10 (Coast to Cascades) Corridor Study discussed below.
Peterson Road	Bayview Ridge from Avon Allen Rd to Higgins Airport Way	Improve/widen roadway to urban standards adding sidewalks or trail.	\$3,900,000	Add. This project is in the County's adopted 2016-2022 Six-Year TIP and the adopted SCOG Regional Transportation Plan ⁶ (project 55) but was inadvertently left off the 20-year project list.
Guemes Ferry Trail	Ferry terminal to Edens Rd	A separated trail located on Guemes Island, adjacent to Guemes Island Road, that connects the ferry landing to Schoolhouse Park. The project would improve safety and mobility for a growing number of bicyclists and pedestrians. This project would construct a multi-use trail connecting the Ferry Terminal to the Community Center and Park near Edens Road. Where possible it would utilize adjacent right-of-way along Guemes Island Road.	\$1,400,000	Retain. Guemes Island residents have expressed strong interest in this proposed trail, including more than 500 signatures in support, and have been working with the Parks and Public Works departments for the past year to move it forward. Several comments in support of the project were received through the 2016 Update public comment process, and none in opposition. See attachment.
Cascade Trail – Wiseman Creek Boardwalk	East County near Hamilton	Boardwalk through Wiseman Creek area to reduce impact to fish and increase recreational value of trail.	\$300,000	Add. This project is included in the County's adopted Parks and Recreation Plan and in the adopted Regional Transportation Plan (project #79) but was inadvertently left off the 20-year project list.

⁶ "Skagit 2040 [the Regional Transportation Plan] was developed through a cooperative process that involved the Skagit Council of Governments, as the Metropolitan Planning Organization and Regional Transportation Planning Organization, the Washington State Department of Transportation (WSDOT) Northwest Region, the public, the Technical Advisory Committee and ongoing transportation planning efforts of Skagit County's 8 cities and towns, 2 ports, transit agency and 4 tribal governments that constitute the MPO-RTPO planning area." Executive Summary, Skagit 2040, Skagit Council of Governments, p. 2.

As further described in the plan introduction: "Beginning in March 2015, public input to inform the Plan update was obtained through a series of meetings, information booths, consultations, briefings and other opportunities to provide input. SCOG's Technical Advisory Committee participated in the development of a draft Plan that was released to the public for further comment during a 14-day review period from January 26 – February 8, 2016. The final Skagit 2040 Regional Transportation Plan was formally adopted by the TPB on March 16, 2016."

Project	Location	Description	Project Cost	Recommendation & Rationale
US Bicycle Route 13 (Cascade Centennial Trail Corridor Study)	State Route 9 and County Roads	This is an existing A north/south multimodal transportation corridor from the southern County line to the northern County line adjacent or parallel to State Route 9 and County roads. The proposed project envisions path would consist of a 10-foot paved trail and a grass shoulder for equestrian use, consistent with the Snohomish County trail sections . The corridor study would consider issues including available right of way, property impacts, shoulder widths, and alignment . Coordination with Snohomish and Whatcom counties would also be appropriate to link to their facilities .	\$26,610,000 \$200,000	Retain, as a corridor study, with reduced dollar amount. This project is included in the adopted Skagit County Parks and Recreation Plan, in the adopted Capital Facilities Plan, and in the adopted Regional Transportation Plan (project #63). It ties to several City of Sedro-Woolley projects that are also in the RTP; and to existing or planned trails in Snohomish and Whatcom counties. The Centennial Trail in Snohomish County is extremely popular with the public. The Skagit County project would support pedestrian, bicycle and equestrian use, similar to the Centennial Trail in Snohomish County. This corridor study is distinguished from the Centennial Trail project (Big Rock to Clear Lake) already included in the adopted 2016-2022 Six-Year Tip (project #4) and the adopted Regional Transportation Plan (project #54).
US Bicycle Route 10 (Coast to Cascades Trail Corridor Study)	State Route 20 corridor	This is an An-existing east/west multimodal transportation corridor from Fidalgo Island to the Town of Concrete and east County line utilizing State Route 20, City and County roads and trails. The study is would consider include shoulder widening where necessary and trail construction and/or existing trail improvements.	\$20,000,000 \$200,000	Retain, as a corridor study, with reduced dollar amount. US Bike Route 10 is an existing cross-country bicycle facility recognized and authorized by local jurisdictions through which it passes, including Skagit County. The Cascade Trail portion of this project is included in the adopted Skagit County Parks and Recreation Plan and in the adopted Capital Facilities Plan. This entire corridor project is included in the adopted Regional Transportation Plan (project 62).

Attachment 2
Skagit County Comprehensive Plan



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*Adopted by the Board of County Commissioners
through Ordinance O20160004 on June 30, 2016*



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Plan Components

The Comprehensive Plan consists of:

- this document, including introductory chapters, policy elements with accompanying information, and appendices, including the Transportation Technical Appendix;
- the Comprehensive Plan Land Use/Zoning Map on file with Skagit County;
- the County's annually updated Capital Facilities Plan (last adopted by Ordinance O20150010 on December 28, 2015);
- the County's adopted Parks and Recreation 2012-2018 Plan (adopted by ordinance O20130005 on December 3, 2013);
- the County's adopted Shoreline Master Program policies;
- Subarea Plans, including:
 - [Alger Community Plan](#) (adopted by O20080015 on December 23, 2008);
 - [Bayview Ridge Subarea Plan](#) (most recently amended by O20140005 on November 17, 2014);
 - [Guemes Island Subarea Plan](#) (adopted by O20110001 on January 18, 2011);
 - [Hamilton Subarea Plan](#) (adopted by O20080010 on August 12, 2008).

Each of these plans is available at www.skagitcounty.net/comprehensiveplan.



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Comprehensive Plan Policy Elements

Each chapter contains narrative description of the intent, context, or history related to the goals and policies. This narrative is not itself policy, but rather ancillary information that supports the policies. Following the narrative, each chapter recites the underlying Growth Management Act goals and Countywide Planning Policies, followed by the Comprehensive Plan's binding goals and policies.

Chapter 1: Introduction and Summary.

This chapter does not contain policies, but provides a brief history and general description of Skagit County today, and offers a brief discussion on the Skagit Valley in its earlier days. It includes information on past comprehensive planning and public involvement, as well as how this comprehensive plan was developed and updated.

Consolidated Land Use Element

Land uses recognized in the Comprehensive Plan fall into four general categories: Urban, Rural, Natural Resource Lands, and Open Space. The following three chapters contain guiding policies for these land-uses, and together comprise the Land Use Element of the Comprehensive Plan:

Chapter 2: Urban, Open Space and Land Use Element

This Element addresses the general distribution and location, and the appropriate intensity and density of Urban and Open Space land uses. The Element also addresses certain land use goals and policies that are generally applied consistently across all land use categories: the treatment of historic land use approvals; pre-existing non-conforming uses; public uses; lot certification; and land divisions. The element also includes goals and policies for the establishment of regional, or difficult-to-site facilities referred to under state law as essential public facilities.

Chapter 3: Rural Element

This Element establishes broad goals and policies guiding residential, commercial, and industrial uses in unincorporated Skagit County consistent with the Growth Management Act's allowance of



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development in the rural area, including “limited areas of more intensive rural development,” otherwise referred to as LAMIRDs.

Chapter 4: Natural Resource Lands Element

These policies guide long-range planning, programs and regulations to conserve agricultural, forest and mineral resource lands.

Unconsolidated Elements

Chapter 5: Environment Element

The Environment Element provides the policy basis for the protection and regulation of critical areas, such as wetlands, aquifer recharge areas, frequently flooded areas, geologically hazardous areas, and fish & wildlife habitat conservation areas.

Chapter 6: Shorelines Master Program Element

This chapter contains the goals, policies, and implementation procedures of the Skagit County Shorelines Master Program. Topics addressed include: shoreline use, conservation, public access, circulation, economic development, recreation, protection of historical, cultural, and educational values and, restoration and enhancement.

Chapter 7: Housing Element

This chapter contains plan policies that promote suitable living environments at all income levels, encourage housing maintenance, redevelopment and safety, and promote faster approval time when possible in the permitting process.

Chapter 8: Transportation Element

This chapter details the transportation goals, objectives, and policies which set forth the adopted Level of Service (LOS) standards and other policy commitments for Skagit County as described in the Technical Appendix adopted as part of this Plan.

Chapter 9: Utilities Element

The policies in this chapter discuss the following: natural gas, telecommunications, electricity, solid waste, sewer, public water, water quality, drainage, flooding and storm runoff.

Chapter 10: Capital Facilities

The focus of this chapter is the planning and provision of needed public facilities for the County’s unincorporated and countywide populations. This chapter includes the specific goals and policies



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that address capital costs, financing, levels of service methods and consequences, statutory requirements, and specific related goals and policies.

Chapter 11: Economic Development Element

This chapter details policies relating to economic needs such as: creating and maintaining diverse employment opportunities, protecting natural resource utilization, increasing non-resource industry diversity, promoting a range of commercial retail and service businesses, increasing tourism, conserving natural resources and open spaces and fostering a healthy public-private cooperative partnership in support of diverse business operations and investment.

Chapter 12: Plan Implementation and Monitoring

This element describes the concepts involved in putting a plan into action, how this Plan is updated and amended, and how the Plan is monitored and evaluated. This chapter also addresses how the Plan and its development regulations will be applied at the community level, through the community planning process.

Appendices

- Appendix A contains definitions and a list of acronyms used within this document.
- Appendix B contains a chronological list of the Comprehensive Plan process from 1965 to the initial adoption of this Comprehensive Plan in 1997.
- Appendix C contains the Transportation Element Technical Appendix, 2016.

Comprehensive Plan/Zoning Map and Supplemental Maps (under separate cover)

The Skagit County Comprehensive Plan/Zoning Map depicts general land uses, such as Urban Growth Areas, Rural lands, and Natural Resource Lands, among others. These land uses are guided by and designated countywide based on the policies and criteria set forth in the Comprehensive Plan. The Map also establishes zoning boundaries that are part and parcel of the Skagit County Code. Within each designated land use are one or more zoning districts, within which specific Skagit County land-use regulations apply. Such regulations are consistent with and carry out the policies of the Comprehensive Plan. Also shown on the map are federally designated lands such as national parks and wilderness areas.



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In recent years, Skagit County has maintained a variety of maps on the County's website, such as the iMap interactive mapping tool at www.skagitcounty.net/maps/imap. Online mapping technology allows for greater public access, decreased mapping costs, and provides the most up-to-date information. Online mapping has been well received by the public, and has substantially reduced the demand for printed maps. Nevertheless, hardcopy maps may still be ordered from Skagit County's GIS Department. Although no longer printed as a volume (the last reprint was in 2000), the Map Portfolio may nevertheless be useful as a historic reference and is kept on file in Skagit County's archives.

Subarea Plans

These plans are part of the Comprehensive Plan and address a particular subject area or region of the County. They include:

- Alger Community Plan, adopted December 2008
- Bayview Ridge Subarea Plan, most recently amended in 2014
- Guemes Island Subarea Plan, adopted January 2011
- Hamilton Subarea Plan, adopted August 2008

Related Studies and Plans

The following documents were used in the development and implementation of the Comprehensive Plan, but are not part of the Comprehensive Plan:

- Comprehensive Economic Development Strategy (CEDS), Skagit Council of Governments, 2003; 2013 CEDS Data Supplement; 2013 CEDS Implementation Plan
- Skagit County Housing Needs Assessment, March 1993
- Skagit County Low Income Needs Assessment, Community Action of Skagit County, 2009
- Skagit County Community Needs Assessment, Community Action of Skagit County, 2009
- Skagit County Coordinated Water System Plan - Regional Supplement, 2000
- Skagit County Urban Growth Areas Analysis Update: Population, Employment, & UGA Land Allocations by Jurisdiction, March 1997



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- Skagit County Transportation Systems Plan, August 2003
- Skagit County Comprehensive Solid Waste Management Plan, 2005, Amended 2008
- Skagit County Countywide Planning Policies
- Skagit County Growth Projections, July 2014; Updated, September 2015
- Skagit County Growth Projections Summary of Methods and Results, July 2014
- Skagit Countywide UGA Open Space Concept Plan, September 2009



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The primary purpose of comprehensive planning is to help the public and elected officials define objectives, set priorities, and seek solutions to long-term issues. The Comprehensive Plan provides a sense of direction, a broad overview of where a community is (existing conditions) and where it is going (trends and vision). It is a way of assuring that a community's health, safety and



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general welfare are protected by striving for and creating a better, more healthful, efficient and aesthetically pleasing environment in which to live.

The purpose of the Skagit County Comprehensive Plan is to address these principles within the framework mandates by the state Growth Management Act and to provide goals, policies, and strategies for managing growth over the next 20 years.

Skagit County Perspective

Skagit County is located in the northwestern portion of Washington State. It encompasses 1,735 square miles, ranks 21st in geographic size among the state's counties and had approximately 120,620 residents as of April 2015 (Washington State Office of Financial Management, 2015).

Skagit County was established in 1883 and named after the river and one of the Indian tribes that lived along its banks. The Skagit River is the third largest in the western United States, flowing 78 miles through a diverse and beautiful land. The county stretches from the crest of the rugged North Cascade Mountains on the east, down through the fertile valleys, to saltwater beaches. The topography of Skagit County ranges from sea level to 8,966-foot Mount Logan and is reflected in the terms used for such places as the Skagit Flats, western islands, upper Skagit, Sauk, and Samish River Valleys, and the Cascades.

Skagit County has a marine climate affected by its proximity to Puget Sound and the Pacific Ocean resulting in mild winters and warm, drier summers. Agriculture is the dominant factor in Skagit County's economy and community character. Farming and ranching have been an important part of the community's heritage since early settlement in the 1800's. The Skagit Valley is regarded as one of the most fertile valleys in the world, producing major commodities, specialty crops, and vegetable seeds and flowers with unique market niches. Forest lands, which predominate much of the county's upland landscape, are another significant natural resource. The practice of forestry (logging, reforestation, and timber management) was established in the earliest stages of settlement in the county. Large-scale commercial forestry remains a vital industry and is practiced on well over 300,000 acres, or about 29% of Skagit County's total land area of 1.1 million acres. Fishing—commercial and recreational—is another natural resource industry that has influenced Skagit County economically and culturally. The mining industry similarly has much importance to the County economy. In addition to natural resource-based industries, the



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economy has diversified to include strengths in the areas of retail sales, contracting, fabrication, and services.

Linking the Past to the Present

The Skagit Valley was inhabited for thousands of years before the arrival of settlers in the 19th Century. The cession of tribal lands through the Point Elliot Treaty of January 22, 1855 greatly changed traditional Native Americans' ways and beliefs. Land titles and surveys were alien ideas to the customs of Native Americans, but were basic to the farmers settling in the valley.

A fern-covered prairie on March's Point seems to have been the site of the first white settlement. By 1870, other new settlements were located elsewhere in the Flats, although there was still very little development. Construction of dikes enabled the growth of farming on the rich delta land.

By 1890 railroads were instrumental in supporting the farming, logging, and mining industries, featuring a line from Portland, Oregon, to Anacortes. During the 1890s, two north-south lines were completed through the county, connecting it with Seattle and Vancouver. By 1901, the east-west line was extended from Hamilton through Concrete and into Rockport.

The Skagit River has played an important role in the history of Skagit County. Tribal settlements were located near salt water and along the rivers. For new settlers in the logging business, the Skagit provided the means to transport timber, although logjams hindered activity until 1889. By 1890, most of the land next to water had been logged off, and operations moved further inland using animals and machines to transport timber.

The River and Sound also furnished an abundance of resources. Salmon provided an important food source for the early tribal peoples. Commercial fishing by new settlers began in the 1890s with the building of fish-processing plants and by 1900, clams and oysters were also being canned. By the turn of the century, however, over-fishing had reduced available stocks and experiments with fish hatcheries sought to supplement dwindling fish runs. Over the next thirty years, canneries continued to be productive in Anacortes. When the commercial fishing industry declined, other marine industries emerged, such as boat-building and recreational boating. Today, the Anacortes and La Conner marinas are among the largest in the State of Washington.

Skagit County separated from Whatcom in 1883. In 1884, La Conner was established as the temporary county seat with its established port and considerable population. The county's first



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newspaper, the Skagit News, garnered sufficient support to make Mount Vernon as the county seat and a vote later in 1884 confirmed the change.

Comprehensive Planning in Skagit County

Skagit County has a 50-year commitment to the value of planning. The first Comprehensive Plan was adopted in 1965 and was the guiding document for the physical development of the county until the growth management era.

The 1965 Comprehensive Plan:

- *Set the stage for farmland preservation.*
- *Identified logical areas for industrial and residential uses.*
- *Called for avoiding development in areas sensitive to or suffering from pollution.*
- *Introduced the County's first zoning and subdivision regulations.*

During the period 1970 – 1990, the County prepared district plans; updated the zoning code; adopted joint sphere of influence agreements with the cities and towns; worked with the tribes to prepare joint plans for the reservations; and began working with the cities and towns on growth management plans. Further planning under the Growth Management Act is addressed below.

Growth Management Act

Starting in October 1990, the County initiated planning as required by the Growth Management Act (GMA), adopted by the State Legislature earlier that year. This began more than six years of work by the community, Planning Commission, and the Board of County Commissioners leading to the May 1997 adoption of the first Comprehensive Plan developed under the Growth Management Act. The plan underwent significant updates in 2000, 2007, and 2016.

In addition, the County worked with the cities to draft the Countywide Planning Policies which were first adopted in July 1992 and amended in 1996, 2000, 2007, and 2016. The Countywide Planning Policies support the thirteen state-mandated GMA goals for compact urban growth, reducing sprawl, and addressing transportation, housing, economic development, property



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rights, permits, natural resource industries, open space and recreation, environment, citizen participation, public facilities and services, and historic preservation. The Countywide Planning Policies serve as the legal backbone of the comprehensive plans of the County and cities.

Public Involvement

From the start of the GMA era, the County embraced the GMA requirement for “early and continuous” public involvement. This included a wide-ranging visioning process, creation of citizens’ advisory committees for the key plan elements, newsletters and media articles, videotapes, and presentations and briefings to community and interest groups. A detailed list of major public involvement activities leading to adoption of the 1997 Comprehensive Plan may be found in Appendix B.

Since the Plan was first adopted, the County has used the Planning Commission as the primary focus for public outreach and communication. This is true in the 2016 Comprehensive Plan Update process as well, where the Board of County Commissioners instructed the Planning & Development Services department to work directly with the Planning Commission in developing the 2016 Update proposal, ensuring that the Planning Commission had the opportunity to vet major elements of the proposal before releasing the completed draft for formal public review and comment.

Community planning processes for Bayview Ridge, South Fidalgo Island, Alger, and Hamilton involved appointed advisory committees, as did the Envision Skagit 2060 50-year visioning process. The County has recognized the Guemes Island Planning Advisory Committee (GIPAC) as the community-based representative for subarea planning for Guemes Island. Natural resource advice is provided in part by the Agricultural Advisory Board and the Forest Advisory Board. Other advisory committees have worked on such issues as mineral resource lands, Master Planned Resorts, and the Shoreline Master Program update.

As time goes on, the County employs a wide range of outreach procedures such as open houses, community meetings, social media, and the Skagit County website to reach the community.

For the 2016 update, the Board of County Commissioners established a scope of work that focused on making required updates and completing the update on time. The plan elements receiving the most attention—Transportation, Housing, and Rural—were discussed at workshops with the Planning Commission in the spring of 2015. Four additional community outreach



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meetings were held in 2015 in Concrete, Fidalgo Island, Edison, and Big Lake. The County released the 2016 Update proposal for public review and comment in March 2016 and the Planning Commission held hearings in April 2016.

Planning for Tomorrow

The GMA is intended to direct local (county and city) planning to create blueprints for growth over a 20-year period. The basic objective of the legislation is to guide and encourage local governments in assessing their goals, evaluating their community assets, writing comprehensive plans, and implementing those plans through regulations and innovative techniques to encompass their vision of the future. The Growth Management Act invests local government with significant decision making power. This "bottom up" approach is consistent with long held traditions of local governance in this state.

The Vision: A Comprehensive and Balanced Planning Approach

Visioning Process

From the fall of 1990 through the spring of 1991, citizens worked at home and at public workshops to voice their visions for the future. Participants across the county said they wanted to preserve the high quality of life, strive for government efficiency, support economic opportunities, increase housing choices, ensure that transportation facilities and services are available to serve development at time of occupancy and use (concurrency), provide for an efficient land-use pattern, preserve rural, resource and ecologically fragile areas for future generations, respect property rights and maintain opportunities for citizen participation and involvement throughout Skagit County's planning processes.

Major Themes of the Community Vision

All of the goals, objectives and policies of the Comprehensive Plan are based on these community vision statements and are an expansion of the Countywide Planning Policies and State GMA goals:



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Preserve the high quality of life: Residents of Skagit County choose to live here for many reasons: natural beauty, clean air, good jobs, a good place to create a home and family. This plan seeks to foster this high quality of life for residents and their children by providing for social, cultural, educational, economic, recreational, civic, transit, health, and safety needs.

Strive for government efficiency: This plan calls for efficient delivery of services in a cost-effective way by:

- *concentrating infrastructure investments and service delivery to support development patterns near cities and towns where a full range of local services are or can be made available.*
- *looking to Skagit County to provide certain countywide, regional facilities and services.*
- *relying primarily upon cities, towns and special purpose districts as the providers of local facilities and services appropriate to serve those local needs, except where the County is a local service provider.*

Support economic opportunities: This plan strives to promote a strong and diverse economy for Skagit County residents through policies and programs that promote new business opportunities, increase family wage jobs and create a predictable regulatory environment for businesses and citizens. Sustainable economic development efforts will focus on providing all communities with a balance of jobs and housing and helping communities with redevelopment or new economic initiatives.

Increase the housing choices for all residents: Skagit County unincorporated residents live in a wide variety of home types: single family houses with yards, large rural lots, duplexes, apartments, and mobile homes. This plan seeks to increase housing opportunities for all residents (families, individuals, seniors, and persons with special needs). The plan promotes more choices for both owners and renters alike, such as single family homes on smaller lots, creative opportunities for all types of home ownership, and high quality housing design that fits with surrounding neighborhoods and is located closer to jobs, in particular within UGAs.

Ensure that necessary transportation facilities and services are available to serve development at the time of occupancy and use: This plan provides a basis for targeting road and transit investments where growth is desired and for equitable contributions to the transportation system by new development.



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Balance urban uses and environmental protection: This plan promotes an efficient and effective land use pattern within urban growth areas that respects environmental values by balancing urban uses with nature and open space. This will be achieved through careful site planning that maximizes developable land while respecting natural systems. This plan also proposes that the County consider community and joint planning to ensure natural systems continue functioning at a smaller geographical level while allowing the economy to expand.

Protect and retain rural lifestyles: This plan seeks to maintain the unique rural lifestyle for which Skagit County is widely known and cherished. Skagit County's rural communities and open spaces require protection and conservation from urban sprawl and suburban development patterns. Rural community character and open spaces are a valued part of Skagit County's diversity.

Protect and conserve agriculture, forest and mineral resource lands: Natural resource lands, such as farms and timber lands, provide economic, social, cultural and environmental benefits. This plan ensures that these areas, including mineral resource lands, continue to be viable today and into the future.

Protect and conserve the environment and ecologically sensitive areas, and preclude development and land uses which are incompatible with critical areas: This plan recognizes that the environment is an important public resource. Protecting and conserving the environment and ecologically sensitive areas is in the community's best interest. Development of areas susceptible to natural hazards may lead to inefficient use of limited public resources, jeopardize environmental resource functions and values, subject persons and property to unsafe conditions, and affect the quality of life.

Respect property rights: This plan respects private property rights by assuring that regulatory and administrative actions do not result in an unconstitutional taking of private property. Skagit County, in exercising its land use regulatory authority to protect the public health, safety and general welfare (Article XI Section 11 of the State Constitution), must respect private property rights by not exceeding the constitutional limits on its authority. Planning, land use regulations and zoning protect individual and community rights in the following ways:

- *by avoiding nuisances through ensuring against incompatible neighboring land uses;*
- *by balancing public and private responsibilities that may have conflicting interests;*
- *by providing predictability that enhances the value of private property;*



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- *by incorporating trends of population growth and resource availability to provide necessary public facilities;*
- *by providing codes, ordinances and regulations that organize a community's physical layout;*
- *by protecting and conserving the natural resources that provide us with clean air and water;*
- *by protecting our heritage by preserving both natural and man-made resources, and scenic and cultural areas that generate civic pride;*
- *by assuring that each generation has responsibilities as a trustee of the environment for future generations;*
- *by attaining the widest range of land uses without degradation, risk to health or safety, or other undesirable and unintended consequences; and*
- *by recognizing that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the protection and enhancement of the environment;*
- *by recognizing existing non-conforming land uses and the development rights associated with them.*

Encourage citizen participation and involvement: This plan derives its strength from the thousands of citizens who have participated throughout the planning process to develop a vision for Skagit County's future. Skagit County has a diverse and vocal population whose opinions continually shape public policy. The development of Skagit County's Comprehensive Plan is the product of a planning process that included extensive public participation. Procedures provided for broad dissemination of all plan proposals and alternatives, opportunities for written comments, public meetings after effective notice, provision for open discussion, communication programs, information services and consideration of and response to public comments.

Envision Skagit 2060: looking forward 50 years

Many of these same themes were reinforced by a planning and visioning process the County undertook between 2009 and 2012 called Envision Skagit 2060. Envision Skagit was a



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collaborative process intended to identify long-term opportunities and challenges facing residents and communities in Skagit County over the next 50 years. The process received assistance from numerous local partner organizations and was funded with two federal grants and local in-kind contributions from participating organizations;

Skagit County launched the project with the help of a Steering Committee consisting of 18 community leaders representing cities, towns, tribes, and the Port of Skagit, conservation organizations and agencies and the farm and forestry sectors, and Skagit Valley College. The project also drew on the knowledge of four Technical Committees consisting of experts in the fields of agriculture, forestry, ecology, economic development and growth management;

The project made extensive use of a 12-member Citizen Committee consisting of a broad cross-section of Skagit County residents selected from an applicant pool by the Board of County Commissioners and the Mayors of Anacortes, Burlington, La Conner, Mount Vernon and Sedro-Woolley acting as the GMA Steering Committee;

The Envision Skagit Citizen Committee worked between September 2010 and June 2011 to develop its recommendations. The Citizen Committee engaged in extensive information gathering and public outreach activities during that time, meeting with dozens of local elected officials and business and community leaders, making site visits throughout the county, and sponsoring more than a dozen community visioning sessions and open houses in communities throughout the county.

The Envision Skagit Citizen Committee's Final Report and Recommendations were released in October 2011. The recommendations emphasize the following key goals and policies consistent with the existing Comprehensive Plan:

- *Encourage the majority of new population growth in cities and towns, which have the infrastructure and financial resources to provide urban services.*
- *Protect and sustain Skagit County's Natural Resource Lands and industries, and its environmental resources and open spaces, which contribute significantly to the County's economy and unique quality of life.*
- *Support rural communities and economies, maintain rural character, and discourage urban sprawl into rural lands.*



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- *Address the housing and transportation needs of the current and future populations through sound regional planning; and*
- *Maintain a strong economy by ensuring adequate land for current and future industrial development at Bayview Ridge.*

The Committee's recommendations regarding Bayview Ridge and protecting industrial land for the future were instrumental in generating support for the countywide industrial lands inventory and for significant policy changes at Bayview Ridge, which downplayed future residential development in favor of a stronger focus on industrial development. Amendments to the Bayview Ridge Subarea Plan made by the County in 2013 and 2014 increased the amount of land available for development in the Bayview Ridge-Light Industrial zone by nearly 300 acres.

The State of Washington recognized Envision Skagit with a 2012 Governor's Smart Communities Award for Excellence in Comprehensive Planning. The Board of County Commissioners in February 2013 acknowledged the contributions to the project of more than 50 community leaders and a much larger number of members of the general public.

At that ceremony, the Board noted that the Envision Skagit recommendations reinforce key goals, themes, and policies contained in the current Skagit County Comprehensive Plan, which has evolved through more than 50 years of community planning in Skagit County and has involved countless Skagit County residents serving on the Planning Commission and citizen advisory committees and otherwise contributing to the development of the plan.

Strengthening Communities Through Local Planning

To be successful, plans must address a broad spectrum of issues that affect a community. The plans must address social as well as physical infrastructure needs. Skagit County's community planning efforts were designed to strengthen communities at three geographic levels: countywide, community, and inter-jurisdictional (with cities, towns, tribes, and other institutions). Functional plans overlay all three community-planning levels. At each planning level, issues and needs vary widely. Each plan will be tailored to those unique characteristics and specific issues. Countywide plans are regional in nature, community plans are defined by watershed boundaries,



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existing development patterns, or other physical features, and joint plans primarily address cities, towns, and Tribal Reservations and their Urban Growth Areas. Community plans will address the full range of issues for a healthy community, such as public safety, health and human services as well as land use and infrastructure. This menu approach allows the geographic scope of a plan to be determined based on local physical and natural features, political boundaries, issues and concerns.

Countywide Plan: A Regional, Countywide Perspective

The Skagit County Comprehensive Plan seeks to manage growth by protecting natural resource lands, open space and rural areas, and establishing Urban Growth Areas where development is directed. This Plan:

- Ensures efficient use of land by minimizing the public costs and adverse impacts of growth;
- Avoids incompatible rural and urban uses by reducing sprawl;
- Provides efficient and safe transportation networks;
- Supports coordinated networks for open spaces, greenbelts, and recreation;
- Protects critical areas and environmentally sensitive lands;
- Maintains and improves the quality of air and land resources;
- Minimizes risk to public health and safety; and
- Preserves urban and rural landscapes, lifestyles, character, and features.

This Plan establishes the most appropriate uses of land in unincorporated Skagit County through the year 2036. Broad land use designations have been adopted to provide the basis for regulating uses on natural resource lands, urban growth areas, rural areas, and open spaces. Natural resource lands are where Skagit County will through conservation and protection measures promote long-term, commercially significant agriculture, forest, and mineral resource uses. Urban growth areas include incorporated (city and town) areas and unincorporated areas appropriate for urban growth through the year 2036. Rural areas include rural activities and uses that are not suitable for urban intensity or natural resource uses that do not meet the GMA standard of long-term commercial significance. Open space areas are lands with regional



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importance that have been set aside, dedicated, designated or reserved for public or private use or enjoyment for either active or passive recreation, scenic amenities, natural resources, or for the protection of environmentally sensitive areas.

Community Plans: A Sub-Regional Approach

Community plans are more detailed plans for smaller geographic areas that address location-specific issues. Site-specific land-use designations and zoning may result to take into account these local issues and needs. Community plans provide an opportunity for integrating land use, infrastructure and human service delivery at a more up-closer level than is possible with the Comprehensive Plan. Adopted subarea plans are part of the Comprehensive Plan and are listed in the Preface.

Joint Plans: Creating Partnerships with Cities, Towns, Tribal Communities, and Rural Villages

Urban Growth Area plans seek to reduce taxpayer costs by focusing the expenditure of public funds, encouraging concentrated development, and increasing choices for housing and economic development. By directing urban growth to areas within and near cities and towns, growth will be focused in those areas where services can best be provided by cities, towns, special purpose districts and the County. Urban Growth Area plans will strengthen local character and make urban areas desirable places to live while ensuring that future generations will continue to enjoy the best qualities of the Skagit Valley, have choices for affordable places to live, obtain good quality jobs and have a high quality of life. These plans focus on collaborative actions between the County and its cities and towns as established in the Countywide Planning Policies and the Framework Agreement.

Rural Village plans provide an opportunity for rural residents to define and shape the future of existing, historic unincorporated rural communities. Rural Villages contribute to rural housing options and provide employment opportunities and limited commercial-retail services for rural residents. Rural Villages will assist in providing for a variety of rural densities by allowing higher density housing than is permitted in the surrounding rural and natural resource areas. Rural Villages provide activity centers where rural residents and others can gather, work, shop,



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entertain, and reside. Site-specific land-use designations and zoning will take into account local issues and needs.

Tribal Community plans are unique in that they result from coordinated planning processes involving a tribal community and Skagit County. Skagit County and the local tribes have worked diligently to create better communities for their residents. For example, the Swinomish Rural Village was established in 1988 and modified as an Urban Growth Area in 1997. Agreements were reached to provide for joint County/Tribe comprehensive planning efforts. In 1994, the Board of County Commissioners adopted a resolution recognizing the Swinomish Tribal Community, Upper Skagit and Sauk-Suiattle Tribes as sovereign governments. This creates a formal government-to-government relationship since both entities regulate land use activities affecting Indian and non-Indian interests. Tribal Community plans provide policy guidance for future development (both public and private), land stewardship, and resource protection. The importance of Tribal Community plans is evident as both jurisdictions seek to: assure a quality of life which is deemed desirable to both present and future generations; confront the issues of land and resource management; and balance the interests of Indians and non-Indians.

Functional Plans: Detailed Plans for Facilities or Services

Functional plans are detailed plans for facilities and services and other governmental activities, such as:

- Transportation
- Parks
- Solid Waste
- Stormwater
- Economic Development
- Housing Needs
- Water
- Schools
- Emergency Services



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Some functional plans are operational or programmatic, which means they guide daily management decisions or include the specific details of facility design and location. Functional plans are prepared by Skagit County, independent special districts, and other public agencies.

Capital improvement programs (CIPs) are important components of functional plans as these plans identify needs, costs, and funding mechanisms for facilities and services. CIP plans distinguish between capacity improvements needed for new growth versus improvements to meet general public health, safety, and welfare needs.

The 2016 Update

The Growth Management Act requires local jurisdictions to periodically review and update their plans and development regulations. Skagit County and its cities and towns were last required to update their plans in 2005, and again face a state periodic update requirement in 2016. (The exception is jurisdictions under 5,000 in population which received a deadline extension to 2018). At each of these points, the 20-year planning horizon is extended and the resulting growth forecasts must be addressed in terms of land needs, infrastructure, and the other GMA factors. The plans can be amended annually as well, but the periodic update requires a more comprehensive review to consider:

- updated population and employment projections;
- urban growth area sizing;
- consistency with GMA and any recent updates to the act and related state statutes; and
- evolving local circumstances.

Growth Forecast

In 2014, the Growth Management Act Steering Committee adopted a county population target of 155,452 for 2036, or 35,751 new residents over the next 20 years. The Steering Committee based its decision on the recommendation of a technical committee of County, city, and town planners who reviewed the population forecast range by the state Office of Financial Management (OFM)



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and the local ability to accommodate growth. The OFM forecast a range from 128,123 to 198,189. The adopted number of 155,452 is approximately half-way between the Office of Financial Management’s low and medium estimates. The target was further broken down into numbers for the cities, towns and their municipal UGAs (104,488), the County and tribal UGAs (5,299), and the rural area population (45,655). These numbers are used as the basis for comprehensive plan updates in each jurisdiction.

The adopted population allocations do not include population numbers for future fully contained communities or non-municipal UGAs such as Bayview Ridge (other than a minor population allocation to Bayview Ridge reflecting existing buildable residential lots). Based on review of historical data and local knowledge, the GMA Steering Committee concluded that new non-municipal UGAs or fully contained communities should not be necessary to accommodate future population growth within the 20-year planning period. The selection of the medium population forecast also recognizes the unique quality of life and rural character of Skagit County and that planning efforts for further growth should reflect the desire to protect and preserve that character while promoting a robust economy that compliments the policy to preserve and protect Skagit County’s rich agricultural and resource heritage.

In addition, the Growth Management Act Steering Committee adopted an employment target for the County of 70,617 jobs for 2036, an increase of 18,853 jobs over the 2015 total of 51,764. (The GMASC set the initial employment target at 67,762 in 2014, but then increased it to 70,617 in 2015 to reflect projected job growth at the Center for Innovation and Technology/North Cascades Gateway Center in Sedro-Woolley). The employment projection is based on several factors, including historic ratios of job growth to population growth in Skagit County, and projections by the state Employment Securities Division for the growth of certain industries present in Skagit County. The process is documented in the *Skagit County Growth Projections Summary of Methods and Results, July 2014*.

The aggressive job growth projection also reflects an intent by local elected officials to implement strategies to strengthen the local economy and emphasize growth in family-wage jobs. Examples include Skagit County’s designation of additional industrial acreage at Bayview Ridge through 2013 and 2014 amendments to the Bayview Ridge Subarea Plan, and the ongoing partnership between the City of Sedro-Woolley, the Port of Skagit, and Skagit County to establish the Center for Innovation and Technology on a portion of the old Northern State Campus north of Sedro-Woolley.



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Update Process

Skagit County undertook an extensive review of its comprehensive plan, land use/zoning map, and development regulations in the 2005 GMA Update. Because of the magnitude of that review, it took the County two years past the 2005 deadline to complete the process, culminating in the adoption of the current Comprehensive Plan in 2007.

For the 2016 Update, the Board of County Commissioners approved the following goals:

- keep the scope focused on required elements under state law;
- instruct the Planning and Development Services Department to work directly with the Planning Commission, rather than a separate advisory committee, to develop the 2016 Update proposal;
- provide adequate time and opportunities for public input; and
- complete the process on time.

To initiate the process, the Planning and Development Services Department reviewed the Comprehensive Plan and development regulations against the Washington State Department of Commerce's Periodic Update Checklist for Counties. The checklist is designed to help counties identify components of their comprehensive plan and development regulations that may need to be updated to reflect new information or to comply with recent changes to GMA.

The Department issued a memo in October 2014 proposing the scope for the 2016 Update based on that checklist review. The Board of County Commissioners held a public hearing and comment period on the proposed scope in fall 2014, generating 36 written or spoken comments. In December, the Board adopted Resolution R20140374 which found that "the Comprehensive Plan is generally working well as currently written and needs only minor changes, not a major overhaul..." and established the scope and work plan accordingly.

In terms of the Comprehensive Plan, the resolution directed the Department to:

- focus greatest attention on the Rural, Transportation and Housing elements;
- update population and employment allocations and, in consultation with the cities, consider any required changes to urban growth boundaries;
- update land use and demographic data where needed in the plan;



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- integrate existing subarea plans, the Skagit County Parks and Recreation plan, and the Capital Facilities Plan with the Comprehensive Plan; and
- review policies and narrative regarding availability of water for rural development in light of recent court decisions and actions by the Department of Ecology.

The resolution also directed the Department to:

- move forward with some 30 code amendments necessary to implement updates to state law, improve permit processing efficiencies, or resolve inconsistencies between policies and code; and
- conduct public work sessions with the Planning Commission on the above topics in the process of developing the proposal; and
- hold up to four additional community work sessions with the Planning Commission and public in various communities in the county.

These Planning Commission and community work sessions were held as directed in 2015 and early 2016, with meeting materials and notes being placed on the 2016 Update website.

The County created an additional opportunity for input into the 2016 Update process by determining that policy, code or map amendment proposals submitted by members of the public by the end of July 2015—the normal deadline for annual Comprehensive Plan and code amendments—would be considered for inclusion in the 2016 Update.

Through that process, the County received 17 policy and code amendments from members of the public, and 5 map amendment proposals from property owners and one city (Sedro-Woolley). Again, the Board held a public hearing and written comment period on the amendment proposals in October 2015, and adopted Resolution R20150390 in December 2015 establishing which proposals would be added to the 2016 Update.

Update Themes

The following key themes emerged during or helped to shape the 2016 update process:

Limited scope: The County completed an extensive update process in 2005-2007 and a thorough scoping review before the 2016 Update. As a result, the Board determined that the scope of the



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2016 Update would focus primarily on periodic GMA requirements, technical updates, and other necessary but limited amendments.

Transportation planning: The update process included an update and downsizing of the Transportation Systems Plan into the Transportation Technical Appendix, in parallel with an update to the Transportation Element of the Comprehensive Plan. The update included a 20-year traffic forecast, a bicycle and pedestrian component, and a 20-year financing plan.

Housing needs: The review and amendment of the Housing Element included an update to the housing inventory and the 20-year housing needs analysis. In addition to the Housing Workshop held with the Planning Commission and public in February 2015, the County hosted a Housing Summit in January 2016 that drew 300 participants and further emphasized the need for better coordination in the provision of affordable housing.

Integration of existing plans: The 2016 update focused on incorporating existing subarea plans, parks and recreation plans, capital facilities plans, and other relevant planning documents into the Comprehensive Plan.

Emphasis on employment growth: The population projections adopted by the GMA Steering Committee through 2036 emphasize moderate population growth but strong employment growth. This reflects a desire by local elected officials to strengthen the local economy and emphasize growth in family-wage jobs. At the same time, the GMA Steering Committee concluded that projected population growth could be accommodated within cities and towns and their Urban Growth Areas, without need for additional residential capacity in non-municipal urban growth areas such as Bayview Ridge or new fully contained communities.

These 2016 Update themes add to the following themes identified through the 2005 Update:

A land use management database: The County has less data regarding the inventory of “buildable” lands, legal lots, and associated development capacity than is desired for growth management planning. Building such a data base is an expensive task and probably cannot be compiled at one time. Rather, the County should initiate the development of the database on an incremental basis – perhaps in conjunction with the phasing of community plans.

A predictable program of community planning: The Plan identifies both specific and general areas that need another, more specific type of planning to address localized issues and conditions. This program should be established by determining the scope of community plans and then adopting



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a schedule based on priorities of need, funding, and other criteria. This process is important as a way to address more specific applications of designating local areas of more detailed planning.

Additional work with the cities on urban growth planning: The Countywide Planning Policies should be updated to address the provision of infrastructure and other government services within Urban Growth Areas, Urban Growth Area expansion and development standards, an affordable housing strategy, and other common issues.

More emphasis on the preservation of the resource land base: Farming, forestry and other resource activities are threatened by the loss of the land to non-resource uses. In particular, the transfer of resource lands to non-profit corporations and other agencies for purposes of habitat protection or enhancement results in farm and forest land being taken out of natural resource production.

Closer coordination with natural hazard avoidance: Both urban and rural area planning in Skagit County need to be more sensitive to the threats posed by devastating natural hazard events, particularly flooding. UGA expansion, rural community development, public facility siting, and other forms of growth in identified hazard areas should be avoided through integrated comprehensive and hazard mitigation plans.

More and better incentives: The toolbox of methods for achieving the County's growth management goals for the preservation of resource lands, protection of critical areas, and preservation of property rights should be expanded. These tools include the purchase and transfer of development rights as well as density "credits" for producing affordable housing and other desired results.



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Introduction

Skagit County’s Comprehensive Plan focuses on a countywide, regional land use approach that is derived from Growth Management Act goals, Countywide Planning Policies, market and other factors affecting land development, projections about future trends, the community vision statements described in Chapter 1, and evolving public opinion.



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The Plan is based on a vision of how Skagit County can grow and develop while protecting the region’s high quality of life and equitably sharing public and private costs and benefits of growth. The Plan encourages well-managed development to protect public health, safety, and welfare, and to enhance Skagit County’s community character, natural beauty, and environmental quality. The Comprehensive Plan establishes four general land use categories: Urban Growth Areas, the Rural Area, Natural Resource Lands, and Open Space areas. These various land use categories are distinguished from each other through land use *designations* that are reflected on the Skagit County Comprehensive Plan and Zoning Map. Each land use designation has a corresponding zoning district that contains the specific development standards for land use activities in that zone. Table 1 shows the general distribution of Urban, Rural, Natural Resource Land, and Open Space areas in the County.

Table 1: Land Use Designations and Acreage*

Land Use Designations	Acreage
Public Open Space of Regional/Statewide Importance (OSRSI)	
National Forest	282,812
National Park & Recreation Areas	130,848
Wilderness	83,530
State Parks & Recreation Areas	5,425
Other	16,727
Subtotal	519,342
Natural Resource Lands (NRL)	
Secondary Forest (SF-NRL)	38,008
Industrial Forest (IF-NRL)	319,623
Rural Resource (RRC-NRL)	26,871
Agriculture (Ag-NRL)	89,277
Subtotal	473,779
Mineral Resource Overlay (MRO)	[61,492]
Rural Lands	
Rural Village Residential (RV)	2,791



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Land Use Designations	Acreage
Rural Intermediate (RI)	8,035
Rural Reserve (RRv)	70,378
Subtotal	81,204
Commercial/Industrial Lands	
Rural Business (RB)	186
Rural Freeway Service (RFS)	29
Rural Village Commercial (RVC)	20
Natural Resource Industrial (NRI)	239
Small-Scale Recreation & Tourism (SRT)	16
Rural Center (RC)	19
Rural Marine Industrial (RMI)	50
Small-Scale Business (SSB)	31
Master Planned Resort	113
Subtotal	703
Urban Growth Areas (UGA)	
Incorporated UGA Areas (not including incorporated water areas)	22,675
Unincorporated UGA Areas	11,409
Subtotal	34,084
Total	1,109,112

Source: Skagit County Mapping Services, 2016. Acreage figures are based on the best information and technology available. Accuracy may vary depending on the source of the information, changes in political boundaries or hydrological features, or the methodology used to map and calculate a particular land use. Bracketed figures represent an overlay to other land uses and do not contribute to the total acreage.

The Urban, Open Space, and Land Use Element addresses the general distribution and location, and the appropriate intensity and density, of Urban and Open Space land uses. There are separate chapters for Rural and Natural Resource Lands—Chapters 3 and 4 respectively—because of their significance in Skagit County. The Urban, Open Space, and Land Use Element also



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addresses essential public facilities and certain land use goals and practices that are generally applied consistently across all land use categories: the treatment of historic land use approvals; pre-existing, non-conforming uses; public uses; lot certification; and land divisions.

Land uses in Skagit County fall into four general categories recognized by the Comprehensive Plan: Urban, Rural, Natural Resource Lands, and Open Space. The Urban, Open Space and Land Use Element addresses the general distribution and location, and the appropriate intensity and density, of Urban and Open Space land uses. There are separate chapters for Rural and Natural Resource Lands – Chapters 3 and 4 respectively – because of their significance in Skagit County. This Urban, Open Space and Land Use Element also addresses essential public facilities certain land use goals and policies that are generally applied consistently across all land use categories: the treatment of historic land use approvals; pre-existing, non-conforming uses; public uses; lot certification; and land divisions.

The essential public facilities policies were moved from the Capital Facilities Element to the Land Use Element during the 2016 update where they are a more appropriate fit. Essential public facilities are a land use issue because land use deals with the suitable placement of different uses as they relate to other uses and activities taking place on the land. Since essential public facilities can have significant impacts on the land and the populations living and working around them, it is important to consider how they fit into the larger land use planning picture.

Land Capacity

Based on 2015 land capacity analyses conducted by Skagit County and cities for their UGAs, collectively there is adequate capacity to accommodate the allocated residential growth of 28,601 new people and the allocated employment growth of 20,388 new jobs by 2036. Countywide planning policies were revised in 2016 to add guidance on land capacity analysis and establish an annual land use monitoring program through the GMA Steering Committee. Each city and the county were evaluating their plans and addressing land uses and zoning to address the balance of GMA goals and unique local circumstances.



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Urban Growth Areas

Most new growth in Skagit County is encouraged to locate in Urban Growth Areas. These areas include the incorporated cities and towns and unincorporated land surrounding the incorporated areas that the County has determined to be necessary and appropriate for urban growth through the year 2036. Urban Growth Areas are designated in policy 2A-1.4. Each city or town in Skagit County has an Urban Growth Area (or UGA). The UGAs for the towns of La Conner and Lyman do not extend beyond their town limits, whereas the UGAs for the other municipalities include the incorporated area—the city or town itself—as well as additional land which may be added to the corporate limits through annexation. There are also two non-municipal Urban Growth Areas: the Bayview Ridge UGA, and the Swinomish UGA. Only about three percent of all land in Skagit County is designated urban.

The Urban Growth Area designation recognizes historic urban development patterns and present and future needs for urban land. An adequate supply of land through 2036 will ensure that immediate and future urban needs are met, and will provide for an orderly and efficient transition from low-intensity land use to urban land use over time. The establishment or modification of Urban Growth Area boundaries takes into consideration population and employment growth projections for the planning period, the ability of local jurisdictions to provide required urban services in an efficient and economical manner, and the protection of critical areas and Natural Resource Lands of long-term commercial significance.

The County, cities, and towns have worked closely together to establish development standards for the unincorporated portion of municipal Urban Growth Areas that address the needs of property owners, the local jurisdictions and service providers. Prior to annexation, only low-intensity rural residential and commercial uses are allowed, to preclude land division patterns and uses that may prevent future development at full urban densities. Urban development may only take place concurrent with the availability of public services and capital facility programs. When property is annexed and services are made available, development may occur at appropriate urban densities, resulting in an orderly, economical transition from rural to urban land use patterns.

Since many of the policies in the Urban, Open Space, and Land Use Element refer to residential density, it is important to understand the difference between “gross density” and “net density.”



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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.

Bayview Ridge UGA

The only unincorporated Urban Growth Areas that are not expected to be annexed by a city or town are the Bayview Ridge UGA and the Swinomish UGA. The County has adopted a subarea plan and development regulations for the Bayview Ridge UGA that includes goals, policies, and land use and zoning designations specific to that area. The plan, development regulations, and land use designations were updated in 2013 and 2014 to expand the area within the UGA available for industrial development and to remove from the UGA lands previously intended for new urban residential development. The Bayview Ridge Subarea Plan has been developed following the goals, policies, and procedures contained in the Plan Implementation and Monitoring Element which is Chapter 12 of this Comprehensive Plan.

The Bayview Ridge Subarea is 3,586 acres located approximately one mile west of the City of Burlington. The Bayview Ridge Subarea community is characterized by a mix of industrial/business uses, airport and aviation-related uses, pastureland, and a variety of residential uses. The land use designations for the subarea include:

- *Bayview Ridge Residential (BR-R)*
- *Bayview Ridge Light Industrial (BR-LI)*
- *Bayview Ridge Heavy Industrial (BR-HI)*
- *Aviation Related (AVR)*
- *Aviation-Related Limited (AVR-L)*

These designations have been created to respond to the existing and anticipated future growth conditions within the subarea based on an extensive community-based planning process including environmental review. The subarea plan includes a capital facilities element and utilities element identifying needs and solutions for infrastructure improvements in support of anticipated growth.



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Swinomish UGA

The Swinomish UGA is located within a portion of the Swinomish Indian Reservation. The County's authority and responsibility for planning and land use management within the Reservation is promulgated by federal and case law. In general terms, within the exterior boundary of the Swinomish Indian Reservation the interests of the Tribe extend to all lands regardless of ownership while the County's regulatory authority extends only to non-trust and non-tribal fee-simple lands. As such, the County's regulatory authority is put into practice by adopting the Residential District (R) land use designation for the non-trust and non-tribal fee-simple lands within the Swinomish UGA, with the exception of the Hope Island Inn which is designated Commercial (C).

Open Space Areas

There are a variety of types of open space lands in Skagit County. Open space areas include greenbelt corridors within and between urban growth areas, green belts which connect critical areas, lands receiving open space tax incentives, resource lands, conservation easements, rural open space areas, park lands, and significant historic, archaeological, scenic and cultural lands.

In January 2009, Skagit County adopted the Skagit Countywide UGA Open Space Concept Plan, which identifies and prioritizes open space corridors and greenbelts within and between UGAs that include lands useful for recreation, wildlife habitat, trails, and connection of critical areas, and working farm and forestlands. The plan identifies and prioritizes open space and greenbelt lands desirable for public acquisition or continued private ownership and conservation. Any land acquisition under the plan will not include any condemnation actions but instead will only be achieved by voluntary donation, CaRD subdivision, or mutually agreeable sale.

Public Open Space

Public open space areas include publicly owned lands that are dedicated or reserved for public use or enjoyment for recreation, scenic amenities, natural resource land management, or for the protection of environmentally sensitive areas. *Where identified below to be of regional or statewide importance, such lands are designated on the Comprehensive Plan/Zoning Map.* Other publicly held lands, such as local neighborhood parks, scenic roads and highways, shorelines,



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rivers and streams, and utility corridors, *although not designated as open space on the Comprehensive Plan Map*, nevertheless offer similar open space functions and benefits. However, certain areas may not be open to the public, such as utility corridors, road easements, etc., where ownership or public safety reasons may preclude public access, even though these areas may provide open space benefits to wildlife.

Public Open Space of Regional/Statewide Importance (OSRSI)

The County has designated certain public open space areas on the Comprehensive Plan/Zoning Map as Public Open Space of Regional/Statewide Importance (OSRSI). These areas are so identified because their recreational, environmental, scenic, cultural and other open space benefit extend beyond the local area to be regional or statewide in significance. They include:

Deception Pass State Park; Sharpes Park and Montgomery-Duban Headlands; Burrows Island, Saddlebag Island; Hope Island; Ika Island; Huckleberry Island; Skagit Island; Hat Island; Larrabee, Rasar, and Bayview State Parks; PUD #1 Judy Reservoir; Skagit Wildlife Refuge; North Cascades National Park; Noisy Diobsud Wilderness; Glacier Peak Wilderness; Ross Lake National Recreation Area; Mount Baker National Forest; Seattle City Light Wildlife Mitigation Lands; Rockport State Park; WA Department of Natural Resources Natural Resource Conservation Areas and Natural Area Preserves; and portions of the Northern State Recreation Area.

Private Open Space

There are several private organizations in Skagit County that in some way set aside lands for conservation purposes, such as for their ecological, scenic, or natural resource values. Private land trusts, such as the Skagit Land Trust, the San Juan Preservation Trust, and the Nature Conservancy, among others, own or in some way administer a significant amount of land in Skagit County.

These private organizations contribute to the preservation of wildlife habitat, biodiversity, natural and scenic greenbelts and open-space corridors. Through the use of such techniques as conservation easements, purchase of development rights, or the outright purchase of land, development of these lands is limited or precluded altogether.



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Open Space Taxation

Lands enrolled in a taxation program as defined in RCW 84.34 are identified in the Current Use Open Space Taxation Program map. This map also may change over time according to participation.

Public Uses

Public Uses generally are government or quasi-government owned and operated facilities including primary and secondary schools, libraries, postal services, offices, training facilities, fire and police stations, and courts. Public Uses do not necessarily include Essential Public Facilities as provided for in Chapter 10 of this Comprehensive Plan.

Within each Comprehensive Plan land use designation, public uses may be considered as “special uses” under the Skagit County Unified Development Code. Public uses are reviewed as site specific projects so that public benefits and land use impacts can be analyzed and, if necessary, appropriate mitigation applied.

Essential Public Facilities

State laws under the Growth Management Act require that comprehensive plans include a process for identifying and siting essential public facilities, or facilities that are generally difficult to site (RCW 36.70A.200). Examples of an essential public facility include state educational facilities, correctional facilities, transportation facilities, solid waste handling, mental health facilities, human services and more. As such, no local plan or development regulations can preclude the siting of these facilities.

Existing essential public facilities in Skagit County include:

- Skagit County Fairgrounds
- Skagit Regional Airport
- Skagit Transit Station
- Puget Sound Energy Fredonia Generating Station



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- Skagit Valley Hospital
- Skagit County Jail
- Interstate 5
- State Route 20
- Washington State Ferries Anacortes Terminal

GMA Mandate

The following GMA Planning Goals are directly relevant to the urban, open space and land use matters addressed in this chapter:

- ☒ *Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.*
- ☒ *Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.*
- ☒ *Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.*
- ☒ *Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.*
- ☒ *Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.*
- ☒ *Identify and encourage the preservation of lands, sites, and structures that have historical or archeological significance.*

These GMA goals in the context of the entire Growth Management Act led to the development of the following Countywide Planning Policies that provide specific guidance to the land use and essential public facilities policies in this chapter:



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- Urban growth shall be allowed only within cities and towns, their designated Urban Growth Areas and within any non-municipal urban growth areas already characterized by urban growth, identified in the County Comprehensive Plan with a Capital Facilities Plan meeting urban standards. Population and employment allocations for each UGA shall be consistent with those allocations shown in [the table below]. (CPP 1.1)

Urban Growth Areas	2036 Population Allocations	2015 – 2036 Forecast Percent of Population Growth	2036 Employment Allocations	2015 – 2036 Forecast Percent of Employment Growth
Anacortes	22,293	16.5%	10,480	11.0%
Burlington	14,272	10.7%	13,412	18.6%
Mount Vernon	47,403	34.8%	21,288	25.3%
Sedro-Woolley	17,069	12.7%	9,179	23.4%
Concrete	1,193	0.9%	467	0.6%
Hamilton	427	0.3%	288	0.4%
La Conner	1,226	0.9%	1,420	1.7%
Lyman	605	0.5%	38	0.0%
Bayview Ridge	1,883	0.2%	3,455	9.5%
Swinomish	3,416	2.6%	1,247	1.5%
UGAs Subtotal	109,787	80%	61,274	92.4%
Rural (non UGA)	45,665	20.0%	9,343	7.6%
Total	155,452	100%	70,617	100%

Source: BERK Consulting, 2014; Skagit Council of Governments 2014 -2015. The figures for cities and towns include their associated UGAs. Washington State projections used in employment growth forecast are for non-farm jobs and exclude proprietor, self-employed, unpaid family or volunteer workers, farm workers, and domestic workers.

- Cities and towns and their urban growth areas shall include areas and densities sufficient to accommodate as a target 80% of the county’s 20-year population projection. (CPP 1.2)
- Urban growth areas shall provide for urban densities of mixed uses and shall direct development of neighborhoods which provide adequate and accessible urban



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governmental services concurrent with development. The GMA defines urban governmental services as those governmental services historically and typically delivered by cities, including storm and sanitary sewer systems, domestic waster 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 nonurban areas. (CPP 1.3)

- *Urban growth areas shall include greenbelt[s], open space, and encourage the preservation of wildlife habitat areas. (CPP 1.4)*
- *Cities shall encourage development, including greenbelt and open space areas, on existing vacant land and in-fill properties before expanding beyond their present corporate city limits towards urban growth boundaries. (CPP 1.5)*
- *Annexations beyond urban growth areas are prohibited. (CPP 1.6)*
- *The baseline for 20-year countywide population forecasts shall be the official Growth Management Act Population Projections from the State of Washington’s Office of Financial Management. The Growth Management Act Technical Advisory Committee (“Planners commit”) shall recommend the process for allocating forecasted population and employment, which shall be cooperatively reviewed by the Growth Management Act Steering Committee (GMASC), consistent with the “2002 Framework Agreement.” Final growth allocations will be ratified by each government’s legislative body. The growth allocation process shall use the procedures in Appendix B [of the CPPs], which calls for the following steps:
 - a. Initial Growth Allocations;
 - b. Reconciliation;
 - c. Long Term Monitoring; and
 - d. Allocation Adjustment (proposed CPP 1.7)*
- *The County and cities/towns shall use consistent land capacity analysis methods as approved by the GMASC to determine the amount of undeveloped buildable urban land needed. The inventory of the undeveloped buildable urban land supply is to be maintained by Skagit County in a Regional GIS database. (proposed CPP 1.8)*
- *The County and cities/towns will establish a common method to monitor urban development to evaluate the rate of growth and maintain an inventory of the amount of*



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buildable land remaining. The Planner's Committee shall develop a monitoring process, prepare annual monitoring reports and present the reports to the Growth Management Act Steering Committee annually. (CPP 1.9)

- *All growth outside the urban growth boundary shall be rural in nature as defined in the Rural Element, not requiring urban governmental services except in those limited circumstances shown to be necessary to the satisfaction of both the County and the affected city to protect basic public health, safety and the environment, and when such services are financially supportable at rural densities and do not permit urban development. (CPP 1.10)*
- *Contiguous and orderly development and provision of urban services to such development within urban growth boundaries shall be required. (CPP 2.1)*
- *Development within the urban growth area shall be coordinated and phased through inter-agency agreements. (CPP 2.2)*
- *Master planned sites designated for industrial and large-scale commercial uses shall be clustered, landscaped, and buffered to alleviate adverse impacts to surrounding areas. (CPP 2.7)*
- *Commercial areas shall be aggregated in cluster form, be pedestrian oriented, provide adequate parking and be designed to accommodate public transit. Strip commercial development shall be prohibited. (CPP 2.8)*
- *Urban commercial and urban industrial development, except development directly dependent on local agriculture, forestry, mining, aquatic and resource operations, and major industrial development which meets the criteria contained in RCW 36.70A.365, should be restricted to urban or urban growth areas where adequate transportation networks and appropriate utility services are available. [The policy further defines the process for consideration of sites for specific major industrial developments outside of urban growth areas.] (CPP 2.9)*
- *The Comprehensive Plan should support innovative land use management techniques, including, but not limited to, density bonuses, cluster housing, planned unit developments and the transfer of development rights. (CPP 4.3)*



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- *Comprehensive Plan provisions for the location of residential development shall be made in a manner consistent with protecting natural resource lands, aquatic resources, and critical areas. (CPP 4.6)*
- *Commercial, industrial and residential acreage shall be designated to meet future needs without adversely affecting natural resource lands, critical areas, and rural character and life styles.(CPP 5.6)*
- *Lands within designated agricultural resource areas should remain in large parcels and ownership patterns conducive to commercial agricultural operations and production. (CPP 5.10)*
- *Proposed regulatory or administrative actions shall not result in an unconstitutional taking of private property. (CPP 6.1)*
- *The rights of property owners operating under current land use regulations shall be preserved unless a clear public health, safety or welfare purpose is served by more restrictive regulation. (CPP 6.1)*
- *Forest and agricultural lands located within urban growth areas shall not be designated as forest or agricultural land of long term commercial significance unless a program authorizing transfer or purchase of development rights is established. (CPP 8.3)*
- *Open space corridors within and between urban growth areas shall be identified; these areas shall include lands useful for recreation, fish and wildlife habitat, trails, and connection of critical areas. (CPP 9.1)*
- *Land use decisions shall take into account the immediate and long range cumulative effects of proposed uses on the environment, both on and off-site. (CPP 10.2)*
- *Public facilities and services shall be integrated and consistent with locally adopted comprehensive plans and implementing regulations. (CPP 12.1)*
- *A process shall be developed for identifying and siting essential public facilities. The Comprehensive Plan may not preclude the siting of essential public facilities. (The GMA defines essential public facilities as those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities, state and local corrections facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities and group homes.) (CPP 12.3)*



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Goals and Policies

Skagit County's land use goals and policies are implemented through land use designations and related zoning districts and regulations. Comprehensive Plan land use designations are intended to represent the most appropriate uses of land in the unincorporated portion of Skagit County. Designation criteria provide objective rationale for the application of land use designations to the Skagit County Comprehensive Plan/Zoning Map, based on the characteristics of the land.

This next portion of the Urban, Open Space, and Land Use Element describes the criteria and procedures for designating Urban Growth Areas; the policies that guide development and the provision of infrastructure within those areas; and the need for coordination and joint planning between the County and cities, towns, and tribal governments to ensure the necessary transition of governmental services within the Urban Growth Areas. In discussing municipal Urban Growth Areas, or those associated with a city or town, it is important to keep in mind that there is both an *incorporated portion* which is the area within the city or town limits, and an *unincorporated portion*, or the area outside of the municipal limits that may be added through annexation.

Since many of the following land use policies refer to residential density, it is important to understand the difference between “gross density” and “net density.” 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.

Urban Growth Areas

Goal 2A Guide most future development into concentrated urban growth areas where adequate public facilities, utilities, and services can be provided consistent with the Countywide Planning Policies.

Urban Growth Area Designation

Goal 2A-1 Establish Urban Growth Areas in which urban development will be encouraged and outside of which growth can occur only if it is rural in character.



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policy 2A-1.1 Work with local jurisdictions to designate and maintain Urban Growth Areas (UGAs) of sufficient size to accommodate the County's 20-year urban population and employment allocations. Areas proposed for UGA designation shall meet the following criteria:

- (a) Compact development can be accomplished through infill or expansion, while minimizing the fiscal and environmental impacts of growth and assuring opportunities for housing, jobs, and commerce.
- (b) A range of governmental facilities and services presently exists or can be economically and efficiently provided at urban levels of service in a timely manner. These services include sewer, water, storm drainage, transportation improvements, fire and law enforcement protection, and parks and recreation.
- (c) The area has a physical identity or social connection to an existing urban environment.
- (d) Natural features and land characteristics are capable of supporting urban development without significant environmental degradation.
- (e) The land does not have long-term, commercially significant value for agriculture, forestry, or mineral production and that can accommodate additional development without conflicting with activities on nearby natural resource lands.

policy 2A-1.2 Proposals for Urban Growth Area expansions shall be evaluated for their consistency with the Urban Growth Area Modification Criteria developed and approved by the Growth Management Act Steering Committee. These criteria address issues 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



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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.

policy 2A-1.3 In designating Urban Growth Areas, consider GMA requirements to provide for recreational lands, critical areas, open space corridors, greenbelts, and view sheds, and to avoid natural hazard areas prone to flooding or other risks to public safety.

policy 2A-1.4 The following Urban Growth Areas are designated within Skagit County:

Non-Municipal UGAs

Bayview Ridge

Swinomish

Municipal UGAs

Anacortes

Burlington

Concrete

Hamilton

La Conner

Lyman

Mount Vernon

Sedro-Woolley

policy 2A-1.5 Overall residential densities within Urban Growth Areas shall be a minimum of four (4) dwelling units per net acre, when urban services are provided. “Net density” is what results when only the area of the residential lots is counted, not roads, open spaces, drainage facilities, or other site uses that are not residential.

policy 2A-1.6 By June 30, 2018, or prior to annexation, whichever comes first, the City of Sedro-Woolley must provide a sewer plan amendment or other documentation



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to the County showing the sewer service extension plan for the northern UGA expansion area. The County and City of Sedro-Woolley should conduct joint planning of the Sedro-Woolley eastern UGA to identify methods, costs, and funds to extend urban services and achieve urban densities or to define alternative UGA boundaries.

Concurrency

Goal 2A-2 Adequate urban public facilities and services shall be provided concurrently with urban development, as appropriate for each type of designated land use in the Urban Growth Area.

policy 2A-2.1 Encourage growth in areas already characterized by urban development or where the appropriate levels of urban public facilities and services are established in adopted capital facilities plans.

(a) Ensure that adequate urban public facilities and services are provided in Urban Growth Areas concurrent with urban development.

(b) Implement streamlined standards and development procedures to encourage and facilitate development within the Urban Growth Areas.

Urban Services

Goal 2A-3 Within the designated Urban Growth Areas, coordinate with the respective local jurisdictions and other service providers within the Urban Growth Areas to ensure that growth and development are timed, phased, and consistent with adopted urban level of service standards.

policy 2A-3.1 Urban public facilities include: improved streets, roads, highways, sidewalks, road lighting systems and traffic signals; urban level domestic water systems, sanitary sewer systems, storm sewer systems, park and recreational facilities and schools as defined in the Capital Facilities Element with adopted level of service standards.



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policy 2A-3.2 Urban public services include fire protection and suppression; emergency medical services; public safety; public health; education; recreation; environmental protection; and other services as identified in the Capital Facilities Element with adopted level of service standards.

policy 2A-3.3 Urban governmental services should not be extended to, or expanded in, rural areas except in those limited circumstances necessary to protect basic public health and safety and the environment, and when such services are financially supportable at rural densities and do not support urban development.

policy 2A-3.4 The process of siting of major industrial developments in the rural area with associated provision of urban facilities and services shall be in conformance with RCW 36.70A.365 and Countywide Planning Policy 2.6.

policy 2A-3.5 The process of siting new fully self-contained communities in the rural area with associated provision of urban facilities and services shall be in conformance with RCW 36.70A.350, the Countywide Planning Policies, and the community planning process.

Joint City-County Planning

Goal 2A-4 Conduct joint planning between the County and local jurisdictions for future annexation areas within the Urban Growth Areas in accordance with the Framework Agreement and the Countywide Planning Policies.

policy 2A-4.1 Joint planning should consider issues including, but not limited to:

- (a) coordination of development permit review.
- (b) assessment of the capacity of current public facilities and services to accommodate projected growth.
- (c) the phasing of development within the Urban Growth Area and the provision of capital improvements to the area concurrent with development.



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(d) the impacts of annexation on property owners, service providers, and other stakeholders in the Urban Growth Area.

(e) fiscal impacts and cost/revenue implications of future annexations.

policy 2A-4.2 Use interlocal agreements, pre-annexation agreements, and/or development agreements to equitably allocate financial burdens and resolve other issues resulting from the transition of governance from the County to local jurisdictions.

policy 2A-4.3 Work with local jurisdictions to implement the Countywide Planning Policies and address other regional land use, economic, and transportation issues through interlocal agreements and codes.

Commercial Development

Goal 2A-5 Encourage commercial and industrial development to locate in well-defined centers within the Urban Growth Areas. Prohibit new zoning that furthers the continuation of strip commercial development.

policy 2A-5.1 Plan for compact commercial and industrial centers in the Urban Growth Areas and provide infrastructure accordingly.

policy 2A-5.2 Attract commerce and industry to designated areas within Urban Growth Areas by ensuring an adequate supply of land with adequate urban public facilities and services.

Quality of Life

Goal 2A-6 Ensure a high quality of life within Urban Growth Areas.

policy 2A-6.1 Foster development within Urban Growth Areas that creates and maintains safe, healthy and diverse communities. These communities should contain a range of affordable housing and employment opportunities, and school and recreational facilities, and be designed to protect the natural environment and significant cultural resources.



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- policy 2A-6.2 Adopt plans, policies, codes, and development standards that promote public health by increasing opportunities for residents to be more physically active. Such actions include: concentrating growth into Urban Growth Areas, promoting more compact urban development, allowing mixed-use developments, and adding pedestrian and non-motorized linkages where appropriate.
- policy 2A-6.3 Concentrate facilities and services within Urban Growth Areas, using urban design principles, to make them desirable places to live, work, and play; increase the opportunities for walking and biking within the community; use existing infrastructure capacity more efficiently; and reduce the long-term costs of infrastructure maintenance.

Transformance of Governance

Goal 2A-7 Provide for the orderly transition from rural to urban development patterns within the unincorporated portions of the municipal Urban Growth Areas.

policy 2A-7.1 Work with the cities and towns to ensure the cooperative and timely transfer of governmental responsibilities as urban development occurs.

policy 2A-7.2 Limit land divisions and development intensities within the Urban Growth Areas to rural levels until property is annexed, thereby creating an economic incentive to encourage annexation.

policy 2A-7.3 Allow residential development within Urban Growth Areas at rural densities prior to the provision of urban infrastructure, provided that future development at urban densities is not precluded.

Development Process

Goal 2A-8 Work with local jurisdictions to simplify the permitting process for land owners and developers within the unincorporated portions of the Urban Growth Areas.



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- policy 2A-8.1 Maintain, in consultation with local jurisdictions, a common set of municipal Urban Growth Area zoning districts and development regulations for residential, commercial, industrial, and other land uses in the Urban Growth Areas.
- policy 2A-8.2 Maintain development regulations that allow development in the Urban Growth Areas at lower-than-urban densities and/or intensities, prior to annexation, provided that future urban development is not precluded. Development shall follow standards generally consistent with those applied in the rural portions of the County.
- policy 2A-8.3 Maintain zoning maps for each of the Urban Growth Areas showing the zoning of all lands within the unincorporated portions of the Urban Growth Areas.
- policy 2A-8.4 Development at urban densities and/or intensities may be allowed prior to annexation. However, such development shall only be allowed if urban infrastructure is provided, and shall be subject to the standards of the future annexing jurisdiction.
- policy 2A-8.5 Any subdivision of land under these regulations shall include measures to ensure the accommodation of future rights-of-way for urban transportation infrastructure and utilities that will be required when the property is further subdivided and developed at urban densities and land uses.

Open Space

As discussed in greater detail above, there are two major categories of Open Space in Skagit County: public, and private. Open space lands in private ownership play an important role in maintaining ecological, scenic, and natural resource values, but because of their private nature they are not shown on the Comprehensive Plan/Zoning Map. Public open space lands are those lands in public ownership that are dedicated or reserved for public use or enjoyment for recreation, scenic amenities, natural resource land management, or for the protection of environmentally sensitive areas. *Where identified below to be of regional or statewide importance, such lands are designated on the Comprehensive Plan/Zoning Map.* Other publicly held lands, such as local neighborhood parks, scenic roads and highways, shorelines, rivers and



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streams, and utility corridors, *although not designated as open space on the Comprehensive Plan Map*, nevertheless offer similar open space functions and benefits.

Goal 2B Recognize the important functions served by private and public open space, designate and map public open space of regional importance, and designate open space corridors within and between urban growth areas.

policy 2B-1.1 Public open space areas shall be those lands in public ownership that are dedicated or reserved for public use or enjoyment for recreation, scenic amenities, natural resource land management, or for the protection of environmentally sensitive. These open space areas may include:

- (a) Neighborhood and community parks. These should be linked by open space networks whenever possible.
- (b) Land that offers special natural resource-based and recreational opportunities, such as: federal, state and local regionally important parks and recreation areas; islands; federal wilderness areas; wildlife refuges; lakes; reservoirs; creeks; streams; river corridors; shorelines and areas with prominent views.
- (c) Lands which include a significant historic, archaeological, scenic, cultural or unique natural feature.
- (d) Areas that take advantage of natural processes, wetlands, tidal actions and unusual landscape features such as cliffs and bluffs.

policy 2B-1.2 Of these public open space areas, the County has designated certain ones on the Comprehensive Plan/Zoning Map as Public Open Space of Regional/Statewide Importance (OSRSI). These areas are so identified because their recreational, environmental, scenic, cultural and other open space benefit extend beyond the local area to be regional or statewide in significance. They include:

Deception Pass State Park; Sharpe Park and Montgomery-Duban Headlands; Burrows Island, Saddlebag Island; Hope Island; Ika Island; Huckleberry Island; Skagit Island; Hat Island; Larrabee, Rasar, and Bayview State Parks; PUD #1 Judy



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Reservoir; Skagit Wildlife Refuge; North Cascades National Park; Noisy Diobsud Wilderness; Glacier Peak Wilderness; Ross Lake National Recreation Area; Mount Baker National Forest; Seattle City Light Wildlife Mitigation Lands; Rockport State Park; WA Department of Natural Resources Natural Resource Conservation Areas and Natural Area Preserves; and portions of the Northern State Recreation Area.

policy 2B-1.3 Consistent with RCW 36.70A.160, Skagit County should continue to work with its partners—partner governments, organizations, residents, and property owners—to identify, prioritize and conserve open space corridors within and between urban growth areas, including lands useful for recreation, wildlife habitat, trails, and connection of critical areas.

policy 2B-1.4 Private Open Space is privately owned land that has been or will be set aside by the operation of the Critical Areas Ordinance, by voluntary conservation or by other means. These lands may include:

- (a) Critical areas as defined in the Critical Areas Ordinance.
- (b) Lands with conservation and land reserve easements in place.
- (c) Lands within urban growth areas that are wooded and serve a functional purpose in climate, noise, light or pollution control, or provide wildlife habitat or greenbelts.
- (d) Lands that can provide for a separation between communities, minimize or prevent sprawl, provide a buffer between urban and rural areas, or between natural resource lands and rural areas.

policy 2B-1.5 The Current Use Open Space Taxation Program includes properties utilized for agricultural, timber and open space uses as provided in RCW 84.34. Property owners should be encouraged to enroll in the Current Use Open Space Taxation Program.



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Land Use Approvals

Goal 2C Recognize for a reasonable period of time land use approvals that have been granted but not yet acted upon. After landowner notification and the designated period of time, those approvals shall expire.

policy 2C-1.1 Historic land use approvals such as conditional use permits, special use permits, and contract rezones that already have been exercised may continue to operate under the conditions of their original permit or land use approval. Any expansion or change beyond the conditions of the original permit or land use approval shall require a revised permit or land use approval.

policy 2C-1.2 Historic subdivisions shall be subject to the provisions of RCW 58.17.170. Other historic land use approvals with vested development rights that have not yet been exercised will remain valid for five years from the date property owners are given notice of adoption of this policy. Property owners will be notified within two years of adoption of this policy. Land use approvals not exercised within this five-year period shall expire.

Pre-Existing Non-Conforming Uses

Goal 2D Prohibit expansions of pre-existing non-conforming uses that are not in conformance with the Comprehensive Plan or development regulations.

policy 2D-1.1 A nonconforming use is any use established in conformance with Skagit County rules and regulations in effect at the time of establishment, which 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.

policy 2D-1.2 Nonconforming uses will be allowed to continue operation subject to County regulations governing nonconforming uses and general municipal police powers regarding health and safety. Expansion of such uses shall be limited to certain previously approved and therefore vested expansion plans.



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Public Uses

Public Uses, generally, are government or quasi-government owned and operated facilities such as primary and secondary schools, libraries, postal services, offices, training facilities, fire and police stations, and courts. Public Uses under this section do not necessarily include Essential Public Facilities.

Goal 2E Allow public uses as special uses in most comprehensive land use designations, to be reviewed on a site-specific basis.

policy 2E-1.1 In most comprehensive plan land use designations, public uses are to be allowed as either administrative or hearing examiner special uses. They are reviewed as site-specific projects so that public benefits and land use impacts can be analyzed and, if necessary, mitigated.

(a) Public uses on Natural Resource Lands are limited to those providing emergency services.

Lot Certification

Goal 2F Only lots created in a legal manner consistent with state law and County regulations shall be considered for development permits.

policy 2F-1.1 The County shall establish and maintain a review process to determine whether lots on which development is proposed were created legally. Only lots created legally shall be considered for development permits pursuant to the provisions of RCW 58.17.210.

policy 2F-1.2 A legally created lot meeting the minimum dimensional standards for the zoning district it is located in shall be eligible to be considered for development permits. A legally created substandard lot, meaning a lot not meeting the dimensional requirements of the zone, shall be evaluated against performance criteria considering factors such as lot size and previous development activities in determining eligibility for development.



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policy 2F-1.3 The performance standards used in reviewing substandard lots will seek to protect property rights and investment-backed expectations, as well as preserve natural resource lands and prevent sprawl.

Land Division

Goal 2G Allow for the orderly division of land by providing for the creation of new lots meeting the dimensional standards of the zoning district in which the lots are located.

Encourage innovative land division technique as an alternative to traditional land division practices. These techniques allow flexibility in design and provide for better preservation of critical areas, natural resource lands and rural character.

Agricultural Land Preservation allows for the separation of an existing house from the existing larger parcel on lands designated Agricultural-Natural Resource Land and Rural Resource-Natural Resource Land, and is intended to encourage long-term agricultural land protection. This type of division allows flexibility to the landowner and protects the land with a conservation easement held in perpetuity.

Planned Unit Developments (PUD) or Planning Residential Developments (PRD) allow variations in controls related to density and other design elements. PUDs/PRDs are more appropriately located in urban growth areas or new fully contained communities where urban services and utilities are provided. They differ from standard land divisions because they routinely involve density bonus beyond what is normally permitted in a given land use designation or zone in exchange for meeting certain land use management objectives. PUDs often involve permitting of mixed uses (commercial/residential) development whereas PRDs are typically limited to residential uses.

policy 2G-1.1 Allow the separation of an existing house from the larger parcel where it is located on lands designated Agricultural-Natural Resource Land and Rural Resource-Natural Resource Land in order to encourage long-term protection of agricultural land.



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policy 2G-1.2 Planned Unit Developments and Planned Residential Developments shall be allowed only in Urban Growth Areas where public services and utilities are available or will be provided concurrent with development.

The *Conservation and Reserve Development* (CaRD) provisions allow innovative techniques to be used for land divisions in the Rural area and in certain circumstances on Natural Resource Lands. The CaRD land division concept is attractive because it provides future land use options and protects and conserves open space, natural resource lands, rural character and critical areas. It also allows landowners to maintain some equity and development potential on the land while retaining open spaces and minimizing infrastructure costs. In certain Rural land use designations, incentives are provided in the form of density bonuses to encourage voluntary participation in this approach to land division. Even where density bonuses are not provided, CaRD land divisions can reduce infrastructure and other costs.

policy 2G-1.3 CaRD land divisions may achieve some or all of the following benefits:

- (a) Flexibility in site development, which may result in more compact, clustered lots or environmentally sound use of the land, while maintaining the County's rural character.
- (b) Buffer areas to reduce land use conflicts between Rural and natural resource uses and the loss of Natural Resource Lands.
- (c) Reduction in housing costs due to reduced engineering, infrastructure, and development costs, smaller lot sizes, and more intense use of buildable areas.
- (d) Greater opportunity for property owners to derive reasonable economic use of the land by maintaining larger open space areas that may be used for the production of food, fiber, or minerals.
- (e) More flexible land development options in areas with potential to be designated urban growth areas in the future.
- (f) Allowance of bonus development lots when a landowner meets the various requirements of the CaRD provisions.



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(g) Large tracts of open space land held for recreation, natural resource management, and protection of critical areas and significant cultural resources.

policy 2G-1.4 CaRD land divisions shall be designed to minimize impacts on neighbors, infrastructure systems, and the surrounding environment.

policy 2G-1.5 When CaRD land divisions are approved for Long CaRDs their conservation easements or conditions/covenants/restrictions (CCRs) shall be in place for a specified period of time.

(a) Certain identified critical areas shall be set-aside as a Protected Critical Areas (PCAs) and others may be placed into Open Space Preservation Areas (OS-Pas).

(b) A long CaRD land division which has designated Natural Resource Lands (NRL) not satisfying 2G-1.4(a) above shall have the remaining NRL set-aside as a conservation easement, which removes the development right on such lands until such time as the land is determined by a court of competent jurisdiction to no longer have long-term commercial significance for the production of food, agricultural products, timber, or extraction of minerals.

(c) A long CaRD land division that has designated Rural lands not satisfying 2G-1.4(a) above shall have the undeveloped lands set-aside as a land reserve until the land is redesignated through a comprehensive plan amendment.

Essential Public Facilities

Essential public facilities are facilities “typically difficult to site, such as airports, state education facilities, 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). The County and the cities may also identify additional public facilities that are essential to providing services without which development cannot occur.



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These policies guide the process of identifying and siting of essential public facilities. The Comprehensive Plan may not preclude the siting of essential public facilities.

Goal 2H Establish siting criteria and procedures for Essential Public Facilities of a statewide and countywide nature to ensure that they will not be excluded from Skagit County as long as their siting conforms with this Comprehensive Plan and the Countywide Planning Policies.

policy 2H-1.1 The County has a responsibility to ensure that these Comprehensive Plan policies do not prohibit or exclude the siting of essential public facilities.

policy 2H-1.2 The County must use regulations and procedures to identify and site essential public facilities:

(a) The state or local government proposing to site an essential public facility must provide a justifiable need for a public facility and for its location in Skagit County based upon forecasted needs and a logical service area;

(b) The state or local government proposing to site an essential public facility must establish a public process by which the residents of the County and affected communities, "host" municipalities, and all other affected jurisdictions, agencies and utilities have a reasonable opportunity to participate in and comment on the site selection process.

(c) The impact of siting new essential public facilities should be weighed against the impact of expansion of existing essential public facilities, with appropriate buffering and mitigation. During this process, possible appropriate mitigation measures may be determined.

policy 2H-1.3 Essential Public Facilities must comply with adopted federal, state, and county land use regulations and be in conformance with this Comprehensive Plan.

policy 2H-1.4 All State Environmental Policy Act provisions and concurrency of supporting capital facilities must be addressed as part of any project approval by Skagit County.



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- policy 2H-1.5 Decisions about the review, location, land use, and intensity of a proposed facility, including siting, acceptance, modification or rejection shall be conducted with opportunities for public participation.
- policy 2H-1.6 The County code must establish approval criteria for facility requirements and impacts. Proposals should be conditioned to be consistent with the County Comprehensive Plan, functional pPlans, and development regulations. The County may execute interlocal agreements regarding the siting, operation and/or expansion of such facilities within Skagit County. Agreements are encouraged to the extent they would result in locally beneficial siting decisions, facilitate the sponsor's voluntary provision of enhanced mitigation measures exceeding those required by applicable regulatory standards, and/or provide for mitigation of any disproportionate financial burden on the County created by the proposed facility.
- policy 2H-1.7 The applicant for a proposed essential public facility must provide justification for the location of the facility based upon anticipated need and the service area.
- policy 2H-1.8 Skagit County shall encourage the siting of essential public facilities equitably so that no single community and no racial, cultural or socio-economic group should absorb an inequitable share of these facilities and their impacts. In addition, siting should consider environmental, economic, technical, and service area factors.



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Introduction

The Growth Management Act requires counties include in their comprehensive plans:

a rural element [which includes] lands that are not designated for urban growth, agriculture, forest, or mineral resources. The rural element shall permit appropriate land uses that are compatible with the rural character of such lands and provide for a variety of rural densities and uses. It may also provide for clustering, density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate appropriate rural uses



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Rural Character

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not characterized by urban growth. (RCW 36.70A.070 (5))

This Element establishes broad goals and policies guiding residential, commercial, and industrial uses in unincorporated Skagit County consistent with the Growth Management Act's allowance of development in the rural area, including "limited areas of more intensive rural development."

This section provides documentation supporting the goals and policies in the Rural Element. It summarizes current conditions, describes the character of Skagit County's rural area, and provides background information on the rural land use designations. The Natural Resource Conservation Element describes the County's designated Natural Resource Lands, while the Land Use Element discusses Urban Growth Areas, Open Space areas, Public Uses, and other general land use matters.

Rural Character

About 80,000 acres in Skagit County fall under one of the rural area designations. These lands are outside of the Urban Growth Areas and the designated Natural Resource Lands (Agriculture-NRL, Industrial and Secondary Forest-NRL, and Rural Resource-NRL). Table 2-1 on the following page shows the acreage of the various rural land use designations.

Skagit County's rural area is characterized by: large areas of relatively undeveloped land, in which natural features and vegetation predominate over the built environment; scattered unincorporated rural communities and villages; isolated rural businesses and industries; and regionally important recreation areas. The rural area land use designations provide a variety of living environments at lower than urban densities which are compatible with farming, fishing and timber management. Rural areas preserve historic and cultural structures and landscapes, retain open spaces, protect designated Natural Resource Lands and identified critical areas, and minimize service demands and costs on County government.

Rural Growth and Development

In 2015, the population of the rural area was estimated to be 38,515 (including the small number of residents living on designated Natural Resource Lands). This was about one-third of the total County population. By 2036, the rural population is expected to be about 45,665, or less than 30



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percent of the total. The rate of growth in the rural area should be lower than the urban rate. The Countywide Planning Policies state that over the 20-year planning period, no more than 20 percent of the County's growth should locate in the rural area. Skagit County considered several methods to estimate urban/rural growth trends in the process of updating the Comprehensive Plan in 2016. Results generally show the County and cities achieved a 79% urban and 21% rural growth split over the years 2000-2010 reflecting the general success of growth management planning by the County and cities. In addition, limitations on water rights and measures to protect critical areas and resource lands may tend to further restrict rural residential development.

Table 1: Land Use Designations and Acreage* (Source: Skagit County Mapping Services)

Land Use Designations	Acreage
Rural Lands	
Rural Village Residential (RV)	2,782
Rural Intermediate (RI)	8,069
Rural Reserve (RRv)	70,740
Subtotal	81,591
Rural Commercial/Industrial Lands	
Rural Business (RB)	188
Rural Freeway Service (RFS)	39
Rural Village Commercial (RVC)	27
Natural Resource Industrial (NRI)	183
Small-Scale Recreation & Tourism (SRT)	21
Rural Center (RC)	19
Rural Marine Industrial (RMI)	50
Small-Scale Business (SSB)	33
Master Planned Resort (MPR)	113
Subtotal	673
Total	82,264



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*Acreage figures are derived based on the best information and technology available. Accuracy may vary depending on the source of the information, changes in political boundaries or hydrological features, or the methodology used to map and calculate a particular land use.

The land use designations for the Rural Area allow for a variety of residential densities and rural- and natural resource-related businesses while protecting rural character. Several of these designations implement the Growth Management Act's allowance of "limited areas of more intensive rural development," or LAMIRDs, based on 1997 amendments to the Act. LAMIRDs allow greater development than is generally allowed in the rural area, provided that certain limitations are maintained to retain rural character and prevent sprawl. One category of LAMIRD recognizes areas that were already for the most part developed in 1990, when the Growth Management Act was adopted. These existing residential, commercial, or industrial areas primarily allow infill development, and must be contained within logical outer boundaries to prevent sprawl. Two other types of commercial LAMIRDs – small scale recreation and tourism uses, and isolated small scale businesses – may allow new development provided that development is contained and consistent with the surrounding rural character.

The residential land use designations in the Rural Area are:

- Rural Intermediate (RI)
- Rural Village Residential (RVR)
- Rural Reserve (RRv)

All lands designated Rural Intermediate and Rural Village Residential are considered to be part of a LAMIRD that was predominantly developed by 1990 and contained by a logical outer boundary consisting of the "built environment." The Rural Village Residential and Rural Intermediate designations reflect areas that were for the most part already developed or platted at land use densities of 1 residence per 2.5 acres, or greater, when the Growth Management Act was implemented. The Comprehensive Plan's Rural Village Residential and Rural Intermediate designation criteria closely follow the GMA LAMIRD provisions because Skagit County was considering its 1997 Comprehensive Plan at the same time that the state legislature was developing the ESB 6094 amendments to the Growth Management Act that institutionalized the LAMIRD concept. Skagit County carefully considered the existing built environment and logical outer boundaries to its RVR and RI designations when it first mapped these areas through the 1997 Comprehensive Plan.



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Commercial and Industrial Uses Outside UGAs

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Some think of the LAMIRD concept as being limited to specific areas such as Similk Beach, which was designated a LAMIRD in 2002 to address a problem of failing septic systems. Skagit County has clarified through the 2005 GMA Update that many of its rural designations fall into one of the three categories of LAMIRD under GMA.

In contrast to Rural Village Residential and Rural Intermediate, the Rural Reserve designation covers those portions of the rural area that were not already developed at higher densities in 1990. The Growth Management Hearings Boards have generally said that rural area densities must be one residence per five acres or lower – equating to lot sizes of five acres or larger – unless the area is designated a LAMIRD. Land designated Rural Reserve may be developed at one residence per 10 acres, or two residences per 10 acres through a Conservation and Reserve Development (CaRD), a technique for allowing development while preserving open space that is discussed in greater detail in the Land Use Chapter.

The Comprehensive Plan's land use designations are implemented by regulations specific to each zone as found in the Skagit County zoning code and other development regulations.

Commercial and Industrial Uses Outside UGAs

In developing its rural commercial and industrial designations 1998 - 2000, Skagit County undertook an extensive review of existing commercial and industrial uses and zoning in the rural area. The County combined this information with an analysis of the commercial, industrial, and natural resource industrial uses allowed in the rural area under the Growth Management Act, to develop the following rural commercial and industrial land use designations:

- Rural Village Commercial (RVC)
- Rural Center (RC)
- Rural Freeway Service (RFS)
- Small Scale Recreation and Tourism (SRT)
- Small Scale Business (SSB)
- Rural Business (RB)
- Natural Resource Industrial (NRI)



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- Rural Marine Industrial (RMI)

Virtually all of these rural commercial or industrial designations may be categorized as a type of LAMIRD allowed under GMA. These designations are shown on the Comprehensive Plan/Zoning Map to indicate an existing use in the rural area meeting the appropriate land use designation criteria. In some cases, new rural commercial or industrial uses may be designated on the map following the map amendment process described in the Community Plans and Implementation Element. Comprehensive Plan amendment applications for new rural commercial or industrial designations require the submittal of a development proposal consistent with the designation criteria for the commercial or industrial designation being requested.

Following is a brief description of the various rural commercial and industrial land use designations. Greater detail is provided in the goals, policies, and designation criteria contained in the Rural Chapter. In some cases, detailed information has been removed from the designation policies and added to the narrative as a way to maintain the legislative history behind certain land use decisions.

Rural Village Commercial

Rural Village Commercial districts are intended to serve as the major centers of rural commercial activity in the County unincorporated area. A Rural Village Commercial district is identified for each of the 10 Rural Villages in the County (Alger, Bay View, Big Lake, Clear Lake, Conway, Edison, Lake Cavanaugh, Lake McMurray, Marblemount and Rockport). Rural Village Commercial districts may be expanded through the annual Comprehensive Plan amendment cycle or through a community plan, provided that the district remains within the boundaries of the Rural Village itself. Rural Village Commercial districts are the top priority location under the Comprehensive Plan for new commercial development in the rural area. Rural Village Commercial districts existing within Rural Villages, which are pre-existing LAMIRDs surrounded by logical outer boundaries as allowed by RCW 36.70A.070(5)(d)(i) and (iv).

Rural Center

Rural Centers are clusters of small-scale commercial uses at selected locations in the unincorporated portion of the County. In some cases they include public uses such as a fire hall or post office. Typically they are located at crossroads of County roads, state routes, or major



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arterials. They are smaller in size and intensity than Rural Villages, but like their larger counterparts above, Rural Centers are intended to help meet existing and future commercial needs at existing areas of commercial activity. Rural Centers are pre-existing LAMIRDs surrounded by logical outer boundaries as allowed by RCW 36.70A.070(5)(d)(i) and (iv).

Rural Freeway Service

Rural Freeway Service (RFS) areas were designated at portions of four Interstate 5 freeway interchanges in the rural area that had existing commercial development (or development commitments) as of 1990. They qualify as pre-existing LAMIRDs surrounded by logical outer boundaries as allowed by RCW 36.70A.070(5)(d)(i) and (iv). The County conducted extensive research in 1998 – 2001 to establish and verify that the properties currently designated RFS meet the GMA and Comprehensive Plan LAMIRD requirements. Each RFS-designated area underwent close scrutiny by the Western Washington Growth Management Hearings Board following appeals of those designations. Because the RFS designation recognizes areas that had existing commercial development or development commitments in 1990, Skagit County does not expect that new RFS areas will be designated.

Small Scale Recreation and Tourism

The Small-Scale Recreation and Tourism designation is intended to foster economic development and diversification that is recreational or tourist-related, that relies on a rural location and setting, and that incorporates the scenic and natural features of the land. The SRT designation is consistent with the type of LAMIRD authorized by RCW 36.70A.070(5)(d)(ii).

Natural Resource Industrial

The Natural Resource Industrial (NRI) designation is intended to support the production of agricultural, forest, and aquatic products by allowing processing facilities, limited direct resource sales, and limited natural resource support services. Examples of typical NRI uses include saw mills, agricultural or forest industry equipment maintenance, agricultural processing plants, and seafood processing and on-site sales. Mineral processing activities are generally guided by separate policies found in the Natural Resource Lands Element of the Comprehensive Plan. The NRI designation provides a location for natural resource processing and support services that



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does not remove designated natural resource lands from production. The NRI designation may qualify as a LAMIRD under RCW 36.70A.070(5)(d)(i), if the site has been in industrial use since 1990, or under RCW 36.70A.070(5)(d)(iii), if the use is new.

Rural Marine Industrial

The Rural Marine Industrial (RMI) designation is intended to recognize existing rural marine industrial facilities, to permit expansion of existing rural marine industrial activities that are water or shoreline dependent, and to provide for limited changes of use. The term “rural marine industrial facilities” includes harbors, marinas, docks, moorages, and other existing or permitted facilities that support and enable marine industry and commerce.

Because Skagit County has significant navigable waters, and a long and continuing history of marine related commerce and industry, a rural marine industrial designation is an essential component of Skagit County’s comprehensive land use plan and its rural and natural resource-based economy.

Despite the abundance of navigable waters in Skagit County, marine access is very limited, particularly outside of Urban Growth Areas. Due to the state’s Shoreline Management Act, the siting of new marine industrial facilities would be difficult. The Rural Marine Industrial designation seeks to utilize to best advantage those existing locations in the rural area with a history of marine industrial activity or regulatory approval, and with continuing use of the property for marine industrial purposes.

The RMI-designated properties were reviewed under, and found to comply with, the GMA criteria for limited industrial areas of more intensive rural development as authorized by RCW 36.70A.070(5)(d)(i).

Small Scale Business

The Small-Scale Business (SSB) designation allows small-scale commercial or industrial activities involving the provision of services or fabrication or production of goods, primarily for clients and markets outside of the immediate rural area. The SSB designation may be applied to existing or new businesses, whereas the Rural Business designation applies only to businesses that were established as of June 1, 1997. The name of the designation was changed during the 2005 GMA Update from Cottage Industry/Small Scale Business to avoid any confusion with Home Based Business. A SSB may be substantially larger, and requires a designation on the Comprehensive



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Plan/Zoning map, whereas Home Based Business does not. The SSB designation is a type of LAMIRD authorized by RCW 36.70A.070(5)(d)(iii).

Rural Business

The Rural Business designation is intended to acknowledge certain significant uses in the rural area that were in existence as of June 1, 1997, when the Skagit County Comprehensive Plan was adopted, that do not match any of the other commercial and industrial Comprehensive Plan designations. The Rural Business (RB) designation provides reasonable expansion and change of use opportunities for these pre-existing rural uses. The designation is consistent with the Growth Management Act's allowance for "the intensification of development on lots containing isolated nonresidential uses" (RCW 36.70A.070(5)(d)(iii)). The Rural Business designation may not be appropriate for all pre-existing commercial uses in the rural area, if the use is more consistent continuing to operate under a special use permit, or if the granting of a commercial designation might jeopardize the appropriate use of surrounding Natural Resource Lands.

Master Planned Resorts

Master planned resorts are self-contained and fully integrated planned unit developments, in settings of significant natural amenities, providing short-term visitor accommodations including a range of indoor or outdoor recreational facilities and visitor services. Master planned resorts are larger in scale, and involve greater potential impacts on the surrounding area, than uses permitted under the Small-Scale Recreation and Tourism designation. Master planned resorts may constitute urban growth outside of urban growth areas as limited by RCW 36.70A.360 and RCW 36.70A.362. Designation of Master Planned Resorts requires amending the Comprehensive Plan and Zoning Maps, prior to, or concurrent with an application for master plan review. The comprehensive plan amendment process should evaluate all the probable significant adverse environmental impacts from the entire proposal, even if the proposal is to be developed in phases, and these impacts shall be considered in determining whether any particular location is suitable for a Master Planned Resort.



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Rural Water

Pursuant to RCW 19.27.097 and RCW 58.17.110, Skagit County legally cannot issue a permit for a building requiring potable water or approve subdivision applications unless the applicant has a lawful and adequate water supply. Typically, the applicant provides a letter of availability from a public water source such as PUD, provides demonstration of a water right, or proposes to use a permit-exempt well. Under Washington law, the State of Washington regulates water and its availability for appropriation, determining whether an applicant's proposed use of a well is lawful.

In 2001, the State of Washington adopted an Instream Flow Rule for the Skagit River Basin, establishing minimum river and stream flows for salmon habitat. Although the 2001 Rule in draft form allocated water for rural landowners and agriculture, the published 2001 Rule failed to provide a water allocation for rural landowners or agriculture.

In 2006, the State amended the 2001 Rule in an effort to fix this problem, establishing a small allocation for rural landowners and agriculture in the Skagit River Basin and each of its tributaries (the "2006 Amendment").

In 2008, the Swinomish Indian Tribal Community ("Swinomish") filed suit against the State in an effort to invalidate the 2006 Amendment. On October 3, 2013, the Washington Supreme Court ruled in favor of Swinomish, invalidating the 2006 Amendment. *Swinomish v. State, Wa. Sup. Ct. Case No. 87672-0*.

As a result of the *Swinomish* lawsuit, the State Department of Ecology provided the following guidance to Skagit County:

Skagit County is legally required to stop issuing building permits and subdivision approvals in the Skagit Basin that rely on new wells, unless Ecology approves a plan for mitigation (or a plan for reliance on an alternative water source during times when the minimum instream flow requirements set in WAC 173-503 are not met).

Skagit County is working with the State, PUD, and other stakeholders to ensure that rural landowners are able to utilize their land consistent with rural zoning requirements.



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GMA Mandate

There are no specific GMA goals for rural growth and development. Rather, the goals for urban growth, reducing sprawl, economic development, and natural resources tend to address the rural focus indirectly. The Act does define “rural character” as being characterized by areas:

- (a) In which open space, the natural landscape, and vegetation predominate over the built environment;*
- (b) That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;*
- (c) That provide visual landscapes that are traditionally found in rural areas and communities;*
- (d) That are compatible with the use of the land by wildlife and for fish and wildlife habitat;*
- (e) That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;*
- (f) That generally do not require the extension of urban government services; and*
- (g) That are consistent with the protection of natural surface water flows and ground water and surface water recharge and discharge areas.*

The following Countywide Planning Policies (CPPs) provide more specific guidance for the Rural Element:

- *All growth outside the urban growth boundary shall be rural in nature as defined in the Rural Element, not requiring urban governmental services, except in those limited circumstances shown to be necessary to the satisfaction of both the County and the affected city to protect basic public health, safety and the environment, and when such services are financially supportable at rural densities and do not permit urban development. (CPP 1.8)*
- *Rural development shall be allowed in areas outside of the urban growth boundaries having limited resource production values (e.g. agriculture, timber, and mineral) and having access to public services. Rural development shall have access through suitable*



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county roads, have limited impact on agricultural, timber, mineral lands, critical areas, shorelands, historic landscapes or cultural resources and must address their drainage and ground water impacts. (CPP 2.3)

- *Rural commercial and industrial development shall be consistent with that permitted by the Growth Management Act, specifically including RCW 36.70A.070(5)(d) and related provisions and the 1997 ESB 6094 amendments thereto. This development shall not be urban in scale or character or require the extension of urban services outside of urban growth areas, except where necessary to address an existing public health, safety or environmental problem.(CPP 2.4)*
- *Rural commercial and industrial development shall be of a scale and nature consistent and compatible with rural character and rural services, or as otherwise allowed under RCW 36.70A.070(5)(d), and may include commercial services to serve the rural population, natural resource-related industries, small scale businesses and cottage industries that provide job opportunities for rural residents, and recreation, tourism and resort development that relies on the natural environment unique to the rural area. (CPP 2.5)*
- *Priority consideration will be given to siting of new rural commercial and industrial uses in areas of existing development, including existing Rural Villages and existing Rural Centers, followed by already developed sites in the rural area, and only lastly to wholly undeveloped sites in the rural area. (CPP 2.6)*
- *Commercial areas should be aggregated in cluster form, be pedestrian oriented, provide adequate parking and be designed to accommodate public transit. Strip commercial development shall be prohibited. (CPP 2.8)*
- *...The process to consider siting of specific major industrial developments outside of urban growth areas shall follow the process included in the Memorandum of Understanding between the County and the cities for adoption of Countywide Planning Policies.... (CPP 2.9)*
- *Comprehensive Plan provisions for the location of residential development shall be made in a manner consistent with protecting natural resource lands, aquatic resources, and critical areas. (CPP 4.6)*



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- *Home occupations that do not significantly change or impact neighborhood character shall be permitted. (CPP 5.2)*
- *Economic diversity should be encouraged in rural communities where special incentives and services can be provided. (CPP 5.3)*
- *A diversified economic base shall be encouraged to minimize the vulnerability of the local economy to economic fluctuations. (CPP 5.5)*
- *Commercial, industrial and residential acreage shall be designated to meet future needs without adversely affecting natural resource lands, critical areas, and rural character and life styles. (CPP 5.6)*
- *Tourism, recreation and land preservation shall be promoted provided they do not conflict with the long-term commercial significance of natural resources and critical areas or rural life styles. (CPP 5.7)*
- *Agriculture, forestry, aquatic resources, and mineral extraction shall be encouraged both within and outside of designated resource lands. (CPP 5.8)*
- *Value added natural resource industries shall be encouraged. (CPP 5.12)*
- *The Comprehensive Plan shall support and encourage economic development and employment to provide opportunities for prosperity. (CPP 5.15)*
- *Rural character shall be preserved by regulatory mechanisms through which development can occur with minimal environmental impact. (CPP 10.6)*

Goals and Policies

Rural Area Characteristics

The Skagit County rural landscape is characterized by open spaces with natural vegetation; a variety of rural residential densities; farms, forests, mining, and aquatic resource areas; small unincorporated rural communities; small, isolated rural commercial and industrial developments; and regionally important recreation areas.



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The Rural Area land use designations provide a variety of living environments at lower than urban densities which are compatible with farming, fishing and timber management. Rural areas preserve historic and cultural structures and landscapes, retain open spaces, protect designated natural resource lands and identified critical areas and minimize service demands and costs on county government. The following goals and policies for the rural area include general intent statements based on the above discussion as well as the more formal policies for the designation of rural land uses. Urban and resource land use goals and policies are included in the Land Use and Resource Lands Elements.

Goal 3A Protect the rural landscape, character, and lifestyle by:

- (a) Defining and identifying rural lands for long-term use and conservation;
- (b) Providing for a variety of rural densities and housing opportunities;
- (c) Maintaining the character and historic and cultural roles of existing rural communities;
- (d) Allowing land uses which are compatible and in keeping with the protection of important rural landscape features, resources, and values;
- (e) Encouraging economic prosperity for rural areas; and
- (f) Ensuring that appropriate and adequate rural levels of service are provided.

Monitoring Rural Growth

policy 3A-1.1 Monitor rural growth in relation to the target established in Countywide Planning Policy 1.2 that 80 percent of new growth should locate in urban areas. Analyze development trends to determine if changes in land use designations are necessary or additional regulatory techniques or measures are needed to assure compliance with targeted urban/rural population distribution goals.



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

policy 3A-2.1 Manage development in rural areas through density requirements that protect and maintain existing rural character, natural resource lands, open space, critical areas, significant cultural resources, and water resources, and that manage traffic volumes.

- (a) Consistent with RCW 19.27.097, Skagit County will not issue a permit for a building requiring potable water unless the applicant can demonstrate they have a legal and adequate source of water and the water source meets drinking water standards.
- (b) Consistent with RCW 58.17.110, Skagit County will not approve a land division unless the applicant can demonstrate they have a legal and adequate source of water.
- (c) Skagit County should work with the state legislature, state agencies, landowners, tribes, and other affected parties to resolve the uncertainty over rural water availability and achieve a long-term solution that meets the needs of all affected parties consistent with state law.

policy 3A-2.2 The rate of development in rural and resource areas should be in accordance with adopted Countywide Planning Policies stating that urban areas should accommodate 80 percent of new population growth, with the remaining 20 percent locating in non-urban areas. Monitor the pace of development in conjunction with the maintenance of data describing the inventory of available buildable land.

policy 3A-2.3 Rural residential development near designated natural resource lands shall minimize potential conflicts and not contribute to the conversion of farm and



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forest land to non-resource uses. Encourage techniques such as land conservation, clustering and buffering.

- policy 3A-2.4 Encourage rural conservation and reserve development (CaRD) land divisions through public outreach and communication with property owners and developers.
- policy 3A-2.5 The design of rural residential developments near urban areas should include means to further subdivide at urban densities should these developments be added to the urban area in the future, using techniques such as conservation and reserve development (CaRD) land divisions.
- policy 3A-2.6 Rural land-use designations within $\frac{1}{4}$ mile of the designated Mineral Resource Overlay shall be no greater than one dwelling unit per ten acres, except for isolated situations where higher densities, and an existing mining operation within the MRO, already exist. Where greater densities would normally be possible through a CaRD subdivision, such increase in density can be transferred to a portion of the property located outside the $\frac{1}{4}$ mile.
- policy 3A-2.7 Develop and implement standards to ensure that noise and light impacts from residential and commercial development in the rural area do not diminish rural character.

Goal 3A-3 Ensure that public facilities, services, roads and utilities are properly planned for and provided, consistent with rural character, needs, and lifestyles.

- policy 3A-3.1 Priorities for funding public investment in rural areas shall be to maintain or upgrade existing facilities, services, and utilities to serve existing development at rural service standards. New facilities, services, roads, and utilities which support planned rural growth shall meet rural service standards.
- policy 3A-3.2 Continue to work with water providers such as Skagit PUD to extend public water service in rural areas where ground water supplies are limited, with the greatest emphasis being on areas already identified as pre-existing higher density rural



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areas with corresponding Comprehensive Plan designations and zoning, specifically limited areas of more intensive rural development (LAMIRDs) including Rural Villages and Rural Intermediate.

policy 3A-3.3 Standards and plans for structures, roads and utility systems, and other public services and facilities shall be consistent with rural densities and uses. Such facilities and services shall be such designed, constructed, and provided to minimize the alteration of the landscape and the impacts to rural residents and community character, to preserve natural systems, to protect critical areas, to protect important land features such as ridgelines, to retain historic and cultural structures/landscapes, and scenic amenities.

policy 3A-3.4 The County's public health responsibility for ensuring adequate wastewater treatment includes the determination of failing on-site septic systems, technical assistance to property owners, and actions to require necessary improvements. These services may include community plans and other strategies for creating area-wide solutions when surface waters or groundwater is threatened.

policy 3A-3.5 On-site wastewater systems are preferred to treat and dispose of effluent in rural areas. Community on-site systems or decentralized treatment systems may be used in land divisions or to serve limited areas of more intensive rural development (LAMIRDs).

(a) The size of a community or large on-site sewage system for a designated LAMIRD shall be limited to the build-out potential of all development within the LAMIRD's designated boundaries, unless it is also needed to addresses existing public health, safety or welfare issues of properties outside of the LAMIRD.

(b) The size of a community or large on-site sewage system for a land division shall be limited to the number of residential units allowed under the land division. The system may not be used for development that is not part of the proposal land division unless it is found to be needed, in the land division review process, to address existing public health, safety and welfare issues of existing development.



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policy 3A-3.6 Consistent with the Countywide Planning Policies, urban services shall not be extended into or expanded in rural areas except in those limited circumstances shown to be necessary to protect basic public health and safety and the environment, and only when the urban services are financially supportable at rural densities and their extension or expansion does not allow urban development.

Limited Areas of More Intensive Rural Development

The Rural Area provides a choice of living environments and rural- and natural resource-related economic activities through a mix of large lots, conservation and reserve development (CaRD) land divisions, and limited areas of more intensive rural development. Amendments to the Growth Management Act adopted in 1997 as part of ESB 6094 established that *“the rural element may allow for limited areas of more intensive rural development...”* or LAMIRDs (RCW 36.70A.070(5)(d)). These limited areas include the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas; the intensification of development on lots containing or new development of small scale recreational or tourist uses; and the intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the rural population but that provide job opportunities for rural residents.

Goal 3B Establish certain Limited Areas of More Intensive Rural Development, consistent with the Growth Management Act, to recognize historic rural residential, commercial, and industrial development patterns, and to allow certain new small-scale recreation and tourism uses and industries that provide jobs for rural residents.

policy 3B-1.1 Skagit County has developed and applied various rural land use designations, as described below, following the GMA provisions for Limited Areas of More Intensive Rural Developed (LAMIRDs) in RCW 36.70A.070(5)(d).

policy 3B-1.2 The GMA establishes three basic types of LAMIRD. The first is authorized by RCW 36.70A.070(5)(d)(i) and consists of commercial, industrial, residential, or mixed use areas that were in existence on July 1, 1990, and that are surrounded by



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logical outer boundaries. The Skagit County rural land use designations created and placed on the Comprehensive Plan/Zoning Map using these criteria are:

- (a) Rural Village Residential.
- (b) Rural Intermediate.
- (c) Similk Beach LAMIRD, and other residential LAMIRDs as may need to be identified to address similar health and environmental issues.
- (d) Rural Village Commercial, which must fall within the Rural Village Residential boundary.
- (e) Rural Center.
- (f) Rural Freeway Service.
- (g) Rural Marine Industrial.
- (h) Some Natural Resource Industrial designations also meet these “(d)(i)” LAMIRD requirements, but not all. New natural-resource related uses are also allowed in the rural area under GMA, provided they remain compatible with rural character and do not promote sprawl.

policy 3B-1.3 The above land use designations provide for the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, whether characterized as shoreline development, villages, hamlets, rural activity centers, or crossroads developments.

policy 3B-1.4 Skagit County has adopted measures to minimize and contain these existing areas or uses of more intensive rural development, as appropriate.

- (a) Lands included in such existing areas or uses shall not extend beyond the logical outer boundary of the existing area or use, thereby allowing a new pattern of low-density sprawl.



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- (b) Existing areas are those that are clearly identifiable and contained and where there is a logical boundary delineated predominantly by the built environment, but that may also include undeveloped lands if limited as provided in RCW 36.70A.070(5)(d).
- (c) The County shall establish the logical outer boundary of an area of more intensive rural development. In establishing the logical outer boundary the county shall address:
 - (i) the need to preserve the character of existing natural neighborhoods and communities;
 - (ii) physical boundaries such as bodies of water, streets and highways, and land forms and contours,
 - (iii) the prevention of abnormally irregular boundaries, and
 - (iv) the ability to provide public facilities and public services in a manner that does not permit low-density sprawl;
- (d) An existing areas or uses as described above is one that was in existence on July 1, 1990, when the Growth Management Act was adopted.

policy 3B-1.5 The identification of the Rural Village and Rural Intermediate designations as Limited Areas of More Intensive Rural Development (LAMIRD) does not by its name, label or designation automatically confer any increased development potential to these areas. The LAMIRD label is only intended to indicate that Rural Villages and Rural Intermediate areas are designated consistent with the requirements of RCW 36.70A.070(5)(d). The LAMIRD label itself does not grant any increased land uses, intensities, or densities not already allowed for in the Comprehensive Plan policies and development regulations applicable to the Rural Village Residential or Rural Intermediate designations.

policy 3B-1.6 Two other types of LAMIRD are allowed by GMA. The County's other rural commercial and industrial designations were created and applied consistent with



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these other provisions. Pursuant to RCW 36.70(A).070(5)(d)(ii), the County's Small Scale Recreation and Tourism designation allows:

- (a) The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location and setting, but that do not include new residential development.
- (b) A small-scale recreation or tourist use is not required to be principally designed to serve the existing and projected rural population.
- (c) Public services and public facilities are limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl.

policy 3B-1.7 The County's Small-Scale Business and Rural Business designations are based on a third type of LAMIRD allowed under GMA. There are distinctions between the two designations: Small-Scale Business may be applied to a new use in the rural area, whereas a Rural Business must have existed on June 1, 1997. Both designations are consistent with RCW 36.70(A).070(5)(d)(iii) which permits:

- (a) The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents.
- (b) Rural counties may allow the expansion of small-scale businesses as long as those small-scale businesses conform with the rural character of the area as defined by the local government according to RCW 36.70A.030(14).

policy 3B-1.8 The GMA provision referenced above in Policy 3B-1.6 is also the basis for the potential creation of a limited number of new Rural Centers in the Rural area. The creation of new Rural Centers is only permitted under very narrow, limited



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circumstances within the context of a community planning process where the creation of a center is supported by community needs. (See Policy 3C-2.17)

policy 3B-1.9 Certain other land uses are allowed in the Rural Area. These are Master Planned Resorts and Major Industrial Developments, both of which are a type of urban use that may take place under certain circumstances in the rural area; and Open Space uses. Land use designation policies for agricultural, forest, rural resource, and mineral resource lands are included in the Natural Resource Lands Element.

Rural Residential Designations

Rural Reserve, Rural Intermediate, and Rural Village Residential are the main residential land use designations in the Rural area. There is also a Bayview Ridge-Urban Reserve (BV-URv) designation adjacent to the Bayview Ridge Urban Growth Area to allow expansion of the Urban Growth Area in the future if necessary. All lands designated Rural Intermediate and Rural Village Residential are considered to be part of a Limited Area of More Intensive Rural Development (LAMIRD) as described in policy 3B-1.2 and as authorized by RCW 36.70A.070(5)(d)(i). These designations reflect areas that were generally already developed or platted at land use densities of 1 residence (or “dwelling unit”) per 2.5 acres, or greater, when the Growth Management Act was implemented in 1990. The Rural Reserve designation identifies portions of the Rural area that were not already developed at these higher densities. The Rural designation and density criteria follow.

Goal 3C Provide for a variety of rural residential land use densities while retaining the rural landscape, character, and lifestyles.

policy 3C-1.1 **Rural Reserve (RRv).** The Rural Reserve designation applies to all rural areas outside of the following designations: Natural Resource Lands, Rural Intermediate, Rural Village, any of the various Rural commercial/industrial designations, Open Space of Statewide/Regional Significance, or Urban Growth Area. The maximum allowed residential gross density is 1 residence per 5 acres in conservation and reserve development (CaRD) land divisions, and 1 residence per 10 acres in standard land divisions.



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policy 3C-1.2 All lands shown as Rural Intermediate and Rural Village Residential on the Comprehensive Plan/Zoning map were designated following the criteria for Limited Areas of More Intensive Rural Development, or LAMIRDs, under RCW 36.70A.070(5)(d)(i), as described in policy 3B-1.2 above.

policy 3C-1.3 **Rural Intermediate (RI).** The Rural Intermediate (RI) designation applies to rural areas where the average existing and/or surrounding parcel density is predominantly more than or equal to 1 parcel per 2.5 acres or 1/256th of a section, not including any lands within a UGA. If rural lands proposed to be added to the RI designation have a density of less than 1 parcel per 2.5 acres, these lands must be included in any calculation of "average existing and/or surrounding parcel density." These RI designations are intended to balance property rights in the legally vested lots and the built environment that is reflected in certain rural areas of the County with the GMA requirements to minimize sprawl and concentrate growth in urban areas. (There are many pre-existing lots in the RI designation that are significantly smaller than the 2.5 acre minimum parcel size that applies to new land divisions in RI.)

Areas may be considered for designation as RI by identifying clearly-contained logical boundaries that are delineated predominantly by the built environment existing on July 1, 1990, per policy 3B-1.2 above. However, in some cases, where lots were legally created since that time, but prior to adoption of the Comprehensive Plan and have either been developed, or have vested rights to develop at those densities, RI designation may be appropriate on those lots as well. Finally, as described in more detail under the Rural Study Areas policies in the Plan Implementation and Monitoring Element, some RI density may be appropriate in one or more of those study areas, but only after completion of the necessary community plan.

(a) The RI designation does not necessarily apply to every existing lot smaller than 2.5 acres in the County since, to do so, could result in a pattern of scattered and unconsolidated areas of more intense rural development.



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(b) Within the Rural Intermediate designation, the minimum lot size that may be created through a land division is 2.5 acres, resulting in a maximum residential gross density of 1 dwelling unit per 2.5 acres.

policy 3C-1.4 The purpose of the Rural Intermediate designation is to provide and protect land for residential living in a rural atmosphere, taking priority over, but not precluding, limited non-residential uses appropriate to the density and character of this designation. Long-term open space retention and critical area protection are encouraged.

policy 3C-1.5 Reserved.

Rural Village

policy 3C-1.6 Rural Villages shall be located only in designated Rural areas. Rural Village designation and densities are based on existing rural residential and commercial development patterns and uses, environmental constraints, presence of critical areas, proximity to designated natural resource lands, and adequate capacity to maintain existing rural levels of service.

policy 3C-1.7 Rural Villages represent historical communities throughout the County with future development limited to infill within designated boundaries, as described further in policy 3B-1.2.

(a) Consider designating additional areas as Rural Village that meet the Rural Village designation criteria under the Comprehensive Plan and the Growth Management Act, and that have the same characteristics, land uses and functions as areas already designated Rural Village, including the same limitations on expanding beyond a logical outer boundary.

(b) Landowners and residents of an area being considered as a newly-designated Rural Village should be involved in the planning process considering that new designation.

policy 3C-1.8 The community planning process is the preferred method to determine the sizes, configurations, uses, and development potentials specific to each Rural Village.



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As discussed in greater detail in Chapter 12, community plans draw upon the local knowledge, experience, and preferences of community residents, provided that such is consistent with the Growth Management Act, Countywide Planning Policies, and the Comprehensive Plan.

- (a) Issues appropriate for consideration through a community plan include suitable land uses within the Rural Village, community infrastructure requirements, and development standards and design guidelines to protect and retain important features valued by the community.
- (b) The outer boundaries of a Rural Villages shall only be amended through a community plan or through a periodic state-mandated GMA comprehensive plan Update, provided that the boundaries of the historic Rural Villages shall be defined predominantly by the built environment that existed on or before July 1, 1990.
- (c) Because Rural Villages are the preferred location for commercial uses in the Rural area, the establishment of new Rural Village Commercial designations *within existing Rural Village boundaries* may occur through the annual Comprehensive Plan amendment process, and is not required to occur through a community plan.

Rural Village Density

policy 3C-1.9 Single-family residential densities for land designated as Rural Village Residential are:

- (a) 1 residential dwelling unit per acre, with public water and an approved on-site septic system;
- (b) 1 dwelling unit per 2.5 acres, with private water and an approved on-site septic system; or
- (c) a Rural Village Community Plan may recommend smaller lot sizes, provided public sewer and water are available, and if those smaller lots are consistent



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with existing Rural Village development patterns and/or are appropriate to better protect critical areas, open spaces or public health and safety.

policy 3C-1.10 Subdivisions of undeveloped parcels on the east side of the Big Lake Rural Village are allowed with lot sizes of 5 acres or greater unless those parcels are divided through conservation and reserve developments (CaRD), utilize public utilities, and protect Big Lake Water quality. Prior to the adoption of a Big Lake Rural Village Plan, property that is commonly referred to as the Overlook Golf Course may be subdivided according to provisions contained in the Unified Development Code.

policy 3C-1.11 The Board of County Commissioners will work with the Department to prioritize community planning efforts for Rural Villages and other areas of more detailed rural planning, as further discussed in the Plan Implementation and Monitoring Element.

Rural Commercial and Industrial Designations

Goal 3C-2 Support the rural economy by fostering opportunities for rural-based employment, home businesses, natural resource-related industries, and economic diversification in tourism and recreation, of an appropriate size and scale to maintain rural character.

policy 3C-2.1 New rural commercial and industrial uses should be located principally within designated commercial areas to avoid the proliferation of commercial businesses throughout the rural area. However, certain limited commercial uses, resource-related uses, home based businesses and other non-residential uses may be permitted if carefully reviewed, conditioned and found to be compatible with rural areas. To encourage efficient use of the land, the broadest range of commercial and industrial uses should be allowed in areas already accommodating such use and development, with greater limitations placed upon such uses within areas devoted predominantly to residential use (i.e., Rural Intermediate, Rural Village Residential and Rural Reserve areas). Comprehensive



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Plan and Zoning designations devoted principally to commercial and industrial uses in the unincorporated portions of the county are:

- (a) Rural Village Commercial
- (b) Rural Center
- (c) Rural Freeway Service
- (d) Small-Scale Recreation and Tourism
- (e) Natural Resource Industrial
- (f) Rural Marine Industrial
- (g) Major Industrial Developments
- (h) Master Planned Resorts
- (i) Small-Scale Business
- (j) Rural Business

policy 3C-2.2 Comprehensive Plan Amendment applications to any of the rural commercial or industrial designations must meet the following criteria in order to be found consistent with the Comprehensive Plan. The proposed designation and use must:

- (a) be consistent with the existing rural character of the area;
- (b) not create conflicts with surrounding agricultural, forest, and mineral resource lands and practices; and
- (c) provide for the protection of critical areas, frequently flooded areas, and surface water and ground water resources, including sole source aquifers.



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policy 3C-2.3 An applicant for any of the rural commercial or industrial designations available under this plan must submit, at the time of application, a development proposal that is consistent with the appropriate designation criteria.

policy 3C-2.4 Public services and public facilities necessary for rural commercial and industrial uses shall be rural in nature, limited to those necessary to serve the use, and provided in a manner that does not permit low-density sprawl. Uses may utilize urban services that previously have been made available to the site.

The following policies describe the various rural commercial and industrial designations, and provide guidance on the types and scale of permitted uses within them.

Rural Village Commercial (RVC)

policy 3C-2.5 The Rural Village Commercial District provides for a range of commercial uses and services to meet the everyday needs of rural residents and natural resource industries, and to provide goods, services, and lodging for travelers and tourists to the rural area.

policy 3C-2.6 Generally, there should be only one contiguous area designated Rural Village Commercial in each Rural Village. New uses should be clustered around the existing Rural Village Commercial district, unless the particular nature of the new use justifies an alternative location within the Rural Village.

policy 3C-2.7 Typical uses in the Rural Village Commercial district include small retail and service businesses that primarily serve the needs of the surrounding population or support natural resource businesses and industries, art and performance galleries and studios, overnight lodging and related services for visitors to the rural area, and minor public uses.

policy 3C-2.8 Maximum size limits for uses within the Rural Village Commercial district are intended to retain the rural character of the Rural Villages and are based on the size of existing commercial uses within the Rural Villages. A community plan may modify the dimensional standards for a particular Rural Village Commercial



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district, provided that the newly developed standards are consistent with existing commercial uses within that Rural Village.

policy 3C-2.9 Land within a Rural Village may be redesignated to one of the other rural commercial or industrial designations, based on the appropriate land use designation criteria, and subject to a Rural Village community plan if one has been adopted.

Rural Center (RC)

policy 3C-2.10 Rural Centers are small-scale commercial clusters at selected locations in the rural portion of the County. They are smaller in size and intensity than Rural Villages and generally serve the population residing within a 2 ½ mile radius.

policy 3C-2.11 Typical uses in Rural Centers are small retail and service businesses that primarily serve the needs of the surrounding rural population and visitors to the rural area. Examples include: retail food, drug, feed, nursery, and hardware stores, specialty shops, restaurants, bed and breakfasts, service stations, and personal care services.

policy 3C-2.12 Rural Centers may not include new residential uses other than business-owner or operator residences and loft living quarters over store fronts, unless such residential uses are specifically authorized through a community plan.

policy 3C-2.13 Rural Centers are designated at specific, limited sites in the following areas: Allen, Birdsvew, Day Creek, Dewey Beach, East Edison, and Guemes Island.

policy 3C-2.14 Rural Centers of sufficient number and size will be designated to meet existing and projected rural commercial needs for retail and service businesses serving the surrounding rural population and visitors.

policy 3C-2.15 Substantial infill, development, and redevelopment shall occur within existing Rural Centers and Rural Village Commercial districts before any new Rural Centers may be designated.



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policy 3C-2.16 Before additional acreage may be added to an existing Rural Center, the County shall conduct an analysis of the logical outer boundaries of that Rural Center, in accordance with RCW 36.70A.070(5)(d)(iv).

Limited Number of New Rural Centers

policy 3C-2.17 A limited number of new Rural Centers may be designated to meet future needs for goods and services in areas of the County not otherwise served by an existing Rural Village or Rural Center. These include the Samish Valley north of Sedro-Woolley, and certain islands likely to experience future residential development, such as Vendovi and Sinclair Islands. These have been identified as Rural Study Areas in the Plan Implementation and Monitoring Element.

policy 3C-2.18 In addition, as also described in more detail in the Plan Implementation and Monitoring Element, the existing Day Creek Rural Center and the Birdsvie Rural Center may be considered for possible expansion, change, or more intensive rural uses, but only after completion of the community planning effort described in that Element.

policy 3C-2.19 Any new Rural Center designations shall meet the following criteria:

- (a) All property to be included is located within the Rural Intermediate or Rural Reserve designations only.
- (b) The commercial area existed predominantly as an area or use of more intensive commercial development on July 1, 1990.
- (c) Location at the crossroads of county roads, state routes, or major arterials.
- (d) The designation does not jeopardize the protection of designated critical areas, frequently flooded areas, and surface water and ground water resources, including sole source aquifers, or the conservation and productive use of designated natural resource lands.
- (e) The travel distance between a new Rural Center and existing rural commercial designations is a minimum of 5 miles. This is generally the



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minimum distance that existing Rural Centers are located from other rural commercial designations.

- (f) Proponents of new Rural Centers must demonstrate that there is sufficient surrounding population, or market demand to support the need for the Rural Center.
- (g) New Rural Center designation proposals shall be supported with development plans demonstrating compatibility with surrounding rural uses and character.
- (h) New Rural Centers shall be designated only after the conduct of a community plan as described in the Plan Implementation and Monitoring Element.

Rural Freeway Service (RFS)

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

- policy 3C-3.1 Rural Freeway Service areas provide freeway-oriented goods and services at certain Interstate 5 interchanges in Skagit County that meet the GMA definition of “limited areas of more intensive rural development” in RCW 36.70A.070(5)(d)(i). The following portions of the Bow Hill, Conway, Alger, and Cook Road interchanges are designated RFS:
- (a) Conway: the approximately 1.3 acre parcel in the southeast quadrant where there was commercial development as of July 1, 1990.
 - (b) Bow Hill: the approximately 2.4 acre parcel at the northwest quadrant, and approximately 10 acres in the southwest quadrant that has existing urban sewer service (pre-1990) and water service.
 - (c) Alger: four parcels totaling approximately 5 acres in the southeast quadrant that are served by, or are prepared to be served by, water, sewer and power,



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and are bounded by elements of the built or natural environment which create logical boundaries to any future commercial sprawl.

- (d) Cook Road: approximately nine acres at the northeast quadrant, and approximately six acres at the southeast quadrant. Both areas are surrounded by logical boundaries consisting of the built or natural environment, have paid sewer commitments dating back to the late 1970s and are served by public sewer and public water.

policy 3C-3.2 New development at these locations is subject to development regulations and design guidelines intended to maintain the rural character of the area, and to minimize impacts to rural residential areas, resource lands, critical areas, and other sensitive natural features of the environment. Such development shall not be expanded into designated natural resource lands or create conflicts with natural resource practices.

Small-Scale Recreation and Tourism (SRT)

Goal 3C-4 Use the County's abundant recreational opportunities and scenic and natural amenities to diversify the economy of rural Skagit County by allowing small-scale recreational and tourist uses in an environmentally sensitive manner.

policy 3C-4.1 The Small-Scale Recreation and Tourism designation is intended to provide opportunities for businesses that create recreational or tourist-oriented jobs for rural residents. Proponents may apply for a Comprehensive Plan/Zoning map amendment and rezone to the SRT designation and zone demonstrating that the proposed location or use:

- (a) Relies on a particular rural location and setting;
- (b) incorporates the scenic and natural features of the land; and
- (c) would be inappropriate or infeasible in a Rural Village, Rural Center, or Urban Growth Area.



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- policy 3C-4.2 Small-Scale Recreation and Tourism areas shall not be created from lands designated Ag-NRL or IF-NRL.
- policy 3C-4.3 Typical uses within small-scale recreational or tourist areas may include but are not limited to: cabins, cottages, campgrounds, recreational vehicle (RV) parks, and other forms of overnight lodging that are rural in scale; outdoor recreational equipment rental and/or guide services; outdoor recreational facilities; recreational, cultural, or religious retreats; and accessory uses such as restaurants and small retail shops. Owner or caretaker housing is also permitted. Other residential uses are not permitted.
- policy 3C-4.4 SRT areas and uses are limited in size and scale so as to be rural in nature and compatible with the surrounding rural area as follows:
- (a) Up to 20 acres of developable land may be located within an SRT designation. Additional land used for passive recreation purposes only may be included provided it remains substantially undeveloped
 - (b) The maximum number of units of overnight lodging permitted within a SRT area is 35. This limit does not apply to the number of camping sites or recreational vehicle hook-ups within a campground or resort.
- policy 3C-4.5 Proposed amendments to the Comprehensive Plan for new SRT designations shall include site plans as further specific in the Legislative Actions section of the Unified Development Code.

Natural Resource Industrial (NRI)

Goal 3C-5 Facilitate the production of agricultural, forestry, and aquatic products by allowing related processing facilities, limited direct resource sales, and limited natural resource support services that support local natural resource activities.

- policy 3C-5.1 The NRI designation applies to agricultural, forestry, and aquatic industries and products. Mineral processing activities are generally guided by separate policies



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found in the Land Use and Resource elements of the Skagit County Comprehensive Plan.

- policy 3C-5.2 Permitted uses include natural resource processing facilities; wholesaling and storage of products associated with natural resources; limited direct resource sales; and limited natural resource support services.
- policy 3C-5.3 New Natural Resource Industrial designations may be located on lands currently in one of the other Rural designations. In certain circumstances designated Natural Resource Lands may be redesignated to NRI, subject to the following provisions and the specific policies for each natural resource land or industry contained below.
- (a) The NRI designation may generally be located on land currently in a Natural Resource Land designation for uses directly involved in the extraction, sorting, and primary processing of natural resources.
 - (b) NRI uses that are not directly involved in the extraction, sorting, and primary processing of natural resources should generally locate on rural lands, including in Rural Villages. These activities include support services, and certain storage and processing uses that serve natural resource industries but are not directly involved in the on-site extraction or primary processing of natural resources.
 - (c) NRI uses may be located in more densely populated rural areas, including Rural Villages, provided their operations do not present an unreasonable threat to the health, safety and welfare of rural residents.
 - (d) Development of the proposed NRI site would have minimal adverse impacts on nearby primary natural resource activities.
- policy 3C-5.4 In considering NRI designation requests, priority consideration will be given to properties that have had prior industrial activity and site improvements, but that may now be vacant or under-utilized, rather than to entirely undeveloped sites.



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Policies Specific to Agriculture-NRL

policy 3C-5.5 Skagit County should designate an area (or areas) in which to concentrate agriculture-related industrial uses and agricultural support services in an “agricultural industrial park.” This would allow for these services and their impacts to be concentrated, rather than dispersed throughout the rural area. Designation of an agricultural industrial park is the only instance where Ag-NRL land may be converted to a NRI designation, and only based on a finding that the agricultural sector is better served by having the land in NRI designation to permit an agricultural industrial park.

Policies Specific to Forest-NRL

policy 3C-5.6 Certain forestry-related industrial activities are permitted outright through the Industrial Forest-NRL, Secondary Forest-NRL, and Rural Resource-NRL zoning districts and do not require a Comprehensive Plan designation to NRI.

policy 3C-5.7 Certain forestry-related industrial activities are not permitted, or are only permitted on a temporary basis, in the Industrial Forest-NRL, Secondary Forest-NRL, and Rural Resource-NRL zoning districts. The NRI designation is an appropriate place for these uses to occur on a permanent basis.

Policies Specific to Aquatic Industries

policy 3C-5.8 Aquatic and marine uses permitted through the NRI designation shall only be located on non-NRL designated lands.

policy 3C-5.9 Additionally, the proposed site should be close to:

- (a) the natural resource or natural resource activities it intends to serve;
- (b) major transportation facilities associated with the proposed use (highway, rail, water, or air); and
- (c) non-urban or existing urban services necessary for the proposed resource-related industrial use.



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Rural Marine Industrial

Goal 3C-6 Provide a land use designation that recognizes existing industrial facilities that are directly linked to an existing rural marine location and that serve the county's rural marine industrial needs; permits expansion of existing rural marine industrial activities that are water or shoreline dependent; and provides for limited changes of use.

policy 3C-6.1 The Rural Marine Industrial (RMI) designation is intended to recognize existing rural marine industrial facilities and to permit expansion of existing rural marine industrial activities that are water or shoreline dependent, and to provide for limited changes of use. The term "rural marine industrial facilities" includes harbors, marinas, docks, moorages, and other existing or permitted facilities that support and enable marine industry and commerce.

policy 3C-6.2 Areas or facilities are designated RMI based on their history of marine industrial use, or regulatory approval and related site improvements for marine industrial use, prior to July 1, 1990. The RMI-designated properties were reviewed under, and found to comply with, the GMA criteria for limited industrial areas of more intensive rural development, as outlined in policy 3B-1.2. The existing areas or facilities identified as Rural Marine Industrial areas on the Comprehensive Plan/Zoning Map, are:

- (a) Twin Bridge Marine Park, on the east side of the Swinomish Channel north of State Route 20 and Josh Green Lane.
- (b) The former "Western Lime" property on the Swinomish Channel directly north of the Twin Bridge Marine Park.
- (c) Property on Turner's Bay at the north end of Similk Bay, which has served historically as a marine terminal for logs and other natural resource materials, as a log storage site, and for other marine-industrial uses.
- (d) Rozema Boat Works, located in the Bay View Rural Village, on the eastern shore of Padilla Bay.



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policy 3C-6.3 Permitted uses within the Rural Marine Industrial designation are those that are “water and shoreline dependent or related,” and are rural in nature, as consistent with the County’s Shoreline Master Program.

Major Industrial Developments

Goal 3C-7 Ensure adequate site opportunities for major industrial developments that have land needs that cannot be met in Urban Growth Areas.

policy 3C-7.1 A “major industrial development” is a master planned site for a business that requires a parcel of land larger than is available in the urban growth area or is a natural resource-based use requiring a location near agricultural land, forest land, or mineral resource land upon which it is dependent. The siting of major industrial developments outside of an urban growth area shall comply with the framework agreement between the County and the Cities and the criteria contained in RCW 36.70A.365 and CPP 2.6. The major industrial development designation requires the development of additional Comprehensive Plan policies and development regulations pursuant to those criteria, before any properties may be so designated.

Master Planned Resorts (MPR)

Goal 3C-8 Provide for the siting of Master Planned Resorts, consistent with the requirements of the Growth Management Act, in locations that are appropriate from both an economic and environmental perspective.

policy 3C-8.1 Master planned resorts are self-contained and fully integrated planned unit developments, in settings of significant natural amenities, providing short-term visitor accommodations including a range of indoor or outdoor recreational facilities and visitor services.

policy 3C-8.2 Master planned resorts are larger in scale, and involve greater potential impacts on the surrounding area, than uses permitted under the Small-Scale Recreation and Tourism designation. Master planned resorts may constitute urban growth



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outside of urban growth areas as limited by RCW 36.70A.360 and RCW 36.70A.362.

policy 3C-8.3 Designation of Master Planned Resorts requires amending the Comprehensive Plan and Zoning Maps, prior to, or concurrent with an application for master plan review. The comprehensive plan amendment process should evaluate all the probable significant adverse environmental impacts from the entire proposal, even if the proposal is to be developed in phases, and these impacts shall be considered in determining whether any particular location is suitable for a Master Planned Resort. Review and approvals will be conducted using the following criteria:

- (a) Development Agreements, as authorized by RCW 36.70B.170, may be used to implement these policies.
- (b) The development and its impacts should be buffered and mitigated from the adjacent rural areas. Master Planned Resorts should be of sufficient size to mitigate the potential impacts from the development on site. Where located in a rural area, the Master Planned Resort should also be of sufficient size to screen the development and its impacts from the adjacent rural areas.
- (c) MPRs are not allowed on designated Ag-NRL lands. Location on other Natural Resource Lands requires a County finding that the proposed site is better suited and has more long-term importance for the Master Planned Resort than for the commercial harvesting of timber or production of natural resource products, and will not adversely affect adjacent Natural Resource Land activities.
- (d) The Master Planned Resort must be developed consistent with the County's development regulations established for critical areas and consistent with lawfully established vested rights, and approved development permits.
- (e) The Master Planned Resort shall consist of predominantly short term visitor accommodations, with associated indoor and outdoor recreational facilities, conference facilities and commercial and professional activities that support



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and are integrated with the resort. In addition, permanent residential uses, including caretakers' or employees' residences and vacation home properties may be included, provided they must be integrated into the resort and consistent with the on-site recreational nature of the resort. Some goods and services for the surrounding permanent residential population may also be included.

- (f) Where supported by historic use of the property and where such historic uses are intended to be integrated into the overall Master Planned Resort concept, commercial or industrial uses not typically associated with resort or recreational activities may be included, such as on-going natural resource industrial activities.
- (g) Master Planned Resorts may be developed using clustering design, setbacks, and lot sizes that vary from those provided in the Rural or Natural Resource Land designations. MPR commercial facilities necessary to serve the resort may be larger than those otherwise permitted in rural commercial areas, but nevertheless limited to primarily serving the needs of the resort.
- (h) Capital facilities and services, including wastewater, water, storm water, security, fire suppression, and emergency medical provided on-site shall be limited to meeting the needs of the resort and may be provided by outside service providers, provided that the resort pays all costs associated with service extension capacity increases, or new services that are directly attributable to the resort, and provided that the nature of the facilities and services provided are adequate to meet the increased needs of the resort.
- (i) Resort traffic mitigation should not require the construction of additional traffic lanes on State routes except in the immediate vicinity of or within the boundaries of the Master Planned Resort where necessary to accommodate increased traffic and turning movements generated at the site.
- (j) The Master Planned Resort shall contain sufficient portions of the site in undeveloped open space for buffering and recreational amenities to help preserve the natural and rural character of the area.



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- (k) Master Planned Resorts may be sited within or adjacent to existing Urban Growth Areas or within or adjacent to an existing area of more intense rural development, such as an existing Rural Village or an existing Rural Intermediate designation.

Small-Scale Business (SSB)

Goal 3C-9 Recognize the land use needs of existing and new small-scale businesses that are beyond the size and scale of home-based businesses.

policy 3C-9.1 The Small-Scale Business (SSB) designation is intended to provide for commercial or industrial uses involving the provision of services or the fabrication or production of goods, primarily for clients and markets outside of the rural area. The SSB designation may be applied to existing or new businesses, whereas the Rural Business designation applies only to businesses that were established as of June 1, 1997.

policy 3C-9.2 Typical uses within the SSB zone include the small-scale production or manufacture of goods; the production, repair and servicing of specialized tools and equipment; and the provision of services, including professional, management, consulting, construction, and repair services. The business may have customers visit the site, but retail sales are limited to products primarily produced on site.

The scale of activities within a SSB is typically greater than can be accommodated through a Home Based Business. Nothing in these policies is intended to create a presumption that the property on which a Home Based Business is located should be re-designated to SSB if that business outgrows its home-based status. There is no automatic progression from Home Based Business to Small-Scale Business.

policy 3C-9.3 Caretaker residences may be located on site in a SSB.

policy 3C-9.4 A Small-Scale Business may have up to 20 full-time equivalent (FTE) employees, meaning an employee that visits the business site more than two times per week, including visits solely for purposes of vehicle transfer.



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- policy 3C-9.5 The SSB designation is consistent with the Growth Management Act's allowance for the "intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and non-residential uses, but do provide job opportunities for rural residents." (RCW 36.70A.070(5)(d)(iii))
- policy 3C-9.6 Rural policy 3C-2.1 regarding priority consideration to siting of new uses in areas of existing development, shall be applied when considering new Small Scale Business designations. A home-based business shall not be considered as an already developed site for the purposes of this policy.
- policy 3C-9.7 A Small-Scale Business designation should not be located on designated natural resource lands, nor create the potential for conflicts with the use of agricultural, forest, and mineral resource lands of long-term commercial significance.

Home-Based Businesses

Goal 3C-10 Provide opportunities for rural entrepreneurs to establish work places within their homes that are compatible with surrounding uses.

- policy 3C-10.1 Home-Based Businesses (HBBs) are intended to provide increased rural economic opportunities by providing the ability to supplement a family income, start a business, or establish a work place at home. The three classes of HBB are progressively larger in size or impact on neighboring land uses.
- policy 3C-10.2 All HBBs are located inside single family homes or a permitted accessory outbuilding and remain clearly incidental and secondary to the primary residential use. HBB activities may consist only of business activities that are compatible with the primary use of a property as residential or resource based. The activities must support and may not diminish rural character.
- policy 3C-10.3 Home-Based Business 1 (HBB1) consists of a business that is carried out exclusively by household residents and does not involve client or customer visits.



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policy 3C-10.4 Home-Based Business 2 (HBB2) consists of a business that is carried out exclusively by household residents. Clients or customers may visit the site.

policy 3C-10.5 Home-Based Business 3 (HBB3) consists of a business that is carried out by household residents but may also employ a small number of employees. Clients or customers may visit the site.

policy 3C-10.6 For any type of HBB, there may be no indications of a commercial or industrial enterprise visible off-premises, and auto and truck traffic, noise, and pollutant emissions shall not exceed that normally associated with a residential property. No outside storage is allowed.

policy 3C-10.7 Within resource lands of long-term commercial significance, care must be paid to protection of the primary resource activity and code requirements may limit the use in a manner to avoid conversion of resource lands and promote the primary resource-based uses. On lands of long-term commercial significance (Ag-NRL, IF-NRL, SF-NRL and RRc-NRL), HBB2 and HBB3 may be conditionally permitted only if no conversion of resource land is required to accommodate the business activity; except that HBB3 is not allowed in Ag-NRL under any conditions. Limitations on new structures may also be conditions.

Rural Business (RB)

Goal 3C-11 The Rural Business designation is intended to accommodate significant commercial and industrial uses that existed as of July 1, 1997 but do not qualify for other rural commercial and industrial Comprehensive Plan designations.

Generally

policy 3C-11.1 Commercial and industrial uses not designation Rural Business or other rural commercial/industrial designation – for instance those operating under a special use permit – may apply for designation as Rural Business through the annual Comprehensive Plan amendment process.



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policy 3C-11.2 The designation shall be evaluated based on whether the use is similar in nature and location to other uses designated Rural Business; and whether the granting of the designation would be compatible with the rural character of the area, would conflict with the conduct of natural resource activities of long-term commercial significance; and would be consistent with any adopted Community Plan for the area.

Expansion of Use

policy 3C-11.3 All uses designated RB may expand by up to 50 percent of the existing building footprint and/or up to 50 percent of the existing outdoor working area, provided that the total expansion does not exceed a total of 1,500 square feet of gross floor area. The expansion must occur on the same lot upon which the existing use is located. The total square footage of allowable expansion is determined on a onetime basis, based on the area of use as of June 1, 1997.

policy 3C-11.4 Uses that were established as of July 1, 1990 may expand beyond the 1,500 sq. ft. limitation with an approved Hearing Examiner Special Use Permit, subject to criteria contained in the Unified Development Code.

policy 3C-11.5 Uses that support natural resource industries should not be subject to the expansion limitations.

Change of Use

policy 3C-11.6 Properties with a Rural Business designation may change uses provided that the new use is rural in nature and does not result in a substantial change to rural character or create substantially greater impacts on surrounding properties, critical areas, natural resource lands, and other factors as further identified in the development regulations. A change to a new use does not create a new expansion opportunity.

(a) Changes from one use to an identical or "substantially similar" use are subject to Administrative review only. The Administrative Official will determine if the new use is an identical or substantially similar use based on a definition contained in the development regulations.



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- (b) A Hearing Examiner special use permit is required to change from one use to another use that is determined not to be identical or substantially similar to the prior use. The Hearing Examiner shall grant a special use permit for change of use only if is determined that the change of use would not result in significantly adverse impacts or be inconsistent with an adopted community plan.



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Introduction

Natural Resource Lands are the cornerstone of Skagit County’s economy, community, and history. As such, their protection and enhancement is of paramount importance to Skagit County and its



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Natural Resource Land Designations

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citizens. The Natural Resource Lands Element establishes the purpose and intent of land use policies for agricultural, forest and mineral natural resource lands. These policies guide long-range planning, programs and regulations to conserve natural resource lands. In cases where some residential use is allowed on natural resource lands, development will occur in a manner that minimizes both the amount of land converted to non-resource uses, and the associated impacts to long-term management of the natural resources.

The goals and policies set forth in the Natural Resource Lands Element represent a commitment to a viable natural resource economy in Skagit County, including natural resource lands industries and healthy natural resource systems. This section supports the goals and policies in the Natural Resource Lands Element by summarizing current conditions and describing the desired management of natural resource lands that the County will be addressing throughout the 20-year planning period.

The Element supports long-term commercial uses on natural resource lands and allows for support services and businesses that are compatible with these uses. Other uses such as residential and recreational uses on Natural Resource Lands, if allowed, are to be compatible with the long-term commercial resource use of these lands.

Natural Resource Land Designations

The natural resource lands designation indicates areas where Skagit County land-use plans, regulations, and incentives are intended to promote long-term, commercially significant resource use. These natural resources provide valuable products and raw materials that support jobs, create tax revenues, and are an important component in regional and local economies and markets. Farmlands and forests also provide aesthetic, recreational, and environmental benefits to the public, while contributing to a diverse community lifestyle and character. The land use zoning designations for natural resource lands are:

- *Agricultural – Natural Resource Lands (Ag-NRL)*
- *Industrial Forest – Natural Resource Lands (IF-NRL)*
- *Secondary Forest – Natural Resource Lands (SF-NRL)*
- *Rural Resource – Natural Resource Lands (RRc-NRL)*



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■ *Mineral Resource Overlay (MRO)*

Agricultural Natural Resource Lands

Agricultural Resource Lands are those lands with soils, climate, topography, parcel size, and location characteristics that have long-term commercial significance for farming. Skagit County designates agricultural lands primarily based on the presence of prime agricultural soils. These lands are concentrated in the fertile floodplain of the Skagit River as it flows into the Puget Sound. There are also agricultural lands designated along the upper Skagit Valley in areas of rich alluvial soils. Based on the designation criteria presented in Chapter 4, Natural Resource Lands, Skagit County has designated an estimated 88,564 acres of land as Agricultural lands, although significantly fewer acres are in full agricultural production in any given year. Designating valuable agricultural soils protects the resource for future use, regardless of current farming conditions. Designating also ensures a cohesive and distinct agricultural area within Skagit County, and limits the extent to which non-agricultural uses can conflict and interfere with farming.

Primary crops and agricultural products in Skagit County include apples, berries, floriculture and sod, potatoes, peas and other vegetables, vegetable seeds, dairy, and ornamental nursery stock. Skagit County's annual Tulip Festival brings in over \$60 million in economic activity, adding to the over \$300 million in gross farm income annually – making agriculture a major contributor to the health of both the regional and Skagit County economies.

Despite the current strength of the agricultural industry in Skagit County, there are some significant challenges facing agriculture, primarily in maintaining the land base and ensuring long-term viability. Pressures to convert agricultural lands to residential, wildlife habitat, and other uses, conflicts with neighboring non-resource uses, regulatory limitations on farming, and fluctuating economic conditions all add to the industry's challenges.

The Natural Resource Lands Element promotes preservation of the agricultural land base, reduction of land use conflicts, and support for a diverse and economically strong agricultural industry. Conservation strategies are critical for preserving and strengthening the agricultural land base. These include a strong Purchase of Development Rights (PDR) program, and the development of a GIS database for natural resource lands. Right-to-Manage Natural Resource Lands goals, policies and ordinances promote a clear mandate for agricultural production as a priority on agricultural lands. The strength of the agricultural industry is promoted in the Natural



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Resource Lands Element by integrating support and information services in a Natural Resource Lands Clearinghouse, promoting the agricultural industry and supporting services and businesses that sponsor the development and diversification of agricultural products.

Industrial and Secondary Forest Resource Lands

Forest Resource Lands are those lands with soils, parcel size, and location characteristics that have long-term commercial significance for forestry. Based on the designation criteria presented in Chapter 4, Natural Resource Lands, Skagit County has designated an estimated 319,500 acres of land as Industrial Forest Natural Resource Land (IF-NRL) and 37,794 acres as Secondary Forest Natural Resource Land (SF-NRL). Industrial Forest lands form the bulk and core of the commercially significant forest resource, with a surrounding Secondary Forest designation which provides a transitional density between that of Rural areas and Industrial Forest. Secondary Forest also offers the potential for smaller-scale commercial timber operations, supporting natural resource industries, and limited residential uses. These lands are concentrated in the slopes and foothills of the Cascade Mountains in the eastern and northern portions of the county.

Primary forest products in Skagit County include: raw logs, primarily for the domestic market, with some exports; lumber, both green and kiln dried; wood chips; and hog fuel (a mix of bark, sawdust, and planer shavings). Production of the later is expected to increase due to the increased development of cogeneration plants as energy sources for industry. Value-added products and industries include local cabinet making shops, engineered wood products, such as beams, and small fine wood product shops producing anything from custom wood furniture to musical instruments.

Aside from wood products, forestry is a significant contributor to the economy, environment and lifestyle in Skagit County. Support industries include logging, trucking, and equipment sales & service, small trucks, fuel, supplies and repair services. Spin-off services, such as retail grocery, clothing, restaurants, and other services also rely heavily on a healthy natural resource lands industry. An often overlooked benefit of good forest management is the industry's contribution to and protection of clean air, water, fish & wildlife habitat, and recreational activities.

Currently, there are significant challenges facing the industry, primarily in maintaining the land base and promoting a viable, long-term forest industry. The industry, and the County have seen a decline in the strength and role of forestry in the Skagit County economy over the past 20 years –



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much of this due to declining harvests on Federal and State lands. Other challenges result from pressures to convert forest lands to other uses; regulatory requirements, economics and market factors. At the same time, forestry is estimated to generate approximately 1,500 jobs in Skagit County and forest excise tax distributions to Skagit County (based on the value of harvested timber) more than doubled from \$749,609 in 2010 to \$1,601,896 in 2015.

The Natural Resource Lands Element promotes preservation of the forest land base, reduction of land use conflicts, and support for a diverse and economically strong forest industry.

Conservation strategies are critical for preserving and strengthening the forest land base and include incentives to conserve, and disincentives to convert, forest land to other uses. Right-to-Manage Natural Resource Lands goals, policies and ordinances promote a clear mandate for forest management as a priority on forest lands. Strength of the forest industry is promoted in the Natural Resource Lands Element by integrating support and information services in a Natural Resource Lands Clearinghouse to promote the diversification of forest products and encourage development of value-added products.

Rural Resource Lands

Rural Resource lands are, generally, areas that have the combined land and land-use characteristics of long-term agricultural, forest or mineral lands, and have the potential for multiple use or smaller scale resource management. Because of this mixture, the goals, objectives and policies applicable to both Agricultural and Forest Resource lands are applicable to the Rural Resource lands. Rural Resource lands generally are not managed for industrial-scale farming or forestry but nevertheless contribute to the natural resource land base. Where the Mineral Resource Overlay designation is also applied, industrial-scale mining can occur, however. Based on the designation criteria presented in Chapter 4, Natural Resource Lands, Skagit County has designated an estimated 26,495 acres of land as Rural Resource Natural Resource Land (RRc-NRL).

The challenges facing owners of Rural Resource land generally relate to the economic viability of managing small parcels of resource lands, and pressures to develop other uses, such as residential. This is particularly true where Rural Resource lands are located between larger natural resource land parcels and Rural designated areas.



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The Natural Resource Lands Element promotes flexibility of uses on Rural Resource lands, while providing for incentives and support for small agricultural, forest and mining uses. Rural Resource lands allow for a range of uses that are complementary to natural resource land preservation. The Natural Resource Clearinghouse will provide further direction and guidance for owners of Rural Resource lands.

Mineral Resource Overlay

The Mineral Resource Overlay is an overlay to Forest and Rural Resource lands, where geologic deposits and land use characteristics have long-term commercial significance for mineral extraction. Based on the designation criteria presented in Chapter 4, Natural Resource Lands, Skagit County has designated an estimated 61,682 acres of Mineral Resource Overlay. The predominant resources mapped in the Mineral Resource Overlay are sand and gravel construction materials. These resources are typically associated with alluvial and glacial deposits. Quarry rock and valuable minerals such as olivine-rich dunite and limestone have also been designated.

The challenges facing the mineral resource industry primarily relate to conflicting use concerns with neighboring residential uses. With increasing demands for construction materials in developing urban areas, especially in the Puget Sound region, it becomes increasingly important to identify and preserve access to the mineral resources of Skagit County. However, access to much of the county's minable resources has already been precluded by residential development. Skagit County's approach to designating mineral lands is to protect what is remaining, now and for the future. Doing so requires that mineral lands of long-term commercial significance be designated in areas where the impacts from mining, when it occurs, can be reduced to the greatest extent possible.

During the 2005-2007 update of the Mineral Resource Overlay, Skagit County conducted an in-depth review of geologic formations and potential mineral resource deposits. This mapping update confirmed many known mineral resources and identified new mineral resources. A very few currently conforming mining operations did not meet the criteria for mineral resource land overlay designation as applied during this mapping review. Due to the economic conditions of these operations and their beneficial access to markets, Skagit County will consider these existing operations as conforming uses within the provisions of the Mineral Resource Overlay.



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Natural Resource Land Support Mechanisms

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It is important to ensure that mining policies and regulations, in addition to protecting the resource and its related activities, also protect public health, safety and the environment. These policies and their implementing regulations work in concert with other federal and State laws to ensure that mining operators and surrounding land owners remain good neighbors.

The Natural Resource Lands Element also establishes Right-to-Manage Natural Resource Lands goals and policies to promote a clear mandate for mineral extraction activities as a priority on lands designated as Mineral Resource Overlay. The vitality of the mineral industry is also promoted in the Natural Resource Lands Element by integrating support and information services in a Natural Resource Lands Clearinghouse and allowing support services and businesses to encourage development of 'value-added' products.

Natural Resource Land Support Mechanisms

Right to Manage Natural Resource Lands

Where non-natural resource land uses (primarily residential uses) extend into natural resource areas or exist side-by-side, natural resource management operations are frequently subject to nuisance complaints. When complaints relate to the undesired effects of properly regulated and conducted natural resource lands activities, natural resource land managers are required to set aside time and financial resources in order to respond.

Right-to-Manage Natural Resource Lands policies are intended to promote a good neighbor policy between natural resource lands and non-natural resource land property owners by advising purchasers and users of property adjacent to or near natural resource land management operations of the inherent potential difficulties associated with such purchase or residence. It is essential that neighbors and residents of natural resource lands better understand and be prepared to accept attendant conditions and the natural result of living in or near natural resource lands and rural areas. The Right to Manage Natural Resource Land goals and policies together with supporting regulations establish mandatory disclosures for purchasers and users and provides authority to the Skagit County Assessor's Office to track these disclosures for the long-term protection of productive use of Skagit County's valuable resource lands.



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Soils Used in Designating Agricultural and Forest Resource Lands

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Natural Resource Lands Information Clearinghouse

The Natural Resource Lands Element introduces the concept of a Natural Resource Lands Clearinghouse to integrate the support and information services for natural resource landowners and industries. The goal of the Clearinghouse is to efficiently provide the following information and support: Information on resource land conservation, including loans and grants, and conservation easements;

- Information and support for alternatives to land conversion;
- Information on sustainable management approaches;
- Promote sustainable management practices;
- Encourage economic and market opportunities;
- Promote Skagit County products and branding; and
- Educate and inform public on Natural Resource Land values.

Soils Used in Designating Agricultural and Forest Resource Lands

The Natural Resource Lands Element uses soil classifications from the USDA Soil Conservation Service (SCS) and the Washington State Department of Revenue’s Private Forest Land Grading (PFLG) system in designating Agricultural Resource, Forest Resource and Rural Resource Lands, abbreviated as follows:

Agricultural Lands Soils

Designation of Agricultural Lands relies, in part, on the presence of various “Prime Alluvial” soil types indicated below. Descriptions of these soil types can be found, by SCS map unit number, in the Soil Survey of Skagit County Area, Washington, USDA Soil Conservation Service, 1998.

SCS Map Unit #	Soil Description
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Soils Used in Designating Agricultural and Forest Resource Lands

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SCS Map Unit #	Soil Description
Prime Alluvial Soils	
21	Briscot fine sandy loam
87	Larush fine sandy loam
88	Larush silt loam
89	Larush variant silt loam
92	Minkler silt loam
123	Skagit silt loam
96	Mt. Vernon very fine sandy loam
130	Snohomish silt loam
136	Sumas silt loam
157	Wickersham silt loam, 0-8% slopes

Prime Alluvial Soils (if artificially drained)

10	Bellingham silt loam
11	Bellingham mucky silt loam
34	Cokedale silt loam
97	Mukilteo muck
101	Nookachamps silt loam
102	Norma silt loam
114	Samish silt loam
141	Tacoma silt loam
142	Tacoma silt loam, drained

Prime Alluvial Soils (if protected from flooding)

56	Field silt loam
57	Field silt loam, protected
98	Mukilteo Variant muck
118	Sedro-Woolley silt loam



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Soils Used in Designating Agricultural and Forest Resource Lands

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Forest Resource Land Soils

The soil criteria for designating Industrial Forest and Secondary Forest lands in Skagit County is derived from the Private Forest Land Grading system (PFLG). PFLG was a five year mapping program completed in 1980 for the purpose of forest land taxation. It was funded by the Washington State Department of Revenue in cooperation with the Department of Natural Resources, Soil Conservation Service (SCS), USDA Forest Service and Washington State University. State and private lands which had the potential of supporting commercial forest stands were surveyed. The Site Index Range is a measurement of the anticipated height of commercial timber species within a particular time span. For Skagit County, located in Western Washington the site-class codes are based on a 50-Year site index. The site-classes for Skagit County as derived from the PFLG soil survey are as follows:

Site Class	Site Index Range
PFLG I	137 feet +height
PFLG II	119-136 feet
PFLG III	97-118 feet
PFLG IV	76-96 feet
PFLG V	1-75 feet

Rural Resource Land Soils

Designation of Rural Resource lands is determined, in part, by the application of both systems, using PFLG classes 1 – 3, and the SCS units listed below:

SCS Map Unit #	Soil Description
Prime Upland Soils	
59	Giles silt loam
60	Giles Variant silt loam
61	Gilligan silt loam
100	Nargar loam, 0-8% slopes
116	Sauk silt loam



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Soils Used in Designating Agricultural and Forest Resource Lands

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SCS Map Unit #	Soil Description
119	Sehome loam, 0-8% slopes
146	Tokul gravelly loam, 0-8% slopes

Mineral Resource Overlay

Skagit County designates, as Mineral Resource Overlay, the following geologic formations, subject to consistency with other land-use designation criteria. Exclusionary criteria may result in some, otherwise qualified mineral resources undesignated. Refer to U.S. Geological Survey and Washington State Department of Natural Resources survey maps for explanations of the classifications used below. These maps are available for viewing at Skagit County Planning & Development Services.

Sand and Gravel Deposits

Qa	Quaternary Alluvium
Qa(s)	Holocene Alluvium – Sand
Qaf	Holocene Alluvial Fan Deposits
Qga	Advance Glacial Outwash
Qgas	Advance Glacial Outwash – Sand
Qgdm(e)	Everson Glaciomarine Drift
Qgo	Glacial Outwash
Qgo(e)	Everson Interstade – Glacial Outwash
Qgo(es)	Everson or Sumas – Glacial Outwash
Qgo(i)	Ice-Contact – Recessional Outwash
Qgo(s)	Glacial Outwash – Sumas Stade
Qgoc	Glacial Outwash, silt and clay – Vashon Stade
Qgom(s)	Glacial Outwash, marine – Sumas Stade
Qoa	Older Alluvium
Qoa(s)	Older Alluvium – Sand Facies



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GMA Mandate

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Sand and Gravel Deposits

Bedrock Formations

JTRu(ts)	Dunite
JMV(u)	Greenstone
Jl(f)	Greenstone
PMPms(c)	Limestone

GMA Mandate

The Growth Management Act (GMA) clearly establishes the goal to “Maintain and enhance natural resource based industries, including productive timber, agricultural, and fisheries industries; encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.” RCW 36.70A.020(8).

This goal, taken in the context of the thirteen GMA planning goals, led to the following County-wide Planning Policies (CPPs) that provide specific guidance to the analysis and policies developed in this section:

- *Commercial and industrial activities directly related to local natural resource production may be allowed in designated natural resource areas provided they can demonstrate their location and existence as natural resource area dependent businesses. (CPP 5.4)*
- *The primary land use within designated forest resource lands shall be commercial forestry; residential development shall be strongly discouraged within designated forest resource lands. (CPP 5.9)*
- *Lands within designated agricultural resource areas should remain in large parcels and ownership patterns conducive to commercial agricultural operations and production. (CPP 5.10)*
- *Skagit County shall conserve agriculture, aquaculture, forest and mineral resources for productive use by designating natural resources lands and aquatic resources areas, where the principle and preferred land uses will be long term commercial resources management. (CPP 5.11)*



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GMA Mandate

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- *Identified critical areas, shorelands, aquatic resource areas and natural resource lands shall be protected by restricting conversion. Encroachment by incompatible uses shall be prevented by maintenance of adequate buffering between conflicting activities. (CPP 8.1)*
- *Land uses adjacent to agricultural, forest, or mineral resource lands and designated aquatic resource areas shall not interfere with the continued use of these designated lands for the production of food, agricultural and aquatic based products, or timber, or for the extraction of minerals. (CPP 8.2)*
- *Forest and agricultural lands located within urban growth areas shall not be designated as forest or agricultural land of long-term commercial significance unless a program authorizing transfer or purchase of development rights is established. (CPP 8.3)*
- *Mining sites or portions of mining sites shall be reclaimed when they are abandoned, depleted, or when operations are discontinued for long periods. (CPP 8.4)*
- *Long term commercially significant natural resource lands and designated aquatic resource areas shall be protected and conserved. Skagit County shall adopt policies and regulations that encourage and facilitate the retention and enhancement of natural resource areas in perpetuity. (CPP 8.5)*
- *When plats, short plats, building permits and development permits are issued for development activities on or adjacent to natural resource lands and aquatic resource areas, notice shall be provided to those seeking permit approvals that certain activities may occur that are not compatible with residences. (CPP 8.6)*
- *Fishery resources, including the county's river systems inclusive of their tributaries, as well as the area's lakes, associated wetlands, and marine waters, shall be protected and enhanced for continued productivity. (CPP 8.7)*
- *Skagit County shall encourage sustainable use of the natural resources of the county, including but not limited to agriculture, forestry, and aquatic resources. (CPP 8.8)*
- *Skagit County shall conserve agricultural, aquatic based, forest and mineral resources for productive use by designating natural resource lands and aquatic resource areas where the principal and preferred land uses will be long term commercial resource management. (CPP 8.9)*



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Goals and Policies

Chapter Organization

Agricultural Resource Lands. The Agricultural Resource Lands section establishes policies that ensure the long-term stability and productivity of the county's agricultural lands and industries. These policies are intended to provide clear guidelines for land use planning and implementation in agricultural areas. Also included are policies to establish programs and other measures that promote and protect the current and future needs of agriculture within Skagit County.

Forest Resource Lands. The intent of the Forest Resource Lands section is to ensure that forest lands of long-term commercial significance are conserved and managed to provide for sustainable forest yields, job stability, ecological values and the continuation of a viable commercial forest industry in Skagit County. Conservation of forest land will maintain the land base needed to produce the timber for the long-term economy. Conservation of these resources must be assured through measures designed to prevent incompatible development on or adjacent to natural resource lands.

Rural Resource Lands. Rural Resource Lands are a mixture of natural resource lands that include the productive characteristics and uses of agriculture, forest or mineral resource lands and as such, the goals, objectives and policies for each of those designations are applicable to the Rural Resource Lands designation. Natural resource uses on these lands are generally smaller in scale than on other resource lands, but Rural Resource Lands are nonetheless designated lands of long-term commercial significance for resource purposes. Conservation of these lands is an important component in the long-term economic viability of countywide natural resource lands.

Mineral Resource Overlay. Skagit County supports environmentally responsible and safe mineral resource extraction and processing activities. Mineral lands of long-term commercial significance are to be designated to conserve the mineral resource. These designations apply to areas within other natural resource lands where mining and processing activities are economically and environmentally feasible and where conflicts with other land uses can be minimized. Because mineral resources cannot be replaced or relocated, Skagit County designates all commercially significant mineral resources to ensure that these lands are available for resource production far into the future.



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Right to Manage Natural Resource Lands. A variety of natural resource land management activities may not be compatible with non-resource uses and may be inconvenient or cause discomfort to those residing in or near designated natural resource lands. Through mandatory disclosure policies, this section seeks to minimize nuisance complaints regarding normal and necessary natural resource lands operations.

Natural Resource Lands Clearinghouse. Skagit County operates a number of programs for the preservation of natural resource lands and related economic activities. This section provides ways in which these programs and their staffing can be organized and function as a coordinated clearinghouse for the on-going delivery of research, services, and education that are needed to achieve the goals of this chapter.

Agricultural Resource Lands

Goal 4A Agricultural Resource Lands.

Agricultural Resource Lands are those lands with soils, climate, topography, parcel size, and location characteristics that have long-term commercial significance for farming. Skagit County is committed to preserving and enhancing the agricultural land base and promoting economic activities and marketing support for a strong agricultural industry. The agricultural community faces significant challenges in preserving the agricultural land base and a viable agricultural industry, including: conversion of agricultural lands to development and inappropriate habitat restoration; conflict with neighboring residential uses; drainage impacts; and other disruption of agricultural lands functions and values. The following policies are intended to ensure the stability and productivity of agriculture in Skagit County.

Agricultural Resource Designation Criteria

Goal 4A-1 Maintain land use designation criteria and densities for agricultural natural resource lands. Designate and map long-term commercially significant agricultural resource land accordingly.

policy 4A-1.1 **Agricultural Resource Lands Designation Criteria:** The following criteria, together with the Washington Department of Commerce Minimum Guidelines to Classify



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Agricultural Lands in WAC 365-190-050, shall be considered when designating Agricultural Resource Lands:

- (a) Generally, all lands in unincorporated Skagit County which are parcels 5 acres or greater, and that contain “prime farmland soils” as determined by the USDA Natural Resource Conservation Service, shall be identified (see the narrative for a description of prime farmland soils).
- (b) Then those lands meeting the parcel size and soils shall be retained in Agricultural Resource Lands designation, provided that a majority of the area falls within the 100-year floodplain as adopted by the U.S. Federal Emergency Management Agency (FEMA).
- (c) Parcels meeting both (a) and (b) above shall be further evaluated for inclusion or exclusion in Agricultural Resource Lands based upon the following additional factors:
 - (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.
 - (ii) The land is currently in agricultural use or has been in agricultural use within the preceding ten years.
 - (iii) Existing land uses are primarily agricultural and minimal financial commitment to non-farm uses has been made.
 - (iv) 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.
 - (v) Adjacent lands are primarily in agricultural use.
 - (vi) Land use in the area demonstrates a pattern of landowner capital investment in agricultural operation improvements such as



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irrigation, drainage, manure storage, barn refurbishing, enhanced livestock feeding techniques, agricultural worker housing, etc.

(vii) The land is not already characterized by urban growth, and designation considers the effects of proximity to population areas.

(d) 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 Resource lands designation and to avoid conflict with existing land uses.

policy 4A-1.2 **Agriculture Resource Land Density Policy:** Residential gross densities for new land divisions in lands designated as Agriculture Resource shall be one (1) residential dwelling unit per 40 acres or 1/16 of a section.

Guiding Principles: Agricultural Resource Lands

Protect the agricultural land resource and farming in Skagit County; endeavor to minimize the loss of the resource; mitigate unavoidable losses; and replace lost resources whenever possible. These principles shall guide Skagit County’s actions to:

- Preserve agricultural land for agricultural uses;
- Limit new non-agricultural uses and activities on agricultural resource lands;
- Provide education and support services that maintain the farming industry and lifestyle;
- Promote the economic benefits of farming;
- Resolve conflicts between agricultural and environmental objectives; and
- Monitor the long-term achievement of the goals and policies.



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Agricultural Support Programs

Goal 4A-2 Support the Agricultural Advisory Board and other programs such as the Farmland Legacy Program for the purpose of promoting a viable agricultural land base and a healthy agricultural industry.

policy 4A-2.1 **The Agricultural Advisory Board** shall represent agricultural producers; reflect the diversity of agriculture; advocate sound agricultural policies and programs for Skagit County and promote economic opportunities for agriculture.

policy 4A-2.2 **The Conservation Futures Program Advisory Board** shall promote the preservation of agricultural land for use as farmland, including through its role in recommending purchases of permanent conservation easements on agricultural land and other lands of strategic significance.

policy 4A-2.3 **The Farmland Legacy Program** shall continue to lead and coordinate agricultural policy efforts and farmland protection. The Farmland Legacy Program shall coordinate both the Agricultural Advisory Board and the Conservation Futures Advisory Committee.

policy 4A-2.4 **Agricultural Resource Lands Database:** Skagit County shall maintain a database of current information on land uses, farming activities, conversions of agricultural lands for development or habitat, soils, drainage systems, and other quantifiable factors for the purpose of monitoring and conserving agricultural lands.

policy 4A-2.5 **Agricultural Lands Status Report:** Skagit County, through the Farmland Legacy Program, shall prepare a periodic report on the “state of Skagit County agriculture” using the US Census of Agriculture and other sources. The report shall include case studies and other information describing successes in implementing conservation easements, purchase of development rights (PDR), and other strategies. The report shall make recommendations for actions and steps for improvement based on the viability of the agricultural land base and strength of industry.



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policy 4A-2.6 **Farmland Preservation Incentives:** The Agricultural Advisory Board, Conservation Futures Advisory Committee and Farmland Legacy Program shall work to formulate strategies for improvements to agricultural production, marketing, processing, and farm labor practices and to develop and maintain programs which offer financial and other incentives to farm owners to preserve farmland for agricultural uses and to reduce their reliance on subdivision of land to raise operating capital.

policy 4A-2.7 **Agricultural and Critical Areas:** Consistent with the Growth Management Act, the County will convene a watershed group to prepare a Voluntary Stewardship Work Plan for the Samish and Skagit watersheds in order to protect critical areas and promote the viability of agriculture.

policy 4A-2.8 **Natural Resource Lands Information Clearinghouse:** Skagit County should develop a Natural Resource Information Clearinghouse to collect and disseminate information to benefit long-term productive management of natural resource lands, including agricultural resource lands. Functions of the Natural Resource Lands Clearinghouse are described under Goal F of this Chapter.

policy 4A-2.9 **Financial and Estate Planning:** Encourage appropriate agencies to sponsor a variety of continuing educational and technical assistance programs to help farmers with financial planning. Such programs should emphasize options to protect farmland, business planning, farm transition planning, estate planning and conservation programs, techniques and strategies.

policy 4A-2.10 **Sustainable Agricultural Practices:** Information will be made available to landowners about sustainable agricultural practices, best management practices, and generally accepted management practices.

policy 4A-2.11 **Promote Agricultural Products:** Create and facilitate opportunities to promote and market agricultural products grown or processed in Skagit County through local branding.

policy 4A-2.12 **Promote Public Awareness:** Encourage public awareness of the value of agriculture to the county. Develop printed materials or other media that



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illustrate the contributions of agriculture to the county, the challenges facing agriculture, and that promote agricultural lifestyle.

policy 4A-2.13 **Promote Education:** Encourage educational programs for public schools as part of the basic education of the county’s youth. Emphasize the contributions of agriculture in the county and the need to protect and preserve this valuable resource base.

Preserve Agricultural Land Base and Use

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

policy 4A-3.1 **Long-Term Designation of Agricultural Lands:** Designation of Agricultural Lands is intended to be long-term. De-designation is discouraged, but may be considered only when compelled by changes in public policy, errors in designation, new information on resource lands or critical areas, circumstances beyond the control of the landowner, or an overriding benefit to the agricultural industry. Evaluate de-designation requests with the same criteria under policy 4A-1.1 used for designation of Agricultural-Natural Resource Lands.

policy 4A-3.2 **Development Rights Program:** Maintain and continue to fund the voluntary purchase of development rights through the Farmland Legacy Program to limit potential conversions or development in agricultural lands.

policy 4A-3.3 **Conservation Easements:** Where legally subdivided land would promote incompatible residential development, encourage the voluntary donation of conservation easements or other development restrictions to Skagit County or to a qualified private nonprofit organization for the purpose of preserving the perpetual agricultural use of the land.



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Allowable Land Uses

Goal 4A-4 Land uses allowed on designated agricultural land shall promote agriculture, agricultural support services, and promote diverse agricultural industries.

policy 4A-4.1 **Agricultural Production:** Agricultural production is the highest priority use in designated agricultural resource lands.

policy 4A-4.2 **Agricultural Support Services:** Facilitate agricultural production by allowing agricultural processing facilities, direct farm sales, and agricultural support services that support long term agricultural use.

policy 4A-4.3 **Farm-Based Business:** Farm-based businesses shall be allowed as an accessory use in Agricultural Resource Land. Farm-based businesses are an accessory use, secondary to the primary agricultural use of a farm property, and shall not interfere with adjacent farming operations, cause nuisances for nearby residences or generate large amounts of traffic.

policy 4A-4.4 **Residential Uses:** Residential uses shall be allowed only as an accessory use in Agricultural Resource Land per Policy 4A-1.2 Agricultural Resource Land Density Policy.

policy 4A-4.5 **Special Events and Activities:** Special events and activities on agricultural lands shall be conducted in ways that reduce potential impacts resulting from the activity. Those impacts include but are not limited to traffic, litter, trespass, and sanitation.

policy 4A-4.6 **Habitat Restoration Projects:** Habitat restoration projects are a permitted use on agricultural lands so long as it is shown through project review that the proposed restoration project does not have an adverse impact on hydrologic functions, drainage infrastructure or the ongoing agricultural use of adjacent properties.



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Minimize Land Use Conflicts

Goal 4A-5 Minimize land use conflicts and promote mitigation of conflicts on the lands adjacent to agricultural resource lands.

policy 4A-5.1 **Right to Manage Agricultural Resource Lands:** Goal E, Right to Manage Natural Resource Lands, applies to all lands designated Agricultural Resource Lands to protect agricultural landowner rights to manage their lands for agricultural uses.

policy 4A-5.2 **Deed Restrictions:** All real estate transactions involving residential development on or within one mile of agricultural resource lands shall contain recorded documentation of the residential owners' acknowledgment of the potential farming activities and receipt of the Right-to-Manage Natural Resource Lands information.

policy 4A-5.3 **Cluster Development:** Clustered lots within or adjacent to an NRL designation shall be placed to minimize potential impacts to natural resource land production on both the subject property and any adjacent resource lands.

policy 4A-5.4 **Residential Setbacks:** All residential development adjacent to agricultural resource lands shall be set back from common property lines in order to protect agriculture from the impacts of incompatible development and to mitigate against the effects of agricultural operations on the residential developments.

policy 4A-5.5 **Skagit Drainage and Fish Initiative:** Within the Drainage Districts, identified in the Skagit Drainage and Fish Initiative, the agreements for maintenance, fish protection, and habitat restoration outlined in the Memorandum of Understanding (MOU) will predominate over local regulations. The MOU, developed by the Western Washington Agricultural Association (WWAA) and Washington Department of Fish and Wildlife (WDFW) is designed to reduce conflicts between different users in the Skagit and Samish River Deltas. The Skagit River Systems Cooperative (SRSC) participated in meetings and this Initiative represents movement toward overall reduced conflicts. This policy supports this movement.



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policy 4A-5.6 **Drainage Plans:** Minimize and mitigate flooding and drainage impacts on agricultural lands. Skagit County Public Works shall develop criteria to review development proposals for drainage impacts on agricultural lands. Drainage plans for minimizing impacts of development shall be circulated to the affected Drainage District for comment prior to issuance of permits by Public Works.

Forest Resource Lands

Goal 4B Forest Resource Lands.

Forest Resource Lands are those lands that due to soils, climate, topography, parcel size, and location have long-term commercial significance for forestry. Skagit County is committed to preserving and enhancing the forest land base and promoting a strong forestry industry. The intent of these goals and policies is to ensure that forest lands of “long-term commercial significance” are conserved and managed to provide for sustainable forest yields, job stability, ecological values and the strengthening of a viable commercial forest industry in Skagit County. Conservation of forest land resources must be achieved through measures designed to preserve the land base, reduce the conversion of forest lands to other uses, prevent incompatible development on or adjacent to resource lands, and provide incentives to managing forest lands of all sizes for forestry.

Designation And Density Policies

Goal 4B-1 Establish land use designation criteria and densities for forest resource lands.

policy 4B-1.1 **Industrial Forest Land Designation Criteria:** The following criteria together with the Washington Department of Commerce Minimum Guidelines to Classify Forest Resource Lands in WAC 365-190-060, shall be considered when classifying Industrial Forest lands:

- (a) All lands in unincorporated Skagit County shall be screened for Industrial Forest designation based on an average parcel size of 40 acres or greater, with one or more of the following characteristics:



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- (i) The area contains WA State Department of Revenue – Private Forest Land Grade (PFLG) soils 1-5.
 - (ii) The area includes lands which are primarily devoted to and used for growing and harvesting timber.
- (b) Lands meeting (a), located in blocks of contiguous parcels approximately 160 acres and larger, shall be designated Industrial Forest.
- (c) Parcels meeting both (a) and (b) above shall be further evaluated for inclusion or exclusion in Industrial Forest Lands based upon the following additional factors:
- (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.
 - (ii) The area has limited public services and facilities (although the area may be located within a public water district).
 - (iii) The land is not already characterized by urban growth, and designation considers the effects of proximity to population areas.
- (d) Parcels not meeting any of the criteria above in (a), (b), or (c) may still be included to provide logical boundaries to the Industrial Forest 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 above in (a), (b), or (c) may be excluded to provide logical boundaries to the Industrial Forest lands designation and to avoid conflict with existing land uses. For example, areas with pre-existing conditions such as vested subdivisions and rural development, other than isolated pre-existing single-family homes, where commercial forestry is not being practiced, and islands surrounded by multiple sized parcels with



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existing residences, shall not be classified as Industrial Forest lands. However, isolated, pre-existing residences shall not preclude the adjacent forest land areas from being classified Industrial Forest.

policy 4B-1.2 Industrial Forest Resource Land Parcel Density Policy: Residential gross densities for new land divisions in lands designated as Industrial Forest shall be one (1) residential dwelling unit per 80 acres or 1/8 of a section.

policy 4B-1.3 Secondary Forest Resource Land Designation Criteria: The following criteria shall be considered when designating Secondary Forest lands:

(a) 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) The area contains WA State Department of Revenue – Private Forest Land Grade (PFLG) soils 1-5.

(ii) The area includes lands which are primarily devoted to and used for growing and harvesting timber.

(b) The above-described parcels shall be further evaluated for inclusion or exclusion based on the following additional factors:

(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.

(ii) The area has limited public services and facilities (although the area may be located within a public water district).

(iii) Secondary Forest lands need not be designated adjacent to Agricultural lands.



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- (c) 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.

policy 4B-1.4 Secondary Forest Parcel Density Policy: Residential gross densities for new land divisions in lands designated as Secondary Forest shall be one (1) residential dwelling unit per 20 acres or 1/32 of a section.

Guiding Principles: Forest Resource Lands

Protect the forest resource; promote forestry; minimize the loss of the resource land base; mitigate unavoidable losses; and replace lost resources whenever possible. These principles shall guide Skagit County’s actions to:

- Limit new non-forestry uses and activities on forest resource lands;
- Provide education and support services that strengthen and diversify the forestry industry;
- Promote the economic and regulatory stability of the forest industry;
- Resolve conflicts between forestry activities and non-forestry activities; and
- Carry out adopted policies and programs, and enforce regulations.

Forestry Support Programs

Goal 4B-2 Support the Forestry Advisory Board and establish other support programs for the purpose of promoting a viable forest land base and healthy forest products industry.

policy 4B-2.1 **Forestry Advisory Board:** A Forest Advisory Board comprised of forest industry representatives, agency representatives, and sustainable forestry advocates shall advise Skagit County in achieving these goals and policies.



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- policy 4B-2.2 **Forestry and Critical Area/Habitat Goals:** The Forest Advisory Board (FAB) will develop a County-coordinated working group of non-profit organizations, industry groups and County agencies to reconcile, where possible, conflicts between the goals of protecting critical areas and habitat with those of preserving forest land for commercial forestry purposes.
- policy 4B-2.3 **Natural Resource Information Clearinghouse:** Establish a Natural Resource Lands Information Clearinghouse to provide information and technical assistance to the forest industries and forest landowners to conserve forest lands, promote sustainable management practices, encourage economic and market opportunities.
- policy 4B-2.4 **Promote Sustainable Forestry Practices:** Provide information to landowners about sustainable forestry practices, best management practices, and industry standards to promote sound forestry practices.
- policy 4B-2.5 **Healthy Forest Initiative:** Skagit County should continue to support a countywide initiative to promote fuel-reduction and forest restoration projects in cooperation with the U.S. Department of Agriculture and other federal and state agencies.
- policy 4B-2.6 **Right to Manage Forest Resource Lands:** Goal E, Right to Manage Natural Resource Lands of this Element, applies to all lands designated Forest Resource Lands to protect forest landowner rights to manage their lands for forestry uses.
- policy 4B-2.7 **Fire Prevention and Protection:** Residential development allowed on Industrial Forest Resource Lands shall be limited to those areas located within an existing fire protection district and within 200 feet of a county road or state highway. Skagit County shall require owners of all structures built in the designated forest lands to address forest fire prevention, reduction, and control. The Forest Advisory Board shall review the implementation of this policy annually to ensure its performance.
- policy 4B-2.8 **Promote Public Education and Awareness:** Educate the public on forestry issues, policies and programs regarding forestry in Skagit County. Encourage community



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awareness of and commitment to an economically and environmentally healthy forest industry, forestry achievements, and challenges faced by the industry in Skagit County.

policy 4B-2.9 **Promote Educational Programs:** Encouraged educational programs for public schools and extended education programs as part of the basic education of the county's youth. Emphasize the contribution of forestry in the county and the need to protect and preserve this valuable industry.

policy 4B-2.10 **Promote Economic Stability and Diversity:** Promote and foster new opportunities to achieve a stable and diversified forest products industry in Skagit County. Encourage and support programs to help the forest products and related industries expand into new market niches.

policy 4B-2.11 **Wildfire Planning Program:** Continue the National Fire Protection Association's "Firewise Communities Program" consistent with the Natural Hazards Mitigation Plan and with agency partners such as the Skagit Conservation District, fire districts and state agencies. Skagit County supports further development of a county-wide wildfire planning program to increase public safety and awareness regarding forest fire dangers, and establish the means of managing, reducing and suppressing catastrophic wildfires.

Preserve the Forest Land Base

Goal 4B-3 Preserve and enhance the forest land base as an essential component of a healthy forest economy.

policy 4B-3.1 **Conserve Forest Lands:** Implement conservation and management measures that retain commercial forestry activities in designated forest resource lands.

policy 4B-3.2 **Consolidated Ownership:** Forest resource landowners are encouraged to consolidate forest ownership through land trades, or other means, to ensure consistent and effective management within the forest resource land base.



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policy 4B-3.3 **Long-Term Designation of Forest Lands:** Designation of Forest Lands is intended to be long-term. De-designation is discouraged, but may be considered only when compelled by changes in public policy, errors in designation, new information on resource lands or critical areas, or other circumstances beyond the control of the landowner, or an overriding benefit to the forest industry. Consider the development of mitigation measures and criteria for the loss of productive lands.

Encourage Commercial Forestry

Goal 4B-4 Encourage active forest management in designated forestlands and other natural resource lands.

policy 4B-4.1 **Develop Forestry Incentive Options Program:** The County will work with the Forestry Advisory Board and other entities to develop an incentive program to promote preservation of forest land for forestry. Consideration will be given to:

- The loss of land base due to the protection of environmentally sensitive areas;
- Compensation for development rights;
- The promotion of healthy forests; and
- The loss of land base to habitat conservation areas.

The County will make a determination of the state of the forestry economy, the land base, the actual threats and opportunities, types of available, practical and appropriate to the local economy, and the implications to local taxpayers and fiscal health of the County.

policy 4B-4.2 **Forestry in Agricultural and Rural Designations:** Growing and harvesting of trees shall be supported in designated agricultural and rural land designations.

policy 4B-4.3 **Qualification For Current Use Tax Status:** Land owners participating in a current-use tax deferral program may be required by the Skagit County Assessor to certify, on an annual basis, that the conditions required for eligibility in the tax



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program are still being met, and further, that the owner acknowledge the requirement to pay any applicable penalties and back taxes should the owner fail to comply with program requirements.

- policy 4B-4.4 **Discourage Tax Districts and LIDs:** Special purpose taxing districts and local improvement districts that plan to expand into Industrial Forest Lands, allowing as a result new residential or commercial development, shall be required to provide an analysis of impacts and related mitigation of such new, non-resource development on established commercial forestry operations.

Allowable Land Uses

Goal 4B-5 Allow land uses on designated forest land that conserve forest practices, provide essential forestry support services, and promote diverse forest-based industries.

- policy 4B-5.1 **Intended Use of Industrial and Secondary Forest Lands:** The principal uses of Industrial Forest and Secondary Forest lands are the practice of commercial forestry, forestry support services, and forest-based businesses. Secondary Forest lands are intended to provide a transitional density between Rural-designated lands and Industrial Forest lands. Secondary Forest lands also offer the potential for smaller-scale commercial timber operations, supporting natural resource industries, and limited residential uses. Secondary Forest lands may include low-density residential use if consistent with the goals and policies of this chapter. Mining is also allowed in Industrial Forest and Secondary Forest on parcels located within a Mineral Resource Overlay designation.

- policy 4B-5.2 **Support and Ancillary Structures and Uses:** Temporary and permanent support uses that are related to forestry are allowed in forest lands. Festivals, logging shows, and demonstration areas, mining uses where designated, limited residential development, and non-residential structures subordinate to forest management may be allowed if it is demonstrated that there is compatibility with the goals and policies of this chapter.



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policy 4B-5.3 **Residential Development:** Residential development on all Forest Resource Land shall have limited impact on forest resource management operations and minimize conflicts. Conservation and Reserve Development (CaRD) land divisions are encouraged in all forest lands with the residences sited as far as possible from adjacent Industrial Forest lands.

policy 4B-5.4 **Recreational and Park Uses:** Recreational opportunities on Forest Resource land shall be permitted uses where they will not conflict with forest practice activities on these lands or when such impacts can be fully mitigated. Proposed acquisitions of forest land for public recreational, scenic and park purposes shall be evaluated to determine the potential impacts on the economic viability and sustainability of forestry. Lands removed from forestry production for recreation and park uses shall be included in the Converted Natural Resource Lands Database (Policy 4F-1.4).

policy 4B-5.5 **Natural Resource Conservation Areas (NRCA) and Natural Area Preserves (NAP),** as defined by RCW 79.71, shall be considered compatible with Industrial Forest. However, Skagit County strongly encourages that these lands be maintained in forest production. If NRCA or NAP lands are taken out of forestry production, they shall be included in the Converted Natural Resource Lands Database (Policy 4F-1.4).

policy 4B-5.6 **Special Events and Activities:** Special events and activities on Forest Resource lands shall be conducted in ways that reduce potential impacts resulting from the activity. Those impacts include but are not limited to traffic, litter, trespass, and sanitation.

Minimize Land Use Conflicts

Goal 4B-6 Minimize land use conflicts and promote mitigation of conflicts on the lands adjacent to Forest Lands.

policy 4B-6.1 **Deed Restrictions:** All real estate transactions involving development on or within one-quarter (1/4) mile of Forest Resource lands shall contain recorded



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documentation of the owners' acknowledgment of the potential forestry activities and receipt of the Right-to-Manage Natural Resource Land information.

policy 4B-6.2 **Land Use Buffers:** Land use buffers or setbacks intended to mitigate for critical areas or potential conflicts between residential and forestry uses shall be located on the area proposed for residential, or other non-resource use or development.

policy 4B-6.3 **Law Enforcement Support:** Skagit County shall provide an officer from the Sheriff's Department to protect against damage to private property, materials, and equipment, and to improve investigation and prosecuting efforts on behalf of protecting forest natural resource lands, land owners, and their contractors.

Effective Regulatory Environment

Goal 4B-7 Establish, in all aspects of forest management regulations, support for the forest product industry and its ability to keep and economically manage forest lands.

policy 4B-7.1 **Local Regulations:** Maintain efficient, effective local forest policies, ordinances, and programs.

policy 4B-7.2 **Coordinated Review with Department of Natural Resources:** Skagit County will work with the Washington State Department of Natural Resources (DNR) to formally establish a coordinated review process designed to transfer the processing of Forest Practice Act (FPA) conversion applications from the DNR to the County as required by Chapter 76.09 RCW and Title 222 WAC. A Memorandum of Agreement with the Department of Natural Resources (DNR) shall address:

- (a) A coordinated and efficient review process for all forest practices applications where Skagit County has jurisdiction;
- (b) Conditions of approval by Skagit County for such forest practice applications consistent with Chapter 76.09 RCW and Title 222 WAC;



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- (c) A facilitation process for landowners wishing to utilize the conversion option harvest plan as outlined under WAC 222-20-050; and
- (d) Criteria for permitting only those recreational activities that are compatible with resource management. The proposed recreational uses shall not adversely affect the intent of these forest resource policies.

policy 4B-7.3 **Building and Land Use Moratorium:** A six-year moratorium on all building permits and land use approvals shall be mandatory for all forest practice activities involving those portions of land harvested under the provisions of a Forest Practice application, where the landowner has not indicated that the land will be converted. If applicable, measures will be taken to exclude cedar salvage and work to carry out a Road Maintenance and Abandonment Plan (RMAP); and

policy 4B-7.4 **Alternative Conversion Option Harvest Plan Process:** Skagit County will work with forest land owners to establish an alternative Conversion Option Harvest Plan (COHP) process for the purpose of expediting and minimizing the cost of certain non-conversion forest practice activities as follows:

- (a) Salvage operations as defined in WAC 222-16-010.
- (b) Forest Practices on partially converted or vacant property (over 2 acres) which was platted after January 1, 1960, where the landowner does not have immediate intent to convert the timbered portion thereof.

Rural Resource Lands

Goal 4C Conserve Rural Resource Lands that have characteristics of long-term agricultural, forest or mineral lands of long-term commercial significance and have the potential for multiple use or smaller scale resource management.

Rural Resource lands are, generally, areas that have the combined land and land-use characteristics of long-term agricultural, forest or mineral lands of longterm commercial significance, and have the potential for multiple use or smaller scale resource management. Rural



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Resource lands generally are not managed for industrial-scale farming or forestry but nevertheless contribute to the natural resource land base. Where the Mineral Resource Overlay designation is also applied, industrial-scale mining can occur.

Rural Resource Designation Criteria

Goal 4C-1 Establish land use designation criteria and residential densities for Rural Resource lands.

policy 4C-1.1 **Rural Resource Land Designation Criteria:** All lands in rural unincorporated Skagit County not designated as Agriculture, Industrial Forest or Secondary Forest are subject to Rural Resource lands designation according to the following criteria:

- (a) 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 the narrative), or Washington State Department of Revenue private forest land grades (PFLG) 1–3.
- (b) 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.
- (c) 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) 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;
 - (ii) Whether the area is currently in small-scale agriculture or forestry use or has been in agricultural or forestry use within the preceding



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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

(iii) Whether the area has limited availability of public services and facilities (although the area may be located within a public water district).

(d) 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.

policy 4C-1.2 **Rural Resource Land Density Policy:** The standard maximum residential density in Rural Resource Land for new land divisions shall be one dwelling unit per 40 acres, or 1/16 of a section. One dwelling unit per 10 acres may be allowed if a condition, covenant, restriction or a conservation easement is executed that is designed to encourage long-term forest and agricultural land conservation consistent with the Conservation and Reserve Development (CaRD) land division regulations.

Guiding Principles: Rural Resource Lands

Allow a range of natural resource related uses on Rural Resource land and provide for reasonable uses of the land that will be compatible with the long-term production of agricultural and forest products. These principles shall guide Skagit County’s actions to:

- Preserve Rural Resource lands primarily for agricultural and forestry uses;
- Promote the rural qualities that characterize Skagit County; and



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- Resolve conflicts between natural resource related activities and non-resource activities.

Resource Lands Support Programs

Goal 4C-2 Establish programs to provide information and technical assistance to Rural Resource Lands managers and planners.

policy 4C-2.1 **Natural Resource Information Clearinghouse:** Establish a Natural Resource Lands Information Clearinghouse to provide information and technical assistance to owners of Rural Resource lands to conserve natural resource lands, promote sustainable management practices, encourage economic and market opportunities, and provide other vital information.

policy 4C-2.2 **Rural Resource Lands Database:** Develop a Rural Resource lands database including information on soil types, land use, productivity and ownership to promote appropriate future land use planning on these lands.

Allowable Land Uses

Goal 4C-3 Allow uses in Rural Resource Lands that further the use of the lands for the production of agricultural, forest and mining products and uses.

policy 4C-3.1 **Principal uses** of Rural Resource Lands include natural resource production and businesses that support or are compatible with agriculture, forestry and mining activities.

policy 4C-3.2 **Accessory uses** allowed on Rural Resource Lands include agricultural and forest-based businesses and small businesses that support or are compatible with natural resource production.

policy 4C-3.3 **Residential uses** are allowed on Rural Resource Lands consistent with the density policies of this chapter.



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Minimize Land Use Conflicts

Goal 4C-4 Minimize land use conflicts and promote mitigation for potential conflicts on the non-Rural Resource property.

policy 4C-4.1 **Right to Manage Rural Resource Lands:** Goal 4E, Right to Manage Natural Resource Lands, applies to all lands designated Rural Resource to protect landowner rights to manage their lands for natural resource production.

policy 4C-4.2 **Deed Restrictions:** All real estate transactions involving development on or within one-quarter (1/4) mile of Rural Resource lands shall contain recorded documentation of the residential owners' acknowledgment of the potential natural resource management activities and receipt of the Right-to-Manage Natural Resource Lands information.

policy 4C-4.3 **Special Events and Activities:** Special events such as festivals and fairs proposed for Rural Resource lands shall only be permitted when impacts such as traffic, litter, trespass, and sanitation are mitigated.

Mineral Resource Overlay (MRO)

Goal 4D Conserve mineral resource lands of long-term commercial significance where mining and processing activities are economically and environmentally feasible and where conflicts with other land uses can be minimized.

Skagit County supports environmentally responsible and safe mineral resource extraction and processing activities. Mineral resource lands where mining and processing activities are economically and environmentally feasible and where conflicts with other land uses can be minimized are to be identified and designated as a Mineral Resource Overlay (MRO) to conserve mineral resource lands of long-term commercial significance. Because mineral extraction sites can take 20 to 40 years or longer to excavate, identifying and protecting opportunities for mineral extraction operations requires a long-term planning horizon.



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Extraction and processing of construction material such as sand and gravel make up most of the mining activity in Skagit County, although there is significant hard-rock mining and processing of such resources as olivine, various other “green rock,” and limestone. Protection of these mineral resources from competing land uses ensures the availability of basic building materials, and helps to reduce costs, as producers would otherwise be forced to transport low value, high volume commodities over long distances.

The potential for mining without adverse impacts is greatest in relatively undeveloped areas. Valuable and non-replaceable resources in these areas are preserved, to the extent possible, by indicating that mining will be the preferred land use for these areas, and by establishing guidelines for adjacent land uses that will help reduce potential conflicts with mining. Extractive industries can conflict with residential uses in several ways, including potential noise, dust and hazards from blasting, rock crushing and heavy truck traffic. Therefore, it is important to establish firm policies and regulations to protect public health and safety, while also preserving a valuable part of Skagit County’s economy, now and into the future.

Concerns and issues related to mining activities in riverine areas are addressed in the Skagit County Shoreline Management Master Program. Concerns and issues related to metal mining are addressed at the state level. The Washington State Department of Natural Resources and the Washington State Department of Ecology have previously codified the Washington State metal mining law. This element proposes not to allow chemical leach mining in Skagit County until state laws are enacted to allow such activities.

Goal 4D-1 Designate and map long-term commercially significant mineral resource lands as an overlay to the Comprehensive Plan Map.

policy 4D-1.1 Mineral Resource Designation Criteria: Designate Mineral Resource Overlay based on geologic, environmental and economic factors, existing land uses, land ownership, surrounding parcel sizes, and additional criteria specified in this element and in the Minimum Guidelines to Classify Mineral Lands in WAC 365-190-070. Designating mineral resources of long-term commercial significance is not limited by a projection of need. Like agricultural and forest lands, mineral resources are protected for the long-term. The following first tier of criteria relies primarily on geologic information to identify commercially significant mineral



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resource lands and shall be considered when designating Mineral Resource Overlay areas.

- (a) Marketability. Lands containing minerals that are minable, recoverable, and are historically, and therefore anticipated to be, commercially traded are considered marketable.
- (b) Minimum Threshold Volume. Construction materials (sand and gravel) and quarry rock are considered for mining when the estimated volume is such that establishing, maintaining and reclaiming the mine would be practical. For the minerals below, minimum threshold volumes are relatively constant compared to market values and are used in the mining industry as predictors of commercial significance. The application of these criteria is approximate using the estimated area and depth of the identified resource.
 - (i) Construction materials: A minimum threshold volume of 1,000,000 cubic yards shall be used to identify commercially significant deposits of sand, gravel, and pit run rock, capable of being used in construction, that normally requiring minimal processing (commonly washing and grading).
 - (ii) Quarry rock: A Minimum Threshold Volume of 1,000,000 cubic yards shall be used to identify commercially significant deposits of quarry rock products, such as shot rock meeting all strength and durability specifications of the Washington State Department of Transportation's 2004 Standard Specifications for Road, Bridge and Municipal Construction (or later editions).
- (c) Minimum Threshold Value. All other mineral resources shall use a minimum threshold value to identify commercially significant mineral resource deposits. The values in 2000 equivalent dollars shall be met or exceeded. Threshold value is the projected value (gross selling price) of the first marketable product from an individual mineral deposit, upon completion of the extraction and any required mineral separation and processing. The threshold values are intended to indicate in a general way the approximate



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minimum size of a mineral deposit that will be considered significant for designation. The values are not intended, nor in practice could they be, for use as precise threshold values.

- (i) Industrial and Chemical Mineral Materials: Minimum Value \$1,000,000. Non-metallic mineral materials, such as building and dimension stone, limestone, or specialty sands, which normally receive extensive processing.
- (ii) Metallic and Rare Minerals: Minimum Value \$500,000. Metallic elements and minerals, gemstones, and minerals that possess special properties valuable to science or industry, including dunite and other olivine-rich rock.
- (iii) Non-fluid Mineral Fuels: Minimum Value \$1,000,000. Non-hydrothermal mineral fuels occurring in sedimentary rocks such as coal bed methane, bituminous coal, lignite, peat, organic shale, tar sand, uranium and thorium.

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.

policy 4D-1.3 **Mineral Resource Designation Considerations:** All lands meeting the criteria in Policy 4D-1.1 shall be further reviewed considering the following additional criteria. Certain limited pre-existing designated MRO lands that may not meet the criteria below may retain their MRO status to address unique economic circumstances or access-to-market.

- (a) General land use patterns in the area;
 - (i) Designate MRO only on lands designated as Industrial Forest, Secondary Forest, or Rural Resource.



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- (ii) 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.
- (iii) Residential gross densities for land designated as MRO shall be no greater than 1 residential dwelling unit per 10 acres.
- (iv) The preferred land uses adjacent to designated mining sites are open space, forestry, or industrial uses.

- (b) 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;
- (c) 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;
- (d) Division or zoning for urban or small lots. Designate MRO areas $\frac{1}{4}$ mile away from Rural Villages, Rural Intermediate, and Urban Growth Areas, except in limited cases where pre-existing mineral extraction areas may be retained to address unique economic circumstances or proximity-to-market. Conservation and Reserve Developments are acceptable on and within $\frac{1}{4}$ mile of MROs, provided that the allowed density (with or without a density bonus) does not exceed 1 dwelling unit per 10 acres.
- (e) 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 future use;



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- (f) Physical and topographic characteristics of the site or area do not preclude mining;
- (g) Depth of the resource or its overburden does not preclude mining;
- (h) 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) Life of the resource is sufficient to be marketable;
- (j) 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; and
- (k) Policies and regulations are in place to mitigate the potential effects of sediments and pollutants on public drinking water.

policy 4D-1.4 **Mineral Resource Overlay Density Policies:** Residential gross densities on or within $\frac{1}{4}$ mile of a Mineral Resource Overlay shall be no greater than 1 residential dwelling unit per 10 acres. New subdivisions with densities greater than 1 unit per 10 acres may be permitted only if the additional development rights can be transferred to and clustered on that portion of the same property lying outside of $\frac{1}{4}$ mile from the MRO, consistent with the Conservation and Reserve Development (CaRD) land division regulations.

Guiding Principles: Mineral Resource Overlay

Maintain and enhance conservation of long-term commercially significant mineral resource lands so that use of, and access to these lands is not precluded by conflicting land uses through the designation of a Mineral Resource Overlay. These principles shall guide Skagit County's actions to:

- Maintain and enhance conservation of long-term commercially significant mineral resource lands.
- Maximize compatibility between mineral extraction operations and other land uses.



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- Reduce conflicts between mining operations and adjacent land uses so that access to mineral lands is not precluded by conflicting land uses; and
- Promote the economic and regulatory stability of the mining industry.

Conserve Mineral Resource Lands

Goal 4D-2 Protect and conserve mineral resource lands of long-term commercial significance.

policy 4D-2.1 **Designate Mineral Resource Overlay:** Areas meeting the criteria for mineral lands of long-term commercial significance shall be identified as Mineral Resource Overlay on the Comprehensive Plan Land Use and Zoning Map.

policy 4D-2.2 **Allowable Mineral Extraction Activities:** Activities associated with mineral extraction operations are those activities that further develop the base product of the mineral being extracted. Examples of these activities include washing, crushing, asphalt plants, and concrete batch plants. Associated activities shall be allowed as a hearing examiner special use within the Mineral Resource Overlay or in areas designated Natural Resource Industrial – NRI. Those associated activities must meet the requirements of the Special Use Permit specific to those areas and must be listed as permitted uses in those Districts. Temporary activities associated with construction projects may be permitted as part of the related construction permit review and may be conditioned as necessary to address applicable mining regulations.

policy 4D-2.3 **Natural Resource Lands Information Clearinghouse:** Establish a Natural Resource Information Clearinghouse to collect and disseminate information to benefit long-term productive management of natural resource lands, including mineral resource areas. Functions of the Natural Resource Lands Clearinghouse are described under Goal F of this Chapter, but should include: information on mining practices, reclamation, promotion of mining products, and public awareness, and education regarding mining activities.



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Reduce Land Use Conflicts

Goal 4D-3 Discourage incompatibility and reduce conflicts between mineral extraction operations and other land uses.

policy 4D-3.1 **Exclusive Mineral Resource Overlay:** The Mineral Resource Overlay adds additional uses and related requirements to the Industrial Forest, Secondary Forest, Rural Resource, and Natural Resource Industrial districts of the Comprehensive Plan/Zoning Map. New mining is limited to the MRO, subject to applicable permits. However, pre-existing, permitted mining operations outside the Mineral Resource Overlay may operate subject to the terms of the existing approval(s). Such operations may expand beyond the scope of the original permit but within the existing parcel provided that they receive a mining special-use permit.

policy 4D-3.2 **Right to Manage Mineral Resource Lands:** The provisions of Right-to-Manage Natural Resource Lands shall apply to all lands designated Mineral Resource Overlay (MRO) to protect mineral resource landowner rights to manage their lands for mining uses.

policy 4D-3.3 **Deed Restrictions:** All real estate transactions involving residential development on or within one-quarter (1/4) mile of mineral resource lands shall contain recorded documentation of the residential owners' acknowledgment of the mineral extraction activities and receipt of the Right-to-Manage Natural Resource Lands information.

policy 4D-3.4 **Development Regulations:** Development regulations for the Mineral Resource Overlay shall identify permitted uses in MRO lands.

policy 4D-3.5 **Siting Adjacent Residential Development:** New residential development adjacent to a designated Mineral Resource Overlay should be sited to help minimize potential conflicts between residences and mining operations.

policy 4D-3.6 **Mining Site Buffer Standards:** Mining buffer standards shall maintain the purpose and functions of mineral resource lands. These standards shall require equivalent



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buffers on mining sites and on adjacent properties with the exception of mines adjacent to mines. Excavation shall not occur within the buffer of any mine except during reclamation and on mines adjacent to mines. Storage of topsoil and excavation associated with reclamation area may be allowed in buffers.

policy 4D-3.7 **Mining Activities Buffer Standards:** Buffers and setbacks should be provided for all activities associated with mineral extraction operations in addition to those required for mineral resource areas.

Effective Regulatory Environment

Goal 4D-4 **Coordinate and implement administrative procedures that encourage consistency among permitting jurisdictions and simplify permitting procedures for the applicants and Skagit County.**

policy 4D-4.1 **Coordinate State and Local Regulations:** Development regulations for mineral resource lands in the county shall be consistent with applicable Washington State mining regulations and Department of Natural Resources rules. Overlap in the regulatory authority between Skagit County and the DNR may occur to ensure public health and safety in matters not under the DNR's jurisdiction.

policy 4D-4.2 **Improve Local Permit Process:** Consider a process to allow certain mining operations by administrative special-use permit, if certain defined criteria are met. Such a process should include a requirement to upgrade the level of review to a hearing examiner special-use permit, if information relating to potential adverse environmental impacts or other factors warrant additional public review. Also establish criteria for appeal and public notification requirements.

Safe Operations

Goal 4D-5 **Ensure safety and minimize off site disturbances associated with operating equipment, noise, dust, glare, vibrations and truck traffic.**



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- policy 4D-5.1 **Noise Impacts:** Sound levels, as measured on properties adjacent to the mining site, shall conform to the provisions of WAC Section 173-60-040, Maximum Permissible Environmental Noise Levels.
- policy 4D-5.2 **Traffic Impacts:** Potential effects of truck traffic from mining operations shall be reviewed as part of the permitting process.
- policy 4D-5.3 **Roads and Bridges:** New public roads and bridges accessing designated Mineral Resource Overlay Areas shall be designed to sustain the necessary traffic for mineral extraction operations. Existing roads and bridges shall be improved as needed as each new extraction operation is developed. Cost sharing for the improvement of roads and bridges shall be negotiated between the permitting authorities and the applicant.
- policy 4D-5.4 **Operation Hours:** Standards for hours of operations, appropriate for the underlying land-use designation, shall be established for mineral extraction operations. In determining appropriate hours of operation, consider traffic impacts and requirements, nearby uses, and noise impacts. Project-specific circumstances that demand non-standard or 'off-peak' hours may also be considered.
- policy 4D-5.5 **Blasting Timing:** Vibrations from blasting operations and underground blasts causing noticeable vibrations shall be limited to daylight hours when adjacent to residential areas. Blasts should be scheduled for regular and predictable times except in the case of emergencies. Blasting shall be conducted in accordance with the state permit.
- policy 4D-5.6 **Noise and Blasting Mitigation:** Site-specific studies shall be conducted to determine appropriate mitigation or noise and blasting for new operations and expansion areas of existing operations. Standards shall be maintained to implement existing and accepted methods by which vibrations and noise shall be measured and appropriate mitigation established to alleviate incompatibilities.
- policy 4D-5.7 **Pre-Existing Mining Operations:** Pre-existing, legally operating commercial mining operations outside the Mineral Resource Overlay may continue to operate



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subject to the terms of the existing approval(s). Such operations may expand beyond the scope of the original approval and within the existing parcel boundary provided that they receive a mining special-use permit.

policy 4D-5.8 **Chemical Leach Mining:** Chemical leach mining shall not be allowed until State laws are enacted which address their impacts.

Water Quality

Goal 4D-6 Ensure that water quality protection standards associated with mining operations comply with best management practices.

policy 4D-6.1 **Reclamation Plan:** Support the Washington Department of Natural Resources (DNR) requirement that reclamation plans specify how overburden and spoil material is to be handled and placed in a manner which will control erosion, dust, sedimentation or leaching of material and hazardous substances into surface or ground waters.

policy 4D-6.2 **Storage Ponds:** Storage pond systems for holding mineral processing waters should be designed to preclude untreated discharge as required by federal and state laws.

policy 4D-6.3 **Erosion Prevention:** The flow of natural or process runoff from mineral extraction sites shall be dispersed or regulated such that soil erosion on receiving lands is prevented. Natural runoff includes: Any water that runs on disturbed ground, including stormwater and 'process water' that flows through operation.

policy 4D-6.4 **Aquifer Barriers:** Surface mining shall be vertically limited to only one aquifer unless specifically approved by the Washington State Department of Ecology. Hydrological barriers separating aquifers shall not otherwise be destroyed.

policy 4D-6.5 **Aquifer Reclamation:** Reclamation of disturbed aquifers shall be in accordance with federal, state and local law. Disturbed aquifers should be reclaimed as ponds or lakes. On-site material is preferred where an aquifer has been breached.



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policy 4D-6.6 **Aquifer Protection:** Activities related to mineral extraction and processing operations in the vicinity of open aquifers must provide safeguards including containment, to prevent contamination to the open aquifer.

policy 4D-6.7 **Grading Adjacent to Water Bodies:** Post-mining slopes in an aquifer shall be reclaimed at a grade that allows for easy access in and out of ponds and lakes.

policy 4D-6.8 **Groundwater Study:** Before a new sand and gravel mine is permitted, the area ground water shall be characterized by a licensed geologist, hydrogeologist or engineer.

policy 4D-6.9 **Aquifer Monitoring:** Where a proposed mine will breach an aquifer, monitoring shall be established to measure the impact of the mining activity on water quality and supply to wells relying on the aquifer to be breached.

Public Lands

Goal 4D-7 Recognize and identify scientific resource sites as educational and recreational opportunities.

policy 4D-7.1 **Preserve Scientific Resource Sites:** On public lands, scientific resource sites shall be protected and preserved for educational and scientific use when possible. Examples of such sites may include unique or rare occurrences of rocks, minerals, or fossils that are of outstanding scientific significance.

policy 4D-7.2 **Recreational Interests:** When feasible, access to local recreational activities, such as fishing, boating, hiking, and camping shall be preserved.

Right to Manage Natural Resource Lands

Goal 4E Right to Manage Natural Resource Lands.

Natural resource management operations are frequently the subjects of nuisance complaints and on occasion have been forced to cease or curtail operations. Such nuisance complaints discourage investments in natural resource land improvements to the detriment of adjacent



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natural resource land uses and the economic viability of the county’s natural resource land industry as a whole.

Right-to-Manage Natural Resource Lands policies are intended to promote mutual understanding and good neighbor relationships between natural resource lands and non-natural resource land property owners. This starts by advising purchasers and users of property adjacent to or near natural resource land management operations of the inherent potential difficulties associated with living on or near natural resource lands. These may include, but are not limited to, hours of operation, the use and spraying of chemicals, pruning, harvesting, and mining activities, which occasionally generate traffic, dust, smoke, noise, and odor. Through mandatory disclosures purchasers and users will be better prepared to understand and accept the consequences of living near natural resource lands and operations.

Guiding Principles: Right to Manage Natural Resource Lands Policies

Ensure that the uses of lands adjacent to natural resource lands do not interfere with the continued use, in the accustomed manner, for farming, forestry, mining, and related uses.

Provide to Skagit County residents notification of the County’s recognition and support of the right to manage natural resource lands.

Reduce the loss to Skagit County of its natural resource lands by limiting and defining the circumstances under which natural resource lands management operations may be considered a nuisance.

Right to Manage Natural Resource Lands Notification

Goal 4E-1 Provide notice, through a disclosure statement, of the potential incompatibilities, inconveniences and discomforts, which may arise from natural resource land management activities.

policy 4E-1.1 **Right to Manage Natural Resource Lands Regulations** shall be implemented that limit and define the circumstances under which natural resource lands management operations may be considered a nuisance. Such regulations shall



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not limit the right to manage natural resource lands operations when such operations are conducted or maintained for commercial purposes, and in a manner consistent with current best management practices.

policy 4E-1.2 **Right to Manage Natural Resource Lands Disclosure Statements:** Right-to-manage natural resource lands regulations shall set forth a disclosure statement, and under what circumstances and to whom such a disclosure statement shall be disseminated. The disclosure statement shall inform land owners of the potential incompatibilities, inconveniences, and discomforts which may arise from natural resource land management activities.

policy 4E-1.3 **Recording with Property Deed:** A standard disclosure form shall be recorded with deeds for all real estate transactions involving development on or within one-quarter (1/4) mile of Natural Resource Lands. The disclosure form shall include recorded documentation of the residential owners' acknowledgment of the potential natural resource management activities and receipt of the Right-to-Manage Natural Resource Lands information.

Natural Resource Lands Information Clearinghouse

Goal 4F Natural Resource Lands Information Clearinghouse.

Skagit County operates a number of programs for the preservation of natural resource lands and related economic activities. The following goals and policies articulate ways in which these programs can be organized into a clearinghouse function to provide information relating to research, services, and education that are needed to achieve natural resource lands management goals and objectives.

Goal 4F-1 Develop a Natural Resource Lands Information Clearinghouse to collect and disseminate information to benefit conservation and management of natural resource lands.

policy 4F-1.1 **Clearinghouse Team:** The Natural Resource Lands Information Clearinghouse work program may involve the Farmland Legacy Program, Agricultural Advisory



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Board, Forestry Advisory Board, representatives from Mineral Resource Overlay and Rural Resource land owners, and other interested contributors.

policy 4F-1.2 **Clearinghouse Work Program:** The Clearinghouse work program should include: conducting coordinated research, monitoring, training, marketing, education and funding activities related to:

- (a) Agricultural land conservation and sustainable agricultural practices, and promoting and marketing Skagit County farm products.
- (b) Forest land conservation, sustainable forest practices, developing and promoting diverse forestry products.
- (c) Rural Resource land chapter, defining natural resource activities on Rural Resource lands, and assessing economic viability of natural resource production on Rural Resource lands.
- (d) Mineral resource development, safe mining practices, reclamation planning and execution, diversification and promotion of mineral resource products.
- (e) Implementing the Right-to Manage Natural Resource Lands goals and policies and ordinances.
- (f) Promoting public awareness of natural resource land values and challenges.
- (g) Promoting educational programs in public schools that emphasize the contributions of natural resource lands to the county, and the need to protect these valuable lands.

policy 4F-1.3 **Natural Resource Lands Database:** Maintain a database management system to provide current information on natural resource land uses and activities, soils, conversions, and other quantifiable factors for the purpose of monitoring and conserving natural resource lands.

policy 4F-1.4 **Converted Natural Resource Lands Database:** The Natural Resource Lands database should identify and map, where known, those parcels of land that, although designated as a Natural Resource Land, are not available for productive



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resource use because of some easement, covenant, or other restriction that converts the primary use of such land to the preservation of habitat, open space, or some other non-resource-land use. This information should contribute to a more accurate assessment of the natural resource land base available for agriculture, forestry or mining uses.



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Introduction

The Environment Element provides the policy basis for the protection and regulation of critical areas as required by the GMA. Growth management, natural resource land conservation, and critical areas protection are interwoven in the framework intended to eliminate or minimize sprawl and the loss of environmental resources as well as to protect persons and property from unsafe conditions and sustain the quality of life. It is more costly to remedy the loss of critical areas than to conserve and protect them from loss or degradation. The inherent economic,



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social, and cultural values of critical areas should be considered in the development of strategies designed to conserve and protect lands.

In recognition of these common concerns, classification, and designation of critical areas is intended to preclude land uses and developments that are incompatible with critical areas. There are qualitative differences between and among critical areas. Not all areas and ecosystems are critical for the same reasons. Some are critical because of the hazard they present to public health and safety, some because of the values they represent to the public welfare. In some cases, the risk posed to the public by use or development of a critical area can be mitigated or reduced by engineering or design; in other cases that risk cannot be effectively reduced except by avoidance of the critical area. Hence, classification and designation of critical areas is intended to recognize the differences between these areas, and to provide appropriate regulatory and non regulatory actions.

Preparing development regulations that preclude uses and development incompatible with critical areas does not mean a prohibition of all uses or development. Rather, it means governing changes in land uses, new activities, or development that could adversely affect critical areas. For each type of critical area, the classification system and associated development regulations should prohibit inappropriate uses and provide a basis for the review and approval of other uses and activities in keeping with these goals and policies..

Critical areas designations overlay other land use designations. Best management practices should be utilized where critical areas are designated. Future operations or expansion of existing operations should be done in consideration of protecting critical areas or reducing risks to public health, safety, and welfare.

There is a clear, positive association between strong environmental policies and a strong economy. It is the County's intent to enforce environmental policies that will conserve the natural environment and support appropriate growth and economic development.

The basis for the goals and policies is a complicated and overlapping web of federal and state laws. The GMA mandate is the umbrella through which this regulatory web is applied to the County. The GMA requires that local plans and regulations use *best available science* in establishing how they manage growth and development while protecting people, facilities, and natural environmental features from harm. An analysis of the applicable science meeting the GMA mandate is currently being prepared in order to support the Comprehensive Plan policies



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Shoreline Master Program (SMP)

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and the associated development regulations for wetlands, aquifer recharge areas, fish and wildlife habitat conservation areas, geologically hazardous areas, and frequently flooded areas.

Skagit County's agriculture, forestry, fisheries, tourism, and outdoor recreation assets are unparalleled in providing a holistic set of opportunities for sustaining the quality of life.

Environmental protection and a strong economy have many direct linkages. It is the County's intent to maintain environmental policies that will conserve natural resources and responsibly support population growth and economic development while at the same time protecting the environment and keeping people from harm's way.

Since these objectives are so interwoven, the Comprehensive Plan includes references to environmental protection in many of the elements. For example, drainage of surface water in agricultural areas is critical to farming operations, but also affects habitat conditions and flood controls. And, the location and sizing of UGAs is complicated by the historic locations of cities and towns which were first sited in flood prone areas. Consequently, the goals and policies for critical areas in the Environment Element relate closely to many other adopted plans, policies and regulations. The following is intended to highlight some of these important relationships.

Shoreline Master Program (SMP)

As part of the 2016 Comprehensive Plan Update, Skagit County is updating its Shoreline Management Program, in compliance with recent changes to the rules and guidelines for the state Shoreline Management Act. The new Shoreline Management Program includes goals and policies for shoreline protection, and updated shoreline development regulations in the County's Unified Development Code (SCC Title 14). GMA policies and regulations will be comparatively reviewed to shoreline policies and regulations.

Natural Hazards Mitigation Plan

In 2014, Skagit County, the cities and towns, the Upper Skagit Indian Tribe, the Swinomish Indian Tribal Community, and the Samish Indian Nation adopted an updated countywide plan for addressing natural hazards such as avalanches, droughts, earthquakes, fires, floods, tsunamis, severe storms, and volcanic events. The Plan was approved by the Federal Emergency



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Management Agency on March 4, 2014. The basis for this planning is federal legislation in the Disaster Mitigation Act of 2000 that establishes the means for states and local governments to anticipate and reduce the impacts of disasters caused by natural hazards. This plan includes vulnerability assessments of the jurisdictions' exposure to the hazards and their capacities and proposed strategies for mitigation. The Skagit Plan provides the jurisdictions with opportunities for future federal funding to implement the strategies and reduce the exposure to hazards. It must be evaluated each year and updated every 5 years.

The adopted Natural Hazards Mitigation Plan (2014) includes goals and policies from the Comprehensive Plan (2007) and building code references. It proposes strategies for earthquake, fire and flooding hazard mitigation including facility improvements that could be incorporated into the Capital Facilities Element, and others that relate to policies. For example the Hazard Mitigation Plan suggests implementing the Firewise public education program, a policy reflected in the Natural Resource Element and elsewhere in the Comprehensive Plan. The Comprehensive Plan has identified additional fire prevention planning as a priority for the rural portions of the County as well. Skagit County's Emergency Management Department has addressed tsunami responses; tsunamis are considered to be a low risk based on the Natural Hazards Mitigation Plan.

Another strategy suggests enacting additional regulations to restrict future residential and non-agricultural construction in the 100-year floodplain. The County's Flood Damage Prevention Ordinance (2011) has taken important steps in this direction, and the County may make other amendments as appropriate based on Federal Emergency Management Agency and other agency input. The County's Critical Areas Ordinance implements regulations based on "best available science" for wetlands, aquifer recharge areas, geologically hazardous areas, fish and wildlife habitat conservation areas, and frequently flooded areas.

Regional Water Resource Plans

Other programs that produce plans, policies and strategies related to the environment include Watershed Planning based on Water Resource Inventory Areas (WRIAs). This planning effort is sponsored by the state Department of Ecology and involves inter-jurisdictional watershed planning to address water quantity, with the option to address habitat and water quality. In addition, in-stream flows are regulated by the Department of Ecology and affect the amount of



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groundwater available for future domestic, municipal, commercial/industrial, agricultural uses. In 2001, Ecology adopted the Skagit River Basin Instream Resources Protection Program Rule (WAC 173-503). Water and sewage rules are regulated by the Skagit County and State Departments of Health and Ecology. Aquifer recharge areas are addressed through the goals and policies in the Comprehensive Plan and subsequent development regulations found in the Unified Development Code. Flood control and flood plain management is a responsibility of the U.S. Army Corps of Engineers, the Federal Emergency Management Agency, and the Department of Ecology as well as local jurisdictions. Habitat protection requirements within the floodplain have become more stringent since the publication of the Biological Opinion by the National Marine Fisheries Service (NMFS) relating to FEMA's National Flood Insurance Program.

Air Quality

Although not identified as a critical area under the Growth Management Act, air quality is a crucial component of a healthy environment. The livability of Skagit County is dependent upon good air quality, which is affected by the interrelationship of land use and the activities of people, industries, and natural resource enterprises.

Skagit County seeks to maintain a high level of air quality by working cooperatively with the Northwest Clean Air Agency to minimize individual and industrial impacts on air quality. The County will work with Northwest Clean Air Agency to minimize public exposure to airborne pollutants and nuisance odors by assuring regulatory accountability. Skagit County will accomplish this by supporting transportation policies that reduce air pollution; encouraging alternatives to outdoor burning; promoting environmentally sound heating methods; and ensuring that industrial growth utilizes environmentally sound processes.

Climate Change

Due to increasing greenhouse gas emissions – carbon dioxide, methane, nitrous oxide and others – heat is trapped in the atmosphere causing changes to climate worldwide. Climate change is expected to affect the Pacific Northwest including Skagit County. The University of Washington Climate Impacts Group has estimated a possible sea level rise of 0.4 meters by 2050 to 2080. In addition to sea level rise, potential effects that are anticipated to occur in Skagit County include:



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increased risk of wildland-urban interface fires, warmer temperatures, more precipitation falling as rain in winter and loss of snowpack altering streamflow timing and changes in flood risk, and changes to terrestrial, freshwater, and marine ecosystems and species composition. As a result of climate change and ecosystem effects, there could be damage to low-lying farms and urban development in the floodplain. (Skagit County Natural Hazard Mitigation Plan 2014; Skagit River Basin Climate Science Report, September 2011)

As these and other issues and considerations are studied and resolved, the policies in the Environment Element and other Comprehensive Plan elements will have to be revisited as an on-going part of future updates.

GMA Mandate

The following GMA Planning Goal is specific to the environment:

- *Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.*

This Goal, taken in the context of the totality of the thirteen GMA Planning Goals, led to the following CPPs that provide specific guidance to the analysis and policies developed in this chapter:

- *Natural resource lands, including aquatic resource areas and critical areas shall be classified and designated, and regulations adopted to assure their long-term conservation. Land uses and developments which are incompatible with critical areas shall be prohibited except when impacts from such uses and developments can be mitigated (CPP 10.1)*
- *Land use decisions shall take into account the immediate and long range cumulative effects of proposed uses on the environment, both on and off-site (CPP 10.2)*
- *The County shall reduce the loss of critical aquatic and terrestrial habitat by minimizing habitat fragmentation. (CPP 10.3)*
- *Wetlands, woodlands, watersheds and aquifers are essential components of the hydrologic system and shall be managed to protect surface and groundwater quality.(CPP 10.4)*



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- *Skagit County shall recognize the river systems within the County as pivotal freshwater resources and shall manage development within the greater watershed in a manner consistent with planning practices that enhance the integrity of the aquatic resource, fish and wildlife habitat, and recreational and aesthetic qualities (CPP 10.5)*
- *Rural character shall be preserved by regulatory mechanisms through which development can occur with minimal environmental impact. (CPP 10.6)*
- *Development shall be directed away from designated natural resource lands, aquatic resource areas, and critical areas. (CPP 10.7)*
- *The conversion of tidelands to uplands by means of diking, drainage and filling shall be prohibited, except when carried out by a public body to implement a Comprehensive Plan for flood plain management or to respond to a natural disaster threatening life and property. (CPP 10.8)*
- *Septic systems, disposal of dredge spoils and land excavation, filling and clearing activities shall not have an adverse significant effect on Skagit County waters with respect to public health, fisheries, aquifers, water quality, wetlands, wildlife habitat, natural marine ecology and aquatic based resources (CPP 10.9)*
- *Usual and accustomed activities on natural resource lands and aquatic resource areas shall be protected from interference when they are conducted in accordance with best management practices and environmental laws. (CPP 10.10)*
- *When evaluating and conditioning commercial, industrial or residential development, Skagit County shall consider threatened or endangered wildlife (CPP 10.11)*
- *Skagit County shall enter into inter-agency agreements with appropriate state and local agencies and Native American Tribes for compliance with watershed protection, including but not limited to, the cumulative effects of construction, logging and non-point pollution in watersheds. (CPP 10.12)*
- *Skagit County and Cities and Towns, in cooperation with appropriate local, state and Federal agencies, shall develop and implement flood hazard reduction programs, consistent with and supportive of the Corps Feasibility Study. (CPP 10.13)*
- *The Skagit River Floodway and the Skagit River Floodplain shall be regulated to protect human life, property and the public health and safety of the citizens of Skagit County;*



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minimize the expenditure of public money; and maintain flood insurance eligibility while avoiding regulations which are unnecessarily restrictive or difficult to administer. (CPP 10.14)

- *Skagit County and Cities and Towns shall work together to provide ongoing public education about flooding in a coordinated and consistent program, and shall adopt a flood hazard reduction plan, that works together with the natural and beneficial functions of floodplains.(CPP 10.15)*

Goals and Policies

Types of Critical Areas

The GMA requires local governments to designate and protect critical areas including wetlands, aquifer recharge areas, frequently flooded areas, geologically hazardous areas, and fish and wildlife habitat conservation areas. Further, GMA requires counties and cities to develop policies and regulations that are based on “best available science”

Wetlands

Wetlands are fragile ecosystems that serve a number of important beneficial functions. Wetlands assist in the reduction of erosion, siltation, flooding, ground and surface water pollution, and provide wildlife, plant, and fisheries habitats. Wetlands destruction or impairment may result in increased public and private costs or property losses.

Aquifer Recharge Areas

Potable water is an essential life-sustaining element. Skagit County's potable water comes from groundwater and surface water. Once the source of potable water is contaminated, it is difficult, costly, and sometimes impossible to clean up. Preventing contamination is necessary to avoid exorbitant costs, hardships, and potential physical harm to people.



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Frequently Flooded Areas

Flood hazard areas and other areas subject to flooding perform hydrologic functions and may present a risk to persons or property.

Geologically Hazardous Areas

Geologically hazardous areas include areas susceptible to the effects of erosion, sliding, earthquake, or other geologic events. They pose a threat to the health and safety of citizens when incompatible residential, commercial, industrial, or infrastructure development is sited in areas of a hazard.

Fish and Wildlife Habitat Conservation Areas

Fish and wildlife habitat conservation means maintaining species in suitable habitats within their natural geographic distribution through cooperative and coordinated land use planning beyond political boundaries.

Critical Areas

Goal 5A Preserve and protect wetlands to prevent their continual loss and degradation.

Encourage the voluntary restoration and enhancement of lost or degraded wetlands.

Protect aquifer recharge areas, and well-head areas, ground and surface water quality and quantity for supplying all needs within Skagit County, including potable water for human use

Protect hydrologic functions and reduce the potential for physical injury and property damage associated with flooding.

Minimize risk to life, property, infrastructure, and resources caused by disrupting geologically hazardous areas or by locating development in



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areas subject to naturally hazardous geologic processes.

Protect, restore where practical, and enhance fish and wildlife populations and their associated habitats.

Classification and Designation of Critical Areas

Classification and designation of critical areas establishes the general distribution, location, extent, and quality of critical areas. In the circumstances where critical areas (e.g., aquifer recharge areas, wetlands, significant wildlife habitat, etc.) cannot be readily identified, these areas should be designated by performance standards or definitions, so they can be specifically identified during the processing of a permit or development authorization. Classifying, inventorying, and designating lands or areas does not imply a change in a landowner's right to use his or her land under current law.

Goal 5A-1 In cooperation with local, state, federal, and tribal agencies and jurisdictions, Skagit County shall identify, classify, designate, and map critical areas to protect and conserve them.

- policy 5A-1.1 Critical areas shall be identified based on the best available science.
- (a) The National Wetland Inventory Maps, U.S.D.A. Soil Conservation Service Soil Survey, Washington Department of Fish and Wildlife Priority Habitats and Species Database and aerial photo overlays are examples of the information that shall be utilized in determining the approximate distribution and extent of wetlands in Skagit County.
 - (b) Soil logs and surveys, geological information, well logs, and geological reports shall be utilized in identifying aquifers and aquifer recharge areas.
 - (c) Hydrologic information such as Washington Department of Natural Resources water type maps, United States Geological Services streamflow data, and Federal Emergency Management Agency maps should be utilized in identifying frequently flooded areas.



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- (d) Soil, geologic, topographic, seismic, volcanic, and hydrologic data shall be utilized in identifying geological hazardous areas.
- (e) Fish and Wildlife Habitat Conservation Areas shall be identified in accordance with Washington State Fish and Wildlife Priority Habitats and Species program, WA State Department of Natural Resource Aquatic Lands and Resources and Nearshore Habitat programs, and other extant programs.

policy 5A-1.2 Critical areas shall be designated by definition and site assessment for conservation and protection.

- (a) Critical Areas shall be designated and mapped from general sources of critical area information based on best available science.
- (b) Critical areas shall be designated by performance standards or definitions.
- (c) Critical areas shall be designated upon completion of a site assessment done by a qualified professional during the process of a permit or development application.

policy 5A-1.3 Critical areas shall be classified for conservation, protection, and risk.

- (a) The Washington State Rating System for Western Washington (2014 Update) shall be utilized to classify wetlands according to the function, value and uniqueness of wetlands in Skagit County.
- (b) Aquifer recharge areas shall be classified based on their vulnerability, susceptibility to contamination, and potable water quality and quantity.
- (c) Frequently flooded areas should be classified utilizing the 100-year floodplain designations as adopted by the Federal Emergency Management Agency and the National Flood Insurance Program.
- (d) Geologically hazardous areas (areas subject to erosion, sliding, earthquakes, or other geologic events) shall be classified based on the degree of risk to health, life, property and resources.



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(e) “Fish and Wildlife Habitat Conservation Areas” (HCA’s) shall be classified according to the type of conservation area which include:

- (i) Areas with which endangered, threatened, and sensitive species have a primary association;
- (ii) Habitats and species of local importance that have been designated by the County at the time of application;
- (iii) All public and private tidelands suitable for shellfish harvest;
- (iv) Kelp and eelgrass beds, and herring, smelt, and other forage fish spawning areas;
- (v) Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat;
- (vi) Waters of the state as defined by WAC 222-16;
- (vii) Lakes, ponds, streams, and rivers planted with game fish by a government or Tribal entity;
- (viii) Areas with which anadromous fish species have a primary association and;
- (ix) State Natural Area Preserves, Natural Resource Conservation Areas, and State Wildlife Areas.

Education

Goal 5A-2 Provide educational opportunities and the involvement of a well-informed citizenry in developing programs and regulations for the conservation and protection of critical areas.

policy 5A-2.1 Educational opportunities should be encouraged that increase public and governmental understanding of the economic, social, cultural, and environmental values of critical areas.



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- (a) Public access to publicly owned critical areas for scientific, educational and limited recreational use should be encouraged.
- (b) Educational programs should improve the understanding of storm water management, groundwater recharge, and groundwater and surface water quality and quantity issues, and encourage citizens to be water resource stewards.
- (c) Educational opportunities should increase public understanding of stream hydrology and the potential for major flooding in the Skagit River Basin.

policy 5A-2.2 Readily available information should be assembled and distributed to educate and inform the public about: risks of known frequently flooded areas and geologic hazards; development practices that increase the risks to lives, property, infrastructure, resources and measures to minimize these risks.

Incentives

Goal 5A-3 Utilize economic incentives, such as density credit transfers, transfer of development rights, tax incentives, cluster housing, conservation easements, and public benefit rating systems, as appropriate, to encourage citizens to conserve, protect and restore critical areas.

policy 5A-3.1 Areas of native vegetation and riparian corridors that connect wetland systems should be conserved and protected whenever feasible through incentive programs.

policy 5A-3.2 Public and private programs should be encouraged and utilized to support the ability of wetlands to function naturally and provide landscape diversity.

policy 5A-3.3 Public and private acquisition of critical areas should be encouraged for permanent conservation.

- (a) Critical areas of local and regional uniqueness and significance should be prioritized for acquisition.



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- policy 5A-3.4 Economic incentive programs shall be implemented to encourage private participation in protecting and enhancing aquifer recharge and surface and ground water quality.
- (a) Reuse of water shall be encouraged and incentives provided for use of best management practices.
 - (b) Incentives shall be developed that encourage industries, businesses and homes to use water conservation technologies and practices.
 - (c) Incentive programs shall be established to maintain and restore conveyance capacity and natural water storage areas.
- policy 5A-3.5 Incentives shall be developed to protect critical areas in agriculture and forestry land.
- policy 5A-3.6 The protection of Habitat Conservation Areas shall be encouraged through acquisition, incentives, and other techniques.
- policy 5A-3.7 Native plant communities and fish and wildlife habitat enhancement shall be promoted through voluntary incentive programs.

Intergovernmental Coordination / Cooperation

Goal 5A-4 Improve communication and seek cooperation and coordination among county, city, state, tribal, federal agencies, and the public to avoid duplication and achieve efficiency and effectiveness in development of standards, policies, regulations, programs, projects, planning and funding efforts that conserve and protect critical areas.

- policy 5A-4.1 The use of inter-agency agreements among county, city, state, federal and tribal agencies shall be encouraged for conservation and protection of critical areas when developing regulations, incentives, and monitoring/enforcement strategies.



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- (a) Local, state, federal and tribal governments shall be consulted in the development of land use plans and development review to identify and protect habitat networks on an inter-jurisdictional basis.
- (b) Local, state, federal agencies, tribes and private interests shall be encouraged to plan and implement methods to protect and enhance water quality at commercial, recreational, and subsistence shellfish beds, including controlling potential new pollution sources, reducing pollution from existing sources, and establishing shellfish protection districts.
- (c) Coordinate with state and tribal programs to protect plant species and communities listed in the Natural Heritage Program, the Priority Habitats and Species (PHS) Program and plant species of cultural (tribal) significance should be maintained.

policy 5A-4.2 Wetland inspections/delineation training requirements should be coordinated with other Federal and State agencies.

policy 5A-4.3 Critical area conservation and protection strategies shall be coordinated with watershed planning efforts and watershed implementation plans.

policy 5A-4.4 All existing county land use regulations shall be reviewed and, where appropriate, modified to eliminate redundancies or conflicts with other county, state or federal requirements for conserving and protecting critical areas and the public to promote a consistent and more efficient regulatory framework.

policy 5A-4.5 Annual evaluations and prioritized recommendations for non-point source pollution control (such as from Watershed Action Plans and Water Quality Management Plans) shall be implemented where found to be feasible and most cost-effective.

policy 5A-4.6 Skagit County shall continue to work cooperatively with the cities, towns, state and federal agencies and tribes as needed in flood hazard mitigation planning and projects to minimize potential for flood damage throughout Skagit County.



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policy 5A-4.7 The County shall encourage the restoration of appropriate degraded critical areas through coordinated cooperative public and private efforts.

Protection and Conservation Measures

Goal 5A-5 Skagit County shall, protect and conserve critical areas in cooperation with federal, state, local, and tribal jurisdictions.

policy 5A-5.1 Critical Areas shall be designated and protected to prevent their continued loss and degradation. Furthermore, priority shall be given to the avoidance of impacts to Critical Areas, followed by the minimization of impacts and full mitigation respectively.

(a) Wetlands

- (i) The greatest level of protection should be provided to wetlands of exceptional resource value, based on the Washington State Wetland Rating System for Western Washington (2014 Update).
- (ii) Measures shall be taken to protect the natural ability of wetlands to improve the quality of surface water runoff, hold and gradually release storm water, function as primary producers of plant matter, provide habitat for fish and wildlife, provide recreational opportunities, and provide historical and cultural values.
- (iii) Mitigation projects shall, whenever feasible, contribute to an existing wetland system or restore an area that was historically a wetland.
- (iv) A wetland buffer zone of adequate width should be maintained between a wetland and any adjacent development to protect the functions and integrity of the wetland. Where buffers are required, adequate buffer widths and protective mechanisms, using best management practices to sustain the buffer functions, shall be established.



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- (v) Wetland buffer zones should be retained in their natural condition to the greatest extent possible. Re-vegetation may be required to restore the functional value of the buffer zone.
- (vi) Regulated wetlands and their associated buffer zones shall be protected from adverse wetland impacts to their overall functions. No wetland or buffer zone alteration should be authorized unless it can be shown that the impact is unavoidable and that the adverse impacts are offset by deliberate restoration, creation or enhancement of wetlands and buffer zones.

(b) Aquifer Recharge Areas

- (i) Water resources shall be protected using natural systems and non-structural methods wherever possible.
- (ii) Ground Water Management Areas (according to WAC 173-100), Wellhead Protection Areas and Significant Use Zones shall be established to further protect the quality and quantity of ground and surface water.
- (iii) Skagit County will review and update its Saltwater Intrusion Policy for the islands and those coastal areas of the mainland where seawater intrusion has been documented.
- (iv) Skagit County will update the county code to address instream flow, mandated sewage code changes and water code changes. Aquifer recharge areas will be evaluated and protected under the revisions to the Critical Areas Ordinance.
- (v) Consistent with State law (RCW 19.27.097), Skagit County will not issue a permit for a building requiring potable water unless the applicant can demonstrate they have a legal and adequate source of water and the source meets drinking water standards.

(c) Frequently Flooded Areas



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- (i) Undisturbed natural rivers, streams, lakes, wetlands, and floodplains shall be protected to avoid increases in flood elevations, to reduce flood damage, and to allow proper conveyance of flood flows.
- (ii) When reviewing proposed developments or designing infrastructure, consider the potential effects of tsunami, high tides with strong winds, sea level rise, and extreme weather events, including those potentially resulting from global climate change, and apply conditions of approval to ensure adaptation to future conditions and mitigation of potential impacts.

(d) Fish and Wildlife Habitat Conservation Areas

- (i) Stream and wetland buffers shall be set so as to protect habitats associated with riparian dependent species.
- (ii) Habitat fragmentation shall be minimized to enhance wildlife diversity by protecting important wildlife areas, open space, and interconnecting corridors that form a continuous habitat network.
- (iii) Protective measures will be required in all areas that have the potential to introduce sediments into fish bearing streams, unless the applicant can adequately demonstrate that other mitigating measures will avoid impacts to instream resources.
- (iv) Habitats or species that have been identified as priority species or priority habitats by the state, federal or tribal governments should not be reduced and should be preserved through regulation, acquisition, incentives and other techniques. The County should determine which habitats are of local importance.
- (v) The level of protection for HCAs shall be commensurate with the resource population status and management objectives as determined by appropriate resource managers.



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- (vi) Native vegetation shall be preferred and retained over exotic species in Fish and Wildlife Conservation Areas.
- (vii) Native plant communities should be integrated with land uses wherever possible.
- (viii) Give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries.

policy 5A-5.2 Land uses that are incompatible with critical areas shall be discouraged.

(a) Frequently Flooded Areas

- (i) Low intensity land use activities such as agricultural, forestry, and recreational land uses should be encouraged in floodplain areas and other land uses in these areas should be discouraged.
- (ii) Land uses, densities, and development activities in the floodplain and coastal high hazard areas should be limited to protect public health, safety, and welfare, to minimize expenditure of public money and costly flood control projects, and to maintain hydrologic systems, and to protect habitat for threatened and endangered species consistent with the National Marine Fisheries Service Biological Opinion (September 2008).

(b) Geologically Hazardous Areas

- (i) Low land use densities and intensities or open space shall be preferred in geologically hazardous areas where this practice can provide site specific mitigation.
- (ii) Land use regulations and practices for geologically hazardous areas shall be established so that development does not cause or exacerbate natural processes that endanger lives, property, infrastructure, and resources on or off site.

(c) Fish and Wildlife Habitat Conservation Areas



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- (i) Fish and Wildlife Habitat Conservation Areas shall be protected against habitat degradation to the fullest extent possible while allowing reasonable use of property.
- (ii) Urban density development in the County and adjacent to Habitat Conservation Areas shall be sited such that HCA functions and values are protected.

policy 5A-5.3 Development allowed in critical areas shall be conducted without risk to lives, and with minimum risk to property, infrastructure, and resources.

(a) Wetlands

- (i) Development adjacent to wetlands should be sited such that wetland and buffer functions are protected and an adequate buffer around the wetland is left undisturbed.
- (ii) Alterations to wetlands that are allowed in order to maintain or enhance specific wetland functions and values, shall consider all quantitative and qualitative functions of the wetlands and required buffers.

(b) Aquifer Recharge Areas

- (i) Consistent with state and federal laws and regulations, the County shall develop in unincorporated areas and facilitate on a county-wide basis performance standards and regulate uses for activities which can adversely impact water quality or quantity in aquifers, watersheds, and surface waters.
- (ii) Performance standards shall be established to maintain aquifer recharge and protection and require that new developments meet these performance standards and that existing facilities be retrofitted, where feasible, to meet the standards.

(c) Frequently Flooded Areas



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- (i) Development regulations shall be adopted that prohibit intensive uses such as urban subdivisions, multi-family dwellings, commercial buildings, and industrial parks in the floodplain.
- (ii) The construction of critical facilities (i.e. schools, hospitals, police, fire, emergency response installations, nursing homes, and installations which produce, use or store hazardous materials or hazardous waste) should be prohibited within the 100 year floodplain.
- (iii) Development shall protect water quality and minimize run-off by limiting impervious surfaces, grading and filling, as well as maximizing vegetative cover and other best management practices.
- (iv) Flood-proofing of substantial improvements and new structures in frequently flooded areas shall be required.
- (v) Where the effects of hazards can be mitigated, appropriate design standards shall be required for site development and livestock sanctuary areas within the 100-year floodplain.
- (vi) Best management practices shall be required for maintaining the river channel configurations during dredging and gravel removal.
- (vii) Compensatory storage and a "no net loss" land use approach to maintaining flood water storage capacity and conveyance shall be required in frequently flooded areas.

(d) Geologically Hazardous Areas

- (i) Critical facilities (i.e., schools, hospitals, police, fire, emergency response installations, nursing homes, and installations which produce, use or store hazardous materials or hazardous waste) should be prohibited in geologically hazardous areas.



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- (ii) Development proposals in designated geologically hazardous areas, where applicable, shall include a geotechnical report and a mitigation plan for development activities, with the amount of information required based on the severity of the geologic hazard and the susceptibility of the development on or off site.
 - (iii) Independent third party review of geotechnical reports for development in designated geologically hazardous areas may be required by the planning director when the report is found to be deficient with the review to be paid for by the applicant as a way of expediting development permits.
 - (iv) Any development should be carried out in a way that will not cause or exacerbate hazardous geological conditions.
 - (v) Public or private utility service or extensions (sewer, water, natural gas, and electric) should be discouraged in geologically hazardous areas and carefully sited to avoid potential damage to the utility or properties.
 - (vi) When residential development is proposed in areas subject to geologic hazards it should be clustered and the development designed to minimize risk to human life, property, and the natural environment.
- (e) Fish and Wildlife Habitat Conservation Areas
- (i) New development within or adjacent to HCAs should incorporate design elements that protect wildlife habitat values.
 - (ii) All development that may significantly adversely impact HCAs shall require a mitigation plan, prior to any permit approval. A threshold shall be established on a case by case basis by a qualified professional.



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- (iii) Storm water runoff, flow rates, flow volumes and pollution caused by site development shall be managed so that detrimental impacts to water resources and property are maintained at pre-development levels.
- (iv) Clearing and grading ordinances shall be developed to avoid impacts of erosion on critical areas.
- (v) Impacts to fish and wildlife resources associated with instream flows shall be considered in the Comprehensive Plan and development regulations.
- (vi) Areas important for local and ecoregional biodiversity, as determined through regional ecological assessments, should be considered priorities for conservation and protection.

policy 5A-5.4 Impacts to critical areas should be monitored to ensure the long-term success of mitigation measures.

- (a) Performance standards shall be adopted through appropriate codes and administrative procedures for development in critical areas; including, but not limited to:
 - (i) Critical area report information and analysis;
 - (ii) Site inspections and development review of construction within critical areas;
 - (iii) The use of critical area designations to prohibit, restrict, or otherwise control land uses within short subdivisions, subdivisions, and residential cluster developments;
 - (iv) The use of protective covenants or conservation easements to protect critical areas in non-land division developments.



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- (b) Land used for critical area mitigation should be preserved in perpetuity. Monitoring and maintenance of critical area mitigation sites shall be provided until the success of the site is established.
 - (c) Monitoring of the mitigation site should take appropriate measures utilizing one or more of the following:
 - (i) Applicants should develop comprehensive mitigation plans in order to ensure long term success of the mitigation project. Such plans should provide for sufficient monitoring, maintenance, and contingencies to ensure mitigation persistence.
 - (ii) Applicants should demonstrate sufficient scientific expertise, supervisory capability and financial resources to complete and monitor mitigation projects and address cumulative impacts to the surrounding area.
 - (iii) Applicants should restore critical areas that are temporarily impacted by development upon project completion.
 - (iv) During development review, applicants should identify potential erosion and sedimentation impacts and submit appropriate mitigation plans that shall be monitored during construction and assessed periodically thereafter.
 - (d) Critical area mitigation proposals should improve overall critical area functions, recognizing that it may be inappropriate to impact certain critical areas. All critical area functions shall be considered.
- policy 5A-5.5 Critical areas should be avoided, maintained, restored, acquired, replaced or enhanced.
- (a) Mitigation for proposed alterations to critical areas or associated buffers should be sufficient to maintain the function and values of the critical area or to prevent risk from a critical area hazard. Proposed mitigation should follow the mitigation sequence of:



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- (i) Avoid the impact altogether.
- (ii) Minimize the impact utilizing appropriate technology and design.
- (iii) Rectify the impact by restoring, repairing or rehabilitating the affected environment to the conditions existing at the time of initiation of the project or activity.
- (iv) Reduce or eliminate the impact over time by preservation and maintenance operations during the life of the project.
- (v) Compensate for the impact by replacing, enhancing or providing substitute resources or environments.

- (b) On-site replacement of critical area impact is preferred. Where on-site replacement is not feasible or practical due to characteristics of the existing critical area location, replacement should occur within the same watershed and proximity.
- (c) Critical area restoration, creation, and enhancement projects should be completed prior to alteration, where possible. In all other cases, replacement should be completed prior to use or occupancy of the development.
- (d) The County shall place a high priority on the proper placement or other correction of all identified county road culverts causing blockage of fish passage.
- (e) Acquiring additional natural water storage areas, drainage systems and conveyance capacity should be accomplished through public means.
- (f) Protection of aquifer recharge areas and potable water resources is preferred, and restoration should be supported where warranted by cost-benefit analysis or limited water supply.

policy 5A-5.6 Continue to implement enforcement procedures to ensure compliance with applicable Skagit County ordinances.



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- (a) Enforcement action shall be taken whenever a person has violated the provisions of any applicable Skagit County ordinance used for critical area protection.
- (b) The choice of enforcement action and the severity of any penalty should be based on the nature of the violation, the damage or risk to the public or the public resources.

policy 5A-5.7 With the exception of activities that are exempt under the Critical Areas Ordinance (CAO), any proposed alteration that adversely affects a critical area or its standard buffers' functions shall comply with the substantive and procedural requirements of the CAO regardless of whether such alteration requires a County development permit or approval.

policy 5A-5.8 All activities that are exempt under the Critical Areas Ordinance (CAO), shall be carried out in ways that cause the least impact on critical areas and their buffers.

- (a) If any damage is caused to a critical area or buffer, in connection with an exempt activity, the critical area and its buffer shall be restored to the extent feasible.



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6 Shoreline Master Program

The existing Chapter 6 Shoreline Master Program policies, most recently adopted by Ordinance O20070009, remain in place and are being updated through a parallel process. See www.skagitcounty.net/smp for more information.



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Introduction

Housing is one of the most important needs in our lives and communities. It is what provides shelter and a link to the neighborhood and the larger community, as well as often being the single largest purchase made by most households. In a community’s economy, housing is an industry and has a large influence on the economic life of a community, both providing a home to



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consumers of goods and services as well as providing jobs and income to developers and producers of dwelling units. Housing is also intimately connected to local government, where taxes on housing are a principal source of local revenues, while services to housing and its inhabitants comprise a major portion of local spending.

As a result of housing impact on individual livelihood as well as more macro level factors in a community, planning for housing in Skagit County is essential to the County's future. This housing element serves as a useful tool to accommodate for changing community needs for housing, while addressing land use, economic development, and environmental impacts of growth. This Housing Chapter contains the goals and policies through which Skagit County encourages the availability and affordability of housing for its citizens.

Skagit County faces challenges and opportunities as it works toward providing housing options for present and future generations. Skagit County is experiencing a significant shortfall in affordable housing for moderate and low income households. Every community has low and moderate income households. Since a community benefits from its residents, it makes sense for the community to seek to provide an adequate supply of desirable, affordable housing. The Housing Element recognizes a need to balance a variety of rural residential densities and housing opportunities with the opportunity to provide higher density (urban) housing in areas such as the Swinomish and municipal Urban Growth Areas.

The Housing chapter contains detailed information describing the demographic and economic conditions pertaining to housing needs for the next 20 years. In particular, the Housing chapter sets the background for planning for housing through providing a window into existing trends in the community, such as building permits, location of growth, and demographics. In addition, it highlights specific existing and anticipated housing needs that are present in Skagit County, such as rural densities, senior housing, farmworker housing, affordable housing, and others. As part of the Housing Element's evaluation of existing conditions, the following Skagit County-specific documents are referenced:

- *Building A Skagit County Housing Affordability Strategy Interim Report*, Skagit County Community Services Department, 2012
- *Skagit County 10-Year Plan to End Homelessness*, Skagit County Community Services Department, 2012



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- *Skagit County Farmworker Housing Action Plan*, Washington Farmworker Housing Trust, 2011
- *Skagit Prosperity Report: A Community Needs Assessment 2013*, Community Action of Skagit County, 2014

Population and Community

Housing demand is a function of population growth and the demographic characteristics of the population. Additionally, a growing and diverse population may have different housing needs and preferences, such as housing units for smaller or larger families, housing near important cultural or social centers, access to services, access to employment, and other needs.

Population and Diversity

Overall, Skagit County's population grew by 10 percent over the decade between 2004 and 2014 based on annual estimates produced by the state of Washington Office of Financial Management (OFM). This was a numerical increase of 11,006 residents. The official U.S. Census population for 2010 was 116,901. Growth between the 2000 Census and 2010 Census was 13,922, or about 14 percent. Between 2010 and the 2014 estimate, 1,699 new residents arrived, a four year increase of 2 percent. The average annual increase for the 10-year period from 2000 to 2010 was 1.3 percent while for the period between 2010 and 2014 the average annual increase was about half the rate, at 0.6 percent.

The Countywide total population is estimated by OFM at 119,500 as of 2014. The unincorporated population is 48,720 including the population of the unincorporated Urban Growth Areas (UGAs). The population of incorporated cities was an estimated to be 70,780. About 47 percent of the incorporated population lives in Mount Vernon which has a population of 32,710.

Skagit County's population is becoming more diverse. See Table 1. The percentage of the population that is white alone has decreased between 2000 and 2010 from 86.5 to 83.4 percent and the percentage of Hispanic or Latino persons has increased from 11.2 to 16.9 percent.

Though 2013 estimates show less change in the white only percentage compared to 2000, it is based on population sampling, and is not reflective of long-term trends. Year 2013 American Community Survey data shows, however, there is a growing Hispanic population.



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Table 1. Percent White and Hispanic Heritage (percent)

Race or Hispanic Ethnicity	2000	2010	2013
White alone, one race, percent	86.5	83.4	86.4
Hispanic or Latino, percent (of any race)	11.2	16.9	17.6

Source: US Census Bureau 2000 and 2010 Table SF1, American Community Survey 1-Year Sample Estimate 2013; BERK 2014. The 1-year data was used for 2013, rather than the 3-year data. The 3-year data showed 87.4%, whereas the 1-year estimate shows 86.4%. The margin of error is low for the 1-year estimate at 1.2.

Most of the Skagit County population speaks English only, but there has been an increase in those speaking Spanish since the year 2000 and a general decrease in the English only percentage. See Table 2.

Table 2. Language Spoken at Home (percent)

Language	2000	2010	2013
English Only	88.3	84.8	85.5
Spanish	8.6	11.5	11.2
Other Indo-European	1.8	2.1	1.9
Asian and Pacific Islander	1.1	1.4	1.1
Other	0.2	0.10	0.40

Source: US Decennial Census 2000 and 2010 DP-2 and 2011-2013 American Community Survey 3-Year Estimates DP02. The 3-Year Sample Estimate was used for this table to eliminate overlap with the 2010 data.

Population and Household Profile

A detailed breakdown of the County's population by age and household type is provided by the American Community Survey and Decennial Census. Total population and total households have increased but population and household characteristics are changing. The share of the population aged 65 years and older has been increasing, as has the median age. The average household size is decreasing, as is the share of family households. See Table 3.

Table 3. Population and Household Characteristics

Characteristic	2000	2010	2013
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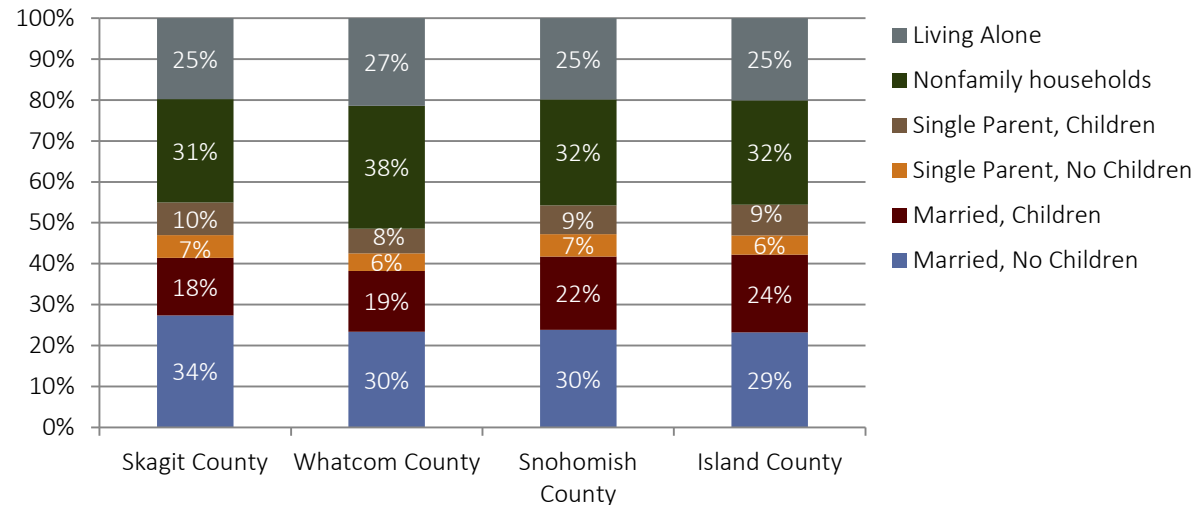
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Total Population	102,979	116,901	118,225
Median Age of Population	37.2	40.1	40.5
Population 65 years and over, percent	14.6	16.1	17.4
Total Households	38,852	45,557	45,174
Average Household Size	2.60	2.53	2.57
Family Households, percent	70.4	67.3	68.6

Source: US Census Bureau 2000 and 2010 Table DP1, American Community Survey 2011-2013, 3-Year Sample Estimate DP02 and DP05; BERK 2014. The 3-Year Sample Estimate was used for this table to eliminate overlap with the 2010 data.

About 25 percent of households in Skagit County are made up of a householder living alone. See Figure 1. Skagit County's household make up is similar to neighboring counties in terms of the percentage of the population living alone, in nonfamily households, and married households with no children, except that in Whatcom County there are more non-family households due to presence of Western Washington University. The percentage of households with married couples including children is also similar between Skagit and Whatcom Counties and less than Snohomish and Island Counties.

Figure 1: Household Composition of Skagit and Surrounding Counties (2013)





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Source: American Community Survey, 2009- 2013. 5-Year Sample Estimate; BERK 2014

In Skagit County, the percentage of householders living alone, or married with no children has slightly increased between 2000 and 2010 and is about 25 percent of households currently. Likewise the percentage of family households with a married couple and no children has slightly increased to be just over one third of households. These households may need housing styles that fit smaller households than households with children. The percentage of single-parent households headed by females has not changed much over time and is about 7 percent currently. See Table 4.

Table 4. Skagit County Household Composition (Percent)

Household type	2000	2010	2013
Living Alone	23.3	25.6	24.5
Nonfamily Households	29.6	32.7	31.4
Family Households	70.4	67.3	68.6
Single Parent, Female	6.5	6.0	7.1
Married, Children	23.9	18.8	17.5
Married, No Children under 18 Years	32.7	33.3	34.4

Source: US Census Bureau 2000 and 2010 DP1, American Community Survey 2011-2013, 3-Year Sample Estimate CP02 and DP05; BERK 2014. The 3-Year Sample Estimate was used for this table to eliminate overlap with the 2010 data.

Population and Household Preferences and Trends

Younger residents, generally those under 35, and older residents, generally those over 65, are two groups that have shown differing trends in their household preferences. Some of characteristics unique to these groups are highlighted below. The results are based on the following national trend studies:

- American Association of Retired Persons. 2010. Home and Community Preferences of the 45+ Population. Prepared by Teresa A. Keenan, Ph.D. Washington, DC.
- Fry, Richard. 2013. Pew Research Center. Young Adults After the Recession: Fewer Homes, Fewer Cars, Less Debt.



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- Joint Center for Housing Studies of Harvard University. 2000. Housing America's Seniors. Cambridge, MA.
- MetLife Mature Market Institute and the National Association of Home Builders. 2011. Housing Trends Update for the 55+ Market – New Insights from the American Housing Survey. New York, NY.
- National Association of Realtors. 2014. Research Division. Home Buyer and Seller Generational Trends.

Younger Residents

In Skagit County in 2013, the second and third most common household types were nonfamily households (31%) and those living alone (25%) (2013 5-Year ACS). These numbers are comparable to Whatcom, Snohomish, and Island Counties. Overall trends for householders living alone or married with no kids has increased since 2010, which has an impact on resident preferences and the housing and rental market.

Nationwide, the recession took a big toll on young adults. As unemployment rates rose, the number of young adults living alone went down even though the population under 35 grew. Recent trends in the United States indicate that young adults are not forming households as early as past generations did. As a result of record high debt-to-income ratios for young adults in the 2000s, young adults have chosen to cut corners in order to repay this debt, which often means not owning a home or vehicle (Pew Research Center, 2013). They are taking longer to set up households, and the transition to home ownership is further prolonged. This results in a higher demand for rentals and a delayed demand for ownership. These younger, smaller households are also often looking for housing styles that better fit their lifestyle, such as smaller, less family-oriented designs and higher density living.

Trends show that younger buyers are more likely to buy older homes or previously owned homes because of the price benefits and value compared to a new home, while baby boomers are more likely to buy a new home in order to cut down on renovation and maintenance (National Association of Realtors, 2014). In addition, younger buyers place a high priority on proximity to their job and associated commuting costs and other amenities and don't necessarily staying in their home for the long-term (National Association of Realtors, 2014).



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Older Residents

Older households are growing as the baby boomers age. Many older Americans are choosing to age in place, but others won't be able to do so as their needs for services and particular home amenities change. The 2010 AARP Home and Community Preferences survey, which polled adults aged 45 and older, showed that approximately 86% of total respondents indicated a preference for remaining in their current homes as long as possible and 85% of respondents indicated a preference for remaining in their communities as long as possible. However, many seniors also experience a decreased ability to pay for the costs associated with home ownership as they age, and the proportion of renters that are 65 or older has increased in recent years, meaning many older Americans have to move out of their homes. According to the Joint Center for Housing Studies at Harvard University (JCHS 2000) study, while Baby Boomers are generally wealthier than their generational predecessors, the proportion of senior renters is projected to continue increasing as seniors seek housing options that are more affordable and require less maintenance commitment.

While seniors are less likely to relocate than their younger counterparts, some senior migration does occur for a variety of reasons. Proximity to family and friends is one of the most commonly cited reasons for moving among seniors, and it was also highly ranked as a criterion for choosing a new home. Proximity to work, while not as highly ranked among respondents over age 65, was a significant factor for those aged 55-64. (MetLife, 2011) This may become a larger factor in the future as more seniors delay retirement, enter semi-retirement, or choose to pursue new careers.

A study conducted in 2010 by MetLife Mature Market Insurance and the National Association of Home Builders using data from the 2009 American Housing Survey indicated that households over the age of 55 showed a strong preference for single-family home ownership, accounting for 71% of households in this age group. In comparison, households under 55 displayed a lower percentage of single-family ownership (54%).

Home ownership rates for the senior population have traditionally been high, often 80% or higher, according to the JCHS. In 2000, nearly 75% of the nation's seniors lived in conventional housing (as opposed to age-restricted communities, supported housing, or nursing homes), consistent with the groups general strong preference for aging in place. However, the recent



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recession and housing crisis led to decreased home values for many seniors, any many of these home values are still recovering.

Incomes

In 2013, the median household income was estimated to be \$55,925 by the American Community Survey; 13.4 percent of total households are in poverty as of 2013. The median family income was \$64,951; families in poverty status numbered 2,889, or 9.3 percent of families.¹ Per capita income was \$27,065 in 2013. As described in the Economic Element, poverty has increased in almost all Skagit County jurisdictions during the 2000s.

As described in WAC 365-196-410, Housing Element, it is useful to consider income ranges when planning for housing affordability. Household income ranges include the following definitions based on HUD definitions at 24 C.F.R. 91.5:

- Extremely low-income refers to a household whose income is at or below thirty percent of the median income, adjusted for household size, for the county where the housing unit is located.
- Low-income refers to a household whose income is between thirty percent and fifty percent of the median income, adjusted for household size, for the county where the housing unit is located.
- Moderate-income refers to a household whose income is between fifty percent and eighty percent of the median income where the housing unit is located.
- Middle-income refers to a household whose income is between eighty percent and ninety-five percent of the median income for the area where the housing unit is located.

In 2013, about 40.4 percent of households earned very low, low, and moderate incomes (0-80 percent of the countywide median income of \$55,925). Approximately 18 percent earn middle incomes at 80-120 percent of the median income. Last, about 40.7 percent of households earn 120 percent or greater of the countywide median income. See Table 5.

¹ Incomes include wage and salary earnings before deductions such as income taxes, social security, and Medicare. Incomes do not reflect that some families receive a portion of their income in noncash benefits such as health benefits, housing subsidies, and food stamps.



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Table 5. Skagit County Households by Income Range (in 2013 Inflation-Adjusted Dollars)

Income Range	Rounded (1,000s) Income Ranges		Households in Income Range	
	Low	High	Households	Percent
Under 30%	\$0	\$17,000	5,401	11.9%
30 - 50%	\$17,000	\$28,000	5,011	11.1%
50 - 80%	\$28,000	\$45,000	7,891	17.4%
80 - 100%	\$45,000	\$56,000	4,391	9.7%
100 - 120%	\$56,000	\$67,000	4,150	9.2%
120% or Over	\$67,000	\$1,000,001	18,449	40.7%
Total			45,293	100%

Source: American Community Survey, 2009-2013 5-Year Sample Estimate; BERK 2014.

The match of incomes to rental and housing costs is addressed in the Housing Supply and Demand section below.

Almost 80 percent (92,593) of the total 2010 population was 16 years and older and considered in the workforce. As described in the Economic Element, since 1990, the county has experienced higher unemployment rates than the state with some years over 3 percent higher. The present unemployment rate in July 2013 is 8.4 percent, above the average for the state and other I-5 corridor counties.

Community and Special Needs

In Skagit County, housing needs may differ for households over a lifetime; housing styles and types differ for single persons versus families. Housing needs may also differ for those in poverty, those who have large families, those who are aging with mobility impairments, those with disabilities, those who are homeless with acute housing and social service needs, and those who are farmworkers. This section describes general community needs as well as particular concerns regarding aging, homelessness, and farmworker households.



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Dimensions of Poverty

Community Action of Skagit County developed a community needs assessment in 2013 addressing the dimensions of poverty in the county. The needs assessment is based on a 704 households surveyed in summer and fall 2013, representing 2,233 persons. Additionally, surveys of human service provider staffs and community leaders were held, as well as focus groups with Mixtec and Slavic communities.

Most of the respondents had lived in the County for more than four years and nearly half (45 percent) lived in Mount Vernon with the balance in smaller cities or the unincorporated county. Most households had children (59 percent), and the average household size was 3.4 persons. Most households had wage earners (60 percent), and more than two-thirds (69 percent) had incomes at or below the Federal poverty level. About 58 percent of the respondents were white, and 37 percent were of Hispanic ethnicity. Over one-third usually speak in non-English languages (30 percent Spanish, 6 percent other).

Most of the respondents—52 percent—rent their housing; about 18 percent own their housing; the balance share housing with another household (15 percent), live in transitional or emergency shelters (7 percent), are homeless (7 percent), or live in employer-provided housing (1 percent). Nearly two-thirds (65 percent) pay more than 30 percent of their gross income on housing, and over half (53 percent) had to choose between paying the rent or mortgage and other daily needs.

Some of the findings of the study include the following barriers to prosperity for the respondents:

- Employment: Lack of living wage jobs, lack of job experience or discrimination.
- Health: Poor health, disabilities, substance abuse, and mental illness.
- Housing: Difficulties paying the rent, frequent rent increases, cost of utilities, and lacking credit, income or cash for a home down payment.
- Education: Lack of higher education attainment and lack of English proficiency.

Some of the particular housing needs identified in the focus groups include: Need for apartments and houses that are large enough for larger families of Mixtec households, and issues of landlord concerns on overcrowding and need for inexpensive transitional housing for new immigrants in the Slavic households.



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Age and Disability

About 13 percent of the Skagit County population has a disability, defined by the US Census Bureau as broadly encompassing physical, mental, or emotional conditions that make it difficult to conduct activities or go outside the home alone or to work at a job. Those 65 years old or greater have a higher percentage of those that have a disability, with 36.2 percent having a disability as opposed to the overall population’s 13.4 percent. See Table 6.

Table 6. Disability Status of the Civilian Non-institutionalized Population

Population	Estimate
Total Civilian Non-institutionalized Population	116,298
With a disability	13.40%
Under 18 years	27,344
With a disability	3.60%
18 to 64 years	69,521
With a disability	10.90%
65 years and over	19,433
With a disability	36.20%

Source: American Community Survey, Table DP02, 5-Year Estimate, 2009-2013.

Housing units that are designed with “universal design principles” can help any members of a household, particularly those with disabilities. These design principles include features that help with functionality for all inhabitants, such as ensuring the dwelling layout and fixtures consider how a household member would “approach, reach, manipulate[e], and use” the space “regardless of the user’s body size, posture, or mobility”²

² University of Washington 2012. Universal Design: Process, Principles, and Applications. Available: <http://www.washington.edu/doit/Brochures/Programs/ud.html>.



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Homelessness

Estimates indicate that nearly 1,000 persons in Skagit County are homeless at any given time. In 2011, 957 people were estimated as homeless (Skagit County Community Services Department 2012) and in 2012 a point-in-time homeless count indicated there were 1,247 homeless persons with 48 percent being children (Community Action of Skagit County 2013).

Additionally, other individuals and households are at risk for becoming homeless due to a variety of reasons, including:

- Precarious financial conditions, domestic violence, health crises, and chronic mental health and chemical dependency conditions,
- Challenging reentry issues for those completing psychiatric hospitalization and incarceration, and
- Rising cost of housing and stagnant wages increases the risk of people losing their housing.
(Skagit County Community Services Department, 2012)

Farmworkers

The 2010-2015 Skagit County Farmworker Housing Action Plan (March 2011) provides an overview of the current need for farmworker housing. Based on a survey of 3,000 farmworkers in the County: 77 percent of farmworkers interviewed in Skagit County spent more than the federal standard of 30 percent of their income for housing costs (cost-burden); 46 percent lived in substandard housing; 43 percent lived in overcrowded conditions; and 61 percent had children in the home.

The Action Plan found that:

- There are 244 year-round rental homes dedicated to farmworker families in Skagit County (approximately 1,220 maximum occupancy) and 722 grower-owned beds.
- Approximately 4,220 farmworkers and family members in Skagit County do not have a safe affordable home.



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- There are no homeownership programs dedicated to farmworkers in Skagit County. Fair market rents for a two bedroom home in the County are unaffordable to both the average wage earner and average farmworker household.

The Action Plan indicates an immediate need for about 844 farmworker housing units. Since most agricultural activity occurs in rural areas governed by Skagit County, farmworker housing is an important topic in Skagit County's Housing Element policies. At the same time, many services addressing the social and housing needs of farmworker households are in cities such as Burlington, Mount Vernon, Sedro-Woolley, and others. Therefore encouraging affordable housing solutions in both unincorporated and incorporated areas is appropriate.

Recent Initiatives for Special Needs Populations and Creation of Affordable Housing

Many activities at the federal, state, county and city level are addressing affordable housing needs and the needs of special populations in Skagit County, including, but not limited to (Community Action of Skagit County, 2014; Skagit Valley Herald, 2015):

- A coordinated entry system and a new Housing Resource Center located at Community Action of Skagit Valley was opened in 2013. This is a centralized place for homeless to access help with housing needs.
- A Supportive Services for Veterans Families program was started in a five-county region including Skagit in 2011 to provide housing services to those homeless individuals who are veterans or families of veterans.
- Washington State legislative action created Housing and Essential Needs (HEN) funding in 2011. This funding is used to ensure single adults who are temporarily unable to work and who do not have income can maintain safe housing.
- Department of Corrections, Community Action of Skagit County and Skagit County Community Services partners with landlords to assist ex-offenders with transitional housing for three months as a Re-Entry Program for those as they are released from prison.



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- Community Action of Skagit County formed Home Trust of Skagit (HTS) in 2009. HTS was established as a non-profit in 2011 and manages housing in La Conner. Another service offered by HTS is partnerships in a community land trust model throughout the county which helps create affordable homeownership.
- The Housing Authority plans to build a 14-unit complex for farmworker housing in Burlington by 2016 on land it owns.

See also the Affordable Housing Strategy below where some new initiatives are planned or underway.

Housing Supply & Demand

Supply and Condition

The 2013 American Community Survey estimated a total of 51,434 housing units. Most (88 percent) of these were occupied. About half (2,625) of the remaining 6,141 vacant units were considered “seasonal, recreational or occasional use.” About 925 units were vacant but rentable, and 763 units were vacant due to being on the home sales market. Approximately 68 percent of the occupied units were owner-occupied, with the remainder renter-occupied. Household sizes of owner- and renter-occupied units were 2.5 and 2.7 respectively.

About 71 percent of the units were single-family detached. Of those remaining units, 2.8 percent were single-family attached, 3.0 percent were duplexes, and 13.6 percent were in structures of 3 units or more. Almost 10 percent of the housing stock was in the form of mobile homes, with around 140 units in the form of boats, RVs, or vans (See Figure 2).



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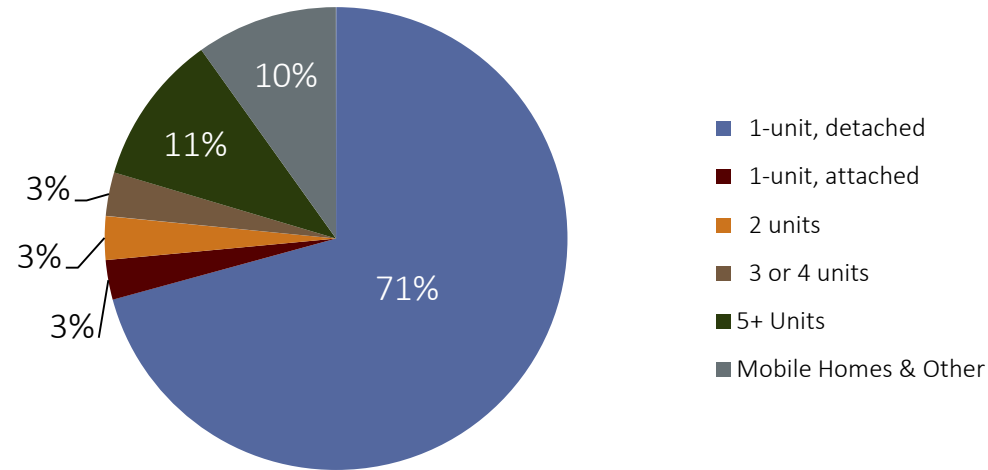
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Figure 2. Units in Structure of Housing Inventory (2013)



Source: American Community Survey, Table DP04, 2009 - 2013 5-Year Estimate DP04; BERK, 2014.

Between 2003 and 2013, the inventory of housing units increased by an estimated 7,007, or 16 percent, an annual average increase of 1.5 percent. During this time, housing unit production averaged just over 620 units per year. Over this time, 93 percent of the 7,007 units permitted were single-family. The trend toward single family housing has been increasing in the county, with the 2011, 2012, and 2013 single family percentages 100, 99, and 100, respectively.

Year 2013 OFM data indicated a higher total of 52,218 dwellings than the American Community Survey data presented above, rising to 52,505 dwellings in 2014. However, similar to the 2013 American Community Survey information, 72 percent of units were considered single-family detached dwellings. Reviewing unincorporated county information more closely, there is a higher share of manufactured housing units than in incorporated cities as a whole; conversely most of the attached dwellings are in incorporated cities and few are found in unincorporated county territory. See Table 7.



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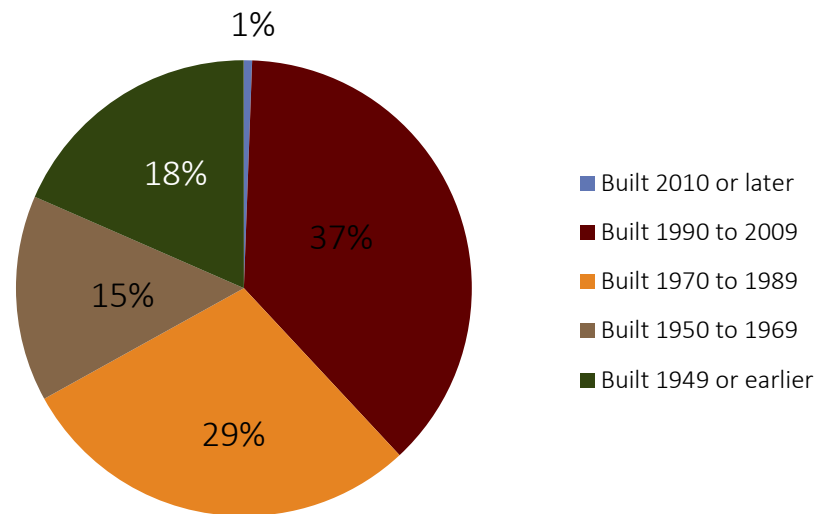
Table 7. Percentage of Housing Types, 2014, County Unincorporated and Unincorporated Areas

Geography	Total Units	Single Family Detached	%	Two or More Units	%	Mobile Homes	%
Skagit County	52,505	37,983	72%	7,979	15%	6,543	12%
Unincorporated Skagit County	23,058	17,695	77%	533	2%	4,830	21%
Incorporated Skagit County	29,447	20,288	69%	7,446	25%	1,713	6%

Source: OFM, 2014.

The County's overall housing stock shows more than one third (38 percent) of the housing stock was built in the last thirty years, nearly one third was built between 30-50 years ago (29 percent), and another third is greater than 50 years old (33 percent). See Figure 3. Housing stock that is past 50 years old may exhibit more quality conditions over time depending on the ability of households to maintain them.

Figure 3. Year Built – Countywide Housing Stock



Source: American Community Survey, 2009-2013 5-Year Sample Estimates, Table B25034; BERK 2014.



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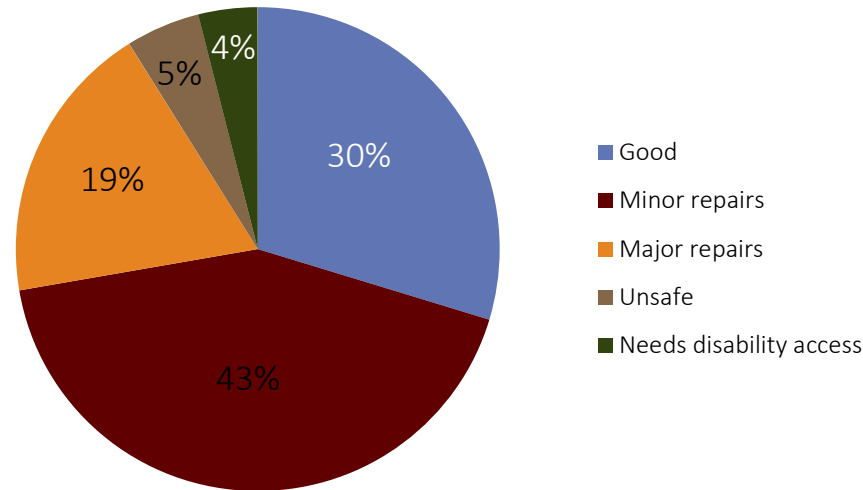
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Respondents to the Skagit County Community Action 2013 Community Needs Assessment survey indicated that only 30 percent of their housing was in “good” condition, with a majority of housing needing either minor or major repairs. Figure 4 shows the results of the survey.

Figure 4. Skagit County Housing Conditions, 2013



Source: Skagit County Community Action, 2013 Community Needs Assessment. Of the survey respondents, 568 answered the question about housing conditions.

Home Sales Price

According to the Washington Center for Real Estate Research (WCRER), from 2013 to 2014, Q2 median home sales prices in Skagit County increased 1.9 percent from \$230,800 to \$234,800. This was well under the state increase of 7.9 percent over the same time period and less than Whatcom County’s (6.4 percent), San Juan County’s (4.1 percent), Snohomish County’s (10.4 percent), and Island County’s (3.7 percent).

The WCRER also tracks the inventory of housing for sale by price range in terms of the estimated number of months of supply that is available as shown below in Table 8. From 2008 to 2013, the supply of housing on the market has been decreasing. At the end of Q2 2014, there were 808 listings available for sale. The large (relative) inventory of top-priced housing dropped most



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dramatically, but the drop in moderate and low priced housing availability is of concern considering the greater volume of housing demand in those moderate and low price ranges. In June 2014, 32.7 percent of all homes for sale were priced below \$250,000 and 12.5 percent were priced below \$160,000.

Table 8. Estimated Months of Supply of For-Sale Housing

Price Range	Q2/2011	Q2/2012	Q2/2013	Q2/2014
Under \$80,000	4.1	3.6	4.4	3.8
\$80,000 – 159,999	8.3	5.9	3.3	4.4
160,000 – 249,000	9.4	7.5	3.4	3.4
250,000 – 499,999	17.3	13.5	5.7	7.5
\$500,000 and above	52.1	33.9	19.4	21.5
Total Market	13.0	10.0	5.2	6.3

Source: Runstad Center for Real Estate Studies, University of Washington, 2011-2014.

By the second quarter of 2014, the median price of single family housing (resales and new construction) had reached \$270,900.

The WCRER Housing Affordability Index is the ratio of income to the “bare” minimum outlay necessary to qualify for a mortgage on a median price home. In 2011 through 2013, the index for Skagit County was fairly consistent with the state. As shown in Table 9, Skagit County middle income families had 51 percent more income than the bare minimum necessary to qualify for a mortgage to purchase homes in their price range in the first quarter of 2011. Though improving over 2012 and early 2013, by the fourth quarter of 2013, that factor had slipped to 47 percent. The state’s comparable factors were 52 percent and 49 percent respectively.

Table 9. Skagit County Housing Affordability Index

Year	2011				2012				2013			
Quarter	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Index	+51	+59	+60	+71	+89	+75	+70	+73	+84	+64	+49	+47

Source: WCRER Estimates, 2011-2013.



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Since this analysis includes both first-time and “move up” buyers, the WCRER also provides an analysis of affordable home purchase prices for selected income groups, as shown in Table 10. It should be noted that the number of households at incomes of \$30,000 and below that could afford a single down payment of over \$6,000 is low. Likewise, to afford the median home cost of \$270,000 would potentially take a down payment of over \$25,000, also daunting for first time homebuyers.

Table 10. Skagit County Housing Ownership Affordability (2014 \$)

Income	Affordable Housing Expense (P & I)*	Mortgage Amount	Down Payment	Maximum Home Purchase Price	Percent of Households at Annual Income Level Range
\$30,000	\$625	\$123,351	\$6,492	\$129,843	25.1% (\$29,999 or less)
\$60,000	\$1,250	\$246,701	\$27,412	\$274,113	28.7% (\$30,000 to \$59,999)
\$90,000	\$1,875	\$370,052	\$92,513	\$462,565	20.2% (\$60,000 to 90,000)
\$150,000	\$3,125	\$616,745	\$332,098	\$948,843	19.2% (90,000 to 149,999)

Source: WCRER, 2014; American Community Survey 2013 5-year estimates.

*\$30,000 income: 5% down payment, \$60,000 income: 10% down payment, \$90,000 income: 20% down payment, \$150,000 income: 35% down payment.

*Uses 25 percent of gross income threshold, 30-year fixed rate mortgage, and 4.5 percent interest assumptions.

*Principal & Interest

There is a gap between the recent supply of housing and the ability of many households to pay and appropriate proportion of their incomes to own suitable homes. The 2013 ACS estimated the median household income to be \$55,925 (in 2013 inflation-adjusted dollars). This means that about half of Skagit County’s households in 2013 could afford housing priced below \$270,000. The percentage of homes available for sale below \$250,000 in the third quarter of 2013 was 42.4 percent (WCRER 2014) and the months’ supply of housing at more affordable levels has been dropping as described above.

Rents

The Washington Center for Real Estate Research shows that as of fall 2013 the average rent was \$793 for an apartment, and out of 1,358 units surveyed only 38 were vacant, a rate of 2.8 percent. The conditions showed a tight rental market:



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The rental market is tight in Skagit County with a vacancy rate of 3.5 percent as of July 2014. According to the Washington Center for Real Estate Research, as of September 2013 the average rent in Skagit County was \$793, up 4 percent from a year ago. The average rent for one-bedroom apartment was \$704 and \$779 for a two-bedroom, one bathroom apartment. Based on preliminary data, no permits were issued for multifamily construction during the 12 months ending June 2014 and only 6 units were issued permits from 2010 through 2013. (US HUD January 2015)³

Federal Section 8 certificates or vouchers allow low-income households to rent eligible units in the private market and receive rental subsidies from the Federal Government. The level of the certificate or voucher is based on fair market rents (FMR), specifically: “The FMR is the 40th percentile of gross rents for typical, non-standard rental units occupied by recent movers in a local housing market.”

A fair market rent in Skagit County is estimated at \$988 for a 2-bedroom unit as of 2015. See Table 11.

Table 11. Fair Market Rent in Skagit County (FY 2013-2015)

	Efficiency	1-Bedroom	2-Bedroom	3-Bedroom	4-Bedroom
FY 2015 FMR Mount Vernon-Anacortes, WA MSA.	\$661	\$735	\$988	\$1,387	\$1,392
FY2014 FMR Mount Vernon-Anacortes, WA MSA.	\$607	\$675	\$908	\$1,275	\$1,279
FY 2013 FMR Mount Vernon-Anacortes, WA MSA.	\$601	\$669	\$899	\$1,262	\$1,266

Source: US HUD 2013

As described in the Interim Report “Building a Skagit County Housing Affordability Strategy” the mean renter wage is less than what is needed to rent a fair market unit:

A Skagit renter household needs a full-time job paying \$17.70 per hour in order to afford a two-bedroom rental at the Fair Market Rent, an income equal to \$36,800 per year. This is called the Housing Wage, defined as “the estimated full-time hourly wage a household

³ US HUD PD&R / Economic & Market Analysis Division (EMAD) Northwest Regional Office, January 2015. Available:

<http://www.huduser.org/portal/MCCharts/countyCharts.html?countyID=53057&countyName=Skagit%20County,Washington&dt=January%204,%202015>.



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must earn to afford a decent rental at HUD estimated Fair Market Rent while spending no more than 30 percent of their income on housing costs.”

Many jobs pay much less than the local Housing Wage of \$17.70 per hour, and many jobs are less than full-time. In Skagit, for a two-bedroom apartment, the gap between a full-time Housing Wage and the mean renter wage is \$6.64 per hour or \$13,800 per year, over \$1,000 short per month.

Table 12 shows income as it relates to rental housing in Skagit County. The table indicates, for 2013 data, the approximate number of rental households at each income range, including their monthly housing budget range. The estimated housing gap describes rental units available to households at varying income ranges, as well as the gap in supply of units for specific income ranges to the demand for those units. As the table indicates, there is a concentration of undersupply in more affordable housing units, as well as an overall county-wide undersupply of housing units.

Table 12. Skagit County Renter-Occupied Income and Current Rents

Ratio to Skagit County AMI (\$55,925)	Income Ranges		Monthly Housing Budget*		 Estimated Renter HHS		 Estimated Gap	
	Low	High	Low	High	Count	Percent	Units	over/(under)
Under 30%	\$0	\$17,000	\$0	\$425	3,351	23%	851	(2,501)
30 - 50%	\$17,000	\$28,000	\$425	\$700	2,546	17%	1,375	(1,171)
50 - 80%	\$28,000	\$45,000	\$700	\$1,125	3,055	21%	6,492	3,437
80 - 100%	\$45,000	\$56,000	\$1,125	\$1,400	1,493	10%	1,057	(436)
100 - 120%	\$56,000	\$67,000	\$1,400	\$1,675	1,282	9%	1,471	189
120% or Over	\$67,000		\$1,675	\$0	2,965	20%	937	(2,028)
Total					14,693		12,183	(2,511)

* Estimated monthly housing budget based on 30% of monthly gross income.

Source: American Community Survey, 2009-2013 5-Year Sample Estimate; BERK 2014; American Community Survey, 2009-2013 5-Year Sample Estimate B25063 and B25118; BERK, 2014.

Rental units often consist of attached housing. Future affordable rental units would likely be found in the cities and unincorporated UGAs. However, in rural areas, accessory dwelling units



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and in some instances farmworker housing may also help serve the community’s general need for affordable rental housing.

Affordability: Households in Need

The United States Department of Housing and Urban Development (HUD) defines affordable housing as housing that does not place a cost burden of 30 percent or greater on a household’s income. Based on 2006-2010 American Community Survey data, the *Building a Skagit County Housing Affordability Strategy* found that “two out of every five households cannot afford the housing they occupy in Skagit County (38.6 percent, 16,875 out of 43,713 households.)” As of 2008-2012 Comprehensive Housing Affordability Strategy (CHAS) Data, a similar percentage 37 percent or about 16,900 of 45,475 households are cost burdened. Most of those cost burdened are homeowners at 10,105 households, and a sizable number are renters at about 6,795 households. See Table 13.

Table 13. Housing Cost Burden: Skagit County; Washington 2008-2012 ACS

Housing Cost Burden Overview	Owner	Renter	Total
Cost Burden <=30%	20,800	7,360	28,160
Cost Burden >30% to <=50%	6,320	3,420	9,740
Cost Burden >50%	3,785	3,375	7,160
Cost Burden not available	255	160	415
Total	31,160	14,315	45,475

Source: US HUD 2014.



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Households earning lower incomes tend to be more cost burdened, especially those at extremely low and very low incomes. More than 77 percent of households earning less than 30 percent of the area family income are paying more than 30 percent of their income on housing, and those that are extremely cost burdened include 66 percent of extremely low income households paying more than 50 percent of their income on housing. See Table 14.

Table 14. Income by Cost Burdened Renters and Owners

Income by Cost Burden (Owners and Renters)	Cost burden > 30%	% > 30%	Cost burden > 50%	% > 50%	Total
Household Income <= 30% HAMFI	3,555	77%	3,055	66%	4,595
Household Income >30% to <=50% HAMFI	3,750	76%	1,910	38%	4,965
Household Income >50% to <=80% HAMFI	4,180	52%	1,340	17%	8,040
Household Income >80% to <=100% HAMFI	1,510	34%	390	9%	4,385
Household Income >100% HAMFI	3,900	17%	465	2%	23,490
Total	16,895	37%	7,160	16%	45,475

Source: US HUD and American Community Survey 2008-2012. HAMFI = HUD Area Median Family Income



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Demand for Housing

From 2015 through 2036, the population of Skagit County is expected to grow by 35,751 (BERK 2014). See Table 15.

Table 15. Population Growth Targets

UGA	2012 Population	2012-2015 Population Growth Forecast	2015-2036 Population Growth Forecast	2015-2036 Population Growth Forecast Allocation Percent	2036 Population Growth Forecast Allocation
Anacortes	16,090	308	5,895	16.5%	22,293
Burlington	10,393	71	3,808	10.7%	14,272
Mount Vernon	33,935	1,034	12,434	34.8%	47,403
Sedro-Woolley	12,431	83	4,555	12.7%	17,069
Concrete	873	0	320	0.9%	1,193
Hamilton	310	3	114	0.3%	427
La Conner	898	-1	329	0.9%	1,226
Lyman	441	2	162	0.5%	605
Bayview Ridge	1,812	-1	72	0.2%	1,883
Swinomish	2,489	15	912	2.6%	3,416
Rural (outside UGAs)	38,277	238	7,150	20.0%	45,665
Total	117,949	1,752	35,751	100.0%	155,452

Source: OFM 2012; BERK Consulting, 2014. The figures apply to cities/towns including their associated UGAs.

The 2013 ACS estimated an average overall household size for renters and owners of 2.6. At this household size, there would be a total demand for more than 13,700 new occupied dwelling units, not accounting for vacancy. Assuming a future vacancy rate between 5 and 10 percent, the total need for housing in 2036 would be between 14,489 and 15,294 units. At a steady rate of production between 2015 and 2036, this will mean that between 690 and 728 units will need to come on line each year, with around twenty percent of these new units in rural areas and the remaining in urban areas. This annual future need is significantly more than the rate of



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production in recent years, which averaged less than 250 annually between 2009 and 2013. See Table 16.

Table 16. Building Permits

Unit Type	2009 (New Units)	2010 (New Units)	2011 (New Units)	2012 (New Units)	2013 (New Units)
Single-Family	251	203	179	227	283
Multi-Family	4	4	0	2	0
Total New Units	255	207	179	229	283

Source: US Census Building Permits 2009 - 2013, Skagit County Annual New Privately-Owned Residential Building Permits; BERK, 2014.

The County and the cities have adopted an allocation formula for this growth, assuming that a maximum of 20 percent of the growth (about 3,000 dwellings) will be in the rural area and the remaining 80 percent-plus (about 12,000 dwellings) will be in the cities and UGAs.

A detailed land capacity analysis has not been prepared for the rural areas, but based on Envision 2060, there is an adequate supply of undeveloped rural zoned lots (approximately 13,000 not-yet-exercised development rights in the rural and resource lands) to accommodate non-UGA growth. The County anticipates that about 20 percent of all new residences or around 3,000 units will locate in the non-UGA areas over the 20-year planning period. The timing of rural growth would depend on the housing market and availability of water and suitable road access among other factors.

It can also be assumed that some of the new housing demand will be created by households with low and moderate incomes. It will be difficult for these households to be accommodated without some level of subsidy or assistance, especially considering the existing high level of households overburdened by housing costs.

By 2025 the current and future housing needs of low income households were estimated to be extremely high: 17,000 currently in need plus 4,550 between 2012 and 2025 applying the year 2010 percentage of households earning less than 80 percent of the area median income:



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As we noted above, data from two sources concluded that around 17,000 households in the County are already paying more than they can afford, which is a hardship for these households and has negative ripple effects on the local economy.

In addition, we estimated that 4,550 households with low-incomes will be added to the County by 2025 and will face a challenging time finding housing they can afford.

The sum of these estimates (17,000 plus 4,550) tells us that 21,550 affordable homes will be needed between 2012 and 2025. Approximately 1,800 affordable homes per year will need to be added to meet the growing population's needs.

By 2036, the future demand for affordable units would also grow beyond the estimate of 4,550 above. Assuming the same percentages of lower income households, about 40.4 percent or 6,000 units of the future housing stock will need to be available at affordable levels. If allocated similar to overall growth targets, there would need to be around 4,800 affordable units in the UGAs and around 1,200 in the rural areas. This is in addition to providing suitable housing for those 17,000 households currently in need (see also Table 12).

Most of the future growth will occur in UGAs including most of the affordable multifamily and single family dwellings. However, Skagit County can provide opportunities for rural single family dwellings including manufactured homes, accessory dwelling units, and farmworker housing to help meet the general market demand and a share of the affordable unit demand.

Priority Housing Needs

Existing conditions indicate a variety of specific priority housing needs in Skagit County:



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- **General and Affordable Housing Stock Production and Preservation** – To meet the housing needs of a growing population and affordable housing needs of low income households, both single family and multifamily housing production will need to increase beyond recent permit levels in cities and their UGAs and to a lesser extent rural areas. Land capacity for housing in all density ranges is necessary to meet the demand. Preservation of aging housing units that need repair is also important for long-term affordability; over one-third of the county’s housing stock is over 50 years old today and over the 20-year life of the Comprehensive Plan, this will increase. As housing is created or preserved trends should be considered; the increase in small non-family households as well as the need for bigger housing units for larger families shows a continuing need for diverse housing choices. Collective action to increase housing production and preserve dwellings will be needed such as through implementation of Affordable Housing Advisory Committee’s Housing Affordability Strategy (2013).
- **Farmworker Housing** - As one of the more prominent employment sectors in Skagit County, agriculture creates the need for a focus on farmworker housing. The *Skagit Valley Farmworker Housing Action Plan*, completed by the Washington Farmworker Housing Trust in 2011 found an immediate need for over 800 units of farmworker housing.
- **Aging Populations and Persons with Disabilities** – The population is aging. Those with disabilities make up more than 13 percent of the total population and more than one third of those over 65 years of age have a disability. Housing options allowing persons to age in place or to move to housing suited for assisted living would be needed. The County’s Community Services Department programs may become more important to general housing stability as the population ages and disabilities emerge.
- **Homelessness** – Recent counts of homeless persons show over 1,000 are homeless and due to the lack of affordable rental housing others are at risk. As part of collective actions, addressing homelessness through appropriate locations of housing in cities and their UGAs and through supportive services offered by the County and social service agencies will continue to be necessary.



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Affordable Housing Strategy

Recognizing ongoing affordable housing needs, the Board of County Commissioners appointed a Housing Affordability Committee in July of 2010. The Committee was formed through Resolution R20100206, stating “whereas, there is insufficient affordable housing in Skagit County, and a need for a coordinated and strategic approach to identify strategies to meet those needs in collaboration with all jurisdictions and advocates for affordable house.” This Committee approved a county-wide Housing Affordability Strategy in 2013, which contains primary affordable housing strategies for the county as a whole moving forward. Key recommendations include the following twelve strategies – *as noted below recommendation 5 is under active exploration*:

- Recommendation 1: By implementing the Comprehensive Plans, each jurisdiction will play a proactive role in creating housing affordability that matches the incomes and jobs in its sphere of influence.
- Recommendation 2: Be ready for the competitive opportunities for nonlocal funding as those opportunities recur or new opportunities emerge, and have a steady stream of housing projects on the drawing boards, getting ready to apply.
- Recommendation 3: Have at least one strong Community Development Block Grant (CDBG)-eligible project ready each year for the CDBG General Purpose Grant Program competition and have a queue of future CDBG-eligible projects on the drawing boards.
- Recommendation 4: Consider using the CDBG Planning---Only Grant Program to plan for programs and projects that produce affordable low---income housing.
- Recommendation 5: Investigate further the advantages and administrative requirements of forming a HOME Consortium as an annual grant source, approximately \$600,000 per year for a Consortium of the municipalities in Skagit, Island and Whatcom County. *[Note: This is underway; tri-County effort was selected for funding.]*
- Recommendation 6: Look for opportunities for local governments to invest in housing affordability programs and projects.
- Recommendation 7: Work to build local support for housing and momentum that leads to a ballot measure asking voters to support local funding for housing for seniors, veterans, working families and other low---income people.



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- Recommendation 8: Skagit County could consider, through its normal consultation process, a small fraction of Economic Development Public Facilities Distressed/Rural Sales and Use Tax as an incentive for construction of affordable housing, with uses of the funding limited to paying impact fees and utility fees for eligible projects.
- Recommendation 9: Make sure the implementation of the recommendations in this report supports the progress being made to implement the 10---Year Plan to End Homelessness.
- Recommendation 10: Carry forward the Action Plan adopted by the Skagit Valley Farmworker Housing Trust Advisory Council.
- Recommendation 11: Support and expand the capacity of nonprofit homeownership programs by securing more local and nonlocal funding as the community investment that works as the mortgage gap financing that makes home buying and homeownership affordable.
- Recommendation 12: Build a business plan for the acquisition, renovation and preservation of existing housing that could be offered as rental housing with monthly costs affordable for low---income households. Determine whether adequate community investment is available to make the business plan feasible.

Some of the Recommendations – 9 and 10 – cite other strategic plans to end homelessness and increase farmworker housing.

Skagit County 10-Year Plan to End Homelessness strategies include:

- Strategy 1. Centralize and coordinate the process of intake, assessment and referral.
- Strategy 2. Rapidly re-house families who become homeless.
- Strategy 3. Target homeless prevention assistance to people most at risk of losing housing.
- Strategy 4. Provide interim housing through emergency shelter and transitional housing to those who need it most.
- Strategy 5. Increase the supply of permanent and permanent supportive housing.
- Strategy 6. Link people to services that improve housing stability.



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- Strategy 7. Measure and report progress toward goals.
- Strategy 8. Develop new resources to implement the 10-Year Plan. (Particularly, more housing units that are affordable to people with very low income.)
- Strategy 9. Establish an advisory committee that is accountable to the 10-Year Plan.

The plan indicated an “existing, potential, and needed funding” amount of \$1.9 Million. The existing sources of funds identified included City (Mount Vernon), County (General Fund and Special Funds), State (Commerce), and Federal (HUD) funds.

Strategies and action steps in the *2010-2015 Skagit County Farmworker Housing Action Plan* to develop the estimated 844 farmworker housing units needed immediately include:

- Public Awareness through a public education campaign,
- Land Availability through collaboration with local governments and farm preservation groups, and
- Partnerships and Coordination of Resources by supporting affordable housing and service providers.

Role of the County

Skagit County has the opportunity to play a role in shaping policies around housing issues in the region and to work alongside cities to achieve a vision of securing housing for all residents that is affordable, encourages preservation of existing housing stock, and provides a variety of options.

The County has allocated growth to all jurisdictions in accordance with GMA provisions to provide adequate land for housing to meet the anticipated population growth. The County and cities apply zoning at appropriate densities to promote a variety of housing types. The County and cities authorize land use and building permits for single family and attached housing, where appropriate. While the County’s share of rural growth is appropriately limited and the majority of housing will be in Urban Growth Areas, the County can play a role in providing diverse rural housing choices through zoning and incentives for manufactured homes, accessory dwelling units or duplexes, farmworker housing such as temporary housing that would not remove long-term productive agricultural lands, and a range of rural single family densities including Conservation



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and Reserve Developments (CaRDs) and infill and adaptive reuse in Rural Villages. State agencies and counties and cities may also surplus lands no longer needed for public purposes as a potential source of land for housing.

Skagit County has also served as a convener of housing and human service providers and strategies such as through the formation of the Skagit County Affordable Housing Advisory Committee authorized by Skagit County Commissioners' Resolution R2010-0206. This Committee has prepared an affordable housing strategy with city- and county-specific roles and recommendations, and makes recommendations on leveraging collective action. Recent efforts at collective actions include establishing a HOME Consortium as an annual grant source, for municipalities in Skagit, Island, and Whatcom Counties. Future County actions may include allocating a share of certain revenue sources for incentives to construct affordable housing. More information on the County's affordable housing strategy is provided above.

The County Health Department provides services for those with special needs (home repair program, elder meal services, mental health services, etc.). Therefore the County will support the social service needs of households throughout the county, which can contribute to housing stability.

GMA Mandate

As a county that is required to plan under the Growth Management Act (GMA), Skagit County's Comprehensive Plan must include a housing element that ensures vitality and character of established residential neighborhoods. The element must include an inventory and analysis of existing and projected housing needs; goals, policies, and provisions for the preservation, improvement and development of housing; and identification of sufficient land for housing of all types.

Addressing the countywide community housing need requires a regional approach that involves local, state, and federal government, as well as the private sector. Each jurisdiction has a responsibility for meeting its obligations in addressing affordable housing in Skagit County.

The greatest potential for promoting affordable housing is in the urban areas, given the intent of the Growth Management Act to direct most population growth to these areas, and to maintain lower densities and larger lot sizes in the rural area. Skagit County recognizes that development



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within cities and their unincorporated Urban Growth Areas is subject to interlocal agreements that may affect the type, style and location of housing. The Countywide Planning Policies are the most appropriate tool for advancing a countywide or regional housing strategy supported by the County, cities and towns, and other public and private entities.

The following GMA Planning Goal, along with the County vision statements provided in Chapter 1, drive the formation and implementation of the County's housing goals and policies:

- *Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.*

Skagit County, along with its incorporated cities prepared their Countywide Planning Policies (CPPs) in 2007. The following CPPs provide specific guidance to the analysis and policies developed in this element:

- *Local governments shall allow for an adequate supply of land use options to provide for a wide variety of incomes, housing types, and densities. (CPP 4.1)*
- *Public/private partnerships shall be encouraged to build affordable housing and devise incentives for innovative and environmentally sensitive design to meet the housing needs of people with low and moderate incomes and special needs populations. (CPP 4.2)*
- *The Comprehensive Plan should support innovative land use management techniques, including, but not limited to, density bonuses, cluster housing, planned unit developments and the transfer of development rights. (CPP 4.3)*
- *The existing affordable housing stock should be maintained and efforts to rehabilitate older and substandard housing, which are otherwise consistent with comprehensive plan policies, should be encouraged. (CPP 4.4)*
- *The construction of housing that promotes innovative, energy efficient and less expensive building technologies shall be encouraged. (CPP 4.5)*
- *Comprehensive Plan provisions for the location of residential development shall be made in a manner consistent with protecting natural resource lands, aquatic resources, and critical areas. (CPP 4.6)*



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- *Manufactured home parks shall be allowed only within urban or urban growth boundary areas. (CPP 4.7)*

Goals and Policies

Housing Quantity

- Goal 7A Ensure that the supply of housing and sufficient land capacity keep pace with population growth in the County.

Housing Affordability

- Goal 7A-1 Maintain a progressive program of financial, regulatory, and development measures that will produce opportunities for a full range of housing affordability.

- policy 7A-1.1 Work with housing producers and stakeholders in urban and rural areas to apply creative solutions to infill and development using techniques such as attached dwelling units, co-housing, home-sharing, accessory dwelling units, clustering, planned unit developments and lot size averaging, consistent with the community's vision for urban growth areas and rural character.
- policy 7A-1.2 Develop explanatory materials, offer pre-application conferences, and employ other measures to facilitate the review and approval of building permit and land use applications.
- policy 7A-1.3 Support, when financially feasible, low income housing programs, with tools such as multifamily tax exemptions, public bond issues, grants, and low interest loan programs.
- policy 7A-1.4 Ensure zoning and subdivision regulations provide for the efficient use of lands for residential development where appropriate to increase available land supply



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and opportunities for affordable housing to match the demographic and economic housing needs of the County's current and projected population.

- policy 7A-1.5 Develop procedures to reduce impact fees and utility fees for low income housing projects, when such fees are required.
- policy 7A-1.6 Maintain an ongoing monitoring and evaluation program to improve the process of permit review and approval, save time, and decrease costs.
- policy 7A-1.7 Work with the Skagit Council of Governments to establish a program for regular updating of the Housing Needs Assessment, including provisions to monitor and assist in providing affordable housing opportunities. The Assessment should be updated on a regular basis, several years in advance of each periodic GMA-required Comprehensive Plan update.
- policy 7A-1.8 Develop growth strategies and housing and human service programs to plan for affordable housing within the regional context. In collaboration with the cities and housing providers, address the countywide need for ownership and rental housing affordable to households with moderate, low and very-low incomes. Work towards a common goal of having 40 percent of the countywide housing stock affordable at or below 80 percent of the area median income (AMI), with an intentional focus on expanding the supply of housing affordable at or below 50 percent of the AMI. Develop objectives for housing affordable to different income ranges and special needs populations.

Housing Quality

Goal 7B Strive to preserve, conserve, and enhance the existing housing stock, including historic structures and sites; develop design guidelines and standards to improve the quality of new housing consistent with applicable building codes.

- policy 7B-1.1 Facilitate the rehabilitation and reuse of existing structures for housing by allowing reduced permitting fees and "grandfathered" development standards.



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- policy 7B-1.2 Allow reuse of formerly non-residential structures for housing in mixed use developments in Rural Village Commercial Districts and Urban Growth Areas.
- policy 7B-1.3 Establish development standards and design guidelines for Urban Growth Areas, Rural Villages, and large CaRD developments, to promote efficient, pedestrian friendly, and attractive communities.
- policy 7B-1.4 Manage regulatory, administrative, funding and information programs that contribute to the development and maintenance of high quality housing and strong communities throughout the County.

Housing Distribution and Accessibility

Goal 7C Strive to ensure that a variety of housing types, densities, and values can be produced in the rural area, Urban Growth Areas, and Rural Villages appropriate to the character of the individual communities. Additionally, ensure sufficient infrastructure capacity is available to accommodate growth and provide housing opportunities for all economic segments of the population.

- policy 7C-1.1 Allow mixed residential and commercial uses in Urban Growth Areas and Rural Village commercial districts to promote housing affordability and availability.
- policy 7C-1.2 Consider allowing reduced minimum lot sizes in exchange for community facilities and amenities such as parks, open space, recreational facilities, and community centers.
- policy 7C-1.3 Allow duplexes in zoning districts permitting single-family residences, as an alternative to accessory dwelling units or the ability to further subdivide. A duplex extinguishes two development rights.



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Housing for Special Needs

Goal 7D Ensure the availability of housing for people with special needs.

policy 7D-1.1 Allow specialized housing facilities such as senior housing, group homes for children and adults with special needs, in appropriate zoning districts.

Farmworker Housing

Goal 7E Strive for an adequate supply of housing to meet the needs of farmworkers and the agricultural industry.

policy 7E-1.1 Work in partnership with other public agencies and the private sector to ensure an adequate supply of farmworker housing.

- (a) Support strategic actions of the Skagit Valley Farmworker Housing Trust Advisory Council to develop new farmworker housing.
- (b) Recognize farmworker housing would occur primarily in urban areas where services are available and secondarily in rural areas when sensitively designed to minimize loss of agricultural lands of long-term commercial significance.
- (c) Consider the seasonal nature of farming and potential options to accommodate seasonal housing that does not permanently convert agricultural lands of long-term commercial significance.

policy 7E-1.2 Review permit applications for farm-worker housing developments in consideration of proximity to job locations and necessary public facilities and services consistent with the Washington State Temporary Worker Housing Health and Safety Regulations (RCW 70.114A).



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Manufactured Housing

Goal 7F Recognize the value of manufactured housing as an affordable housing solution.

policy 7F-1.1 Ensure that regulations regarding manufactured housing are consistent with federal and state laws.



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Introduction

The Growth Management Act (GMA) has very specific requirements for comprehensive plan transportation elements. To meet these requirements, Skagit County has adopted the Transportation Element Technical Appendix that includes a transportation inventory, land use assumptions, travel forecasts, Level of Service (LOS) standards, current and future transportation needs, and a transportation financial plan in addition to other GMA requirements. In this chapter, the transportation goals and policies are presented. Together with the Transportation Element Technical Appendix, the goals and policies provide the basis for transportation infrastructure decisions pursuant to the GMA. Since transportation infrastructure and services are also provided by the state and the cities and towns, the Skagit County Transportation Element is intended to complement those other systems and networks.

The Transportation Element is based on the following documents:

- *Skagit County Transportation Element Technical Appendix, 2016*, including the County’s Non-Motorized Transportation Plan.
- Skagit County Capital Facilities Plan (CFP) 2016-2021. The CFP contains information and policies regarding financing, level of service, and implementation of capital improvement projects.

Three aspects of the Transportation Element—which like the rest of the Comprehensive Plan looks out over 20 years—have a direct bearing on transportation project programming and



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funding through the Six-Year Transportation Improvement Program (Six-Year TIP). These are: (1) transportation policies; (2) existing and future transportation needs (based on Level of Service); and (3) the 20-year transportation financial plan. The transportation policies are used to give general direction for transportation improvement investments. Along with the County's Priority Array, which prioritizes road segments primarily based on physical deficiencies, Level of Service based transportation needs and other factors are used to select potential projects. The Transportation Element's 20-year transportation financial plan is used to produce a financially feasible six-year transportation program. Thus, the Transportation Element provides a framework for use in making transportation investment decisions.

The Comprehensive Plan's Transportation Element reflects the County's long-term transportation vision and plan and is based on the same 20-year population and employment projections used in other portions of the Comprehensive Plan. It must include a list of proposed projects – for both motorized and non-motorized transportation – that illustrates how the County intends to meet anticipated future transportation needs. Those projects are typically more conceptual in nature than projects in the County's Six-Year TIP, but must include enough detail to allow the County to generate a reasonable 20-year transportation financial plan.

Projects proposed for inclusion in the Comprehensive Plan can come from a variety of sources, including input from members of the public, the Board of County Commissioners, the Public Works Department or other County departments, and adopted County plans such as the Comprehensive Parks and Recreation Plan. Projects may be added to the Comprehensive Plan through annual or periodic updates. Proposed projects are released for public review and comment and a public hearing before the Planning Commission along with other proposed Comprehensive Plan amendments. The Planning Commission forwards a recommendation to the Board of County Commissioners on the proposed amendments including proposed transportation projects. The Board of County Commissioners makes the final decision on inclusion. Once adopted into Skagit County's Comprehensive Plan, transportation projects that are regionally significant are forwarded to the Skagit Council of Governments for inclusion in the Regional Transportation Plan.



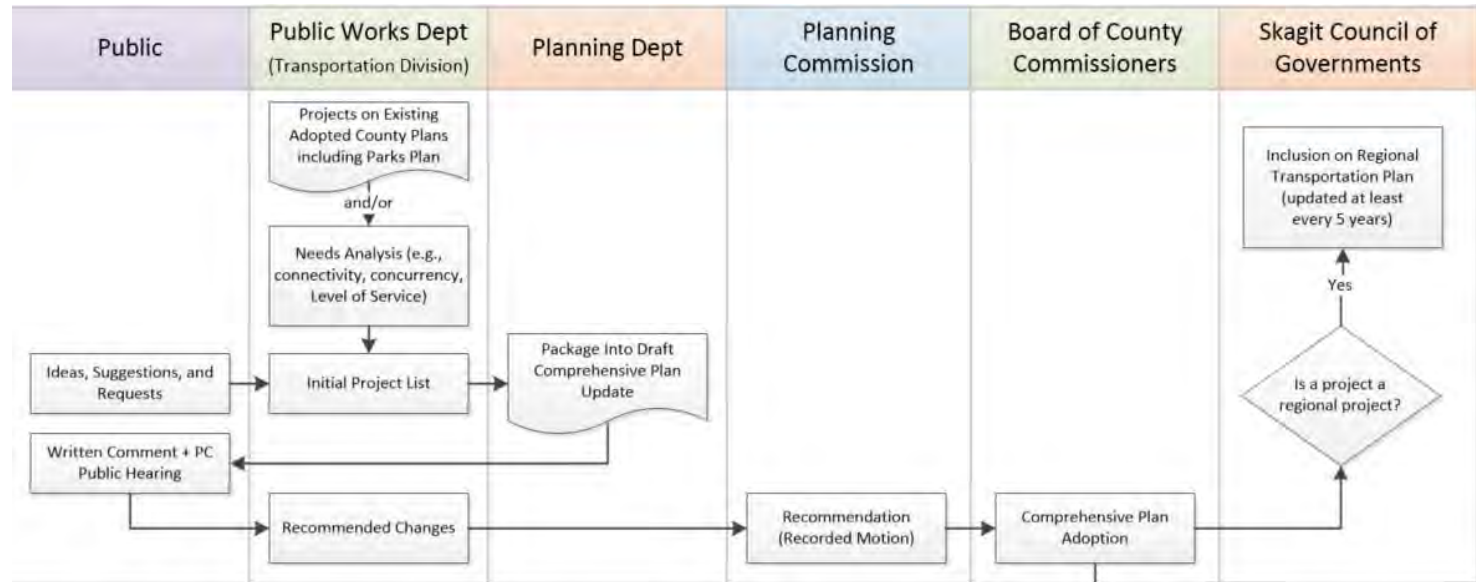
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Transportation (Motorized and Non-Motorized) Project Planning Flow Chart: Comprehensive Plan (20-Year Planning Period, 8-Year Updates)



The Comprehensive Plan’s Transportation Element forms the basis for the County’s Six-Year Transportation Improvement Plan (TIP). Pursuant to RCW 36.81.121, the Six-Year TIP is updated annually. The Public Works Department produces a draft TIP that includes projects retained from the previous year, plus any additions or deletions, and a short description of each project. Projects are drawn from the Comprehensive Plan and other adopted County plans, including the adopted Parks and Recreation Plan, or are generated from staff needs analysis. Public Works holds an informational meeting for the public to comment on the draft plan, makes any revisions, and sends the draft documents to the Planning Commission for review, public hearing, and recommendation.

Then the Board of County Commissioners holds its own a public hearing on the proposed TIP, and adopts the TIP prior to adoption of the County budget. The TIP is then sent to the Skagit Council of Governments (SCOG) where regionally significant and/or federally funded projects are compiled from the TIPs of other municipalities into the Regional TIP (RTIP). SCOG sends the RTIP to the Washington State Department of Transportation where it is combined into the State TIP.



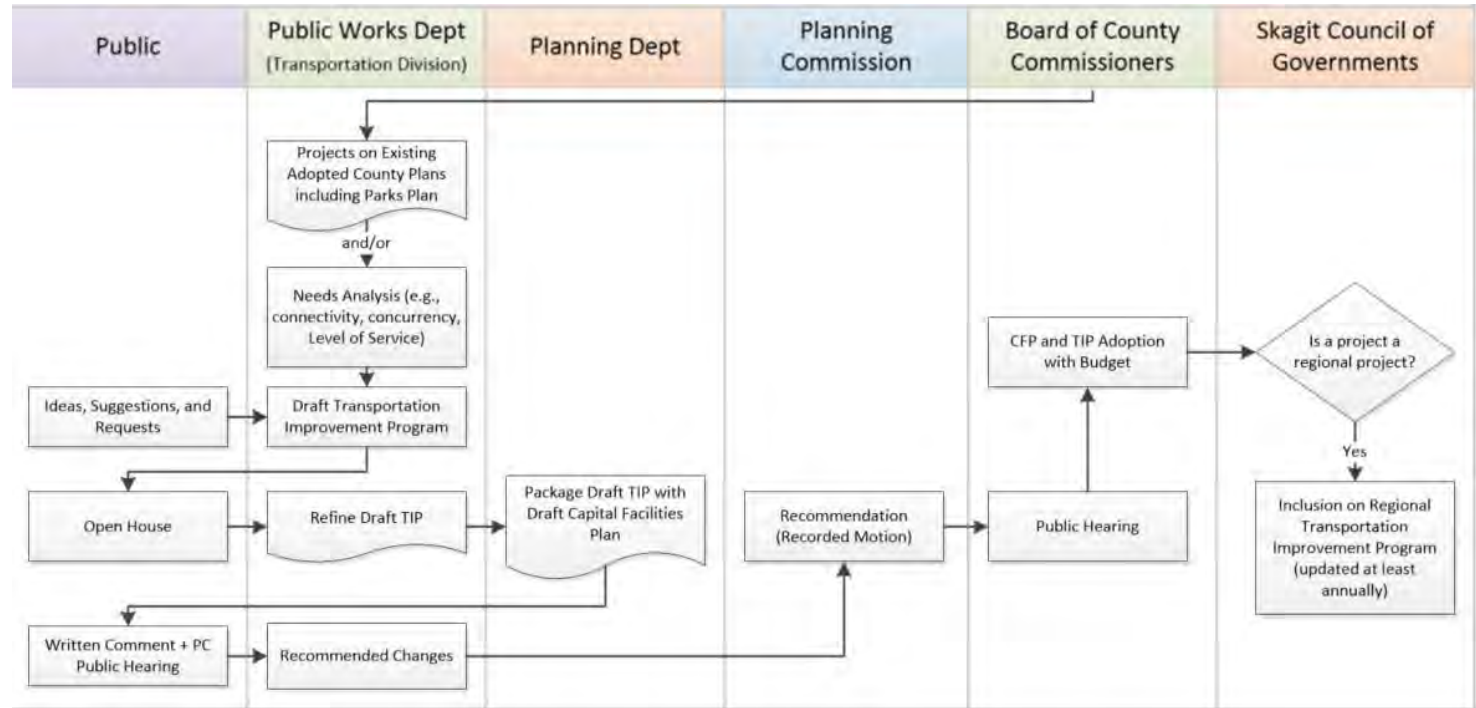
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Transportation (Motorized and Non-Motorized) Project Planning Flow Chart:
Transportation Improvement Program (6-Year Planning Period, Annual Updates)



This section summarizes the key aspects of current and projected transportation conditions and needs that Skagit County is obliged to plan for. GMA requires that transportation plan elements include the following:

- Land use assumptions used in estimating travel;
- Estimated traffic impacts to state-owned transportation facilities;
- Facilities and services needs;
- Financing;
- Intergovernmental coordination; and
- Demand management; and
- Pedestrian and bicycle component.



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Each of these major requirements is described below. The method used by the County to comply with the GMA requirements involves managing a complex and inter-related group of complementary studies, plans, inventories, and standards. In addition to the analyses and documentation prepared by the County, the State of Washington, the cities and towns and the Skagit Council of Governments also maintain similar plans that need to be acknowledged. While the rural road network is the primary transportation mode that the County is responsible for managing, the County through its Comprehensive Plan also acknowledges and addresses the needs for non-motorized transportation, public transportation, aviation, and marine transportation. Outreach for the Comprehensive Plan Update in 2007 and 2016 indicated a concern for increased traffic congestion within the urban areas of the County. The County should consider increasing investment in transportation projects within or connected to the urban areas, in partnership with the cities and towns, state, and federal governments.

Land Use Assumptions

The operation of the roadway network must be adequate to meet the travel demands created by residents, businesses, and visitors. The comprehensive plan land use designations for all jurisdictions provide the basis for estimating. While each jurisdiction and transportation provider is responsible for developing its own transportation plan, there is also a need for consistency among them, to the extent that the need for facilities in one jurisdiction frequently is affected by the demand created from growth in neighboring jurisdictions. In this regard, regional coordination is the key. In the regional transportation model maintained by the Skagit Council of Governments, the entire County is divided into transportation analysis zones (TAZs). These are geographic areas based on census tracts, city limits, physical features, and other boundaries. TAZs are smaller in urbanized areas than in rural areas due to the relative concentration of population. Land use, housing, and employment data for the TAZs are the building blocks for assessing the future transportation system demands that result from growth.

The analysis that creates the 20-year picture requires assumptions to be made about future travel behaviors as well as the realities for maintaining level of service standards within anticipated funding and the feasibility of implementing construction programs within the context of other public policies.



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The Countywide Planning Policies allocate the adopted population and commercial/industrial employment targets among the various Skagit County jurisdictions. Comprehensive plan policies distribute that growth to urban and rural areas using residential densities and non-residential land use intensities of each jurisdiction's adopted zoning. This provides the starting point for estimating how future residents and employees will use the roadway system.

Traffic Impacts to State-Owned Transportation Facilities

The Skagit 2040 Regional Transportation Plan (RTP) identifies the effects of growth on the regional transportation system including state routes and county and city roads. As described in the RTP, the plan is a link between the local agency transportation plans and the Washington State Transportation Plan (WTP).

The allocation of land use based on Countywide Planning Policies assigns most of the planned growth within existing urban areas. Travel demand from Skagit County areas outside cities is expected to have minimal impacts on state-owned transportation facilities. Local city comprehensive plans highlight impacts to state routes based on their respective travel demands.

Both the State and Skagit County have traffic count programs to monitor traffic on their respective roads. Skagit County is currently performing counts for the cities of Anacortes, Burlington, Mount Vernon, and Sedro-Woolley. Once the data is compiled it is sent to the Skagit Council of Governments to be maintained and entered into the Skagit County regional traffic model.

Both the Washington DOT and Skagit County are required by law to meet the requirements of the Manual on Uniform Traffic Control Devices as adopted by the State of Washington. This commonality usually results in agreement to solutions on intersecting roadways. Normally, the Washington State Department of Transportation takes the lead for projects on State Routes but may require financial participation by other jurisdictions through agreements. This participation is often a percentage based on traffic volumes from the respective agencies.

The coordination required by the Growth Management Act and the traffic growth projections on State Routes will assure the State has the data to evaluate existing and future signalization for their LOS requirements. Signalization or other improvements on county roads can be designed to provide acceptable levels of service far into the future.



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Facilities and Services Needs

Along with the land use assumptions, the other building block of estimating the need for improvements to the transportation facilities and services is a cascading series of five steps.

Inventory of Existing Facilities and Services

The County maintains an ongoing database of current conditions of the County roadway network and the Guemes Ferry, the two county-owned and operated modes. For the roadway network, the inventory includes extensive information on the condition, utilization, and shortfalls that exist. Similar information for the ferry vessels and terminals is included. In addition to supporting planning, this information is used to program on-going maintenance of the system.

Roadway Network

The roadway network in unincorporated Skagit County includes approximately 800 miles of publicly owned and maintained County roads and 275 miles of private roads. Additional road miles are located in incorporated cities that are not maintained by the County.

In the County's 800-mile public road system – excluding private roads and those managed by WSDOT and the cities – there are about 157 miles of rural major collectors, about 153 miles of rural minor collectors, about 374 miles of rural local roads, and about 108 miles of several urban classifications. This information is depicted in **Exhibit 1**.



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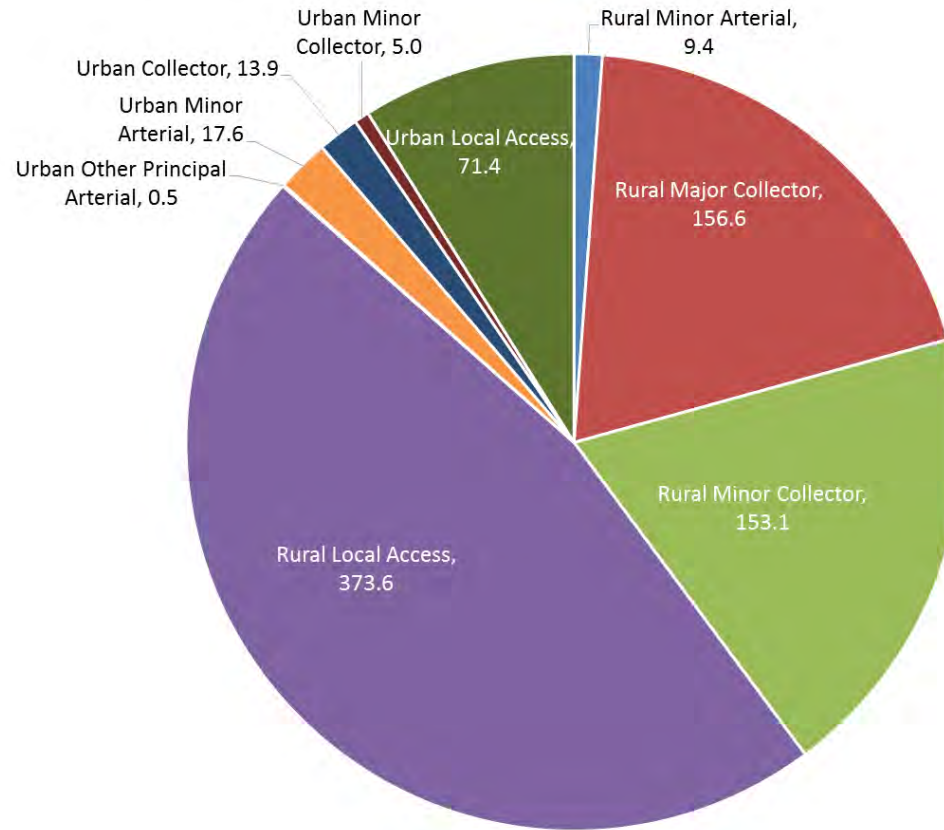
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Exhibit 1. County Road Miles by Functional Classification



Source: Skagit County, 2015.

The network is categorized into a “functional classification system.” This is based on federal and state guidelines for identifying roads first as to whether they are **urban** or **rural** in terms of the areas they serve and their design. Skagit County defers to the cities and towns in classifying their roads. Rural roads are classified as “Principal Arterials,” “Minor Arterials,” “Major Collectors,” “Minor Collectors,” and “Locals.” This is a descending scale of function. Interstate 5 and SR 20 west of I-5 are the only Principal Arterials. Other state highways and segments are Minor Arterials. Major and Minor Collectors are the heart of the County system. These are the roads that connect the cities and towns and serve as farm-to-market roads in the rural area. The Local



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Access roads make up the remaining rural system. The number of road miles in various functional classifications and their relative portion of County's overall road network is illustrated in Exhibit 1.

Another aspect of the functional road classification system involves facilities that have been identified in the state Freight and Goods Transportation System (FGTS) as trucking routes. This classification system is based on the estimates of gross freight tonnage that is carried on the roads.

- T-1: more than 10 million tons per year
- T-2: 4 million to 10 million tons per year
- T-3: 300,000 to 4 million tons per year
- T-4: 100,000 to 300,000 tons per year
- T-5: at least 20,000 tons in 60 days and less than 100,000 tons per year.

For rural Skagit County, the facilities with the highest FGTS designations include the entire length of I-5 (Tier 1), and SR-20 from I-5 to Anacortes (Tier 2 to Anacortes, Tier 3 for the SR20 Spur). SR-20 from Burlington to Anacortes carries an estimated 10,000,000 annual tonnage and is considered Tier 2. Cook Road from I-5 to Sedro-Woolley is designated as Tier 2. The majority of Skagit County's FGTS designations are within the range of 3,000,000 to 34,000,000 tons per year. The remaining state highways in the County along with a number of County roads are not included in the FGTS system. In the cities, the streets receiving FGTS designation tend to be those with the highest functional classifications.

Traffic on County roads outside of the highways and arterials is fairly moderate. Nearly half of the roads carry fewer than 250 vehicle-trips per 24-hour day on average (ADT). About 10% of the roads carry more than 2,000 ADT, and fewer than 2% carry more than 5,000 ADT.



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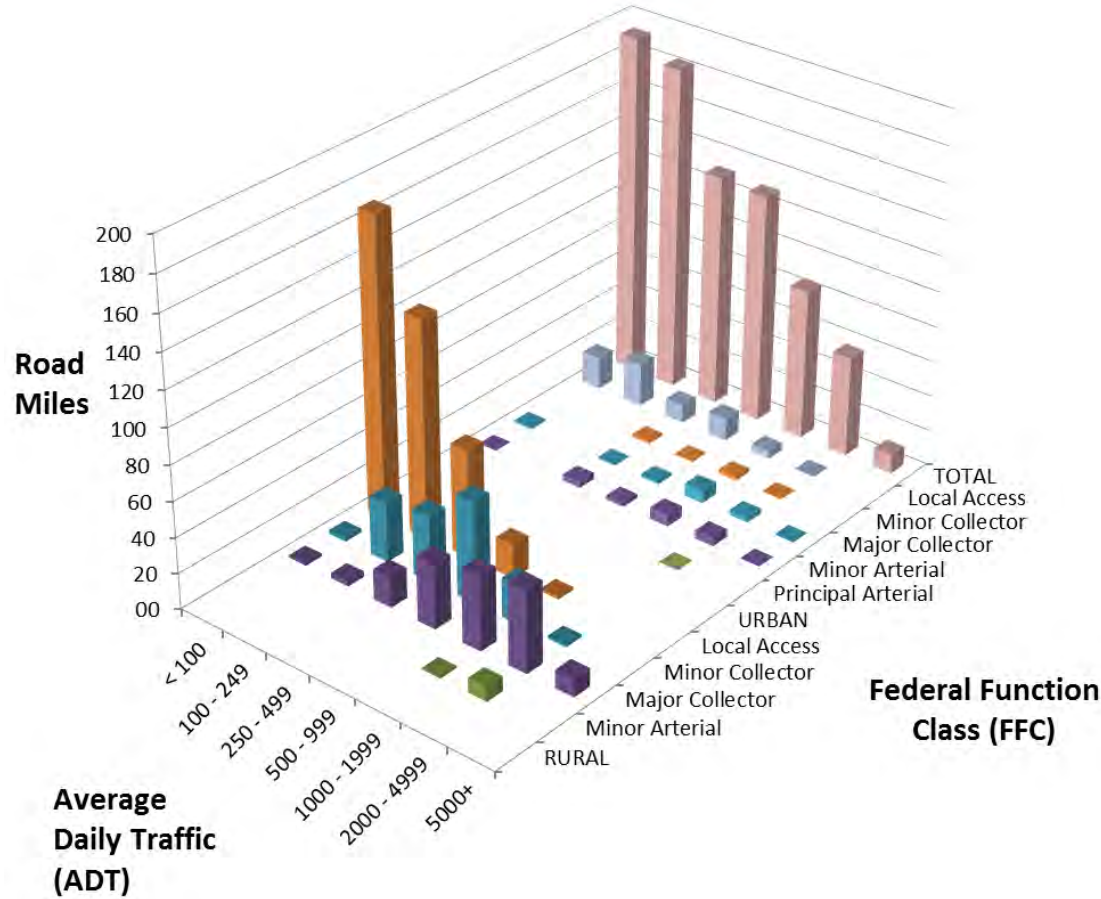
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Exhibit 2. County Public Road Miles by ADT Range by Functional Class



Source: Skagit County, 2015.

Other Motorized Transportation Facilities

Skagit County owns and operates a ferry system including a vessel and terminals in Anacortes and Guemes Island. Skagit Transit is a public agency funded by the County and several of the cities that provides transit service in some portions of the County. Rail and marine transportation facilities within Skagit County are owned and operated by the ports or private companies.



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Level of Service

Capacity analysis results for roadways and intersections are described in terms of Level of Service (LOS). Roadway LOS is a qualitative term describing operating conditions a driver will experience while traveling on a particular street or highway during a specific time interval. It ranges from A (very little delay) to F (long delays and congestion). Level of service calculations for intersections determine the amount of ‘control delay’ (in seconds) that drivers will experience while proceeding through an intersection. The LOS/delay criteria for stop-sign controlled intersections are different than for signalized intersections because drivers expect that a signalized intersection is designed to carry higher traffic volumes and experience greater delay. For signalized intersections the LOS ranges from “A” with a delay of less than 10 seconds to “F” with a delay of more than 80 seconds. For stop-sign controlled intersections, LOS A also has a delay less than 10 seconds, while LOS F has a delay of more than 50 seconds.

The Comprehensive Plan includes LOS standards that have been adopted as County policy. These standards are used to measure the performance of the system and identify the need for improvements. The County also works with the state and cities and towns to monitor the related LOS of their facilities.

The inventory of facilities includes an evaluation of current LOS for the roadway system, and Guemes ferry based on traffic counts for roads, and the capacity utilization of the ferry.

According to the 2014 Concurrency report by Skagit County Public Works, the established LOS for County roads is C. The LOS for County Road intersections is D. An LOS of D is acceptable on roads with the following characteristics:

- Have Annualized Average Daily Traffic (AADT) greater than 7,000 vehicles; and
- Are NOT federal functionally classified as a Local Access Road; and
- Are designated as a County Freight and Goods Transportation Systems Route (FGTS).

Roadway capacity is not expected to be a major issue for the Transportation Element. Exhibit 3 below shows the estimated AADT at High Traffic County Road Segments (as defined in the *Skagit County Road Segment and Intersection Concurrency*, Skagit County, 2014). As shown, the County segments along Cook Road and Pioneer Highway are anticipated to remain at volumes levels consistent with LOS D.



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However, this LOS does not take into account intersection operations or railroad crossing impacts. It is anticipated that existing traffic congestion along Cook Road between I-5 and Green Road will worsen with additional intersection volumes and with increased railroad crossing delays (See *SCOG Rail Crossing Study*, 2016). The Transportation Appendix shows the County has already identified a planned capacity improvement project for this roadway segment that includes possible grade-separation from the railroad or other mitigation measures.

Exhibit 3. 2014 and 2036 Forecasted Traffic Volumes (2014-2036)

Roadway ¹	Segment	2014 ADT ²	2014 LOS ³	2036 ADT ⁴	2036 LOS
Cook Rd	I-5 SB Ramps to NB Ramps	12,000	WSDOT ⁵	14,300	WSDOT
Cook Rd	I-5 NB Ramps to Old Hwy 99	15,600	WSDOT ⁵	16,800	WSDOT
Cook Rd	Old Hwy 99 to Green Road	12,300	D	13,200	D
Cook Rd	Green Road to Collins Rd	11,100	D	12,000	D
Cook Rd	Collins Rd to Klinger St	10,900	D	11,600	D
Pioneer Hwy	County Line to Milltown Rd	8,000	C	10,500	D
Pioneer Hwy	Milltown Rd to Fir Island Rd	7,600	C	10,000	D

1. Segments as identified in Skagit County Road Segment and Intersection Concurrency, Skagit County, 2014
2. Average Daily Traffic volumes as reported in the Concurrency report.
3. Level of Services as reported in the Concurrency report, based on the Highway Capacity Manual (TRB, 2010).
4. Average Daily Traffic volumes forecasts based on model growth rates from the SCOG Travel Demand Models for 2013 and 2036.
5. These Cook Road segments are within WSDOT right-of-way.

Source: Transpo, 2015.

See the Transportation Element Technical Appendix for an analysis of the ferry capacity and system needs.

Actions to Address LOS Shortfalls

When the Priority Array evaluation identifies road segments, intersections, and other facilities that are performing below their assigned LOS, it must prepare improvement plans and funding strategies for addressing these needs. The Six-Year Transportation Improvement Program (TIP) is



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a financially feasible project listing that must be updated every year to look out to the next six years. It includes cost estimates and funding for each project. The TIPs for all county jurisdictions are compiled into the regional TIP and coordinated with the State of Washington.

For facilities that may be threatened by projected growth beyond the six year TIP horizon, the County and other jurisdictions can update their plans to identify solutions that may include system improvements, different funding strategies, or changes to land use densities and intensities that are the basis for the demand forecasts.

Demand Forecasts

The land use assumptions, LOS policies, and facility inventories and planned improvements are used by the Skagit Council of Governments to model future County-wide conditions. The model is a computer program that is calibrated to existing baseline conditions using traffic counts, and other information provided by the inventories. Each Transportation Analysis Zone is assigned trip generation forecasts for future years based on the land use assumptions, travel behaviors, and assumptions regarding system improvements and funding levels that are anticipated. The Regional Transportation Planning Organization and Metropolitan Planning Organization plans are based on this approach and have been prepared using a moderate growth scenario. The elected officials comprising the board of directors chose a low-mid range preferred alternative that produced the “financially constrained” plan for adoption. This is consistent with the adopted countywide population forecast and with the level of local and state and federal transportation funding that is probable. For Skagit County, the regional plan includes the projects for implementation over the next 25 years listed below. It should be noted that this project list is dynamic – that is, it will change as conditions change, growth occurs, and the levels of funding change.

System Expansion Needs

Current Needs

The County determines current needs in several categories: resurfacing, restoration, rehabilitation, and reconstruction. This is a graduated scale of need ranging from “routine” maintenance to major work that is necessary to support significant changes in capacity or safety. Roadway segments that exceed 7,000 ADT measured on an annual basis may exceed the adopted LOS and therefore require



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improvements beyond normal maintenance and repair. This may include intersection improvements, widening, traffic controls, and other actions. Some of these projects fall into the six-year TIP and others are expected to be needed beyond the six-year horizon. The County generally looks ahead 20 years.

Future Needs

The needs for future improvements show up in the County's analysis. Projects of regional significance, including Washington State Department of Transportation projects are coordinated for possible joint implementation and funding.

Finance

The Growth Management Act (GMA) requires the Transportation Element of the Comprehensive Plan to include a multi-year financing plan based on the identified improvement needs in the transportation systems plan. The 20-year financing plan is to be the basis for developing the required six-year Transportation Improvement Program (TIP). If probable funding is less than the identified needs, then the transportation financing program will have to balance several goals, including financial solvency, maintenance, and operations of the existing system, and supporting an appropriate transportation level of service.

To understand this balance, Skagit County has evaluated its future revenues against its 20-year transportation project list. This comparison is contained in the Transportation Technical Appendix demonstrates the County's ability to implement its Transportation Element.

As with most local agencies, existing transportation revenues will not allow Skagit County to fund all of its proposed capital improvements on top of ongoing operations and maintenance. The Transportation Element identifies ways to balance the transportation budget, including through prioritization of capital improvement projects and new policies that could generate additional revenue. Any funding strategy must balance the County's transportation goals against its system of sustainable revenue sources. This is even more pressing given the limited policy mechanisms counties have at their disposal for raising revenue.



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Financial Capacity for Transportation Capital Investments: 2016-2036

To understand Skagit County’s ability to meet its future transportation improvement goals, the Technical Appendix evaluates Skagit County’s future revenues against its existing 20-year transportation programs and project list (Exhibit 26 of the Transportation Technical Appendix).

Exhibit 4: Skagit County Future Transportation Revenues, 2022 to 2036 (2015\$)

Revenue Source	2016 - 2036
Property Taxes	211,220,724
Other Local Receipts	36,867,089
State Fuel Tax Distributions	59,299,963
Other State Funds	56,512,552
Federal Revenues	101,233,002
Ferry Tolls	29,418,954
Total Revenues	\$494,552,284

Source: Skagit County, 2015; WSDOT, 2015; BERK Consulting, 2015.

To understand Skagit County’s ability to accomplish its desired capital projects, programmatic expenditures (from administration, maintenance, and operations) are subtracted from total revenues. This is presented in Exhibit 5: , below.

Exhibit 5: Skagit County Revenues Available for Capital Projects under Desired Future State Maintenance and Operations, 2022 to 2036 (2015\$)

	2016 - 2036
Total Revenue	494,552,284
Total Programmatic Expenditures	474,573,233
Remaining Revenue for Capital Projects	\$19,979,051

Source: Skagit County, 2015; WSDOT, 2015; BERK Consulting, 2015.



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Exhibit 5: shows the limited revenues available for capital projects. Skagit County’s current capital project list over the next 21 years, 2016 to 2036, is over \$170 million. However, as Exhibit 6: shows, the County is currently projecting only about \$20 million in available revenues for capital projects, leaving a gap of about \$150 million dollars in unfunded capital projects between 2016 and 2036.

Exhibit 6: Skagit County Capital Project Summary

	2016 - 2036
Remaining Revenue for Capital Projects	19,979,051
Capital Projects	170,668,569
Revenue Deficit	(\$150,689,518)

Source: Skagit County, 2015; WSDOT, 2015; BERK Consulting, 2015.

Because the two projects necessary to meet concurrency can be supported by these revenues, the County can fully consider additional prioritization or new revenues to help it accomplish its capital project goals. This is described below.

Summary

Under current policies, the County might only be able to fund a little over one-tenth of its desired transportation capital improvement projects for the 2016-2036 period. The County could address this shortfall in several ways:

1. **Prioritizing Capital Projects.** The County can prioritize its capital projects, such that projects are funded on an as-funds-are-available basis. This would result in a delay in implementation of some projects, especially lower priority improvements.
2. **Generating Additional Revenue.** The County could increase funding for capital transportation projects through several policy changes that would generate additional transportation revenues. These include partnering with other agencies or additional grants.
3. **Restructuring the Ferry System.** The County may consider restructuring the ferry system as an enterprise such that the ferry would no longer be subsidized by the County’s overall transportation program.

These options are discussed in further detail in the Transportation Technical Appendix.



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Intergovernmental Coordination

Regional transportation planning was significantly affected by the adoption of the Growth Management Act in 1990. One of GMA's provisions authorized establishment of Regional Transportation Planning Organizations (RTPOs). In 1991, Skagit County jurisdictions joined with Island County jurisdictions to form the Skagit-Island Regional Transportation Planning Organization (SIRTPO). The SIRTPO existed from 1991 – 2015, until it was dissolved because it no longer met the member requirements for an RTPO. Upon its dissolution, SCOG became the RTPO for Skagit County and Island County is not currently part of an RTPO.

SCOG also began serving as a Metropolitan Planning Organization (MPO) in 2003 following designation of a portion of Skagit County as a federal Urbanized Area based on the 2000 Census. The Skagit Council of Governments is the lead agency for coordinating the transportation planning efforts of jurisdictions within the county. The organization is responsible for maintaining a regional transportation plan that frames the policy basis for coordinating transportation planning and improvements within Skagit County, including County, city and town, ports, Indian tribes and public transportation service providers. SCOG maintains the regional transportation forecasting model and facilitates discussion and decision-making among its member agencies. The regional transportation plan is based on public and agency outreach and addresses the following priorities:

- Economic vitality
- Preservation
- Safety
- Mobility
- Environment
- Stewardship

In addition to the coordination provided by SCOG described above, the County and the cities and towns coordinate transportation planning and improvements that affect common interfaces of roads, non-motorized facilities and transit. In particular, the 2002 Framework Agreement between the County and the cities and towns establishes agreed upon procedures by which



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countywide planning policies will be developed and adopted, including those related to transportation.

Demand Management

Beyond the requirements related to anticipating how physical transportation facilities are capable of accommodating the demands of growth, the County and other jurisdictions are responsible for identifying possible optional means such as management of services in creative ways that leverage the capacities of the facilities. This includes increased use of non-motorized travel, transit and car-pooling, coordination of land use and transportation decisions, and encouraging major trip generators to plan their activities in such a way that peak hour travel demands are minimized.

Non-Motorized Transportation

GMA requires that the Comprehensive Plan's Transportation Element include a pedestrian and bicycle component "to include collaborative efforts to identify and designate planned improvements for pedestrian and bicycle facilities and corridors that address and encourage enhanced community access and promote healthy lifestyles." This requirement is addressed by non-motorized transportation policies 8A-6.1 through 8A-6.12 in this Transportation Element, as well as by the more detailed non-motorized plan and policies found in Section 6 of the Transportation Technical Appendix. The non-motorized policies in the Transportation Element provide high-level guidance and are drawn from and consistent with the more detailed policies in the technical appendix's non-motorized plan. Because Skagit is a rural county, the non-motorized transportation policies and plan address equestrian as well as bicycle and pedestrian needs and goals.

Inventory. The Skagit County non-motorized transportation system is comprised of all streets and highways to which access by bicyclists and pedestrians is permitted, separated trails and pathways which have a transportation function as defined in the Non-Motorized Transportation Plan, and any system or design accommodations meant to serve non-motorized users. Segments of Bayview-Edison Road, La Conner-Whitney Road, McLean Road, and West Big Lake Boulevard are capable of supporting bicyclists with dedicated shoulder areas. There are other off-road trails throughout the County as well.



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The Skagit County Bike Map identifies on and off-street bike routes in the County, including regional bike routes. The map classifies routes based on shoulder width and traffic volumes. Major bike routes include the Coast to Salish Route, the Coast to Cascades Route, the Coast Millennium Route, and the Cascade Trail. The bicycle system provides major connections east to west and north to south with links to adjacent counties (Skagit County, 2015).

The Skagit County Walking Trails Map identifies walking and trail opportunities in Skagit County and provides basic information for users to locate and use them. The map also highlights trail systems in Anacortes, Burlington, Mount Vernon and at the Port of Skagit (Skagit Council of Governments, 2008).

Consistent with these policies, the Skagit County Health Department promotes healthy communities, including efforts to improve non-motorized networks to increase health and activity.

Regionally, SCOG has been coordinating with member agencies on the Regional Transportation Plan which identifies regionally significant non-motorized transportation projects.

GMA Mandate

Development of this chapter was guided in particular by the following GMA Planning Goal:

- *Encourage efficient multi-modal transportation systems that are based on regional priorities and coordinated with County and city Comprehensive Plans.*

This goal, taken in the context of the totality of the thirteen GMA Planning Goals, led to the following Countywide Planning Policies (CPPs) that provide specific guidance to the analysis and policies developed in this chapter:

- *Multi-purpose transportation routes and facilities shall be designed to accommodate present and future traffic volumes (CPP 3.1).*
- *Primary arterial access points shall be designed to ensure maximum safety while minimizing traffic flow disruptions. (CPP 3.2)*
- *The development of new transportation routes and improvements to existing routes shall minimize adverse social, economic and environment impacts and costs (CPP 3.3)*



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- *The Transportation Element of the Comprehensive Plan shall be designed to do the following: facilitate the flow of people, goods and services so as to strengthen the local and regional economy; conform with the Land Use Element of the Comprehensive Plan; be based upon an inventory of the existing Skagit County transportation network and needs; and encourage the conservation of energy (CPP 3.4)*
- *Comprehensive Plan provisions for the location and improvement of existing and future transportation networks and public transportation shall be made in a manner consistent with the goals, policies, and land use map of the Comprehensive Plan. (CPP 3.5)*
- *The development of a recreational transportation network shall be encouraged and coordinated between state and local governments and private enterprises. (CPP 3.6)*
- *The Senior Citizen and Handicapped transportation system shall be provided with an adequate budget to provide for those who, through age and/or disability, are unable to transport themselves. (CPP 3.7)*
- *Level of service (LOS) standards and safety standards shall be established that coordinate and link with the urban growth and urban areas to optimize land use and traffic compatibility over the long term; new development shall mitigate transportation impacts concurrently with the development and occupancy of the project (CWPP 3.8)*
- *An all-weather arterial road system shall be coordinated with industrial and commercial areas. (CPP 3.9)*
- *Cost effectiveness shall be a consideration in transportation expenditure decisions and balanced for both safety and service improvements. (CPP 3.10)*
- *An integrated regional transportation system shall be designed to minimize air pollution by promoting the use of alternative transportation modes, reducing vehicular traffic, maintaining acceptable traffic flow, and siting of facilities. (CPP 3.11)*
- *All new and expanded transportation facilities shall be sited, constructed and maintained to minimize noise levels. (CPP 3.12)*



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Regional Transportation Policies

The Skagit Council of Governments has adopted policies for regional transportation planning and infrastructure coordination in its capacity as both the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Organization (RTPO) for Skagit County. These policies, contained in SCOG's *Regional Transportation Plan (RTP)*, direct more detailed goals and strategies. The RTP policies are:

1. *Identify, encourage, and implement strategies and projects that will maximize the efficiency and effectiveness of the regional transportation system through a cooperative effort with SCOG member agencies, the public and private sector, and state and federal agencies.*
2. *Provide a Plan that identifies significant transportation facilities and services that support local comprehensive plans and ensures ongoing evaluation necessary to keep current with local, regional, inter-regional, state, federal, and public needs and requirements while recognizing the inter-relationships within the contiguous urban area and areas immediately adjacent to it.*
3. *Protect the integrity of the investment in the existing regional transportation system by encouraging and prioritizing timely maintenance of the system.*
4. *Facilitate cooperation, coordination, and information exchange among SCOG's member agencies.*
5. *Maintain and implement a public participation plan to ensure the early, meaningful, and continuous participation of the region's interested parties in the planning process.*
6. *Consistent with Skagit County Countywide Planning Policies, encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.*

For many of these policies, the RTP has goals and strategies that are intended to direct the agencies in coordinating their individual plans, improvement programs, and financing strategies.

Within this framework, the following transportation goals and policies have been adopted by Skagit County.



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Goal 8A Plan and maintain a safe and efficient system for the movement of people and goods in partnership, where appropriate, with the Skagit Council of Governments.

System Management

Goal 8A-1 Maintain and improve the County roadway system consistent with the growth management strategies of the Land Use Element, and respect the unique environmental and economic character of the area, including the transportation needs of the agriculture and forest products industries.

policy 8A-1.1 **Monitoring for Congestion Relief -** Monitor the capacity of the transportation system to meet level of service standards and manage congestion.

policy 8A-1.2 **Right-of-Way Preservation** – Anticipate and address future transportation needs through strategies for acquiring rights-of-way and limiting of encroachments or ancillary uses that could endanger future roadway improvements.

policy 8A-1.3 **Multi-modal transportation** – Participate in the planning and implementation of multi-modal transportation systems to increase mobility of all users and provide alternatives to the passenger car.

policy 8A-1.4 **Functional Classification** – Designate all county roads according to the functional classification system mandated by federal and state law based on the character of service those road are intended to provide in urban and rural areas. Arterials should serve as the main routes to move traffic through the county. Collectors should serve as the supplemental routes for traffic within the county.

policy 8A-1.5 **Skagit River** - The County supports improving the flow of traffic over the Skagit River, including new bridge construction.



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policy 8A-1.6 **Arterial access** - Primary arterial access points should be designed to ensure maximum safety while minimizing traffic flow disruptions.

policy 8A-1.7 **Natural Resource Industries** – consider the transportation needs of the agriculture and forest products industries when making decisions about the management and maintenance of the roadway system.

policy 8A-1.8 To ensure integration of transportation and land use planning, make decisions regarding the location and improvement of transportation facilities and public transit in a manner consistent with the Comprehensive Plan’s goals, policies, and land use map.

Level of Service

Goal 8A-2 Establish level of service standards for the County’s road system to gauge the performance of the system and determine areas where transportation improvements are required.

policy 8A-2.1 **Level of Service Standards** - The Level of Service (LOS) standard for County roads is C. LOS D is acceptable for all road segments that:

(a) Have Annualized Average Daily Traffic (AADT) greater than 7,000 vehicles;
and

(b) Are NOT federally functionally classified as a Local Access Road; and

(c) Are designated as a County Freight and Goods Transportation Systems Route (FGTS).

The LOS standard for County road intersections is LOS D.

policy 8A-2.2 The Level of Service Standards shall not be the overriding factor when the County is considering road improvements. Other factors such as the Priority Array and the Comprehensive Plan policies shall be given equal consideration with the LOS.

policy 8A-2.3 **Design Standards** – Maintain urban and rural design standards for structures, roads, and utility systems constructed either by the county or other public or



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private sponsors. These standards shall reflect the character of the communities as defined in the Land Use, Rural, and Community Planning Elements.

Public Transportation Coordination

Goal 8A-3 Work with other agencies and jurisdictions to coordinate a safe, accessible, and integrated system of public transportation.

policy 8A-3.1 **Transit Support-** Encourage citizens and businesses to use transit as an alternative to the single-occupant vehicle.

policy 8A-3.2 **Transit Schedules –** Allow County employees to adopt flexible work schedules that can be coordinated with transit schedules. Encourage similar actions by private and other public employers and employees.

policy 8A-3.3 Support adequate funds for senior citizen and handicapped transportation systems to provide for those who, through age and/or disability, are unable to transport themselves.

policy 8A-3.4 Encourage public transportation services to serve cities, towns, and Rural Villages, and to link with systems in adjoining counties, when financially feasible and supported by the public.

policy 8A-3.5 Encourage private transit providers to continue to provide services that public transit cannot, including services to the County and State ferry system, and local and regional airports.

policy 8A-3.6 Encourage coordination among public transit service providers, and between the public transit network and the non-motorized transportation system, to promote a more integrated transportation system for those traveling by means other than a private automobile.



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Passenger Rail Transportation

Goal 8A-4 Support passenger rail service to and through Skagit County as an important element of a balanced transportation system.

policy 8A-4.1 Encourage rail agencies to implement a public education program on railroad safety.

policy 8A-4.2 Work with the Washington State Department of Transportation, local jurisdictions other agencies, and the public to make safety and other improvements to the rail corridors to allow for increased speeds for passenger trains.

policy 8A-4.3 Work with the Washington State Department of Transportation, local jurisdictions, other agencies and the public to determine the location of potential rail crossing closures and, where possible, to consider alternatives to such closures.

policy 8A-4.4 Road improvement decisions shall be consistent with any plans for rail crossings closures and with other aspects of rail service.

policy 8A-4.5 Plan for commuter rail service to Skagit County at such time it is determined to be economically and socially acceptable.

Ferry Service

Goal 8A-5 Work to maintain county and state ferry services as an important element of the transportation network.

policy 8A-5.1 Encourage the provision of adequate street, highway, and road facilities to accommodate traffic to the ferry terminals in Anacortes.

policy 8A-5.2 Work with the City of Anacortes, property owners, and residents on Guemes Island to develop and maintain adequate parking areas.



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- policy 8A-5.3 To meet future increases in demand, increase service capacity of the Guemes Island Ferry by: (a) encouraging car-pooling and walk-on passengers; (b) increasing the frequency of ferry runs based on demand; (c) considering additional ferry capacity if the aforementioned procedures fail to accommodate demand; and (d) adding additional runs outside the current schedule.
- policy 8A-5.4 In making all decisions related to the Guemes Island Ferry, balance the needs of the Island residents, the non-resident property owners, and the County citizenry as a whole. Decisions that would have significant service or financial impacts should be made after providing ample opportunities for public review and comment.
- policy 8A-5.5 Continue to provide safe and adequate ferry service between Anacortes and Guemes Island, and a fare structure designed to recover operating costs similar to the Washington State Ferries model.
- policy 8A-5.6 Support the State's continued provision of ferry service to and from Anacortes-San Juan Islands-Vancouver Island, B.C.

Non-Motorized Transportation Network

Goal 8A-6 Provide a safe and efficient network of trails and bikeways, including both on- and off-road facilities that link populated areas of the County with important travel destinations.

Achieve high standards in meeting the needs of non-motorized users, through appropriate planning, design, construction and maintenance of user-friendly facilities.

Increase education, information and traffic enforcement efforts associated with non-motorized transportation as a means of lowering collision and injury rates associated with these modes.

- policy 8A-6.1 The Skagit County non-motorized transportation system is comprised of all streets and highways to which access by bicyclists and pedestrians is permitted,



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separated trails and pathways which have a transportation function as defined in the Non-Motorized Transportation Plan, and any system or design accommodations meant to serve non-motorized users.

- policy 8A-6.2 The County's Non-Motorized Transportation Plan should identify non-motorized needs in the County. Based on those needs, the plan should then identify and prioritize potential non-motorized projects.
- policy 8A-6.3 The Non-Motorized Transportation Plan is a long-term plan to meet County multimodal goals and needs over 20 years. The inclusion of a project in the plan does not constitute a commitment that the County will fund or construct that project. Like all transportation projects, non-motorized transportation projects must be added to the Six-Year Transportation Improvement Program (6-Year TIP) in order to be funded.
- policy 8A-6.4 Provide for the diverse needs of bicycle, pedestrian and equestrian modes through appropriate routing and the utilization of single-use and shared-use facilities. Encourage public education for motorists and non-motorized users alike on the importance of "sharing the road," consistent with Traffic Safety policy 8A-10.3.
- policy 8A-6.5 Connect neighborhoods and communities with each other and with other important destinations including schools, employment and commercial centers, medical and social service centers, other transportation facilities and modes, scenic and recreational areas, and the non-motorized facilities and systems of cities and towns within Skagit County and of adjoining areas.
- policy 8A-6.6 Coordinate system planning, funding, and development with other local, regional, state, federal and tribal jurisdictions; and with public transit providers, as most public transit trips begin and end with walking or biking.
- policy 8A-6.7 Design all non-motorized facilities in compliance with federal, state and local accessibility standards.
- policy 8A-6.8 Access and trailhead facilities should include adequate parking and sanitation.



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- policy 8A-6.9 Promote non-motorized transportation as a viable, healthy, non-polluting alternative to the single occupancy vehicle.
- policy 8A-6.10 **Rail Corridors** - Rail corridors should be preserved through the use of rail banking programs after affected property owners and their property rights are first adequately and legally addressed.
- policy 8A-6.11 Community and subarea plans should identify and address the implementation of pedestrian, bicycle and (where appropriate) equestrian facilities that provide safe, efficient and convenient access to residential neighborhoods, schools, parks and recreation facilities, commercial districts, activity centers, tourist areas and established or planned multi-use trails.
- policy 8A-6.12 Emphasize maintenance of existing non-motorized facilities, including road sweeping, striping, signing, and debris removal, and the ongoing development of smooth and continuous road shoulders, including asphalt overlays or enhanced chip sealing where appropriate and feasible.

Freight and Economic Development

Goal 8A-7 Support economic development goals by providing adequate air, rail and surface freight handling routes and facilities throughout the County transportation system.

- policy 8A-7.1 **Freight and Goods Transport System** – Invest in road improvements to create an All-Weather Road System as part of the Freight and Goods Transportation System (FGTS). In conjunction with the state, designate portions of the road system as truck routes.
- policy 8A-7.2 Provide roads structurally adequate to handle anticipated commercial traffic demand, particularly on the FGTS.
- policy 8A-7.3 Encourage the enhancement and expansion of freight rail service to and from economic activity centers.



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policy 8A-7.4 Encourage improvements to air transportation facilities consistent with the ports of Skagit County and the state Aviation System Plan. Improve road and transit linkages to airport facilities.

Tourism and Recreation

Goal 8A-8 Support the promotion of tourism, recreation, and special events through the County transportation system.

policy 8A-8.1 Involve affected jurisdictions in the planning and design of transportation projects that affect major tourism, park, and recreation facilities.

policy 8A-8.2 Coordinate management of the transportation system during special events with the responsible program organizations, while minimizing the disruption of normal economic operations including agriculture, forestry, and other natural resource industries.

policy 8A-8.3 Encourage the state to consider high-season traffic demand on SR 20 in East Skagit County whenever the state studies the need for improvements.

Scenic Highways

Goal 8A-9 Support the preservation and enhancement of scenic highways and historic, archeological and cultural resources within Skagit County.

policy 8A-9.1 **Scenic Roads Program** – Encourage the state and federal Scenic Highways and Scenic Byways programs to ensure the preservation of scenic resources along designated highways.

policy 8A-9.2 **Interpretive sites** - Develop cultural, historic and natural interpretive sites situated on public lands in a way that non-motorized travelers can enjoy them.

policy 8A-9.3 **Coordination** - Work with the state to implement and maintain highway heritage programs in Skagit County, which integrate scenic resource preservation with the



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enhancement of access to historic, archeological and cultural resources along the County's highways.

Traffic Safety

Goal 8A-10 Provide a safe travel environment for county residents and visitors in all modes of transportation.

Recognize public safety, education, and law enforcement as integral to the development of non-motorized transportation opportunities in Skagit County.

policy 8A-10.1 **Safety Improvements** - Include safety improvements as a priority in all capital projects and maintenance decisions relating to the County road system.

policy 8A-10.2 **Rules of the Road** - Promote the safe use of transportation facilities and conformance with "rules of the road."

policy 8A-10.3 **Education** -Encourage educational programs that teach or encourage transportation safety for all non-motorized users. Encourage awareness among motorists of the rights and responsibilities of motorists and cyclists and the importance of "sharing the road."

policy 8A-10.4 **Minimize conflicts** - Encourage planning, design and educational programs that help minimize conflicts among users.

Road Maintenance and Monitoring

Goal 8A-11 Develop a systematic approach for monitoring and maintaining the transportation system in a cost-effective manner.

Provide a high level of maintenance to the County transportation system.



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policy 8A-11.1 Monitor (count and assess) traffic volumes on all arterial and major collector roads, and other selected roads as needed, to assist in planning and capital facility programs.

policy 8A-11.2 Coordinate monitoring efforts with other County departments as appropriate, and with other state and local jurisdictions and agencies.

policy 8A-11.3 Operate a road and bridge maintenance management program to ensure that roads and bridges are adequately protected from overloading, meet County and state standards, and are programmed for maintenance and repair on a regular basis.

policy 8A-11.4 Maintain a program for addressing traffic safety problems through monitoring of high incident conditions.

Demand and System Management

Goal 8A-12 Increase the efficiency of the existing transportation system before major capital expenditures are made.

policy 8A-12.1 Implement transportation system management techniques, such as the synchronization of traffic signals and provision of left-turn lanes, as a way to increase the efficiency and safety of the existing transportation system with a minimum of cost.

policy 8A-12.2 Encourage the Skagit Council of Governments to implement transportation demand management strategies, such as increased transit service and flexible work schedules, to reduce the demand for travel in single-occupancy vehicles, especially at peak traffic periods.

Land Use and Development

Goal 8A-13 Incorporate transportation goals, policies, and strategies into all County land use decisions.



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- policy 8A-13.1 **Impacts of Growth** – Growth and development decisions shall ensure that the short- and long-term public costs and benefits of needed transportation facilities are addressed concurrently with associated development impacts.
- policy 8A-13.2 **Directing Growth** - Mitigate transportation impacts, wherever possible, by directing new development into areas where long term capacity exists on the arterial and collector system.
- policy 8A-13.3 **Public Transportation Accessibility** – Require new development and redevelopment to provide adequate motorized and non-motorized transportation facilities within and adjacent to the development, and to provide access to public transit, where available.
- policy 8A-13.4 **Airport Expansion** - In the vicinity of the Skagit Regional Airport, review development proposals to avoid future conflicts and the foreclosure of opportunities for future airport expansion.
- policy 8A-13.5 **Coordination with County Engineer** - Following major amendments to the Comprehensive Plan, the County Road Engineer shall review the Functional Classification, the Priority Array, and the road standards for consistency and compliance with the Comprehensive Plan. Recommended changes shall be forwarded to the Planning Department and the Planning Commission for comments prior to their submittal to the Board of County Commissioners for action. The review shall take place within the first year after major Comprehensive Plan updates.
- policy 8A-13.6 **Support for Existing Development** – Coordinate efforts to develop infrastructure that improves the efficiency of existing major industrial and commercial areas.
- policy 8A-13.7 **Right-of-Way Dedication** – The County shall require dedication of right-of-way for needed roads in conjunction with the approval of development projects.
- policy 8A-13.8 **Land Use Compatibility** - The planning, design, location and construction of new transportation projects and facilities shall consider and be compatible with



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adjacent land uses, as indicated in the Comprehensive Plan and development regulations, including natural resource activities and rural residential areas.

- policy 8A-13.9 **Arterials and collectors** - When arterials and collectors traverse residential areas, appropriate traffic controls shall be employed to balance the needs of both the local residents and the traveling public.
- policy 8A-13.10 **Transportation facility standards** - Incorporate standards within the land development regulations to ensure that new development and redevelopment provide adequate motorized and non-motorized transportation facilities within and adjacent to the development.
- policy 8A-13.11 Implement development regulations that allow electric vehicle infrastructure, including battery charging stations, as a use in all areas except those zoned for residential or resource use or critical areas.

Concurrency

Goal 8A-14 Ensure that suitable mitigation measures for addressing the impacts of growth are fair and equitable, and that transportation impacts at the project and system levels are mitigated concurrently with the project.

- policy 8A-14.1 When a development project has a particular impact on the safety, structure or capacity of the County's road system, suitable mitigation shall be required in the form of improvements or through the use of adopted impact fees.
- policy 8A-14.2 The County may, in cooperation with a city, collect impact fees on behalf of that city or town for development within its Urban Growth Area, and may enter into cost sharing arrangements where each shares impact fees collected by the other for impacts to their respective roads.
- policy 8A-14.3 As an alternative, the County may agree to participate in joint planning, funding, and construction of mutually beneficial transportation improvement projects for the unincorporated portion of a city UGA and the adjacent area in the county



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with city willing to enter into a Joint Transportation Planning, Funding, and Construction Agreement with the County.

- policy 8A-14.4 The County may consider the use of impact fees and SEPA mitigation fees as a means to ensure that adequate facilities (including but not limited to transit, pedestrian, bikeways, or roadways) are available to accommodate the direct impacts of new growth and development.
- policy 8A-14.5 If an impact fee ordinance is not in place, the County may require large developments to make improvements or pay a fee in lieu if the development significantly adds to a road’s need for capacity improvement, to a roadway safety problem, or to the deterioration of a physically inadequate roadway. Such traffic impact contributions are in addition to transportation facility improvements required in the immediate area for access to and from the development.
- policy 8A-14.6 The County, in cooperation with the development community, may address transportation impacts of growth, through the GMA and the State Environmental Policy Act as a practical solution to meet the intent of Goal 8A-14 above.

Implementation and Intergovernmental Coordination

Goal 8B Jointly plan, prioritize, and finance transportation improvements with federal, state, regional, and municipal partners for the greatest public benefit.

- policy 8B-1.1 **Future Plans** – Coordinate transportation plans with local, state, and tribal jurisdictions through the Skagit Council of Governments, to identify and provide solutions for anticipated transportation challenges identified over the 20-year life of the Comprehensive Plan.
- policy 8B-1.2 **SR 20** – Encourage the state to provide facilities for non-motorized transportation as part of improvements to SR 20.
- policy 8B-1.3 **Joint Development** – Cooperate with the cities and towns in planning for joint development of road improvements that support mutual objectives.



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policy 8B-1.4 **State Highway Improvements** - In order to ensure that local efforts to meet GMA concurrency requirements are not undermined by inadequate state highways, support efforts at the state level to adequately fund legitimate highway improvement needs.

policy 8B-1.5 **Public Involvement** Encourage the Washington State Department of Transportation to maintain close coordination with the local jurisdictions and the Skagit Council of Governments in transportation planning and in the transportation project decision-making process. In support of this, the County encourages the State to continue enhancing its public involvement programs for state transportation decisions.

policy 8B-1.6 **Americans with Disabilities Act** - The County shall comply with the “Americans with Disabilities Act of 1990.”

policy 8B-1.7 **Traffic Impacts** - In determining traffic impacts of development projects, the County should consider the impacts to all jurisdictions (county, city/town, and state) and condition such projects as necessary to mitigate the impacts.

Capital Improvements

Goal 8C Integrate the Six-Year Transportation Improvement Program (TIP) and the 20-year long range transportation needs assessment with the Capital Facilities Plan consistent with the goals and policies of this Comprehensive Plan.

policy 8C-1.1 **Evaluation Criteria** – Evaluate proposed projects according to the Comprehensive Plan goals and policies as well as engineering feasibility, costs and benefits to the public, safety, impacts to the built and natural environment, community support, opportunities for staged implementation, system benefits and maintainability.

policy 8C-1.2 **Funding** – Make transportation capital investment decisions in consideration of capacity, safety, economic development, public health, and growth management needs.



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The Growth Management Act requires comprehensive plans to include utilities elements. Skagit County has elected to describe all public and private utilities in this element. This includes public water, sanitary sewer, surface water management, and solid waste, as well as private electrical power, natural gas and telecommunications utilities. The GMA requires comprehensive plans to address these facilities and services in the following manner:

- Inventory the general location of existing utilities.
- Establish the proposed location of proposed utilities.
- Examine the capacity of existing and proposed utilities.

GMA requires the utility element to describe locations, capacities, and need for utilities. The policies in this element cover private natural gas, telecommunications, electric utilities; and public solid waste, sewer, water, and surface water utilities. The information relating to utility service providers contained in this Plan is a summary only. More detailed discussions of the topics covered in this chapter are found under separate cover in utility service provider capital functional plans and in the following documents and websites:

- The Skagit County iMap website (available at www.skagitcounty.net/Maps/iMap). This website shows facilities for several types of utilities, including:
 - transmission pipelines;
 - stormwater facilities;
 - Group A Public Water Systems.
- The Skagit County online Map Gallery. This website has an extensive gallery of maps in Adobe pdf format which are free to view and download. For utilities, this includes a Dike District Map and Drainage District Map.
- The Skagit Transit website, located at www.skagittransit.org/routes. This website contains a map of the Skagit Transit system.



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- Skagit County Coordinated Water System Plan - Regional Supplement, 2000. This document provides information on existing water facilities, management and conservation strategies, a needs forecast through 2040, and the availability of water rights to meet those needs, all within the framework of growth management.
- Anacortes-Fidalgo Island Coordinated Water System Plan
- The Capital Facilities Plan (CFP), an element of the Skagit County Comprehensive Plan that is updated annually. This plan contains information and policies regarding financing, level of service and implementation of capital improvement projects.
- Skagit County Comprehensive Economic Development Strategy (CEDS) for Skagit County (updated 2005) and 2013 CEDS Implementation Plan. These plans contain information on utility infrastructure such as sewer service and treatment projects, surface water projects, and utility corridor improvements, as well as estimated costs and potential funding sources.
- Skagit County Comprehensive Solid Waste Management Plan Update and Environmental Impact Statement, April 1994, December 2005, amended June 2008. Summarizes actions to be taken regarding solid waste management and an implementation schedule showing recommendations and associated costs.
- Skagit County Draft GMA Puget Power Electrical Facility Plan and map updates (November 1992) and system map updates (April 2015).

Water

A large portion of rural Skagit County (an estimated 5,700 lots) is affected by the Skagit River Basin Instream Resources Protection Program Rule (WAC 173-503) adopted in 2001. Owners of these lots may not rely on permit exempt wells as an approved water source for new development unless the landowners can demonstrate a legal uninterrupted water source. Skagit County is working with the Department of Ecology, PUD, and other water purveyors, Tribes, and affected property owners to develop and implement water supply projects and solutions in those areas affected by the Skagit River instream flow rule.



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Skagit County Coordinated Water System Plan

Under state law, water utilities are required to establish procedures for coordinated planning under the framework of a “coordinated water system plan” (CWSP). Skagit County’s CWSP was updated in 1999 and 2000 (Regional Supplement) and describes the characteristics of the public water service providers in the county. These include “Group A” systems that serve 15 or more connections or 25 or more people per day for 60 or more days per year. They must meet state and federal Safe Drinking Water Act requirements. In addition, there a number of “non-expanding” and “Group B” water systems that serve smaller areas and are not required to meet federal standards. The federal and state statutory requirements for water system planning and coordination overlap the GMA.

The Skagit County Coordinated Water System Plan was jointly developed by all of the major Skagit County water utilities, in cooperation with the County and State agencies consistent with the Public Water System Coordination Act (RCW 70.116).

The Urban Service Areas for the Skagit County water purveyors are defined, as well as the rural service areas. The CWSP incorporates a level of service standard for rural public water service and related fire protection. An agreement on level of service between the County, water purveyors, cities, and County Fire Marshal is also incorporated in the CWSP.

The water demand projections incorporated in the CWSP were based on state Office of Financial Management (OFM) population projections and further adjusted to reflect OFM and land use criteria to help ensure consistency with the GMA planning procedure. Projections of future water demand are based on a population forecast of 155,257 persons in 2030, 157,741 persons in 2040, and 160,265 persons in 2050. These forecasts are relatively similar to the population forecast in this Comprehensive Plan Update, of 155,452 persons in 2036. Therefore, the CWSP, which plans for water supply through the year 2050, addresses demand projections and needed improvements for a future population similar to that being planned for in this Update.

The evolving land use and water resource management planning programs of Skagit County are reflected in the CWSP’s Joint Operating Agreement (JOA) between the City of Anacortes and Skagit PUD. This JOA establishes the CWSP (and GMA) document as the framework for regional water supply and transmission development. It ensures that the two major water supply providers in Skagit County will work cooperatively to ensure that water supply will be available where and when required, in accordance with the County’s Comprehensive Plan.



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The CWSP and Joint Operating Agreement combine to provide a comprehensive water supply and capital improvement plan for this Comprehensive Plan. The individual Water System Plans are incorporated by reference and by law in the CWSP, and identify priorities for expansion of public water systems, including to those rural areas where development is affected by the Skagit River instream flow rule described below.

Instream Flow Rule

In 2001, the Washington State Department of Ecology (“Ecology”) adopted the Skagit River Basin Instream Resources Protection Program Rule (WAC 173-503) (“2001 Rule”), establishing minimum river and stream flows for salmon habitat. Although the 2001 Rule in draft form allocated water for rural landowners and agriculture, the published 2001 Rule failed to provide a water allocation for rural landowners or agriculture.

In 2006, Ecology amended the 2001 Rule in an effort to fix this problem, establishing a small allocation for rural landowners and agriculture in the Skagit River Basin and each of its tributaries (the “2006 Amendment”).

In 2008, the Swinomish Indian Tribal Community (“Swinomish”) filed suit against the State in an effort to invalidate the 2006 Amendment. On October 3, 2013, the Washington Supreme Court ruled in favor of Swinomish, invalidating the 2006 Amendment. *Swinomish v. State*, Wa. Sup. Ct. Case No. 87672-0.

As a result of the *Swinomish* lawsuit, Ecology provided the following guidance:

Skagit County is legally required to stop issuing building permits and subdivision approvals in the Skagit Basin that rely on new wells, unless Ecology approves a plan for mitigation (or a plan for reliance on an alternative water source during times when the minimum instream flow requirements set in WAC 173-503 are not met).

Skagit County will work closely with landowners, Ecology, and local water purveyors to seek solutions to the lack of available water due to the 2001 Rule. Options include mitigation, securing alternative water sources, and encouraging water purveyors such as Skagit PUD to extend piped water to affected rural areas. The County may also support legislative solutions to water availability issues created by the 2001 Rule.



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Sewer service is available in Anacortes, Burlington, Big Lake, Concrete, La Conner, Mount Vernon, and Sedro-Woolley. Public sewer service is generally not provided in rural areas. The Skagit County Health Department and the Skagit Public Utilities District (PUD) have considered the feasibility of providing sanitary sewer service to some areas where public health issues have been raised due to failing on-septic systems, although so far, sewer service has been found to be prohibitively expensive. The Health Department works with these communities to find solutions that utilize improved septic treatment. That process involves testing existing systems and determining solutions to problems, most of which have been resolved.

Within the UGAs, sanitary sewer service is provided by the cities and towns and the PUD. Expansion of these services is implemented as part of the development process. The ability to provide sewer service is considered by the County in proposals to alter UGA boundaries.

Stormwater

Surface water management within the county includes regulation of new development; county planning, design, construction, and maintenance of facilities; and other facilities such as drainage ditches that are the responsibility of special districts. Surface water management is necessary for both water quantity and quality. The State requires that the County ensure that surface water is managed in compliance with the 2012 Stormwater Management Manual for Western Washington, as amended in 2014, and related federal water quality standards.

The Stormwater Manual provides guidance on measures necessary to control the quality and quantity of stormwater produced by new development and redevelopment to comply with water quality standards.

The Washington State Department of Ecology issued the updated 2013-2018 Western Washington Phase II Municipal Stormwater Permit in 2014, which applies to portions of Skagit County. The Phase II Permit requires that permit recipients develop and implement a Stormwater Management Program (SWMP). The Plan must include components relating to:

- Public Education and Outreach;



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- Public Involvement and Participation;
- Illicit Discharge Detection and Elimination;
- Controlling Runoff from New Development, Redevelopment and Construction Sites; and
- Municipal Operations and Maintenance.

The Permit requires that Skagit County report annually on the progress of its permit program and provide a written plan of activities for the coming year. Skagit County issued its 2015 Stormwater Management Program Plan report in March of 2015. The report is the County's Stormwater Management Program compliance document and describes what the County will do to maintain compliance over the next year of the Permit term.

The County's surface water utility collects annual assessments from property owners to pay for some of its operations. However, most drainage projects are the result of road funds and therefore tend to be included in road improvement projects. This includes culvert replacements and "salmon enhancement" projects that are also funded by state and federal programs.

Solid Waste

The County's solid waste management system consists of the collection and delivery of waste including recyclable materials to transfer stations, from which these materials are shipped to remote landfills and processing centers. According to the Washington State Department of Ecology, in 2013 approximately 164,801 tons of solid waste from Skagit County were landfilled or incinerated. This included 92,814 tons of municipal/commercial solid waste, as well as dredge, soils, industrial waste, construction and demolition debris, and other categories. As of 2003, 27% of solid waste generated in Skagit County was recycled or composted and 23% diverted to energy recovery and other uses, and the remaining 50% shipped to an out-of-county landfill.

The Skagit County Comprehensive Solid Waste Management Plan, completed in 2005 and updated in 2008, provides a guide for solid waste activities in Skagit County. It describes county demographics, waste quantities, and the solid waste management system, and includes recommended actions with an implementation schedule and associated costs.



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Electrical Power

Puget Sound Energy (PSE) is an investor-owned utility providing electrical service to approximately 1.2 million residential, commercial, and industrial customers in eight counties in western Washington. (Puget Sound Energy, 2015) This includes approximately 60,000 electric customers in Skagit County. To provide reliable service, PSE builds, operates, and maintains an extensive electrical system consisting of generating plants, transmission lines, substations, and distribution systems. PSE power-delivery facilities in Skagit County include 1,400 miles of overhead facilities and 1,000 miles of underground cables.

PSE generates about 46 percent of the electricity used by customers from its own power plants, and the rest is purchased from utilities, power producers, and energy marketers. Electricity provided by PSE to Skagit County is often produced with the Baker River Dams and is interconnected to the Northwest's regional transmission grid through a network of transmission facilities. PSE will be deploying smart grid technology at each level of infrastructure to enhance and automate monitoring, analysis, control and communications capabilities along its entire grid.

PSE is regulated by the Washington Utilities and Transportation Commission (WUTC) and is obligated to serve its customers subject to WUTC rates and tariffs. PSE is required by the WUTC to complete an Integrated Resource Plan every two years to forecast the resources necessary to meet future demand over a 20-year period. The current plan, filed in 2013, forecasted that PSE would need to acquire approximately 4,900 megawatts of new power-supply capacity by 2033. More than half of this demand can be met by energy efficiency and the renewal of transmission contracts; the remainder is likely to be met with additional natural gas-fired resources.

To meet local electric demand in Skagit County, new transmission lines and substations may need to be constructed, and existing facilities will need to be maintained and possibly rebuilt. Potential major construction anticipated in Skagit County in the next 10 to 20 years includes the following:

- Rebuilding the Sedro-Woolley to Bellingham #4 Transmission line. This line currently runs from PSE's substation in Sedro-Woolley to the Bellingham Substation in Bellingham. It will be rebuilt within the same corridor as the existing line.
- A new substation in South/Central Skagit County and one or two new connecting 115 kV transmission lines between existing substations, such as the Sedro-Woolley substation in Sedro-Woolley.



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- A new substation in the vicinity of Fidalgo Bay to enhance capacity and reliability to the major industries in the area.

Natural Gas

Cascade Natural Gas transmits and distributes natural gas to more than 260,000 customers in 96 communities in Washington and Oregon. This includes 226,000 residential customers, 33,000 commercial customers, and 700 industrial customers. Subsidiary CGC Resources manages the company's pipeline capacity. The utility obtains its gas mainly from Canadian suppliers. Cascade Natural Gas has a pipeline in Skagit County that extends from Anacortes in the west to Sedro Woolley in the east. (WUTC 2015, Skagit County 2015)

The Washington Utilities and Transportation Commission regulates private, investor-owned natural gas utilities in Washington to ensure regulated companies provide safe and reliable service to customers at reasonable rates.

Telecommunications

Frontier Communications Northwest is the primary provider of telecommunications services in Skagit County. The Washington Utilities and Transportation Commission regulates rates and services of telephone companies operating in Washington State, but does not regulate cable, internet, wireless phones, or "voice over internet protocol" (VOIP). Skagit County coordinates provisions of these services through the development permitting process.

Utilities Issues

Other than water rights in the low-flow stream basins and isolated instances of septic failures, the public utility services in Skagit County's rural areas have sufficient capacities to accommodate projected growth. Distribution of these services is addressed concurrently with growth and development. The provision of services within the UGAs is coordinated with the cities and towns. The private utilities have not indicated any capacity or distribution issues that have an effect on forecasted growth in the rural area.



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Utility locations are determined by utility providers based on system needs and planned growth. Some utility projects are important to the County's economic development. The *Comprehensive Economic Development Strategy 2013 Implementation Plan* includes examples of major planned utility infrastructure projects such as major drainage improvements proposed by Skagit County or cities, or municipal sewer improvements.

GMA Mandate

Development of this chapter was guided in particular by the following GMA Planning Goal:

- *Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.*

This Goal, taken in the context of the totality of the thirteen GMA Planning Goals, led to the following CPPs that provide specific guidance to the analysis and policies developed in this chapter:

- *Public facilities and services shall be integrated and consistent with locally adopted comprehensive plans and implementing regulations. (CPP 12.1)*
- *All communities within a region shall fairly share the burden of regional public facilities. (See the Capital Facilities Element for further information) CPP 12.2)*
- *Lands shall be identified for public purposes, such as: utility corridors, transportation corridors, landfill, sewage treatment facilities, recreation, schools, and other public uses. The County shall work with the state, cities, communities, and utility providers to identify areas of shared need for public facilities. (CPP12.4)*
- *Development shall be allowed only when and where all public facilities are adequate, and only when and where such development can be adequately served by regional public services without reducing levels of service elsewhere (CPP 12.6)*
- *Public facilities and services needed to support development shall be available concurrent with the impacts of development (CPP 12.7)*



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- *Public water supply for new development shall conform to or exceed the Coordinated Water System Plan for public water systems (CPP 12.10)*
- *Public drainage facilities shall be designed to control both stormwater quantity and quality impacts. (CPP 12.14)*

Goals and Policies

Utilities

Goal 9A Ensure the provision of high quality, cost effective and environmentally sensitive utility services in cooperation with public and private providers.

Systems Coordination

Goal 9A-1 Coordinate and encourage timely, safe, and cost-effective planning and design of utility systems with providers and state and federal agencies.

policy 9A-1.1 **Utility Agreements** - Agreements between the county and utility system providers shall provide for the coordination between functional plans and capital facility plans; address the joint use of corridors, installations, and rights-of-way; ensure that development permit reviews address all affected utilities; and mitigate impacts of utility improvement projects.

policy 9A-1.2 **Human Health and Power Facilities** – In reviewing proposals for new power facilities, the county shall consider whether the latest conclusions of scientific research on extremely low frequency (ELF) electromagnetic fields (EMF) have been used to reduce exposure that might affect human health.

Consistency of Plans and Standards

Goal 9A-2 Ensure the consistency, compatibility, and concurrency of utility functional plans through periodic review.



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- policy 9A-2.1 Utility Facility Planning – Utility system plans shall be reviewed for consistency with the County Comprehensive Plan.
- policy 9A-2.2 Vegetation Management – The county shall use standards for vegetation management in public rights-of-way in approving utility providers’ proposals. Such standards shall be based on similar standards of the state Department of Transportation.
- policy 9A-2.3 Critical Areas – Any utility construction including maintenance and repair shall comply with county regulations including the Critical Areas Ordinance and vegetation management standards.

Utility Facility Siting

Goal 9A-3 Site facilities consistent with the policies of the Land Use Element.

- policy 9A-3.1 Siting at Critical Areas – The county shall ensure that utility facilities are not sited in designated critical areas unless feasible alternatives are unavailable, in which case suitable mitigation in accordance with the critical areas regulations shall be required.
- policy 9A-3.2 Siting of Major Facilities - Outdoor installations of transfer and distribution stations providing electrical power, communications, and natural gas, should, where practicable, be located in industrial or commercially zoned areas. Stations should be reasonably compatible with surrounding uses. Where system design or economics necessitate location of such installations in residential or rural areas, installations shall be suitably screened or enclosed so as to eliminate or substantially reduce the visual impact. This may be achieved through appropriate setbacks and screening, such as, buildings, natural topography, landscaping, and vegetation.
- policy 9A-3.3 Land Use - Utility facilities may be permitted in all land use zones when and where utility franchises exist and if they are in compliance with this Comprehensive Plan and related codes and standards.



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policy 9A-3.4 Wireless Communications – Siting of wireless facilities shall minimize visual and noise impacts, through the utilization of existing sites and structures where possible, adequate setbacks, and appropriate landscape screening.

Undergrounding

Goal 9A-4 Encourage underground utility distribution lines to reduce visual and safety impacts of overhead lines where economically feasible.

policy 9A-4.1 **Planning** - Utility providers shall be encouraged to plan for underground installation of utility lines, and private developers shall be required to underground utilities as directed during permit review.

policy 9A-4.2 **Implementation** - Existing overhead utilities shall utilize joint support structures at such time as the system is upgraded if the cost to place lines underground is not reasonable for the rate payer under the rate structure set by state and federal regulation. If a situation exists where underground existing overhead utilities is desired and is technically feasible, a Local Improvement District or some other financial arrangement will be used to have the beneficiaries bear the cost, rather than the general rate payer.

policy 9A-4.3 **Design** - Provisions for future undergrounding of other utilities should be made in the design of initial utility undergrounding projects.

Energy Conservation

Goal 9A-5 Encourage conservation of energy resources, including the reduction of energy consumption in county facilities.

policy 9A-5.1 **Non-renewable Resources** - Generating energy from non-renewable resources may be acceptable if proven to be economically feasible and environmentally sound.

policy 9A-5.2 **Conservation Methods** - Energy conservation should conserve energy resources, minimize air pollution, and delay the need for additional electrical power



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generating facilities. This may be achieved through methods including, but not limited to: education of the public; insulation and weatherization as specified by building codes; and use of energy-efficient systems.

policy 9A-5.3 **Technology Solutions** - Residential, commercial, and industrial development shall be encouraged to use energy-efficient, cost-effective, and environmentally sensitive technologies and resources in new construction.

policy 9A-5.4 **Alternative Energy Resources** - The county shall encourage the use of alternative energy resources in the design and construction of new development..

policy 9A-5.5 **Co-generation** - Commercial and industrial facilities shall be encouraged to incorporate co-generation whenever possible, if economically feasible and environmentally sound.

policy 9A-5.6 **Solar Energy** - The use of solar energy for water and space heating should be encouraged and ordinances shall be developed to protect solar access.

policy 9A-5.7 **Design** – The county should work with builders and developers through incentive programs to seek and implement alternative energy resources in building and site design, and land use.

Solid Waste Management

Goal 9A-6 Protect environmental quality and public health in Skagit County through effective practices, education, regulations, and economic incentives.

policy 9A-6.1 **Waste Reduction** - The county shall endeavor to reduce per capita waste production by changing consumer and industrial practices.

policy 9A-6.2 **Recycling** - The county shall encourage recycling.



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Sanitary Sewer

Goal 9A-7 Encourage public sewer services in Urban Growth Areas and limit them in the rural area.

policy 9A-7.1 **Rural Community Systems** – Community-, and other innovative sewage treatment systems in Conservation and Reserve Development (CaRD) land developments and limited areas of more intensive rural developments (LAMIRDS) - or to address rural public health problems - should be considered on a case by case basis.

Water

Countywide Planning Policies Regarding Water

- *All growth outside the urban growth boundary shall be rural in nature as defined in the Rural Element, not requiring urban government services except in those limited circumstances shown to be necessary to the satisfaction of both the County and the affected city [where applicable] to protect basic public health, safety and the environment, and when such services are financially supportable at rural densities and do not permit urban development. (CPP 1.8)*

Because of the 2001 Instream Flow Rule, Skagit County would support extension of piped water to certain areas to support rural-level development where access to groundwater via exempt wells is unavailable.

Comprehensive Plan Policies Regarding Water

This Comprehensive Plan recognizes that the need for the provision of piped water in rural areas may occur under limited circumstances such as: the transmission pipeline routing between Urban Growth Areas; where existing developments are providing rural public water service and fire protection in accordance with the CWSP; where groundwater does not meet Safe Drinking Water Act and State Health Department criteria for potable water use; where water quantity issues related to actual yield or where groundwater withdrawal will cause a conflict with the 2001 Rule



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related to instream flows; and properties that are rural in nature and density and are adjacent to a piped water system.

The provision of piped water service in rural areas should support the combined objectives of the GMA, the CWSP, individual Water System Plans, and state law.

Goal 9A-8 Influence the development and use of the water resources of Skagit County in a manner that is consistent with the Countywide Planning Policies and the Comprehensive Plan.

policy 9A-8.1 Cooperation with water districts and other water providers shall be extended to support them in their responsibility to provide a reliable service to assure an adequate quality and quantity of potable water and high quality water supply within their service areas.

policy 9A-8.2 Water supply infrastructure expansion shall be designed to meet local needs and urban or rural levels of service standards, and comply with this Comprehensive Plan's land use densities.

(a) Urban Water Service shall mean service provided by a water system(s) that has been designed to provide service throughout the designated urban growth area. The water service shall be designed to meet the water supply needs of the residential, commercial, industrial, and other water needs as defined by the Skagit County or City Comprehensive Plan, the Coordinated Water System Plan, and the designated water utility's Water System Plan.

(i) The Utility's Water System Plan shall document a plan to meet urban water service using the design criteria outlined in Section 4 and on Table 4-1 of the Coordinated Water System Plan and in accordance with the schedule required by this Comprehensive Plan.

(b) Rural Water Service shall mean water service provided by an individual well, a stand alone public water system, or extension of a water system from within an urban growth area that is designed to provide rural water service. The water service shall be designed to meet the rural water supply needs of the rural area users as defined by this Comprehensive Plan, the Coordinated



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Water System Plan, any designated water purveyor’s Water System Plan (where applicable), and the criteria established for the water service in Section 4 and on Table 4-1 of the Coordinated Water System Plan and applicable state law.

- (i) The design shall be guided by the projected rural area water supply and fire protection associated with the requirements of this Comprehensive Plan, and based on the physical or hydraulic capacity requirements as outlined in the Coordinated Water System Plan and the designated water utility's water system plan.
- (ii) Pursuant to RCW 19.27.097 and RCW 58.17.110, Skagit County cannot legally issue a permit for a building requiring potable water or approve subdivision applications unless the applicant has demonstrated a lawful and adequate water supply. See Rural Element policy 3A-2.2.

policy 9A-8.3 Interlocal agreements shall be developed with the cities, towns, and water suppliers in the coordination of water service to urban growth areas.

- (a) The Skagit County Public Utility District #1, the cities, the Swinomish Tribal Community, and the County shall meet and enter into an interlocal agreement that provides for an increasing local and/or tribal government role in the provision of public water within their designated jurisdictional urban growth areas.

policy 9A-8.4 Water supply development and service shall be consistent with all related plans, including but not limited to, the Coordinated Water Systems Plan, the Anacortes-Fidalgo Island Coordinated Water System Plan, this Comprehensive Plan, and related purveyor plans as they are developed.

policy 9A-8.5 New capital facilities for water-system compliance with state and federal safe-drinking-water rules, and water treatment standards shall be based on rural area densities and a level of service that is consistent with the existing character of the environment.



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- policy 9A-8.6 Skagit County shall enforce all county, state and federal laws regarding potable water, well head protection and the installation of water systems.
- policy 9A-8.7 Connection to a public water system should be encouraged in those areas affected by the Skagit River Basin Instream Resources Protection Program Rule (WAC 173-503) or other low flow areas.
- policy 9A-8.8 Limitations on uses and densities should be maintained within areas affected by the Skagit River Basin Instream Resources Protection Program Rule (WAC 173-503) and any other designated low flow stream corridors where necessary to limit individual wells and protect base flows.
- policy 9A-8.9 The Coordinated Water Systems Plan should be reviewed to ensure consistency with the adopted Comprehensive Plan.
- policy 9A-8.10 Water conservation measures shall be incorporated into water supply development and service plans as a method of addressing future water needs.

Stormwater

Goal gB Protect and enhance natural hydrologic features and functions by: maintaining water quality and fish and wildlife habitat; incorporating natural drainage patterns into measures to protect the public from health and safety hazards and property damage; maintaining a sustainable groundwater discharge/recharge budget; and by promoting beneficial uses as well as water resource education and planning efforts.

Risk Avoidance

Goal gB-1 Reduce risks to public health and safety and the loss of, or damage to public and private property.

policy 9B-1.1 **Solutions:** Nonstructural storm water measures should be preferred over structural measures.



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- policy 9B-1.2 **Priority:** Protection of existing development should take preference over the protection of undeveloped lands.
- policy 9B-1.3 **Planning:** Strategies for surface water management should balance engineering, economic, environmental and social factors in relationship to stated comprehensive planning goals and policies.
- policy 9B-1.4 **Community Awareness:** The county shall promote community awareness of the importance of water quality and flood hazard protection through education and outreach in conjunction with planning for water programs.
- policy 9B-1.5 **Stormwater Management Program Plan:** The County shall continue to implement its stormwater management program and required compliance reports.
- policy 9B-1.6 **Structural Flood Protection:** Dikes, levees, and other structural flood protection facilities should be designed to allow fish passage, protect flows in riparian zones, and complement or enhance the surrounding landscape.
- policy 9B-1.7 **Habitat:** Flood protection measures should not result in a long-term net loss of-, or damage to, fish and wildlife resources, and wherever possible, should result in increased diversity of habitat.
- policy 9B-1.8 **Natural Drainage:** Natural drainage shall be preferred over the use of pipelines or enclosed detention systems, where possible.
- policy 9B-1.9 **Best Management Practices:** Storm water runoff from impervious surfaces should be treated by utilizing best management practices (treatment BMPs) before the storm water is allowed to enter the natural drainage system, infiltrate into the ground or enter Puget Sound. Examples of treatment BMPs are, but not limited to: detention ponds, oil/water separators, biofiltration swales and constructed wetlands.
- policy 9B-1.10 **Coordination of Regulations:** The county shall work with other jurisdictions and agencies toward standardization and monitoring of regulations that affect storm water management.



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Introduction

This chapter, along with the County’s rolling six-year Capital Facilities Plan, constitutes the Comprehensive Plan’s Capital Facilities Plan Element for capital facility development, maintenance, and financing. This element implements Goal 12 of the Washington State Growth Management Act (“GMA”), which provides that the County must “[e]nsure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.”¹

GMA specifically requires that the county’s Comprehensive Plan include a Capital Facilities Plan Element consisting of the following:²

- (a) an inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities;*
- (b) a forecast of the future needs for such capital facilities; [including] (c) the proposed locations and capacities of expanded or new capital facilities;*
- (d) at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and*
- (e) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element.*

Skagit County addresses these requirements in two ways—through policies and Level of Service (LOS) standards in the Skagit County Comprehensive Plan, and through the annually updated Capital Facilities Plan. The Capital Facilities Plan is divided into county and non-county facilities, and then grouped by type of facility within each division. Each grouping includes an inventory, forecast of future needs over the 20-year planning period (2005–2025), and financing plan for projects within the next six years. Some jurisdictions (such as Snohomish County) produce a Capital Facilities Plan at the time of their comprehensive plan update, and then annually produce



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a six-year financing plan (sometimes called a Capital Improvement Program). Skagit County has included all of the required components of the Capital Facilities Plan element into this document.

Definition of “Capital Facility”

Although GMA does not specifically define the term “capital facility,” the Growth Management Hearings Board has held that a CFP must include at least the following publicly owned facilities, some of which may be included in other elements:³

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

In addition, the capital facilities element must incorporate planning for “public services,” which include:⁴

- fire protection and suppression
- law enforcement
- public health
- education
- recreation
- environmental protection
- “other governmental services”

Skagit County condenses this into a single definition of “capital facility” which is found in policy 10A-1.1.



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Why plan for capital facilities?

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Because the County's Transportation Technical Appendix, which includes an inventory, and the six-year [Transportation Improvement Program](#) ("TIP"), which includes a financing plan, are incorporated by reference, roads and non-motorized transportation projects that are included in those plans need not appear in the text of this CFP. Accordingly, trail projects other than those contained wholly within a park must be included in the TIP.

Why plan for capital facilities?

The Government Finance Officers' Association identifies four major purposes of a capital facilities plan:

- **Create a formal mechanism for decision-making.** A basic function of the CFP is to provide a framework for decision makers. Decisions about what to buy, when to buy it and how to pay for it can all be answered by a comprehensive CFP.
- **Provide a link to long-range plans.** The CFP can guide the implementation of the community's comprehensive plan, sub area plans, and strategies.
- **Serve as an important management tool.** A major organizational purpose is served by the CFP. It provides a mechanism to help prioritize capital projects and match projects with existing funding options.
- **Function as a reporting document.** A CFP communicates to citizens, businesses, and other interested parties the government's capital priorities and plans for implementing capital projects.

There are numerous benefits of capital facilities planning, including:

- **Focused attention on community goals, needs, and financial capability.** It encourages decision makers and the public to connect future plans and the actions needed to achieve them.
- **Building public consensus for projects and improves community awareness.** The process elevates public awareness of the needs and financial resources of the community.
- **Improved inter/intra governmental cooperation.** A CFP enhances coordination between departments and agencies thereby reducing conflicts and overlapping projects.



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🔗 How do we use the CFP?

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- *Assistance in ensuring financial stability. Capital projects are prioritized and scheduled to fit within expected funding levels, thereby limiting the need for dramatic tax increases or unanticipated bond issues in any one year.*

Planning for capital facilities enables Skagit County to:

- *Demonstrate facility needs through adopted level of service standards.*
- *Anticipate capital improvement needs and plan for their costs.*
- *Integrate community capital facility wants/needs into the annual budget process.*
- *Monitor growth and manage development.*
- *Qualify for revenue sources such as federal and state grants and loans, real estate excise taxes and impact fees. This level of planning also enables the county to receive a better rating on bond issues.*

Skagit County is responsible for capital facilities and service levels related to:

- **Public works:** *County roads/ferry (transportation), surface water management and solid waste disposal*
- **Justice:** *sheriff and jail facilities, youth & family services and superior and district courts*
- **General government:** *administration buildings and maintenance facilities*
- **Community services:** *parks and recreation facilities, County fairgrounds and senior services centers*

How do we use the CFP?

In land use planning

A comprehensive plan should balance the relationship between the demand for services triggered by new development and the financing required to pay for capital facilities in order to assure that the land use commitment made in the plan can be sustained financially over time.

The plan can achieve this balance by:

- Adjusting the amount, location, or timing of the land development (demand side);



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- Adjusting the amount of public facilities and services or the level of service (LOS) provided by those facilities and services (supply side); or by
- Adjusting the amount of financing available.

Since these actions are interrelated, balancing between them can become complex.

In budgeting

Capital facility planning often requires multi-year commitments of financial resources. Financing for some projects assumes receipt of outside grants or voter-approved bonds. If grants or bonds fail to materialize, 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.

In determining needs for new capital facilities

The process to determine need for new capital facilities is rather straightforward. Some facility needs are easy to determine as they are based on the principle of maintaining or meeting technically derived Levels of Service (LOS) standards. LOS standards are established by a technical based measure, e.g. water flow levels to serve a certain population or park space needed per one thousand citizens. Capital facility needs are also derived from special plans and strategies developed for a special purpose.

Planning Period & Update Frequency

Regularly updated capital facilities plans support implementation of the 20-year goals of the Comprehensive Plan. GMA requires at least a six-year plan for capital facility financing.⁵

WAC 365-196-415(2)(a)(iv) recommends a jurisdiction "periodically" review and update its inventory. Skagit County includes both its inventory and financing plan in its six-year CFP, which is updated annually.



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Capital Facilities Financing

The 6-year 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 20-year CFP provides a broader view of available funds in the longer-term. The CFP is a planning document; not a budget for expenditures, nor a guarantee that the projects will be implemented.

Facility Capacity

A CFP provides 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., roads). 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



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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 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.

Concurrency

Goal 12 of the GMA, also known as the concurrency goal, requires jurisdictions to “ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy...”⁶ This goal requires a jurisdiction to adopt policies and regulations that ensure that the jurisdiction phases growth such that “adequate facilities are available when the impacts of development occur.”⁷ A jurisdiction’s capital facilities plan element is one mechanism by which a jurisdiction complies with Goal 12.⁸ In particular, the financing plan that is part of the capital facilities plan element provides the assurance that those capital facilities necessary to support development are not illusory and will be both funded and available when the development occurs. Similarly, the transportation element is a mechanism by which a jurisdiction will achieve concurrency.

Skagit County Code Chapter 14.28 includes concurrency standards that development must meet and requirements for an annual concurrency assessment. A jurisdiction must achieve



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concurrency for only “those public facilities... necessary to support development,” not all public facilities which are included in a capital facilities plan element. It is within the jurisdiction’s discretion to identify which facilities are necessary to support development and must meet the concurrency requirement.⁹ The Department of Community Trade and Development “recommends” that “at least domestic water systems and sanitary sewer systems be added to concurrency lists applicable within urban growth areas and that at least domestic water systems be added for lands outside urban growth areas.”¹⁰

Impact fees and REET

State law requires the County to adopt a Capital Facilities Plan as part of its Comprehensive Plan before it can collect impact fees,¹¹ including impact fees for school districts,¹² and allows the County to spend impact fees and the first quarter percent of its Real Estate Excise Tax receipts (REET 1 revenue) solely on “capital projects” listed in the Capital Facilities Plan.¹³

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 for the immediate future and less so for the later years of the 20-year GMA horizon. WAC 365-196-415(2)(c)(ii) recommends a jurisdiction update its six-year financing plan at least biennially.

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 Countywide 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:

- Revision of population projections.
- Updating the inventory and capacities of public facilities.



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- Determining facilities needs based on adopted or desired level of service standards and planning assumptions.
- Updating the costs of public facilities.
- Updating capital improvements project needs for the next six fiscal years.
- Updating the revenue forecast and analysis of financial capacity.
- Amending the CFP, and Comprehensive Plan (if necessary) including level of service standards, capital projects, and/or the financing plan sources of revenue.

How is the CFP developed?

- **Requests from departments** – County departments must submit any capital project the department wants to execute in the following year for inclusion in the CFP
- **Requests from Outside Agencies** – The County solicits capital facilities plans from non-county service providers to be included or referenced in the CFP
- **Public Review and Comment** – The County code (SCC 14.08) outlines the process for adoption of a comprehensive plan amendment, which includes a comment period and hearing.
- **Planning Commission Review & Recommendation** – The Planning Commission holds a hearing and makes a recommendation on adoption or modification of the draft CFP.
- **Board of Commissioners Adoption** – The Board adopts the CFP during their annual opportunity to amend the Comprehensive Plan or when it adopts or amends the County budget.

GMA Mandate

The GMA goal for capital facilities states:

- **fi** *Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for*



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occupancy and use without decreasing current service levels below locally established minimum standards.

Based on the goal, the county and the cities and towns have adopted the following Skagit County Countywide Planning Policies:

- *Public facilities and services shall be integrated and consistent with locally adopted comprehensive plans and implementing regulations.(CPP 12.1)*
- *All communities within a region shall fairly share the burden of regional public facilities. (The GMA defines regional public facilities as streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks, recreational facilities and schools.) (CPP 12.2)*
- *Lands shall be identified for public purposes, such as: utility corridors, transportation corridors, landfill, sewage treatment facilities, recreation, schools, and other public uses. The County shall work with the state, cities, communities and utility providers to identify areas of shared need for public facilities. (CPP 12.4)*
- *Lands designated for urban growth by this Comprehensive Plan shall have an urban level of regional public facilities prior to or concurrent with development. (CPP 12.5)*
- *Development shall be allowed only when and where all public facilities are adequate, and only when and where such development can be adequately served by regional public services without reducing levels of service elsewhere. (CPP 12.6)*
- *Public facilities and services needed to support development shall be available concurrent with the impacts of development. (CPP 12.7)*
- *The financing for system improvements to public facilities to serve new development must provide for a balance between impact fees and other sources of public funds and cannot rely solely on impact fees. (CPP 12.8)*
- *New development shall pay for or provide for its share of new infrastructure through impact fees or as conditions of development through the environmental review process. (CPP 12.9)*
- *Public water supply for new development shall conform to or exceed the Coordinated Water System Plan for public water systems.(CPP 12.10)*



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- *Future development of land adjacent to existing and proposed schools and other public facilities shall be compatible with such uses. (CPP 12.11)*
- *Library service within the county should be developed and coordinated to assure the delivery of comprehensive services throughout the County, with the county, cities and towns fairly sharing the burden. (CPP 12.12)*
- *A county-wide recycling program shall be developed. (CPP 12.13)*
- *Public drainage facilities shall be designed to control both stormwater quantity and quality impacts. (CPP 12.14)*
- *Skagit County shall provide results of the required six year capital facilities plan, including a financing plan, and these shall be consistent with land use designations. (CPP 12.15)*
- *Citizens shall have the opportunity to participate in and comment on proposed capital facilities financing. (CPP 12.16)*
- *The Washington State Boundary Review Board for Skagit County should be disbanded pursuant to RCW 36.93.230 provided that the following tasks are accomplished: (a) that ALL cities and the County have adopted comprehensive plans and development regulations consistent with the requirements of these Countywide Planning Policies and RCW 36.70A, including appropriate urban levels of service for all public facilities and services; (b) that ALL cities and the County have adopted a concurrency ordinance that requires the adopted urban levels of service addressed in (a) above be accomplished in time frames that are consistent with RCW 36.70A.; (c) that special purpose districts that serve UGAs have adopted urban levels of service standards appropriate for their service areas; (d) that ALL cities and the County have an adopted capital facility plan for urban levels of service that indicates sources of revenue and a timeline for meeting such service; and (e) that ALL cities and special purpose districts have in place adopted “interlocal agreements” that discuss arrangements for transfer of assets and obligations that may be affected by transference of governance or annexation of the service area consistent with the requirements of applicable RCWs. (CPP 12.17)*



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Goals and Policies

Capital Facilities

Goal 10A 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 10A-1 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

policy 10A-1.1 “Capital facility” is any publicly owned structure, improvement, or asset (including land) that meets all of the following criteria:

- (a) is related to providing one of the facilities or services identified above;
- (b) exists now or may be needed during the current GMA 20-year planning period (2016 - 2036);¹⁴
- (c) requires the expenditure of public funds over and above annual maintenance and operational expenses; and



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- (d) costs \$10,000 or more; and
- (e) has a life expectancy of 10 years or more;
- (f) but not existing vehicles and equipment, the replacement of which is programmatically funded by the County's Equipment Rental & Repair fund.

policy 10A-1.2

Capital Facilities Categories: For the purpose of Skagit County's Capital Facility planning efforts to support growth and ensure facilities necessary to support growth are provided, the following categories of capital facilities are defined:

- (a) Category 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) Category 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) Category 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) Category 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.

policy 10A-1.3

Application of Standards – Based on the categories defined above, the following application of LOS standards shall be used by the county in assessing facility needs and financing:

- (a) 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.



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

policy 10A-1.4 **Levels of Service (LOS):** Skagit County adopts the following LOS standards.

Facility or Service	 Level of Service for Rural Development	 Level of Service for Urban Development
Streets/Roads	<p>The LOS standard for County roads is C. LOS D is acceptable for all road segments that:</p> <ul style="list-style-type: none"> ▪ have Annualized Average Daily Traffic (AADT) greater than 7,000 vehicles; and ▪ are NOT federally functionally classified as an 09-Local Access Road; and ▪ are designated as a County Freight and Goods Transportation Systems Route (FGTS). <p>The LOS standard for County road intersections is LOS D. Roads must be constructed consistent with latest County Roads Standards.</p>	
Domestic Water	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 the Skagit County Comprehensive Plan and the Coordinated Water System Plan for rural domestic water supply and fire protection.	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.
Stormwater	SCC 14.36.020: rural surface water management systems constructed consistent with SCC Chapter 14.32	SCC 14.36.020: urban surface water management systems constructed consistent with SCC Chapter 14.32
Wastewater	Sewer is generally prohibited in rural areas.	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. SCC 14.16.215(3)(d) and BVR SAP 6A-4.2: as established in the City of Burlington Comprehensive Sewer Plan.
Fire Suppression	Facilities must maintain a WSRB public protection classification No. 8 or better, and fire flow in accordance with the CWSP Section 4, Minimum Design Standards. See also CPP 1.7.	The County must ensure that adequate fire and emergency medical service facilities are located or planned to accommodate current and future population. See also CPP 1.7.



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Facility or Service	 Level of Service for Rural Development	 Level of Service for Urban Development
Law Enforcement	SCC 14.28.070(1)(c)(ii):1 officer per 2000 served	SCC 14.28.070(1)(c)(i): 1 officer per 1000 or 100 acres of developed commercial or industrial
Education	Educational and facility standards in district's CFP	Educational and facility standards in district's CFP
Parks and Rec	Facilities must be provided at the following population ratios:	
	Park Classification	LOS Standards (per 1,000 people)
	Regional Parks	11.93 acres
	Community Parks	1.12
	Neighborhood Parks	.19

policy 10A-1.5 **Determining Public Facility Needs** – Facility needs shall be determined by comparing existing facility capacity to adopted levels of service (LOS), national standards, regional averages, or assessments of a particular facility or service demand.

policy 10A-1.6 **Level of Service (LOS) Alternatives** – Factors in addition to LOS for calculating needs include:

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

policy 10A-1.7 **Prioritizing Improvements** - Capital improvement decisions shall be based on the following criteria:



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

policy 10A-1.8 **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.

policy 10A-1.9 **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

Goal 10A-2 Provide means to balance needs with available funding.

policy 10A-2.1 **Financial Feasibility** - The estimated costs of identified capital improvements shall not exceed dependable revenue sources that are available to the County.

policy 10A-2.2 **Financial Responsibility** - Funding for capital facilities shall be from both current and future users depending upon the timing of need.

policy 10A-2.3 **Current Needs** - Capital improvements that reduce or eliminate existing deficiencies; some or all of the replacement of obsolete or worn out facilities; and/or pay a portion of the cost of capital improvements needed by future growth shall be funded by user fees, service charges, special assessments and/or taxes.

policy 10A-2.4 **Future Needs** - New growth shall pay its fair share of capital improvements cost necessary to support its demands. This may include voluntary contributions for



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the benefit of any capital facility, impact fees, mitigation payments, capacity fees, dedications of land, provision of public facilities, and future payments of user fees, charges for services, special assessments and taxes. These revenue sources shall not be used to pay for the portion of any public facility that reduces or eliminates existing deficiencies.

policy 10A-2.5 **Financing Policies – Enterprise Funds.** Capital improvements financed by County enterprise funds shall be financed by:

- (a) debt to be repaid by user fees and charges and/or connection or capacity fees for enterprise services;
- (b) current assets (i.e., reserves, equity or surpluses, and current revenue, including grants, loans, donations and interlocal agreements), or a combination of debt and current assets.

policy 10A-2.6 **Financing Policies: Non-enterprise Funds** Capital improvements financed by non-enterprise funds shall be financed from either current assets: (i.e., current revenue, fund equity and reserves), debt, private sources, or a combination thereof. Financing decisions shall include consideration for which funding source (current assets, debt, or both) will be the most cost effective; consistent with prudent asset and liability management; appropriate to the useful life of the project(s) to be financed and efficient use of the County's ability to borrow funds.

policy 10A-2.7 **Funding by Referendum** - If projects requiring voter approval of funding remain unfunded for more than one year after listing in the CFP, the CFP shall be revised at the next annual amendment to adjust for the lack of such revenues. Adjustments can be made by reducing the level of service for one or more public facilities; increasing the use of other sources of revenue; decreasing the cost, and therefore the quality of some types of public facilities while retaining the quantity of the facilities that is inherent in the level of service standard; decreasing demand for and subsequent use of capital facilities; or by combining any of the above alternatives.



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policy 10A-2.8 **Uncommitted Revenue** - All development permits issued by the County, which require capital improvements that will be financed by sources of revenue which have not been approved or implemented (such as future debt requiring referenda) may be conditioned on the approval or implementation of the indicated revenue sources, or the substitution of a comparable amount of revenue from existing sources.

policy 10A-2.9 **Available Revenue and Capital Facilities to Support Land Use** - The county must finance the six-year Capital Facilities Plan within the its financial capacity. If the projected costs exceed the financial capacity the county may elect to adjust level of service standards; revise the land use element; consider other sources of revenue; or select any combination of the preceding, to achieve a balance between available revenue and capital facilities needs.

policy 10A-2.10 **Alternative Resources** - The county may consider alternative funding sources such as outside service contracts and joint use of capital facilities to supplement capital funding.

policy 10A-2.11 **Implementation Schedule Changes** - Amendments to the schedule of capital facilities may be made in conjunction with Comprehensive Plan amendments or may be concurrent with adoption of or amendment to the County budget where the Board determines that such changes are warranted, and adequate public notice is given.

policy 10A-2.12 **Project Delays** - Project implementation delays that affect concurrency provisions may only be allowed if other projects can substitute for addressing the need, or the adopted LOS can be reduced to be consistent with the shortfall.

policy 10A-2.13 **Evaluation of Buildings and Space Improvements** - The annual review of the six-year CFP should include the evaluation of buildings and space improvements needed to provide workspace for projected staffing levels.

policy 10A-2.14 **Ensuring Concurrency** - Impacts of development on capital facilities occur when development is constructed. The county may issue development permits only after it has determined that there is sufficient capacity of Category-A and



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Category-B public facilities to meet the LOS standards concurrent with the proposed development.

- policy 10A-2.15 **Concurrency Determination** - Concurrency of public facilities for new development may be determined only if the facilities and services are, or will be, in place, at the time of development, or if the conditions of the permit are that the facilities or services will be in place, or the County has a binding commitment for the cost of the facility or service.
- policy 10A-2.16 **Capital Facilities and Concurrency in Municipal UGAs** – The County plans in partnership with cities on Municipal UGAs, and the Cities must plan and demonstrate the capability of providing services in the future. Until Municipal UGAs are annexed, urban development is not allowed. Capital facility requirements and concurrency within municipal Urban Growth Areas that allow urban development shall be governed by the Capital Facilities Plan and concurrency requirements of the respective municipality.
- policy 10A-2.17 **Capital Facilities and Concurrency in Non-municipal UGAs** – Capital facility requirements and concurrency within county-governed, non-municipal UGAs shall be developed for the specific urban growth area using a combination of county- and non-county-provided services at adopted urban levels of service appropriate to the planned urban development.
- policy 10A-2.18 **Land Use Compatibility of Category-A and Category-C Capital Facilities** - Public capital facility improvements should be consistent with the adopted land use map and the goals and policies of other elements of this Comprehensive Plan.
- policy 10A-2.19 **Other Capital Facilities Plans** - For informational and coordinating purposes the capital facilities plans of cities and special purpose districts, including water purveyors, fire districts, port districts, public utility districts, and others as appropriate are resources for county planning.

Citizen Involvement

Goal 10A-3 Ensure that capital facility planning involves citizens.



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policy 10A-3.1 **Public Participation in Capital Facility Proposals** – A public process that informs, notifies and encourages participation in formulating significant capital facility proposals shall be part of the on-going comprehensive plan amendment or budget processes.

policy 10A-3.2 **Capital Facilities Financing** - Citizens shall have the opportunity to participate in and comment on proposed capital facilities financing.

¹ RCW 36.70A.020(12).

² RCW 36.70A.070(3).

³ “Public facilities” are defined by RCW 36.70A.030(12). See also WAC 365-196-415.

⁴ “Public services” are defined by RCW 36.70A.030(13).

⁵ A capital facilities element that only forecasts future needs and proposed locations and capacities of new capital facilities on a 6-year projection does not comply with the GMA requirement that such a forecast be done on a 20-year cycle. *Cotton v. Jefferson County* 98-2-0017 (Amended FDO, 4-5-99).

⁶ RCW 36.70A.020(12).

⁷ WAC 365-195-070(3).

⁸ See e.g., *Taxpayers for Responsible Government v. City of Oak Harbor*, WWGMHB 96-2-0002 (Final Decision and Order, July 16, 1996); *McVittie v. Snohomish County*, CPSGMHB 99-3-0016c (Final Decision and Order, Feb. 9, 2000).

⁹ Id. See also *Oak Harbor*, 96-2-0002 (FDO) (quoting RCW 36.70A.020(12)).

¹⁰ WAC 365-195-070(3). See also *Sedro-Woolley v. Skagit County*, WWGMHB 03-2-0013c (Final Decision and Order, June 18, 2004) (finding County’s failure to make adequate provision for sewer and water prior to urban development in the UGA did not comply with GMA).

¹¹ RCW 82.02.050(4).

¹² RCW 82.02.050(4), last line.

¹³ See spending limitation at RCW 82.46.010(2)(b) and definition of “capital project” at RCW 82.46.010(6). Recent legislation also allows the County to spend limited REET 1 revenue on operations and maintenance through 2016. RCW 82.46.010(7).

¹⁴ Only the financing plans for fulfilling those needs may be limited to the next six years.



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Introduction

This chapter includes a summary of analysis and strategies that support the goals and policies in the Economic Development Element. This chapter fulfills the County’s obligations under the GMA to include an economic development element in the Comprehensive Plan.

The Economic Development Element of the Skagit County Comprehensive Plan is a companion to the *Comprehensive Economic Development Strategy (CEDS)* that is maintained by the Skagit Council of Governments. The Council is a regional government body charged with a number of activities including the coordination of local economic analysis and planning. The *Comprehensive Economic Development Strategy* is updated periodically by the Skagit Council of Governments in partnership with the Economic Development Association of Skagit County to address requirement of the Growth Management Act (GMA) and the U.S. Economic Development Administration. The Community Economic Development Strategy provides information on trends, needs, problems and opportunities, and identifies strategies for implementing the goals in this Element.

Demographic Profile

As of 2010, Skagit County’s population was estimated at 116,901 by the U.S. Census Bureau. This represents an average annual increase of 1.3% since the 2000 Census, significantly slower than the 2.6% average annual population growth rate the county realized during the 1990s. The County’s largest cities are Mount Vernon (33,659 residents in 2010), Anacortes (15,861), Sedro-Woolley (12,335) and Burlington (10,312). The table below shows average annual growth rates historically by decade and projections going forward through the year 2040. The Washington State Office of Financial Management (OFM) Medium forecast represents a “most likely” scenario and assumes a slightly lower average annual growth rate through the year 2040 than has occurred recently.

Table 1 Skagit County Population Trends by Urban Growth Area (2000-2010)

Skagit County		Washington State	
Growth in Previous 10 yrs		10-year	



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	Population	Avg Annual Pop Growth	Avg Annual Growth Rate		Population	
Historical Data						
1970	52,381	103	0.2%		3,413,250	1.8%
1980	64,138	1,176	2.0%		4,132,353	1.9%
1990	79,545	1,541	2.2%		4,866,663	1.6%
2000	102,979	2,343	2.6%		5,894,143	1.9%
2010	116,901	1,392	1.3%		6,724,540	1.3%
OFM Low Projection						
2020	112,268	-463	-0.4%		6,650,247	-0.1%
2030	121,918	965	0.8%		7,014,757	0.5%
2040	132,558	1,064	0.8%		7,291,723	0.4%
OFM Medium Projection						
2020	128,249	1,135	0.9%		7,411,977	1.0%
2030	144,953	1,670	1.2%		8,154,193	1.0%
2040	162,738	1,779	1.2%		8,790,981	0.8%
OFM High Projection						
2020	150,196	3,330	2.5%		8,323,502	2.2%
2030	179,930	2,973	1.8%		9,545,795	1.4%
2040	210,828	3,090	1.6%		10,676,166	1.1%

Source: OFM 2012; BERK Consulting, 2014.

Projected growth shares for the 2015-2036 period are based on the OFM Medium forecast and current population shares for the year 2012, and range from less than 1% for smaller towns to above 15% for larger cities such as Anacortes and Mount Vernon. The Rural area would take a 20% share consistent with the County's policy of directing most growth to UGAs. Table 2 below shows population projections through 2036 for Skagit County.



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Table 2 Skagit County Population Projections (2036)

UGA	2012 Population	2012-2015 Population Growth Forecast	2015-2036 Population Growth Forecast	2015-2036 Population Growth Forecast Allocation Percent	2036 Population Growth Forecast Allocation
Anacortes	16,090	308	5,895	16.5%	22,293
Burlington	10,393	71	3,808	10.7%	14,272
Mount Vernon	33,935	1,034	12,434	34.8%	47,403
Sedro-Woolley	12,431	83	4,555	12.7%	17,069
Concrete	873	0	320	0.9%	1,193
Hamilton	310	3	114	0.3%	427
La Conner	898	-1	329	0.9%	1,226
Lyman	441	2	162	0.5%	605
Bayview Ridge	1,812	-1	72	0.2%	1,883
Swinomish	2,489	15	912	2.6%	3,416
Rural (outside UGAs)	38,277	238	7,150	20.0%	45,665
Total	117,949	1,752	35,751	100.0%	155,452

Source: OFM 2012; BERK Consulting, 2014. The figures apply to cities/towns including their associated UGAs.

The County’s housing costs continue to climb after bottoming out in 2012. Median home values were estimated by Zillow to be at \$225,000 in November 2014, up 11.9% over 2013. However, foreclosures continue to be a factor affecting home values. At 5.6%, the share of delinquent mortgages in the county is less than the national average (6.9%). Median rents are currently at \$1,175. More information on housing costs is located in the Housing Chapter.

Household income growth rates have slowed even in nominal terms from 2000 to the five year 2009-2013 period. The five year (2009-2013) county median household income was \$55,925. This was 94% of the statewide median income, up from 93% in 2000. Poverty increased in almost all Skagit County jurisdictions during the 2000s, with the exception of Hamilton. Table 3 below shows household income and percentage of households below poverty level.



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Table 3 Household Income & Households Below Poverty Level (1990, 2000, 2009-13)

Jurisdiction	Median Household Income			% of HH Below Poverty Level				
	1990	2000	2009-2013	1990	2000	2009-2013	Change (1990-2000)	Change (2000 to 2009-13)
Anacortes	\$28,919	\$41,930	\$55,116	11.60%	7.80%	9.1%	-33%	17%
Burlington	\$22,437	\$37,848	\$44,740	12.80%	12.20%	19.6%*	-4%	61%
Concrete	\$23,529	\$29,375	\$37,639	13.40%	14.20%	30.9%*	6%	118%
Hamilton	\$19,844	\$31,500	\$42,344	16.10%	24.10%	22.4%*	50%	-7%
La Conner	\$25,054	\$42,344	\$33,194	6.40%	8.80%	15.0%*	37%	70%
Lyman	\$23,125	\$34,318	\$47,212	13.60%	13.40%	15.8%*	-1%	18%
Mount Vernon	\$27,022	\$37,999	\$48,240	13.20%	13.20%	19.0%	0%	44%
Sedro-Woolley	\$23,606	\$37,914	\$50,121	13.70%	11.90%	16.6%	-13%	39%
Skagit County	\$28,389	\$42,381	\$55,925	11.50%	9.50%	13.4%	-17%	41%
WA State	\$31,183	\$45,776	\$59,478	10.90%	9.80%	13.5%	-10%	38%

Source: U.S. Census Bureau. Note 2009 to 2013 data is a five year average from the U.S. Census Bureau American Community Survey. Data for cities marked with an * is considered unreliable due to high coefficients of variation.

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Skagit County remains tied to the natural resource industries that were the basis of its early economic activity—but today less so than in past years. This natural resource based legacy led to high unemployment in the 1970s and 1980s, an era that saw downturns in the timber products and food processing industries. While agriculture, forestry, fishing and hunting continue to be important, they have experienced declines in terms of annual average employment. The recently released *Skagit County Comprehensive Economic Development Strategy, Data Supplement 2013* prepared for the SCOG, showed declines (in terms of number of jobs) in agriculture and forestry and manufacturing and increases in retail, finance, and wholesale trade. In terms of average annual wages, construction (\$58,911 in 2012), manufacturing (\$58,589) and management of companies and enterprises (\$72,031) are the highest paid sectors.



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Employment

Skagit County has diversified, with the largest sectors (in terms of total employment) now being retail, manufacturing, and health care and social assistance. Retail trade employment has yet to return to the 2006 peak level of 7,504 employees and has average annual wages that are \$11,000 below the county average of \$39,328.

In July 2013, county unemployment was 8.4%, above the average for the state and other I-5 corridor counties. Since 1990, the county has experienced higher unemployment rates than the state with some years over 3% higher.

Manufacturing employment in the county fell by 15% from the 2007 peak to the 2010 trough. From 2010 to 2013, 600 jobs (13%) have been recovered. In terms of employment, the three largest manufacturing industries are food processing, machinery, and petroleum and coal products. The county has oil refineries in Anacortes as well as yacht and tugboat builders.

Government employment is concentrated in local government and public K-12 education.

Table 4 Skagit County Covered Employment Trends by Industry (1990-2013)

Employment Sector	Actual Employment Totals			Actual Change (1990-2013)	Average Annual Increase (%)		
	1990	2001	2013		1990-2001	2001-2013	1990-2013
					(11 years)	(12 years)	(23 years)
Agriculture *	2,817	3,621	2,744	-73	2.3%	-2.3%	-0.1%
Mining	28	34	29	1	1.8%	-1.3%	0.2%
Construction	2,302	2,815	2,690	388	1.8%	-0.4%	0.7%
Manufacturing	4,081	5,813	5,546	1,465	3.3%	-0.4%	1.3%
TCPU **	1,427	1,704	1,667	240	1.6%	-0.2%	0.7%
Wholesale Trade	1,092	1,300	1,224	132	1.6%	-0.5%	0.5%
Retail Trade	7,129	9,300	6,655	-474	2.4%	-2.8%	-0.3%
FIRE **	945	1,298	1,963	1,018	2.9%	3.5%	3.2%
Services **	5,408	8,789	13,899	8,491	4.5%	3.9%	4.2%
Government	5,782	9,296	10,856	5,074	4.4%	1.3%	2.8%



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Employment Sector	Actual Employment Totals			Actual Change (1990-2013)	Average Annual Increase (%)		
	1990	2001	2013		1990-2001 (11 years)	2001-2013 (12 years)	1990-2013 (23 years)
Total Employment	31,011	43,970	47,273	16,262	3.2%	0.6%	1.8%

Source: State of Washington Employment Security Department. Data is for employees covered by unemployment insurance and excludes proprietors. *A significant part of the increase in agricultural employment may be attributed to extension of unemployment insurance to cover a higher proportion of agricultural workers, an ongoing process that began in the mid-90s. **TCPU denotes transportation, communications and public utilities; FIRE is an abbreviation for finance, insurance and real estate. Services includes: professional and technical; management of companies and enterprises; administrative and waste; education; health care and social assistance; arts, entertainment, and recreation; accommodation and food services; and other services, except public administration.

Table 5 shows the proposed 2015-2036 job allocations. Countywide employment projections are similar to but greater than Washington State Employment Security Division (ESD) growth rates, reflecting local policy choices that emphasize more family wage jobs and industrial growth. The total growth selected is about 18,850 jobs over 2015-2036. Initial allocations reflect trends in the Rural area at 8%, a share of jobs in Anacortes at 11% reflecting that local jurisdiction’s review of employment data and discussions with local businesses, the I-5 Corridor communities’ share predominating at 77%, and a smaller Towns & Tribal Land share of 4%.



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Table 5 Skagit County 2012-2036 Job Allocations: Planners' Preferred, July 09, 2014

UGA	2012	Net Growth 2012-2015	Resource	Retail	Industrial	Services	GovEdu	Additional Allocation: Northern State	Net Growth 2015-2036	Total 2036	Percent: 2015-2036
Anacortes	8,166	238	0	92	702	806	476		2,076	10,480	11.0%
Burlington	9,467	429	0	305	1,141	1,360	710		3,516	13,412	18.6%
Mount Vernon	16,024	479	0	201	874	1,936	1,774		4,785	21,288	25.4%
Sedro-Woolley	4,594	158	0	46	368	592	566	2,746	4,427	9,179	23.5%
Concrete	347	11	0	9	7	8	85		109	467	0.6%
Hamilton	214	8	0	1	47	11	7		66	288	0.4%
La Conner	1,053	38	0	26	63	115	125		329	1,420	1.7%
Lyman	28	1	0	0	4	3	2		9	38	0.0%
Bayview Ridge	1,434	222	0	1	1,436	305	57		1,799	3,455	9.5%
Swinomish	925	32	0	9	22	150	109		290	1,247	1.5%
Rural	7,749	147	0	47	558	379	463		1,447	9,343	7.7%
Total 2015-2036	50,001	1,763	0	737	5,222	5,665	4,374	2,746	18,853	70,617	
Percent			0.0%	4.6%	32.6%	35.4%	27.3%	14.6%	100.0%		100.0%

Source: ESD 2012; Skagit Council of Governments 2015; BERK Consulting 2014. The figures for cities/towns include their associated UGAs. Sector splits are based on Employment Security Division (ESD) projections. ESD mid-term growth rates were applied to 2012 base employment. ESD Projections are for non-farm jobs and exclude proprietors, self-employed, unpaid family or volunteer workers, farm workers, and domestic workers. Net growth allocations are considered the growth target. Sector splits are for informational purposes only.

Agriculture

While the region is well known for agriculture, as of 2013, it is no longer the county's largest sector. In 2013, agriculture, forestry, fishing, and hunting accounted for about 4.5% of gross domestic product (GDP).⁴ In 2007, the county's 1,215 farms (operations that produced or sold

⁴ Employment Security Department. September 2015. Skagit County Profile. Available:



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\$1,000 of products) produced crops and livestock products worth \$256 million. In 2012, this decreased to 1,074 farms with a market value of \$272 million. Historically, the county has generated 50% of the world's cabbage seed production, upwards of 85% of the nation's beet seed production, and 75% of the world's spinach seed production. More recently, the number of small farms has increased and demand for organic, locally grown food has diversified the mix of products.

Less than 2 percent of the county's farms are larger than 1,000 acres and 41 percent of the farms are categorized by the U.S. Department of Agriculture as "residential or lifestyle" farms meaning the owner's primary occupation is something other than farming. Skagit County has designated almost 90,000 acres as agricultural lands, though less than that is in full production in any given year.⁵

Forestry and Fishing

In terms of land area, forest resources take up a large share with 315,000 acres designated as Industrial Forest Lands and another almost 39,000 acres designated as Secondary Forest Lands (lands that are harvested and also provide buffers between industrial forestry and rural residential areas). According to the Washington Regional Economic Analysis Project, forestry and fishing experienced the fifth fastest employment decline between 2002 and 2010, falling by 0.5%. This decline in the strength of the forestry sector has occurred over the last two decades with declining harvests on federal and state lands, along with other economic and market factors. While fishing is not as viable as it once was, there are Alaska fishers with home ports in Anacortes and La Conner along with boat builders, service and repair facilities.

Commercial and Industrial Activity

The Port of Skagit, Skagit County, and the Skagit Council of Governments commissioned the Skagit County Industrial Land Study by ECONorthwest in 2014. The final report (December 2014)

<https://fortress.wa.gov/esd/employmentdata/reports-publications/regional-reports/county-profiles/skagit-county-profile>.

⁵ Skagit Conservation District, 5 Year Plan (2009-2014). Available at: http://scc.wa.gov/wp-content/uploads/2013/12/Skagit-LRP-2009_2014.pdf



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↳ Trends

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found an available supply of about 1,767 acres of land zoned to accommodate industrial uses, and a demand for about 525 to 1,675 acres of buildable land:

Skagit County has 1,767 buildable industrial acres. Of these, 307 acres are in tax lots that are partially vacant, and 1,461 acres are in vacant tax lots. Bayview Ridge, Anacortes, and Mount Vernon have the largest shares of buildable industrial land.

Skagit County will need between approximately 400 to 1,300 acres of land for WTCU [Wholesale, Transportation, Communications and Utilities] employment and between approximately 125 and 375 acres of manufacturing employment.

Various Skagit County governmental and economic development organizations will use the inventory to assess the future need for ready-to-build industrial land in the county, and to serve as the basis of a property search/marketing tool for economic development interests in the County.

The industrial and buildable lands inventory identifies a limited supply of large-lot industrial land to meet the needs for larger development projects in Skagit County. Given its location out of the floodplain and its proximity to transportation and other urban services, the Bayview Ridge UGA is uniquely well suited to meet that need. New employment forecasts approved by the Growth Management Act Steering Committee for county and city planning through their 2016 comprehensive plan updates place a greater emphasis on job growth than has been the case with previous adopted forecasts. One important piece of meeting those job growth projections through 2036 is having an adequate supply of commercial and industrial land, particularly in the large-lot category.

Expanding the amount of industrial land at the Bayview Ridge UGA was a key recommendation from the Envision Skagit 2060 Citizen Committee Final Recommendations report (October 2011). Those recommendations generated support for the countywide industrial lands inventory and for significant policy changes at Bayview Ridge, which downplayed future residential development in favor of a stronger focus on industrial development. Amendments to the Bayview Ridge Subarea Plan made by the County in 2013 and 2014 increased the amount of land available for development in the Bayview Ridge-Light Industrial zone by nearly 300 acres.



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Infrastructure

Skagit Public Utility District operates the County's largest water system serving an area from Conway to Alger/Lake Samish in the north/south direction and from Fidalgo Island in the west to Marblemount in the east. The cities of Burlington, Mount Vernon and Sedro-Woolley receive the majority of the PUD water. The Skagit PUD provides nine million gallons of water each day to about 65,000 people and maintains nearly 600 pipeline miles. Resource conservation and stewardship are increasing concerns and the PUD is a member of the Skagit Watershed Council actively participating in efforts to protect in-stream flows.

The Skagit County road system is made up of over 800 miles of roads and 110 bridges. The County also operates the Guemes Island Ferry. As noted in the Transportation Element Technical Appendix, there are needs to improve Cook Road; it is anticipated that existing traffic congestion along Cook Road between I-5 and Green Road will worsen with additional intersection volumes and with increased railroad crossing delays. Other improvements are proposed for non-motorized modes.

Strengths, Weaknesses, Opportunities and Threats

The Comprehensive Economic Development Strategy planning process included an assessment of factors that form the basis for the overall economic development strategy. This assessment produced the following conclusions in the 2003 CEDs as updated based on the 2013 CEDs Data Supplement, US Census Bureau, and State information.

County Strengths

Community characteristics that make Skagit County a good place to do business or invest, as well as to live, work and recreate, also are a good basis from which to achieve the community's vision for economic development. These include:

1. *Diverse natural resources make Skagit County a good place to live and continue to provide economic opportunity.*



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Strengths, Weaknesses, Opportunities and Threats

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2. *Location midway between Seattle and Vancouver, B.C., has placed Skagit County at the heart of the Pacific Northwest's most dynamic growth corridor.*
3. *A skilled local workforce is available to support a wide variety of industrial, commercial and institutional activities.*
4. *Skagit County's commitment to environmental protection provides a quality of life not available elsewhere on the Puget Sound/I-5 corridor.*
5. *Strong interjurisdictional and public-private partnerships have been forged to facilitate coordinated delivery of public services.*

County Weaknesses

Local conditions may limit the extent or speed with which countywide objectives for economic development can be realized. Several weaknesses or areas of concern are noted:

1. *Housing is becoming less available and affordable as Skagit County faces increasing population growth pressures.*
2. *Educational attainment and social issues are growing sources of concern in the face of employer demands for a more skilled workforce.*
3. *Physical infrastructure remains inadequate to remedy existing deficiencies and address new needs from growth.*
4. *Faced with difficult and complex issues, it is challenging to build consensus on a common course for the future.*

External Opportunities

The following include major characteristics of Skagit County's location and economic potential that are important in the larger region:

1. *Puget Sound and Pacific Rim markets.*
2. *Footloose business and industrial firms.*
3. *Recreation, convention and resort development.*
4. *Value-added natural resource business.*



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5. *High-tech industries, aviation industries, industries related to trade and commerce, and specialty manufacturing.*

External Threats

Conditions or concerns that could undermine local economic stability are identified as posing potentially significant issues for Skagit County's economic development both short and long-term:

1. *Federal, state, and local regulatory requirements.*
2. *Urban sprawl (though this can be managed through this Comprehensive Plan).*
3. *Federal endangered species listings such as Puget Sound Chinook Salmon.*
5. *Declining public revenues, increased costs, and challenging County regional and local service delivery roles, leading to diminishing public sector budgets.*
6. *Limitations on rural water rights.*

Development Strategy

Skagit County's *development strategy* links the assessment of local economic potentials, goals and objectives with resulting programs, activities and projects described by the *implementation plan*. The development strategy also is an overall guide to future actions, recognizing that specific projects in the implementation plan may change on an annual basis in response to changing needs or opportunities.

This development strategy represents a multi-year course of action for economic development and diversification activities in Skagit County. This *countywide* development strategy also reflects a continuing planning process, which seeks to balance governmental jurisdiction, private business and citizen interests.

This development strategy sets a multi-year course of action for meeting stated economic development goals and objectives as well as countywide planning policies. Growth and development occur in incremental steps, and there are only limited public and private resources to address economic needs and opportunities throughout Skagit County. Consequently,



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implementation of this strategy by governmental jurisdictions, the Skagit Council of Governments, the Economic Development Association of Skagit County, and private and community interests will also occur incrementally.

The 2013 Comprehensive Economic Development Strategy (CEDS) Implementation Plan lists over 230 economic development project proposals. This Implementation Plan shows how local governments are implementing the CEDS through capital projects, plans, and studies.

GMA Mandate

The GMA goals are highly interrelated with respect to economic prosperity. For example, transportation is crucial to ensuring the free flow of goods and employees, as discussed further in the Transportation Element. The two GMA goals related most directly to Economic Development are:

- *Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities. (Goal 5)*
- *Maintain and enhance natural resource-based industries including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses. (Goal 8)*

These goals led to the following Countywide Planning Policies (CPPs) that provide specific guidance to the analysis and policies developed in this Element:

- *The development of environmentally sensitive industries shall be encouraged. (CPP 5.1)*
- *Home occupations that do not significantly change or impact neighborhood character shall be permitted. (CPP 5.2)*
- *Economic diversity should be encouraged in rural communities where special incentives and services can be provided. (CPP 5.3)*



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- *Commercial and industrial activities directly related to local natural resource production may be allowed in designated natural resource areas provided they can demonstrate their location and existence as natural resource area dependent businesses. (CPP 5.4)*
- *A diversified economic base shall be encouraged to minimize the vulnerability of the local economy to economic fluctuations. (CPP 5.5)*
- *Commercial, industrial and residential acreage shall be designated to meet future needs without adversely affecting natural resource lands, critical areas, and rural character and life styles. (CPP 5.6)*
- *Tourism, recreation and land preservation shall be promoted provided they do not conflict with the long term commercial significance of natural resources and critical areas or rural life styles. (CPP 5.7)*
- *Agriculture, forestry, aquatic resources and mineral extraction shall be encouraged both within and outside of designated resource lands. (CPP 5.8)*
- *The primary land use within designated forest resource lands shall be commercial forestry. Residential development shall be strongly discouraged within designated forest resource lands. (CPP 5.9)*
- *Lands within designated agricultural resource areas should remain in large parcels and ownership patterns conducive to commercial agricultural operations and production. (CPP 5.10)*
- *Skagit County shall conserve agriculture, aquaculture, forest and mineral resources for productive use by designating natural resource lands and aquatic resource areas, where the principal and preferred land uses will be long term commercial resource management. (CPP 5.11)*
- *Value added natural resource industries shall be encouraged. (CPP 5.12)*
- *Skagit County shall increase the availability of renewable resources and encourage the maximum attainable recycling of non-renewable resources. (CPP 5.13)*
- *Commercial and industrial activities directly related to or dependent on local aquatic resource areas should be encouraged in shoreline areas provided they are shoreline dependent and/or related. (CPP 5.14)*



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- *The Comprehensive Plan shall support and encourage economic development and employment to provide opportunities for prosperity (CPP 5.15)*

Countywide Planning Policies for natural resource industries are included in the Natural Resource Lands Element.

The GMA was amended in 2002 to require local comprehensive plans to contain economic development elements. While this requirement will not be enforced until state funding is made available, Skagit County has included within the Comprehensive Plan an element consistent with the following GMA language:

An economic development element establishing local goals, policies, objectives, and provisions for economic growth and vitality and a high quality of life. The element shall include: (a) A summary of the local economy such as population, employment, payroll, sectors, businesses, sales, and other information as appropriate; (b) a summary of the strengths and weaknesses of the local economy defined as the commercial and industrial sectors and supporting factors such as land use, transportation, utilities, education, work force, housing, and natural/cultural resources; and (c) an identification of policies, programs, and projects to foster economic growth and development and to address future needs.

Goals and Policies

The following goals and policies are supported by the analyses and strategies included in the narrative above.

Employment

- Goal 11A** Encourage the creation and retention of diverse employment opportunities.

Industry

- Goal 11A-1** Encourage resource-based industries as a major part of Skagit County's economy.



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Living Wage Jobs

Goal 11A-2 Encourage the creation and retention of living wage jobs to meet the needs and demands of Skagit County households.

Entrepreneurs

Goal 11A-3 Encourage diverse job options and entrepreneurial opportunities for persons interested in full-time and part-time employment or desiring to own their own business.

Skill Building

Goal 11A-4 Encourage educational opportunities for residents of all ages to develop and upgrade skills required for employment, advancement and entrepreneurship.

policy 11A-4.1 Encourage local business investments that provide economic and employment opportunities for all county residents.

policy 11A-4.2 Work cooperatively with local jurisdictions, the Skagit Council of Governments, the Economic Development Association of Skagit County, the ports of Skagit and Anacortes, and federal and state agencies to promote economic development and employment opportunities consistent with countywide economic development policies.

policy 11A-4.3 Accommodate home-based businesses that are compatible with the character of adjoining properties and neighborhoods.

policy 11A-4.4 Cooperate with education providers and employers to ensure the availability of facilities and programs necessary to meet the needs of K-12, college, vocational and continuing education levels.



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Commercial and Industrial Development

Goal 11B Economic Viability: Promote the continued economic viability of Skagit County's natural resources and encourage related value-added production of agricultural, fishery, and forestry resources.

Diversity

Goal 11B-1 Complement Skagit County's natural resource industries by encouraging a diversified base of non-resource businesses and industries.

Capacity

Goal 11B-2 Plan for sufficient buildable industrial lands with access to infrastructure and services to meet the evolving needs of industry.

Redevelopment

Goal 11B-3 Encourage the re-use of existing industrial sites that have potential for reuse or redevelopment.

Telecommunications

Goal 11B-4 Encourage low cost, easily accessible, state of the art telecommunications services throughout the county with linkages to nearby counties that are economically tied to Skagit County.

Recruitment

Goal 11B-5 Promote business recruitment and development of firms that will diversify the local economy and compete effectively in local, national and international markets.



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Retention

Goal 11B-6 Promote the retention and expansion of existing local businesses as a first priority while also promoting the start-up of new businesses particularly those providing living wage jobs.

Marine Industry

Goal 11B-7 Recognize the importance of the marine-based economy of Skagit County in the County's Comprehensive Economic Development Strategy.

Upper Skagit Valley

Goal 11B-8 Strive to stimulate the economy of the upper Skagit Valley through protection of resource-based industry, compatible tourism, and community development strategies.

policy 11B-8.1 Protect longterm commercially significant natural resource industries and operations shall be protected from encroachment by incompatible uses

policy 11B-8.2 In cooperation with the cities, ports, tribes, and users, conduct, and maintain an inventory of buildable lands suitable for urban and rural commercial and industrial development.

policy 11B-8.3 Locate lands designated for industrial use where they will have ready access to appropriate infrastructure, environmental constraints will be minimized, and permitting can be expedited.

policy 11B-8.4 Ensure lands designated as industrial accommodate a mix of uses, and include public and private ownership consistent with market demands and trends.

policy 11B-8.5 Maintain cooperative working relationships with local, tribal, regional, statewide, federal and international organizations that pursue economic development



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activities consistent with the goals and objectives of this economic development element.

policy 11B-8.6 Participate in seeking grant funding for the following:

- (a) Clean-up of contaminated sites;
- (b) Re-use and redevelopment of infill sites;
- (c) Improvement of infrastructure to support economic development; and
- (d) Strategic investment in business recruitment and expansion.

Visitor Services

Destination

Goal 11C Support Skagit County as a visitor destination by preserving and enhancing the unique qualities of both rural areas and urban communities.

Visitor Opportunities

Goal 11C-1 Promote visitor opportunities that do not negatively impact the rural lifestyles of Skagit County residents, critical areas, or long-term commercial significance of natural resources.

Tourism Attraction

Goal 11C-2 Promote the county's excellent regional location, lodging and retail opportunities and local public transportation options as attractions for tourism.

policy 11C-2.1 Encourage the establishment and maintenance of a countywide convention and visitors' bureau. The bureau would support city efforts to develop and market



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visitor services and promote of the county’s regional location, amenities, and services.

policy 11C-2.2 Through adopted parks, transportation, and community plans, implement strategic efforts to develop and maintain scenic open space and cultural and heritage resources that are attractive to residents and visitors alike.

policy 11C-2.3 Site visitor facilities at locations that can be served with necessary public infrastructure and are compatible with surrounding uses.

policy 11C-2.4 Ensure that plans for rural area visitor facilities and services do not conflict with rural lifestyles, critical areas, and the long-term commercial significance of natural resources, and are coordinated with appropriate local, state, and federal agencies.

Human Services

Service Support

Goal 11D Support a full range of human and social services necessary to encourage a strong local economy.

Human Service Opportunities

Goal 11D-1 Encourage the linkage of job creation needs and opportunities with human and social services including health care, education, transportation, employment assistance, and welfare.

Access to Services

Goal 11D-2 Encourage sufficient sites for human and social services, and improved access to those services, to meet the needs of Skagit County employees and employers.



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Facilities

Goal 11D-3 Support development and maintenance of human and social service facilities through funding decisions and land use codes.

Conservation and Economic Development

Quality of Life

Goal 11E Encourage economic development that supports sustainable natural resource industry, protects valued open space and environmental quality and enhances Skagit County's overall quality of life.

policy 11E-1.1 Encourage businesses to recycle, use, or manufacture products made from recycled materials and use innovative processes that conserve natural resources and protect or enhance environmental quality.

policy 11E-1.2 As appropriate, use the community planning process to address conflicts between development and environmental objectives. These processes shall involve participants representing all interests and viewpoints.



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Transportation and Economic Development

Transportation Improvements

Goal 11F Acknowledge economic development needs in formulating recommendations for improvements to transportation facilities and services.

Infrastructure

Goal 11F-1 Work with ports, economic development organizations, cities, transportation providers, and agencies to provide the infrastructure necessary to facilitate a sustainable county economy.

Marine Economy

Goal 11F-2 Recognize the importance of the marine-based economy of Skagit County in the Comprehensive Economic Development Strategy (CEDS).

Ports

Goal 11F-3 Support the economic and job-creating activities of the port districts to ensure their long-term viability.

policy 11F-3.1 Encourage the Washington State Ferry System to maintain ferry services from Anacortes to the San Juan Islands and Vancouver Island, B.C., in order to provide for commerce and tourist trade in and through Skagit County.

policy 11F-3.2 Support the Port of Skagit in its economic development activities across the County, particularly at the Skagit Regional Airport and North Cascades Gateway Center (the former Northern State Hospital campus) areas, and the Port of Anacortes in its efforts to more fully utilize its deep draft marine terminal for trade, commerce and related economic development.



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policy 11F-3.3 Strive to keep Highway 20 open to eastern Washington throughout the year, if economically feasible, in order to stimulate the economy of the economically distressed upper Skagit Valley.

Business and Investment Climate

Public-Private Partnerships

Goal 11G Foster a public-private cooperative partnership involving government and tribal organizations through the Skagit Council of Governments, and private stakeholders through the Economic Development Association of Skagit County, to support diverse business operations and investments throughout Skagit County.

Public Investment

Goal 11G-1 Encourage public investments aimed at maintaining a high quality of life and attracting business investment.

Anticipate Change

Goal 11G-2 Recognize the need for flexibility in promoting economic development to be responsive to unforeseen or changing economic conditions and community expectations.

Intergovernmental Coordination

Goal 11G-3 Implement permitting procedures that are understandable, predictable and can be accomplished within time periods that meet or exceed statutory requirements. Procedures for permitting that require approvals of both the County and other jurisdictions should be consistent.



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Fiscal Impact

Goal 11G-4 Encourage economic development that creates a net positive fiscal impact for Skagit County.

policy 11G-4.1 Link County capital facility planning and programming to the Comprehensive Economic Development Strategy (CEDS) to sustain a high quality of life and attract business investment.

policy 11G-4.2 Monitor and evaluate constraints to economic development caused by regulations and permitting procedures and implement revisions, if necessary, as part of annual or periodic comprehensive plan and development regulation updates. Coordinate with other (federal and state) permitting agencies to simplify procedures.

policy 11G-4.3 Maintain a growth management indicators monitoring program to measure progress in economic development initiatives in coordination with the Skagit Council of Governments and the Economic Development Association of Skagit County. The indicators program report should be updated at least every 3 ½ years to coincide with the periodic GMA update schedule.

policy 11G-4.4 Consider as part of the County's budgeting process outside funding sources such as grants, as well as careful fiscal needs analyses in order to ensure that tax revenue generation is competitive with other jurisdictions.

policy 11G-4.5 Support the work program of the Skagit Council of Governments to update the Comprehensive Economic Development Strategy as least every three years to identify needs and solutions for transportation, human services, environmental protection, community development and other elements that support improvements to the location economy

policy 11G-4.6 Implement the Comprehensive Economic Development Strategy to build local capacity for sustained economic development.



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Putting the Plan into Action

The Skagit County Comprehensive Plan provides a legally recognized framework for making decisions about land use in the unincorporated areas of Skagit County. It is intended to aid a broad range of public and private users, including property owners, the general public,



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community groups, developers, Skagit County officials, and other government agencies in making choices and decisions that may affect the quality of life in Skagit County. Responsibility for putting the Plan's policies into action relies on an understanding of several characteristics of the Comprehensive Plan:

It is a declaration of the community's vision, standards and expectations for future growth and development. The Plan's general goals and policies inform the purpose and intent of more specific land use and development regulations, and contribute to a more stable and predictable setting for economic and community development.

It guides the development of additional community plans and implementing regulations. The Plan is the framework for more detailed plans and regulations for Rural Villages and other limited areas of more intensive rural development. These more detailed community plans and regulations consider specific local circumstances that may be unique to certain areas of unincorporated Skagit County.

It guides the provision of public facilities and services by integrating land use, infrastructure and human service delivery. The Comprehensive Plan provides the framework for decisions about public facilities and services (such as where facilities should be located to support planned growth). The Plan directs public spending to areas where growth is targeted.

It provides regional coordination and consistency with other jurisdictional planning efforts. The intent is that other public agencies (local, regional, state, federal, and tribal), in cooperation with Skagit County, use the Comprehensive Plan in conjunction with the Countywide Planning Policies as a regional perspective or guidepost when developing other plans and growth policies, and when making project decisions.

It allows for citizen participation and involvement. Comprehensive planning is an evolving process which allows for periodic review and updates in response to changing community goals and vision as articulated by citizens, businesses, and interested organizations.

It protects citizen property rights while achieving countywide goals and policies. Implementation of the comprehensive plan is carried out through a process that assures regulatory or administrative actions do not result in unconstitutional taking of private property. The land use plan and implementing zoning provide reasonable use of private properties. A permit process system implements the Comprehensive Plan to ensure that there is consideration of applications in a



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timely manner. Comment and appeal procedures are included as appropriate to provide avenues for public and property owner input.

Implementation Themes

The County's role in the overall regional growth management implementation process involves several major activities, all of which are discussed further in various sections of the Plan:

- **City/County coordination:** *Within an agreed-upon framework, the County works with the cities and towns to address growth and development in the Urban Growth Areas through the coordination of public infrastructure investment and permitting activities, and the forecasting and monitoring of growth to ensure that adequate land is available for future urban needs.*
- **Regional economic development:** *The County is a partner with the Skagit Council of Governments and the Economic Development Association of Skagit County in maintaining a program for retaining and attracting businesses that generate revenue and jobs.*
- **Regional transportation planning:** *The County is a partner in the Skagit Council of Governments Regional Transportation Planning Organization and the Metropolitan Planning Organization, charged with planning for public investment in highways and other facilities.*
- **Community planning:** *The County works with the various rural communities within unincorporated Skagit County to establish planning priorities and timelines for developing more detailed community plans.*
- **Monitoring:** *Within the limits of available funding and technology Skagit County monitors and collects new data, or acquires existing data to establish meaningful benchmarks and indicators to assist in planning decisions. Public input plays a significant role in this process.*



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Periodic Review of the Comprehensive Plan

Amendments to the Comprehensive Plan must retain the broad perspectives articulated by the community, and remain consistent with the intent of the Growth Management Act. Over time, changes in law, population and growth trends, economic conditions, and public perspectives and opinions may change. Periodic review of the Comprehensive Plan ensures, to the extent possible, that the Plan reflects and acts upon these changing circumstances.

The Comprehensive Plan is reviewed and amended periodically, according to several review cycles:

- *Periodic Urban Growth Area Review: On a periodic basis established by the Growth Management Act, the County and cities and towns are to review designated UGA boundaries, densities, and patterns of urban growth, and revise the boundaries and permitted densities as needed to accommodate the urban growth projected in Skagit County for the succeeding 20 years.*
- *Periodic Update: On a periodic basis established by the Growth Management Act, the Comprehensive Plan, the land-use/zoning map, and implementing development regulations are to be reviewed, and if needed, revised to ensure they comply with the Growth Management Act. This review incorporates new data, changes in law, or changes in local circumstances that come to light through early and continuous public participation.*
- *Annual Amendments: Incremental changes to the Comprehensive Plan may be necessary to address unforeseen circumstances, or to re-balance land-use designation criteria for a particular parcel or area of land. The Comprehensive Plan may only be amended once annually, except for exceptions allowed by the Growth Management Act.*

Comprehensive Plan Amendment Process

General Requirements

Amendments to the Comprehensive Plan must be supported by findings from monitoring of growth management and economic indicators, changes in law, omissions or errors, or declared



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emergency. Comprehensive Plan amendments may be initiated by the County or by other entities, organizations, or individuals according to the process and procedures specified in Skagit County Code.

The docketing cycle for these amendments is initiated by an official notice that specifies the requirements for public participation; submittal requirements; procedures for determining the docket of amendment proposals to be reviewed in a given amendment cycle; and the steps that will be taken to reach the final amendment decision.

Comprehensive Plan amendments will be considered no more frequently than once per year, except for the exceptions allowed by RCW 36.70A.130. The County may consider adopting amendments more frequently than once per year if a declared emergency exists. An emergency amendment may only be adopted if the Board of County Commissioners finds that the amendment is necessary to address an immediate situation of federal, state, countywide, or local concern, as opposed to a personal emergency on the part of the applicant or property owner, and if the situation cannot adequately be addressed by waiting until the annual comprehensive plan amendment process.

The boundaries separating the Urban Growth Area, Rural and Natural Resource Lands designations are intended to be long-term and unchanging. Amendments or changes to natural resource lands and critical area designations should be based on changes in law or local circumstances, errors in designation, or new information on natural resource lands or critical areas.

Periodic Urban Growth Area Review

Urban Growth Areas (UGAs) include incorporated cities and towns, combined with whatever surrounding unincorporated area is necessary to accommodate urban growth projected to occur over 20 years. Skagit County and its cities and towns must periodically assess the respective Urban Growth Area boundaries and densities, and revise their comprehensive plans and development regulations as necessary to accommodate the urban growth projected to occur in Skagit County for the succeeding 20-year period.

Skagit County and the cities and towns periodically review and update a 20-year population and employment forecast. Timing of this update may be adjusted as necessary to best utilize U.S.



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Census and Washington State Office of Financial Management data, and for the convenience and benefit of other update cycles requiring such data.

Procedures, timelines, and fees for requesting an amendment to an Urban Growth Area are specified in Skagit County Code. Generally, Skagit County requires that:

- *Proposals to amend an Urban Growth Area boundary may generally only be accepted every periodic update cycle. More frequent amendments to Urban Growth Areas may be requested by a city or town based on a list of exceptions in Skagit County Code.*
- *Urban Growth Area boundary amendments are due by the same deadline as all other annual Comprehensive Plan amendments, and may only be submitted by the jurisdiction (county, city, town or tribe) whose UGA is proposed to be modified.*
- *Applicants for Urban Growth Area boundary changes must demonstrate compliance and consistency with the Land Use Element requirements for designating Urban Growth Areas.*

Periodic GMA Update

The update of the Comprehensive Plan, map and development regulations is made official through legislative action of the Board of County Commissioners. However, the planning process leading up to the Board's action is ongoing – the next cycle beginning shortly after the last one ends.

Comprehensive Plan policies guide the establishment of more detailed facility plans, regulations, and programs, which may require updates and review according to timelines that may not always coincide with the GMA-required periodic update. Between each periodic update, new laws and policies, legal decisions, implementation measures, data and other information may raise the need to amend or update certain portions of the Comprehensive Plan, the land-use/zoning map, development regulations, or supporting plans and studies to maintain consistency and relevance.

Amendments that occur between the periodic updates, in effect, keep the Comprehensive Plan and development regulations continuously up to date. At the end of the periodic update cycle, these various amendments are reviewed and incorporated into the official action by the Board of County Commissioners to affirm that the Plan and regulations are updated. Any actions that may be further necessary, but cannot be completed by the end of the periodic update cycle, are identified in a work program for subsequent years.



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The final year of a GMA-required periodic update cycle may be combined with the coinciding regular annual amendment cycle to ensure cumulative review, consistency and convenience. Flexible submittal requirements, suspension of application fees and other measures may be used during this periodic update year to encourage broad public participation. Such flexible requirements may not supersede State Environmental Policy Act (SEPA), Planning Commission and Board of County Commissioner public notification and other procedural requirements and deadlines. Depending on staffing and budget constraints, Skagit County may choose to not initiate other major planning projects or programs during this final year of the update cycle.

Annual Comprehensive Plan Amendments

The Comprehensive Plan may be amended once annually (with exceptions as allowed by law) to ensure consistency with development regulations and supporting plans, such as community, facility and other functional plans. Amendments may also be necessary to address changes in local circumstances, and to rebalance existing land-use designation criteria for a specific parcel or group of parcels in light of new information.

General Amendment Process Requirements

- **Fees.** *The petitioner shall pay the application fees specified in an adopted fee schedule, unless waived by the Board of County Commissioners during a periodic update.*
- **Petition.** *The petitioner shall submit a written application, on forms provided by the County, containing appropriate amendatory language and, if applicable, a map showing the proposed change. The petitioner shall also address how the proposal is consistent with Comprehensive Plan policies or land-use designation criteria.*
- **Timing.** *Petitions shall be submitted by the date specified in the docketing announcement. Petitions received after the deadline will be processed with proposed amendments in the following year.*
- **Docketing for Further Consideration.** *According to procedures and timelines specified in Skagit County Code, the Department will evaluate each complete application to determine whether the proposal, if included in the annual docket for further consideration, would:*
 - adversely affect the County's budget;



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- require additional amendments to policies or regulations;
 - be more appropriately addressed as part of a separate work program;
 - or not be approvable due to some legal or procedural flaw in the proposal.
- *Following the Department’s recommendation on these considerations, the Board of County Commissioners will conduct a public meeting or hearing to consider whether or not to include each proposal in the year’s docket of proposed amendments. A decision by the Board to include or exclude an amendment from the annual docket is final, procedural only, and does not constitute a decision by the Board as to whether the amendment will ultimately be approved. Applicants whose proposals were not included in the docket are free to resubmit the same or modified proposal in a future year’s amendment cycle.*
- **Environmental Review.** *If the Board approves for the docket the amendment proposal, the petitioner shall submit an environmental checklist, and fees as specified in an adopted fee schedule, within a time specified in Skagit County Code. After receipt of the environmental checklist, fees, and supporting documentation the County will issue an environmental threshold determination on the proposed amendment(s). If the threshold determination finds that there may be significant adverse environmental impacts, a Draft Environmental Impact Statement may be required.*
- **Process.** *Amendment docketing, processing, public and agency review and participation, notification, public hearings, and final actions shall be as specified in Skagit County Code, an in accordance with other local and state laws, and this Comprehensive Plan.*

Monitoring Plan Effectiveness

The effectiveness or success of the Comprehensive Plan is measured or monitored in several ways, including through the collection and evaluation of land use development trends and policies. Certain data, such as population, age, family size, cost and number of housing units, school enrollments, building permits, and others, contribute to an understanding of how these factors relate to public policies and programs.

Regular collection, evaluation, and reporting of data assists County policy- and decision-makers, and the public, in identifying whether the Plan’s policies are furthering their intended goals, and



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whether programs and public services are meeting the public's needs. When measured over time such data can become "indicators" that may signal changing trends, or reveal successes or needed adjustments in comprehensive plan policies.

The County is committed to working collaboratively with cities and towns to collect, monitor and evaluate meaningful and mutually beneficial data, particularly in the sizing and density of UGAs. The County is also committed to continued cooperation with other jurisdictions in data sharing, and maintaining a current database of growth management information.

In 2002, Skagit County initiated the Growth Management Indicators (GMI) reporting program, resulting in a report describing the status of the Comprehensive Plan's performance up to 2001. The GMI report was intended to be renewed periodically to provide information in advance of each periodic GMA update cycle. The GMI reporting program was based on or sought to carry out the following:

- *Measure progress towards meeting the goals and objectives of the Skagit County Comprehensive Plan.*
- *Encourage public participation in the development and review of Review of the growth management indicators data.*
- *Document data of countywide concern, including but not limited to: land capacity, density, permit processing, housing costs, economic strength and diversity, natural resource consumption, solid waste, transportation, open space, and water quality.*
- *Consider growth management indicators data as part of the County's annual budget review process.*
- *Identify alternatives to achieving those goals, objectives, or policies that are not demonstrating progress toward their implementation.*
- *Maintain a status report regarding the implementation of policies, including policies that have been implemented successfully.*

The County did not have resources to continue the Growth Management Indicators reporting program by itself. However, the County and other jurisdictions are now proposing to establish an annual land use monitoring program in coordination with the Growth Management Act Steering Committee. The program will seek to accomplish many of the same goals as the County's Growth Management Indicators Program initiated in 2002.



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Community Plans

Relationship to the Comprehensive Plan

The Comprehensive Plan envisions a hands-on approach to how the Plan and its development regulations will be applied at the community scale. Community plans exemplify how the community vision statements, goals, objectives and policies of this Comprehensive Plan are applied to detailed and specific conditions. Community plans may indicate specific land use designations, appropriate densities, and the design standards that should apply in community planning areas. Preserving and building community character while ensuring an efficient and predictable development approval process is a central theme.

Subarea or community planning may be considered under the provisions of the Growth Management Act provided the community plan is consistent with the comprehensive plan (RCW 36.70A.080). During the development of the countywide comprehensive plan, many rural communities and residents expressed an interest in developing their own community plans. Policies within this element relate to administrative processes: initiation and development of community plans, and the relationship between each community development plan and the Comprehensive Plan.

Development of this chapter was guided in particular by the following GMA Planning Goal: “Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.”

This Goal, in the context of all of the GMA Planning Goals, led to the following Countywide Planning Policy that provide specific guidance to the analysis and policies developed in this chapter:

- *Skagit County shall encourage citizen participation throughout the planning process as mandated by state statute and codes for environmental, land use, and development permits. (CPP 11.5)*
- *Skagit County shall utilize broad based citizen advisory committees to participate and assist in the development of the Comprehensive Plan Elements, sub-area plans, and functional plans. (CPP 11.6)*



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Function of Community Plans

The community planning process seeks to enhance community values and assure sensible growth and development. Community plans result from partnerships uniting the County, other jurisdictions, and citizens of a planning area. A community plan puts into action the general policies of the Comprehensive Plan at a much finer scale and level of detail. Community plans may address issues at the local level that are not covered in a general comprehensive plan. Patterns of land use, design, traffic circulation, and services expressed within the community plan are a function of local economic, social, physical health, safety and welfare issues of the people who live and work within the community planning area. Community plans also consider compatibility and consistency with surrounding land uses and jurisdictions. Community plans focus on enhancing individual communities in a manner that benefits the entire county. Citizens decide what they want to nurture and what they want to change at a level that they are knowledgeable about and comfortable relating to.

The Comprehensive Plan serves as an "umbrella" document and provides a foundation upon which community plans are developed. Community plans may vary considerably depending upon local issues, problems, and opportunities. They will generally include mapping, policy, and capital facilities amendments to the Comprehensive Plan.

Consistency Between the Comprehensive Plan and Community Plans

Community plans must be consistent with the Comprehensive Plan, Growth Management Act, and other federal and state laws. They may explore areas where flexibility exists in the application of Comprehensive Plan policies to a given community, or where the Comprehensive Plan is silent on an issue. Ensuring consistency requires analyzing proposed community plans against each policy of the Comprehensive Plan. If a proposed community plan or policy conflicts with the Comprehensive Plan, the proposed plan or policy is inconsistent. Modifications would need to be made to any such community plan, or to the Comprehensive Plan, through the amendment process described earlier in this chapter.



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Completed Community Plans

Alger. The Alger Community Plan was developed with the assistance of a Citizen Advisory Committee and extensive public outreach and was adopted in December 2008. Some of the plan recommendations are to:

- Maintain the rural character of the area with modest additions to the Rural Freeway Service and Rural Intermediate land use designations;
- Maintain and enhance the open space areas;
- Minimize the impact of large-scale special uses;
- Increase opportunities for small-scale businesses in the Alger Rural Village.

Bayview Ridge. The Bayview Ridge Subarea Plan, originally adopted in 2006, was most recently updated in November 2014. The 3,586-acre non-municipal Urban Growth Area is located approximately one mile west of the City of Burlington. The 2014 update to the plan, development regulations and land use designations expanded the area within the UGA available for industrial development; rezoned or removed land previously intended for new urban residential development; and adopted measures to ensure compatibility with continued development of the Skagit Regional Airport.

Guemes Island. The Guemes Island Subarea Plan, adopted in January 2011, contains recommendations to protect the sole-source aquifer, shoreline environs, open space and natural resource lands, and transportation, among other topics. Some of those recommendations are proposed for implementation through code as part of the 2016 periodic update to the comprehensive plan and development regulations.

Town of Hamilton. In 2008, Skagit County approved the Town of Hamilton Subarea Plan and an expansion of its Urban Growth, both important steps in the town's efforts to relocate itself out of the Skagit River floodway. The Hamilton UGA expansion provided the town with 48 acres outside of the floodway for the relocation of its old town commercial center and residential areas; added 59 acres owned by Janicki Industries for construction of a high-tech manufacturing facility; and designated 157 acres to the northeast of the new UGA as "Hamilton Urban Reserve," indicating the town's long-term plans to expand into that area.



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Goals and Policies

Plan Implementation

Goal 12A Create opportunities for citizens to participate in developing community plans at a local level that protect and conserve community character while ensuring consistency and compatibility with the comprehensive plan.

policy 12A-1.1 There are two fundamental steps in community planning: plan development and plan adoption.

(a) The development of a community plan may be initiated by the County, by community groups in collaboration with the County, or by community groups or other entities working largely or entirely with their own resources. Groups that may initiate a community planning processes should consult with the County on timing, priorities, Comprehensive Plan policies and procedures, and other factors that may affect the development, consideration, and adoption of the proposed community plan.

(i) Skagit County is not obligated to provide financial support, staff support, or technical assistance to a community planning effort if the Board of County Commissioners has not determined it to be a priority per policy 12A-1.2 below.

(b) Adoption of a community plan proposal shall follow the legislative procedures described earlier in this chapter. A community group that has initiated and completed a community plan per this policy may submit the plan to the County for consideration through the annual Comprehensive Plan amendment process.

policy 12A-1.2 The County may initiate a community plan; provide assistance and guidance in the community planning process; or advance a community plan proposal through the legislative process, according to an annual determination of priorities by the



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Board of County Commissioners. In establishing priorities the Board may consider numerous factors, including:

- (a) legislative mandates;
- (b) threats to public health and safety;
- (c) major environmental or economic threats or opportunities;
- (d) major development proposals;
- (e) community initiatives;
- (f) availability of staff and financial resources; and
- (g) the need to update an adopted community plan.

Goal 12A-2 Provide for early and ongoing citizen involvement in the development of community plans.

policy 12A-2.1 Establish citizen advisory committees (CACs), consistent with the County's public participation program, to make recommendations on land use designations, development and design standards, transportation improvements, capital facility improvements, densities, and other land use matters within the community planning area which are consistent with the policies of this Comprehensive Plan and development regulations.

policy 12A-2.2 Design and conduct public outreach and communication procedures to inform citizens interested in community plans of proposed policy decisions and land use matters that would affect the community plan or planning area.

Goal 12A-3 Use community plans to protect and conserve community character while maintaining consistency with the Comprehensive Plan.

policy 12A-3.1 Community plans may identify design characteristics and design standards that, if adopted, will be used to review development and construction projects within the jurisdiction of the adopted community plan.



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policy 12A-3.2 Common elements of a community planning process and the resulting plan include the following:

- (a) Preparation of a community vision statement;
- (b) Assessment of current adopted County Comprehensive Plan goals, policies and strategies and development code provisions as they apply to the subarea;
- (c) Inventory, analysis, and mapping of current land uses, characteristics of the physical environment, and availability of utilities;
- (d) Assessment of current community strengths, weaknesses, opportunities, and threats including special studies such as market- and traffic analyses;
- (e) Development and evaluation of area-specific recommendations for problem solutions; and
- (f) Continuous public outreach and communication throughout the process tailored to the size, demographics, and interests of the community.

policy 12A-3.3 Community plans should develop a range of alternatives that are consistent with the Comprehensive Plan while protecting community property values; economic vitality; affordable housing; the natural and built environment; natural resource lands; historic buildings, districts, and sites; and, character of the community.

policy 12A-3.4 Community plans should include findings of fact to accompany the adoption of the plan that either

- (a) demonstrate that community vision statements, goals and policies, and land use designations are consistent with this comprehensive plan, or
- (b) identify inconsistencies between the Comprehensive Plan and the community plan which must be resolved by amending the Comprehensive Plan.



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Goal 12A-4 Implement and maintain an ongoing program of community planning to address the specific issues and concerns of Skagit County communities.

policy 12A-4.1 The adopted Alger, Bayview Ridge, Guemes Island, and Hamilton Subarea Plans, which are part of this Comprehensive Plan, will help to guide growth and development within those subareas.

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.

(a) Big Lake Rural Village. The community plan for the Big Lake Rural Village shall include consideration and recommendations on logical Rural Village boundaries that preserve the character of the neighborhood and the community based on: existing development, land use patterns, and parcel density; natural land forms, contours, and topography; and, infrastructure capital improvement plans that are intended to serve the community, including roads, sewer and water lines. The Big Lake Rural Village is unique in that it is the only Rural Village in Skagit County served by both public water and sanitary sewer. The community plan for the Big Lake Rural Village is to consider Sewer District No. 2's comprehensive plan and capital improvement plan and its service area as a way to allow for additional infill and more intensive rural residential development while protecting the Lake's fragile watershed, water quality and recreational activities. The Big Lake Rural Village Community Plan should develop residential densities that reflect these unique features of the Big Lake community. Clustering requirements for larger undeveloped properties shall be considered that create compatible rural densities and a non-expanding Rural Village boundary.

(b) Birdsvew. The community plan for Birdsvew shall include consideration of: appropriate land use designations for the existing camping resort properties and travel trailer parks; whether additional Rural commercial or industrial land use designations are appropriate and necessary to serve not only the rural residents in this area, but the traveling public; and whether additional



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rural density is appropriate to minimize large-lot sprawl in this area and to create more logical boundaries incorporating the existing RI designations.

- (c) Day Creek. The community plan for Day Creek shall consider possible expansion of the Rural Center designation beyond the existing Day Creek Store to include other adjacent parcels with existing non-resource development. This community plan shall recognize the relative isolation of this area and this Rural Center from any other retail or service uses. In addition, to help ensure long-term vitality of this Day Creek Rural Center, and to minimize the impetus for new, more scattered rural commercial or industrial development in this area of the County, this community plan shall also evaluate whether additional rural density is appropriate adjacent to this Rural Center, thereby minimizing the potential for large-lot sprawl in this resource area of the County. If not completed before this Community Plan, the MRO designations in this Day Creek area shall be reevaluated to be sure they match the actual locations of the mineral resource and take into account existing critical area characteristics including ancient landslides.
- (d) Upper Samish Valley. The community plan for the Upper Samish Valley shall include consideration of whether an area along Highway 9 north of Sedro-Woolley should be designated as a new Rural Center. This is one of the few populated areas of the County that is not included within a 2.5 mile radius service area of an existing Rural Village Commercial District or Rural Center. There are several existing public uses, including a school, fire station, and grange hall, that could serve as the core of a new Rural Center.
- (e) 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



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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.

- (f) Fidalgo Island. The community plan for Fidalgo Island should include the following: provisions for maintaining the existing rural character and lifestyles of the island; an assessment of the natural and built environment such as, but not limited to: shoreline environs, geologically hazardous areas, drainage, marine and upland water quality, suitability of soils and geology for development, fish and wildlife habitat, open space areas/corridors, transportation networks, and availability and cost of public facilities and services. The Fidalgo Island Community Plan should also consider previous land use studies and reports in determining whether additional rural density is appropriate to minimize large lot sprawl and to create more logical boundaries incorporating the existing Rural Intermediate designations.



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Appendix A Acronyms and Definitions

Acronyms

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



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FEIS	Final Environmental Impact Statement (see also FEIS, DEIS, SEIS, DSEIS)
FEMA	Federal Emergency Management Agency
FERC	Federal Energy Regulatory Commission
FGTS	freight goods transportation system
FPA	forest practice application
GMA	Growth Management Act
HCA	habitat conservation area
IVM	integrated vegetation management
JOA	joint operating agreement
LID	local improvement district
LOS	level of service
MOU	memorandum of understanding
MPO	Metropolitan Planning Organization
MPR	Master Planned Resort
MRO	Mineral Resource Overlay
NRL	Natural Resource Land
NWCAA	Northwest Clean Air Agency
OFM	Office of Financial Management (State of Washington)
OHWM	ordinary high water mark
PCA	Protected Critical Area
PDR	purchase of development rights
PFLG	private forest land grade
PUD, Skagit	Skagit Public Utility District
PUD	planned unit development
RCW	Revised Code of Washington
RTPO	Regional Transportation Planning Organization
SCC	Skagit County Code
SCOG	Skagit Council of Governments



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- SEIS** Supplemental Environmental Impact Statement (see also FEIS, DEIS, SEIS, DSEIS)
- SEPA** State Environmental Policy Act
- SRS** scientific resource site
- TDM** transportation demand management
- TDR** transfer of development rights
- TIP** transportation improvement program
- UGA** Urban Growth Area
- USDA** United States Department of Agriculture
- WAC** Washington Administrative Code
- WSDOT** Washington State Department of Transportation
- WUTC** Washington Utilities and Transportation Commission

Definitions

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.

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.



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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 the state excise tax on timber harvest), 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 on issues regarding agriculture lands in Skagit County.

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 state excise tax on timber harvest, or livestock and that has long-term commercial significance for agricultural production.

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).



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Aquatic Resource Areas

An area providing assets and functions that is of or related to water.

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)/Annualized Average Daily Traffic (AADT)

Average Daily Traffic (ADT) is the average amount of traffic (average number of vehicles) crossing one location of a roadway within a 24 hour period. Annualized Average Daily Traffic (AADT) is a yearly average.

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 into nearby surface waters, such as lakes, creeks, streams, rivers, and estuaries.



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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 building, improving, or acquiring long term assets or infrastructure such as purchase of land, construction of roadways, and acquisition of buildings. 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.



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City

Generally refers to any city or town within Skagit County.

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.

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 RCW 36.70A.070 and may also include the optional elements set forth in RCW 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.



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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.

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.

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.

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.



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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.

Density

The ratio between the number of families, individuals, housing units, or residential dwelling units per land surface area (usually 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.



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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

Households whose income is less than 35% of the median income for the area, as determined by the Department of Housing and Urban Development (HUD).

Facilities

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



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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:

Areas with which endangered, threatened, and sensitive species have a primary association;

Habitats and species of local importance that have been designated by the County at the time of application;

All public and private tidelands suitable for shellfish harvest;

Kelp and eelgrass beds, herring and smelt spawning areas;

Naturally occurring ponds under twenty acres and their submerged aquatic beds that provide fish or wildlife habitat;

Waters of the state as defined by WAC 222-16;

Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity;

Areas with which anadromous fish species have a primary association;

State Natural Area Preserves and Natural Resource Conservation Areas; and

Other aquatic resource areas.

Fixed-route service

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



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Forest Resource Land

Forest Resource Lands are those lands that due to soils, climate, topography, parcel size, and location have long-term commercial significance for forestry.

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).

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.

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)

The Growth Management Act as codified in RCW Chapter 36.70A.



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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.

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 land use activities. Infrastructure includes water, sewer, roads, parks, schools and other such public facilities.

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).



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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.

Level of Service

A measure of the amount of a public facility or service that is being or will be provided.

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).



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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.

Multi-modal

Two or more modes or methods of transportation.

Middle Income

Households whose income is between 80% and 95% of the median income for the area, as determined by the Department of Housing and Urban Development (HUD).

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 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

Typically, buildings with residential units above or beside a story or two of commercial spaces.



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Moderate Income

Households whose income is between 80% and 95% of the median income for the area, as determined by the Department of Housing and Urban Development (HUD).

Multi-modal

Two or more modes or methods of transportation.

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.

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.

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



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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.

Pedestrian Friendly Development

Development designs that encourage walking be 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.



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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).

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.

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 Character

The patterns of land use and development established by a county in the rural element of its comprehensive plan:

- (a) In which open space, the natural landscape, and vegetation predominate over the built environment;
- (b) That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;
- (c) That provide visual landscapes that are traditionally found in rural areas and communities;



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- (d) That are compatible with the use of the land by wildlife and for fish and wildlife habitat;
- (e) That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;
- (f) That generally do not require the extension of urban governmental services; and
- (g) That are consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas.

Rural Development

Development outside the urban growth area and outside agricultural, forest, and mineral resource lands designated pursuant to [RCW 36.70A.170](#). Rural development can consist of a variety of uses and residential densities, including clustered residential development, at levels that are consistent with the preservation of rural character and the requirements of the rural element. Rural development does not refer to agriculture or forestry activities that may be conducted in rural areas.

Rural Government Services

Rural Government Services, or "rural services," include those public services and public facilities historically and typically delivered at an intensity usually found in rural areas, and may include domestic water systems, fire and police protection services, transportation and public transit services, and other public utilities associated with rural development and normally not associated with urban areas. Rural services do not include storm or sanitary sewers, except as otherwise authorized by [RCW 36.70A.110\(4\)](#).

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 Village

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.



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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.

Shoreline Master Program

A program first 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.

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.



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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.

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 plans for smaller geographic areas within 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.

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.

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 or ride-sharing options, changing parking policies, promoting work hour changes, and providing for telecommuting.



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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 rural areas.



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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, rural uses, rural development, and natural resource lands designated pursuant to RCW 36.70A.170. A pattern of more intensive rural development, as provided in RCW 36.70A.070(5)(d), is not urban growth. 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 pursuant to RCW 36.70A.110 within which most new growth is planned for and encouraged to locate. 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 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.



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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.

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.

Voluntary Stewardship Program

An alternative to traditional GMA for protecting critical areas in areas of agricultural activity, codified at RCW 36.70A.700-760.

Wetland or Wetlands

areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to 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.



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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.



Appendix B Milestones in the Comprehensive Planning Process

Timeline

Following is an overview of Skagit County's comprehensive planning between 1965 and the adoption of its first comprehensive plan under the Growth Management Act (GMA):

- March 1965** Skagit County adopts its first Comprehensive Plan.
- September 1968** Comprehensive Plan is amended.
- 1970 - 1980** Sphere-of-Influence agreement passed. County/city cooperative efforts define lands surrounding city limits.
- 1973** Resource Management begins with adoption of large tract zoning requirements for agriculture lands.
- December 1973** North Central District Plan is adopted.
- September 1974** Northwest District Plan is adopted.
- August 1975** Islands District Plan is adopted.
- 1976** First forestry large tract requirements are passed.
- 1979** Five acre rural zoning district is adopted.
- July 1979** Southwest and South Central District Plans are adopted.
- April 1981** Resolution 8854 is passed enabling Joint Sphere of Influence agreements with cities.
- June 1981** Amendment to Resolution 8854 is passed.
- June 1981** Resolution 9312 is passed adopting Joint Sphere of Influence areas.
- May 1982** Eastern District Plan is adopted.
- 1987** Ordinance No. 11158 established a Memorandum of Understanding to initiate joint comprehensive planning with Swinomish Tribe.



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- February 1990** Board of County Commissioners direct Skagit County Department of Planning and Community Development to review and recommend changes to district policies, including the recommendation of county-wide Comprehensive Plan policies.
- 1990** Formal establishment of environmental review SEPA co-lead status in the interim urban growth areas.
- April 1990** Growth Management Act passes House and Senate.
- June 1990** Growth Management Act planning team established.
- July 1990** Growth Management Act of 1990 formally adopted.
- September 1990** Vision for the Future, Vol. I published. Beginning of educational media campaign encouraging citizen participation in the Comprehensive Plan updating process. Thirty thousand (30,000) tabloid copies carried by Skagit Valley newspapers.
- October 1990 -
March 1991** Comprehensive Plan Policy Review and Update. Twenty-six community-wide meetings generated approximately 1,500 community values, statements and proposed policies.
- April 1991** A Vision for the Future, Vol. II published. Contained County's GMA Progress Report and update on watershed and shoreline plans, wetlands, natural resource areas, interim urban growth areas, and building permit information.
- July 1991** Passage of Re-engrossed House Bill 1025 requiring that policies be compatible with both city and County Comprehensive Plans.
- October 1991** Public Hearing on proposed Draft Comprehensive Plan Policies.
- October 1991** Planning Commission holds six policy study sessions over six months with
- March 1992** County and city staff to review public comment and recommendations for changes to existing Comprehensive Plan policies as proposed on October 14, 1991 in draft form.
- March 1992** Second Draft Comprehensive Plan County-wide Regional Policy document sent to all interested parties, 1,500 participants on the GMA mailing list, and outside agencies for review and comment.
- April 1992** Public Hearing to take formal public testimony regarding proposed countywide Regional Comprehensive Plan policies.
- April 1992** Citizen Participation Newsletter mailed. Provided an update on GMA and comprehensive planning policy development and discussed upcoming citizen participation opportunities.
- July 1992** Adoption of the Skagit County Countywide Planning Policies by County and cities.



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- September 1992** Informational Update Public Meetings (September 21, 23 and 30th). To discuss the development of and encourage citizen participation in the Housing, Forestry, Rural, Utilities, and Mineral Elements for Skagit County's Comprehensive Plan. Citizen Advisory Committee (CAC) application forms made available through media and meetings.
- October 1992** Citizen Participation Newsletter mailed throughout Skagit County informing readers of the Board of County Commissioner's appointments to the Skagit County Comprehensive Plan Element Citizen Advisory Committees.
- October 1992** Citizen Advisory Committee Orientation meeting held.
- October 1992 - August 1993** Ongoing Citizen Advisory Committee meetings for the Rural, Housing, Forestry, Agriculture, Utilities and Mineral elements.
- December 1992** In the winter of 1992, county-city discussions began relating to the establishment of Interim Growth Areas.
 - July 1993** Adopting Temporary Interim Zoning for Unincorporated Skagit County which established 5 acre minimum lot sizes for multi-family residential, residential, residential reserve and rural intermediate zoning districts.
- September 1993** Citizen Participation Newsletter mailed. Information on upcoming citizen participation opportunities. Update on County activities on urban growth areas, land use designations, CAC activities, additional comprehensive plan elements and the environmental review process on proposed Comprehensive Plan.
- September 1993** Growth Management Act and State Environment Policy Act (SEPA) Comprehensive Plan informational meetings held in Concrete, Fidalgo Island and Mount Vernon.
 - October 1993** Passage of Ordinance 15038 adopting Interim Urban Growth Areas.
- November 1993** Citizen Advisory Committee Open House for community review of proposed comprehensive plan element policies on rural, forestry, minerals, housing and agriculture.
- December 1993** Planning Commission study session on proposed Comprehensive Plan Policies.
 - 1994** County ordinance recognizes Swinomish Tribal Community, the Upper Skagit, and the Sauk-Suiattle Tribes as sovereign governments which created a government to government relationship.



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- January 1994** A Vision for the Future, Vol. III published. Forty-five thousand (45,000) copies included in all newspapers within Skagit County. Provided an overview of the Draft Environmental Impact Statement (DEIS), a programmatic, non-project approach used to address the impacts of anticipated population increases in Skagit County consistent with Growth Management Act requirements. Department invites comments on the alternatives presented in the DEIS. Timeline outlined additional opportunities for public comment during the comprehensive plan adoption process.
- January 1994** Draft Environmental Impact Statement (DEIS) is published.
- January 1994** Planning Commission Study Session on Land Use Designation Element held.
- January 1994** Planning Commission Study Session on Draft Environmental Impact Statement (DEIS).
- January 1994** Planning Commission Public Hearing on Draft Land Use Element and DEIS.
- February 1994** Planning Commission Study Session on review of Citizen Advisory Committee (CAC) draft Natural Resource Conservation Element.
- February 1994** Planning Commission Public Hearing on Natural Resource Conservation Element.
- March 1994** Adoption of Ordinance 15280 amending Ordinance 15038 regarding Interim UGAs.
- March 1994** Planning Commission Study Session to review Public Hearing public comments and staff report.
- March 1994** Planning Commission Public Hearing on Planning Commission proposed Natural Resource Conservation Element (Agriculture, Forestry and Minerals).
- April 1994** Planning Commission Study Session for deliberations and recommendations on Agriculture, Forest and Mineral elements.
- April 1994** Planning Commission Study Session to review Citizen Advisory Committee's Draft Urban Growth Areas, Rural and Housing Elements
- April 1994** Planning Commission Public Hearing on Urban Growth Area, Rural and Housing Elements.
- April 1994** Planning Commission Study Session to review Citizen Advisory Committee Draft Utility and Transportation Elements.
- April 1994** Planning Commission Public Hearing on Citizen Advisory Committee Draft Capital Facilities, Utilities and Transportation Elements.
- May 1994** Planning Commission Study Session to deliberate on public comments and testimony on UGA draft element policies and CAC proposed Rural and Housing policies.



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- May 1994** Passage of Ordinance 15372 extending Temporary Interim Zoning Regulations.
- May 1994** Planning Commission Study Session on review of public comments and staff report.
- May 1994** Planning Commission Public Hearing on Utility and Transportation Elements.
- May 1994** Planning Commission Study Session on deliberations and recommendations on Forest Resource Element.
- May 1994** Planning Commission Study Session to consider and begin deliberations on Capital Facilities Element.
- May 1994** Planning Commission Study Session to review and deliberate on proposed Mineral Element.
- June 1994** Planning Commission Study Session to review and deliberate on proposed Capital Facilities Element.
- June 1994** Planning Commission Study Session for deliberations and recommendations on proposed Mineral Element.
- June 1994** Publication of Final Environmental Impact Statement for the Land Use Element.
- June 1994** Copies of the policies of the Natural Resource Conservation Element, Rural, UGA, Housing, Transportation, and Utilities Element available for comment.
- June 1994** Planning Commission Study Session on UGA policy document.
- June 1994** Citizen Participation Newsletter mailed. Informed public of upcoming dates on the Comprehensive Plan proposed element policy documents.
- June 1994** Passage of Ordinance No. 15432 authorizing the collection of impact fees.
- July 1994** A Vision for the Future, Vol. IV published. Forty-eight thousand (48,000) copies included in all Skagit County newspapers. Tabloid presented information on the proposed Land Use Element, plan concept, objectives and designations; the Environmental Impact Statement for the proposed Land Use Element; a summary of land use actions which are part of proposal, maps of proposed Urban Growth Areas and Rural Villages; and the Executive Summary of the Skagit County Planning Commission Proposed Comprehensive Plan Element Policy document. Invited public and agency comments on the Final Environmental Impact Statement.
- July 1994** Planning Commission Study Session to discuss the process and timeline for reviewing public comments and written correspondence on proposed Comprehensive Plan Elements.
- July 1994** Public Hearings on July 11 and 12 on the Final Environmental Impact Statement for the Land Use Element and the Planning Commission Proposed Comprehensive Plan Element Policy Document.



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- August 1994** All written correspondence on the Final Environmental Impact Statement for the Land Use Element of Skagit County's Comprehensive Plan and the Skagit County Planning Commission Proposed Comprehensive Plan Element Policy document are made available to the Planning Commission and public. Materials photocopied included all letters received during the extended comment period of June 17, 1994 through July 29, 1994.
- August 1994** All exhibits submitted at the Skagit County Planning Commission Public Hearings on July 11 and 12, 1994 on the Final Environmental Impact Statement for the Land Use Element for Skagit County's Comprehensive Plan and Skagit County Planning Commission Proposed comprehensive Plan Element Policy Document made available to Planning Commission and public.
- August 1994** Planning Commission Study Sessions on the Economic and Utility elements and on Urban Growth Areas.
- September 1994** Planning Commission Study Sessions on Urban Growth Areas, and the Rural and Forestry Elements.
- October 1994** Publication of the Skagit County Planning Commission Revised Comprehensive Plan Element Policy Document and Revised Land Use Element.
- October 1994** Planning Commission Study Sessions on the Rural, Transportation, and Land Use Elements.
- November 1994** Planning Commission Study Sessions on the Land Use Element.
- December 1994** Planning Commission Study Sessions on Rural Villages.
- January 1995** Planning Commission Study Session on Land Use Element, Goal B.
- January 1995** Planning Commission Study Session on Environment and Capital Facilities Elements.
- January 1995** Public Hearing on Environment, Economic Development and Capital Facilities Elements.
- January 1995** Planning Commission Study Session to review public comments and written correspondence on Environment, Economic Development and Capital Facilities Elements.
- February 1995** Planning Commission Study Sessions on the Environment, Capital Facilities and Economic Elements.
- March 1995** Planning Commission Study Sessions on draft elements of the Comprehensive Plan.
- April 1995** Planning Commission Study Sessions to review draft Comprehensive Plan and Final Environmental Impact Statement (FEIS) on Skagit County's Comprehensive Plan and Land Use Element.



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- May 1995** Review of the draft Planning Commission Review Copy of the Comprehensive Plan, Map Portfolio and Addendum to the Final EIS.
- May 1995** Release of above documents for a 30 day comment period.
- May 1995** Determination of Non-Significance and adoption of existing environmental documents (to consider draft elements of the Comprehensive Plan on Natural Resource Conservation)
- May 1995** Notice of Availability on the Addendum to the FEIS for the Land Use Element of the Comprehensive Plan
- July 1995** Planning Commission Study Session to review and discuss Skagit County's 6 year Transportation Improvement Plan
- August – December 1995** Planning Commission reviews Public Comments of draft Comprehensive Plan
- November 1995** Board of Commissioners' adoption of Revised IUGAs, moving boundaries to existing city limits.
- December 1995** Planning Commission completes review of draft Comprehensive Plan
- February 1996** Critical Areas Ordinance before Planning Commission
- February - April 1996** Planning Commission review of Critical Areas Ordinance
- April 1996** Draft Critical Areas Ordinance
- May 1996** Board of County Commissioner public hearing on draft CAO
- May 1996** Critical Areas Ordinance adopted
- May 1996** Addendum to EIS issued on Skagit County classification and designation of Natural Resource Lands
- June 1996** Board of County Commissioners and Planning Commission hold public hearing on Natural Resource Lands
- June- July 1996** Planning Commission reviews public comments on Natural Resource Lands. deliberates and forwards recommendation
- July 1996** Planning Commission holds public hearing and recommends approval of Countywide planning policies
- August 1996** Board of County Commissioners holds public hearing on draft Natural Resource Lands Ordinance and map
- August 1996** Board of County Commissioners approves amendments to Countywide Planning Policies



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- August- October 1996** Interlocal Agreements re: Urban Growth Areas executed between County and cities of Anacortes, Burlington, Mount Vernon, Sedro-Woolley, and La Conner
- September 1996** Natural Resource Lands Ordinance adopted
- November 1996** Draft 1996 Comprehensive Plan and Draft Supplemental Environmental Impact Statement made available for public review and comment
- December 1996** Planning Commission public hearing on Draft 1996 Comprehensive Plan and Draft Supplemental Environmental Impact.
- January – March 1997** Planning Commission conducts twice a week study sessions to review public comment on the Draft Plan and DSEIS.
- March 1997** Planning Commission forwards recommendation on Comprehensive Plan to Board of County Commissioners.
- April 1997** In early April 1997, the Board of County Commissioners after review of the Planning Commission's recommendation identified several issues that warranted further public debate and remanded the draft Plan back to the Planning Commission for additional public review and comment. Later in April 1997, the Planning Commission conducted a public hearing on the draft Plan, reviewed public comment and written correspondence, deliberated and forwarded a revised Plan to the Board of County Commissioners for review and action.
- May 1997** In May 1997, the county issued the FSEIS on the draft Plan. On May 19, 1997 the Board of County Commissioners reviewed the Planning Commission's recommended draft Plan, deliberated, made revisions and passed Ordinance No. 16550 initially adopting this Comprehensive Plan.

Citizen Advisory Committees in the Development of the 1997 Plan

Natural Resource Conservation

Agricultural

Andy Anderson, Earl Angevine, Cheryl Bishop, Allen Bush, Serena Campbell, Chuck Dynes, Carolyn Kelly, Roger Knutzen, Jim Koetje, Don Kruse, Carl Loeb, Danny Miller, Joe Von Moos, Marvin Omdal, Lyle Wesen, Don Wick, Chip Wiles (Staff: Rob Knable, Kraig Olason)



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Forestry

Greg Arris, Donna Butler, Dave Chamberlain, Jim Chu, Don Van Etten, Jim Harris, James Karcher, Paul Kreigel, Doyle McClure, Ken Osborn, Tim Raschko, George Shelton, Gerald Steel, Keith Wyman, (Staff: Jim Cahill)

Mineral

Garth Anderson, Doug Argo, Mike Crawford, Doug Dillenberger, Mark Hitchcock, Kenny Portis, Dick Threet, Rick Van Pelt, Shirley Viscalla (Staff: Pat Bunting)

Rural

Mike Adkinson, Gary Arentzen, Dr. Herbert Goldston, Dean Hayes, Sr., Willard Hendrickson, Gary Jones, Susan Meyer, Carol Oglesbee, Louis Requa, Ed Stauffer, Paul Taylor, Andrea Xaver (Staff: Gary Christensen)

Housing

Kathleen Brown, Susan Corsden, Cecelia Johnson, Al Jongsma, Brian McGuinness, Judy Montoya, Geneal Posey-Fox, Stephen Story, José Viscalla, Mike Youngquist (Staff: Edwyna Fong)

Utilities

Peter Avondo, Martin Corin, Gary Dickinson, Jerry Kaufman, Marianne Kooiman, Jim Loop, Kelley Molstad, Linda Storbakken, Craig Swenter, John Weiss (Staff: Pat Bunting)

Transportation

Bob Boudinot, Bill Carlisle, Robert Eakins, James Falk, Dale Fisher, Harland Forrest, Steve Hood, Donald Hoye, Chuck McConnell, Bruce Wells (Staff: Jim Cahill)

Economic

Ruth Aven, Peter Avondo, Dan Davis, Don Fero, Dave Hedlin, Stewart Jones, Patsy Martin, Kelley Molstad, Danielle Mullen, Ian Munce, Harry Ota, Pat Pearce, John Piazza, Don Slocum, Bill Taylor, Bob Vozar, Don Wick, Bert Williamson (Consultant: Eric Hovee, Staff: Edwyna Fong)

Environment

Dave Chamberlain, John Day, Woody Deryckx, Lorna Ellestad, Elsa Gruber, Ranger Kidwell-Ross, Anita Klein, Roger Knutzen, Bobbi Krebs-McMullen, George McFadden, Brian



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McGuiness, Ian Munce, Allan Olson, Bill Reinard, Jim Scott, Paul Taylor, Don Van Etten, Don Wick, Margaret Yeoman, Nancy Paine-Donovan (Facilitator: Claire S. Reiner, Staff: Gary Christensen, Oscar Graham, Edwyna Fong)

Environment Technical Advisory Committee

Jon Aarstad, Jim Beaster, Martha Bray, Dave Brookings, Kurt Buchanan, Jim Chu, Mike Davison, Terry Doran, David Fredrick, Noel Gilbrough, Jerry Heller, Carolyn Kelly, Steve Nissley, Terry Nyman, Bill Paleck, Britt Pfaff, Zoë Pfahl, Ann Remsburg, Alice Schisel, Brad Spangler, Art Stendal, Terry Stevens, Gary Voorman, Larry Wasserman



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1.0 Introduction

Transportation is an important issue that affects people’s daily life and influences the local, regional and state economy, the overall quality of life, and the environment. Other factors, such as land use and development patterns, influence the overall design, funding, and efficiency of the transportation system. A safe, efficient, and cost effective transportation system is an important issue for Skagit County. The periodic Comprehensive Plan Update is an opportunity to analyze the existing system, identify needs, develop funding and strategies for implementation, and establish policies that meet the desires and needs of the County.

The Transportation Element Technical Appendix for Skagit County’s 2016 Comprehensive Plan Update addresses several of the GMA requirements for transportation planning including:

- System Inventory
- Level of Service (LOS) Standards
- Travel Forecast
- State and Local System Needs
- Transportation Improvement Program and Financing Plan
- Non-motorized Transportation



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2.0 Transportation System Inventory

The starting point for the development of a transportation systems plan is to inventory and summarize the usage of the transportation facilities, services, and programs. Some discussion is made below on all types of transportation in the County. Much more detail is presented for those facilities, services, and programs that are under the jurisdiction and responsibility of the County (i.e. County road system and Guemes Island Ferry).

2.1 Streets, Roads + Highways

The most important component of the overall transportation system in Skagit County is the network of streets, roads and highways that traverse the County. This network, under the jurisdiction of various governmental entities, functions as one interconnecting transportation system. This network is used primarily to accommodate auto and truck traffic, as well as transit and non-motorized modes, in the movement of people and goods within and through Skagit County.

Jurisdictional Breakdown

The jurisdiction over the surface transportation system of Skagit County is divided among several different agencies. All state highways and Interstate 5 (I-5) are under the jurisdiction of Washington State Department of Transportation (WSDOT). City streets are under the jurisdiction of the eight different cities or towns in the County. There are also private roads, forest service roads, and roads under Indian tribal jurisdiction (Swinomish, Upper Skagit, and Sauk tribes). The largest amount of surface mileage belongs to the County road system under the jurisdiction of Skagit County. Each of these various jurisdictions has the responsibility to maintain and improve their own streets, roads and highways, and each generally will have its own set of road standards or something similar.

Map 1 show the overall street, road, and highway inventory in Skagit County. The state and interstate highways (shown in shades of green) provide the backbone for the overall system. The County road network (shown in red) provides for both access and the movement of goods and services. The major city streets are shown in black.



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I-5 is the central north/south link in Skagit County, with SR-9, SR-11 (Chuckanut Drive) and SR-530 (Rockport to Snohomish County) also providing north/south connections. In the east/west direction, SR-20 is the central link crossing through six of the eight cities and towns of Skagit County. Other east/west highways making shorter connections are SR-536 (Memorial Highway), SR-538 (College Way), and SR-534 connecting Conway and Lake McMurray. While the state and federal highway system provides a basic structure for the surface transportation system in Skagit County, it is the extensive nature of the county road system itself that truly fills out the overall interconnecting County-wide network.

The County maintains an inventory of mileage figures for streets, roads and highways in Skagit County were by federal functional classification (FFC). Approximately 800 miles of publicly owned and maintained County roads and 275 miles of private roads currently exist in the County. Of the 800 miles of public roads in the County approximately 108 miles are classified as urban. Exhibit 2 identifies the miles of road by functional class and the total number of county owned roads.

Federal Functional Classifications

Travelers are not concerned with which jurisdiction owns and operates the transportation system when making travel choices. What is important from both a traveler's viewpoint and a systems planning viewpoint is how the various streets, roads and highways actually function in carrying traffic. Since 1976, the Federal Highway Administration has required local jurisdictions to functionally classify streets, roads, and highways to be eligible for funding programs. The State of Washington also has similar requirements. The federal functional classification of local streets and County roads has become a planning tool locally as well. Road standards and other local programs are structured around this functional classification.

The U.S. Department of Transportation updated the Federal Functional Class (FCC) system in 2013. However, Skagit County utilizes the system in place before 2013 based on WA State Law. Exhibit 1 identifies the current FFC system used by Skagit County.

Exhibit 5. Federal Functional Classification

FCC Description	FCC Code
Rural	
Rural Interstate	01



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FCC Description	FCC Code
Rural Other Principal Arterial	02
Rural Minor Arterial	06
Rural Major Collection	07
Rural Minor Collector	08
Rural Local Access	09
Urban	
Urban Interstate	11
Urban Other Freeways/Expressways	12
Urban Other Principal Arterial	14
Urban Minor Arterial	16
Urban Collector	17
Urban Minor Collector	18
Urban Local Access	19

Source: WSDOT, 2015; BERK, 2015

The federal government's functional classification system divides each County into "urban" and "rural" designations, and has a classification scheme to categorize all the streets, roads, and highways within each. Cities within "urban areas" over 5,000 in population are required by the federal government to functionally classify their streets based on the urban classifications. Streets in the smaller cities and towns are included in the rural functional classification system that covers all areas outside of "urban areas". All but one of the rural classifications have an equivalent classification in the urban system.

In Skagit County there are four incorporated cities of greater than 5,000 in population which have designated "urban areas." These cities are Mount Vernon, Burlington, Sedro-Woolley and Anacortes. Because these "urban areas" sometimes extend beyond the city limit boundaries, a small portion of the County road system lies within the "urban areas" and the affected roads are given urban classifications. There are four other cities and towns that are less than 5,000 in population and not considered urban in the FCC system, but that are considered urban under the



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Skagit County Comprehensive Plan and State Growth Management Act: Concrete, La Conner, Lyman and Hamilton.

The FHWA and WSDOT review the Functional Classification System in conjunction with RTPO/MPO's who receive input from the County. This Map is updated and maintained by WSDOT on an ongoing basis throughout the year incorporating any changes as needed. This interactive map can be viewed online at

<http://www.wsdot.wa.gov/mapsdata/travel/hpms/functionalclass.htm>

Within the transportation system, the roads, highways, and, in some cases, city and town streets are categorized into a hierarchy of classifications for the purpose of channelizing traffic throughout the County. The classifications are further divided between urban and rural designations. Long trips would tend to be channelized onto the highest classified facilities, while short trips may simply take the most direct route to the destination. Looking at it in another way, the highest classifications focus on mobility (efficiently getting from one location to another) while the lowest focus on access to property. The middle classifications provide both mobility and access. Since the system works as an interconnecting network, it is probable that an individual trip could involve the use of several facilities with various classifications.

There are different factors that come into play in the designation of an appropriate classification for a specific road or highway. The most important is the nature of the traffic that is served. For instance, a sizable portion of the traffic on SR-20 west of I-5 has an origin or destination outside the County. Thus, it should receive a high classification. Some of the other factors that come into play are the physical qualities of the existing facility, traffic level, and spacing (distance between parallel roads of the same classification). There are also parameters as to the percentage of the total county system that should fall under each classification. Based on the Federal Functional Classifications listed on page 5 above, each classification is described below:

The FCC system is divided into the following functional classifications including urban and rural designations for each classification:

Interstates (01, 11). Per FHWA guidance, "Interstates are the highest classification of Arterials and were designed and constructed with mobility and long-distance travel in mind." Designated Interstate Highways. I-5 is the only designated Interstate in Skagit County. Within the Mount Vernon, Burlington, and Sedro-Woolley Urbanized Area it is considered an Urban Interstate and outside of this it is considered a Rural Interstate.



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Urban Other Freeways/Expressways (12). Other Freeways/Expressways are described as follows by FHWA: “the roads in this classification have directional travel lanes are usually separated by some type of physical barrier, and their access and egress points are limited to on- and off-ramp locations or a very limited number of at-grade intersections.” Skagit County managed roads do not have any freeways or expressways. Based on State functional classification maps, portions of SR 20 are considered Other Freeways/Expressways, generally at Farm to Market Road and westward towards Anacortes, though some stretches are also considered Other Principal Arterial.

Other Principal Arterial (02, 14). Other Principal Arterials “serve major centers of metropolitan areas, provide a high degree of mobility and can also provide mobility through rural areas. Unlike their access-controlled counterparts, abutting land uses can be served directly.” From WSDOT’s Functional Classification Map it can be seen principal arterials in Skagit County include most portions of SR-20 west and east of I-5, Riverside Drive, S Burlington Boulevard, Anderson Road, and South La Venture Road. Within the area managed by Skagit County Public Works, 0.5 roads are considered Principal Arterials

Minor Arterial (06, 16). Based on Federal Functional Class descriptions: “Minor Arterials provide service for trips of moderate length, serve geographic areas that are smaller than their higher Arterial counterparts and offer connectivity to the higher Arterial system. In an urban context, they interconnect and augment the higher Arterial system, provide intra-community continuity and may carry local bus routes.” Spacing also comes into play in the designation of minor arterials. The main minor arterials in Skagit County are SR-20 east of SR 9 and roads in and around the Airport such as Peterson Road, Josh Wilson Road, Avon Allen Road and portions of Farm to Market Road, both of which provide inter-county connections. March's Point Road is classified as an urban minor arterial. (It is within the Anacortes "urban area.") The oil refineries and deep-water port activities there provide the traffic generation to justify this high classification.

Major/Urban Collectors (07, 17). The heart of the County road system is comprised of the two collector classifications, major and minor. The major collectors serve various traffic generators not served by arterials and link these generators to cities, towns and arterial routes. “Generally, Major Collector routes are longer in length; have lower connecting driveway densities; have higher speed limits; are spaced at greater intervals; have higher annual average traffic volumes; and may have more travel lanes than their Minor Collector counterparts.” Some of the important major collectors are SR 9, Cook Road, Fir Island Road, Best/Farm to Market Road, La Conner-Whitney Road, Rosario Road, McLean Road, Bow Hill Road, and Avon Allen/Ershig Road. Many of



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the Major Collectors are in the agricultural area of the county. It is interesting to note that two of the state routes, SR-534 and SR-9 are classified as major collectors rather than the higher classifications because of their traffic level and function.

Minor Collectors (08, 18). The minor collectors complete the interconnecting network in the County by linking local roads, other small communities, and the rural hinterland to the road and highway system of the County. Examples of minor collectors are Beaver Marsh Road, Calhoun Road, Lake Cavanaugh Road, and Samish Island Road.

Locals (09, 197). All other county roads not classified at a higher level are called "local" roads, "local access" roads, or simply "locals". Their primary purpose is to provide access to adjacent land. Local Roads "are not intended for use in long distance travel, except at the origin or destination end of the trip, due to their provision of direct access to abutting land."

As you move up the list of classifications, the traffic volumes and speeds increase. Typically, a local access road has a low volume and a posted speed of 25 MPH to 35 MPH. On the other end, a major collector has a high number of vehicles traveling the road and is posted from 35 MPH to 50 MPH. The functional classification of a road is often used to determine eligibility for certain types of state and federal funding.

Within the County public road system, exclusive of private roads and those managed by WSDOT and the cities, out of about 800 total road miles there are about 157 miles of rural major collectors, about 153 miles of rural minor collectors, about 374 miles of rural local roads, and about 108 miles of several urban classifications. This information is depicted in Exhibit 2 and Exhibit 4.

Exhibit 6. Miles of County Public Roads by Federal Functional Class

Federal Functional Class	Miles
Rural Minor Arterial	9.4
Rural Major Collector	156.6
Rural Minor Collector	153.1
Rural Local Access	373.6
Urban Other Principal Arterial	0.5
Urban Minor Arterial	17.6



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Urban Collector	13.9
Urban Minor Collector	5.0
Urban Local Access	71.4
Total	801.1

Source: Skagit County, 2015. *Note: difference due to rounding.

Exhibit 7. Miles of State Highways by Federal Functional Class

Hwy	Functional Class	Miles
I-5	Interstate	24.97
SR-9	Minor arterial & major collector	29.15
SR-11	Major collector	14.11
SR-20	Other freeway & other principal minor arterial	74.59
SR-20	Minor arterial	11.94
SR-20 Spur	Other freeway & other principal arterial	7.78
SR-530	Major collector	14.96
SR-534	Major collector	5.08
SR-536	Minor arterial	5.38
SR-538	Minor arterial	3.67
	Total	191.63

Source: WSDOT, 2015



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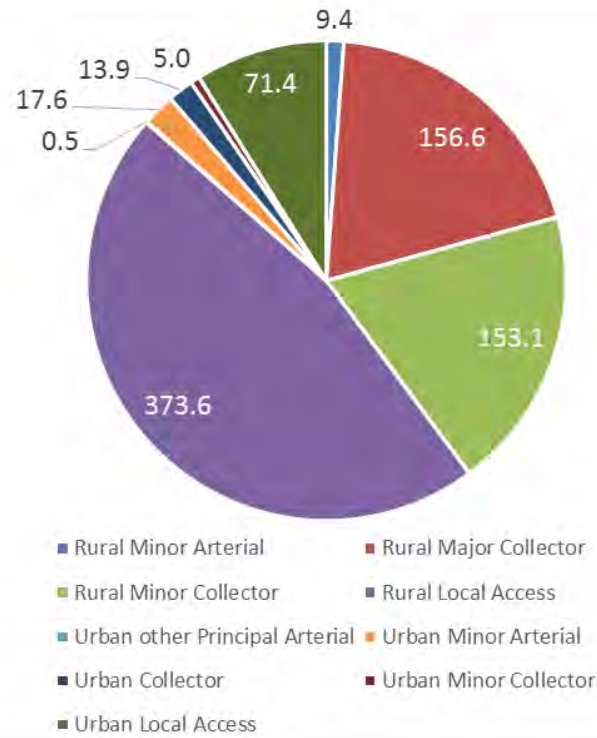
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Exhibit 8. County Road Miles by Functional Classification



Source: Skagit County, 2015

Trucking & Freight Routes

The Washington Department of Transportation (WSDOT), with the assistance of the Association of Washington Cities (AWC) and the County Road Administration Board (CRAB) classifies roadways, freight railroads and waterways within Washington as the State's Freight and Goods Transportation System (FGTS). The classifications are updated periodically and the most recent FGTS report was completed in early 2016. The CRAB is required to develop and maintain a County Freight and Goods System (CFGS) to provide consistent data for designation and classification of the FGTS. The FGTS system for Skagit County and its cities is shown on Map 2.

The WSDOT FGTS designation has three major objectives:



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- To identify critical roadway segments for freight and goods movement in the State of Washington.
- To identify which of these critical segments have not been constructed and maintained to standards which are compatible with this role (i.e. “all-weather road”).
- To estimate the costs of bringing segments up to a reasonable standard for freight and goods movement, and maintain them at this standard over the next 20 years.

The FGTS designations are based on estimates of annual gross tonnage hauled.

- T-1 more than 10 million tons per year
- T-2 4 million to 10 million tons per year
- T-3 300,000 to 4 million tons per year
- T-4 100,000 to 300,000 tons per year
- T-5 at least 20,000 tons in 60 days and less than 100,000 tons per year

For rural Skagit County, the facilities with the highest FGTS designations include the entire length of I-5 (Tier 1), and SR-20 from I-5 to Anacortes (Tier 2 to Anacortes, Tier 3 for the SR20 Spur from Commercial Ave. to the Ferry Terminal). SR-20 from Burlington to Anacortes carries an estimated 10,000,000 annual tonnage and is considered Tier 2. Cook Road from I-5 to Sedro-Woolley is designated as Tier 2. The majority of Skagit County’s FGTS designations are within the range of 3,000,000 to 34,000,000 tons per year. The remaining state highways in the County along with a number of County roads are included in the T-4 classification- in the FGTS system. In the cities, the streets receiving FGTS designation tend to be those with the highest functional classifications.

Scenic Roads & Highways

There are a number of reasons why Skagit County is ripe for the development of a program to help preserve the County's scenic roads and highways. First, Skagit County is less developed than some other counties in Western Washington. Most of the County's natural scenic resources still remain intact. Second, with the mountains on the eastern side, the agricultural fields in the flats, and the islands and the Puget Sound to the western side, the County's road and highway system traverses some of the most scenic areas in the State. Third, there is a desire by local citizens to try



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to preserve the rural character of Skagit County. An important aspect of this is the preservation of scenic roads and highways.

There are several programs at the State and Federal level that are currently involved in the preservation of scenic roads and highways. Working in conjunction with these programs would give Skagit County a place to begin in the development of its own program to preserve scenic roads and highways. The current State and Federal programs are reviewed below.

Washington Scenic and Recreational Highways Program

WSDOT has now combined the Scenic and Recreational Highways Program, the Highway Heritage Program, and local management of the federal Scenic Byways Program (discussed below) into a single Heritage Corridors Program for the State of Washington. One of the approaches of this program is to downplay jurisdictional divisions and focus on the scenic transportation corridors in a comprehensive or unified way. In some cases, the highway or road jurisdiction could change along the corridor, so the involvement of multiple jurisdictions is critical.

Scenic and Recreational Highways were originally designated in the State of Washington in 1967 in response to a desire for the removal of billboards along State highways. In 1991 new formal designation criteria were developed, and in 1993 the Scenic Highway designation list was updated.

There were two highway links in Skagit County on the original list. They are: 1) SR-20 in the eastern part of the County from about three miles east of Sedro- Woolley to the eastern County line, and 2) SR-20 on Fidalgo Island from Sharpe's Corner to Deception Pass. The 1993 additions to the list include: the remainder of SR-20 from Sharpe's Corner to east of Sedro-Woolley; the entire length of SR-9; and Chuckanut Dr/SR-11 from I-5 to the Whatcom County line.

SR20 is now part of the "Cascade Loop" Scenic and Recreational Highway that includes the Whidbey Island Scenic Byway, the North Cascades Scenic Highway, and the Stevens Pass Greenway National Scenic Byway.

I-5 in Skagit County was also recently designated the State's first and only Agricultural Scenic Corridor. Signage identifying the scenic corridor designation was installed in January of 2012. Agricultural Scenic Corridors are those that "showcase the state's historic agricultural areas and promote the maintenance and enhancement of agricultural areas" (RCW 47.39.010). The full description of the designation in the law is: "State route number 5, beginning at the junction with



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Starbird Road in Snohomish county, thence northerly to the junction with Bow Hill Road in Skagit county, to be designated as an agricultural scenic corridor with appropriate signage” (RCW 47.39.020(4)).

County Road System

The Skagit County public road system is comprised of over 800 miles of paved and graveled roads that have been established by the Board of County Commissioners as County roads. These roads lie outside of incorporated city boundaries and are the responsibility of the County to build and maintain. In this section, various aspects of the County road system are presented. The tables, figures and appendices displayed here come from a combination of sources, primarily from the County’s Roadway Inventory system, Mobility, which houses both the Pavement Management System and the County Roadlog – this is the County’s roadway inventory management system. Mobility is an online system provided to Skagit County by Washington State’s County Road Administration Board (CRAB). As the information is entered on a continuing basis throughout the year(s), some minor discrepancies are found and corrected in the data, such as road mileage and pavement type. Since County road mileage changes over time, temporal differences often explain the discrepancies.

Detailed listings of all road segments from the Roadlog and from the Pavement Management System are available upon request from Skagit County Public Works.

Road Information Systems

Skagit County has several programs that monitor and maintain road related information in support of its responsibilities for the County road system. These programs all incorporate computerized databases and some include additional analytical tools. Together, these can be referred to as road information systems.

In discussing the road related databases, the first one that needs mentioning is the Mobility. It not only includes the official Roadlog along with various other road inventories, but also includes the database component of broader information programs like the Pavement Management System which monitor and forecasts pavement conditions and the Maintenance Management System (MMS) that tracks road maintenance activities.



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Mobility

The most comprehensive County road database is called Mobility. This system was developed and is supported by the County Road Administration Board (CRAB). The System is divided into various inventories including a detailed Roadlog, reference points, traffic collisions, pavements, signs, guardrails, culverts, striping, signals, and street lighting. This system allows for very quick access to any information in Mobility for any specific road location. It also provides a relatively easy method for creating summary reports on the information contained therein.

The Roadlog is the most important of the inventories of Mobility. It divides every road in the County into individual segments, generally less than one mile in length. The database contains a detailed record for each road segment, including such items as street name, milepost, length, functional class, average daily traffic, and vehicle miles of travel or VMT. The Roadlog in Mobility is the official state road listing for Skagit County and is used to help determine the County's motor vehicle fuel tax allocation.

Pavement Management System

Skagit County has established a program to continuously evaluate and rate the condition of the pavement on all paved roads in unincorporated Skagit County. The rating methodology, the sampling program, the database in which the rating results are kept, and the forecasting capabilities are referred to as the Pavement Management System. Skagit County's Pavement Management System is a component of Mobility.

Like the Roadlog, the Pavement Management System is a road segment based system. The pavement condition of each segment is periodically field checked and rated on several qualities. Several ratings are merged into one "pavement condition rating." The pavement condition rating is an important factor in deciding which roads and road segments are to be scheduled for maintenance or improvement projects.

In addition to the pavement condition rating, there are several other useful data items contained in the PAVEMENT MANAGEMENT SYSTEM database. The data in this system includes road name, milepost, cross streets, segment length, functional class, pavement width, shoulder width, shoulder type, year, pavement type, and year rated.



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Traffic Count Program

The Transportation Programs section of the Public Works Department has developed a detailed traffic counts program that monitors the traffic levels on County roads. In this program counts are typically taken for three-day periods in order to establish both daily and hourly variations in traffic. Selected roads are counted monthly throughout the year using a seven-day count period in order for seasonal factors to be developed. Using these seasonal factors, counts can be taken in any week of the year and be converted into accurate estimates of yearly traffic for specific roads or areas, and is commonly known as Average Annual Daily Traffic (AADT).

The traffic count program has become an excellent tool for monitoring various aspects of traffic on the County road system. Skagit County is currently performing counts for the cities of Anacortes, Burlington, Mount Vernon, and Sedro-Woolley. Once the data is compiled it is sent to the RTPO/MPO to be entered into the regional traffic model, the model being housed and maintained at SCOG.

Maintenance Management Program

A major responsibility of the Public Works Department is to maintain all the County roads. In support of this responsibility, the Department has the Maintenance Management System, a computerized database that monitors all maintenance activities. This system includes inventories of road features, pavement, ditches, and other road related items that impact maintenance activities. It keeps track of staff resources allocated, equipment usage, and material needs based on specific maintenance activities accomplished. The Maintenance Management Program is used as a tool for maintenance activity programming and for budgeting.

Service Requests

In conjunction with both the County's road maintenance program and the traffic safety program, the County has a formalized system to handle road related service requests from the public. Each time information is received from the public that there is a specific problem or need that requires attention, a service request initiated and is then processed in a systematic way. For minor requests that can be easily accommodated, the request is simply carried out right away. For more extensive requests, the requesting citizen is kept up on the request's status through the process. After staff has been assigned to handle the request, the citizen is contacted by staff to discuss the problem, its resolution, and scheduling. Once the request is carried out, the citizen is informed of



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the final disposition of the request. A customer service feedback form is then sent to the citizen for comments on the quality of the County's service in this matter.

Traffic Level

The County road system is versatile in the types of traffic it accommodates as discussed in the functional classification section. Consequently, there are a great variety of traffic levels seen on the various roads in the system. A good measure for traffic level is the average daily traffic (ADT) on each road segment.

Out of the 800 miles of Skagit County roads, approximately 47% are roads with ADT of under 250 vehicles per day. On the upper end, only 72 miles or 9% of County roadways have ADT levels of 2,000 or higher, and only 8 miles or 1% of County roads have ADT levels of 5,000 plus. A breakdown of road mileage by traffic level is shown in Exhibit 5.



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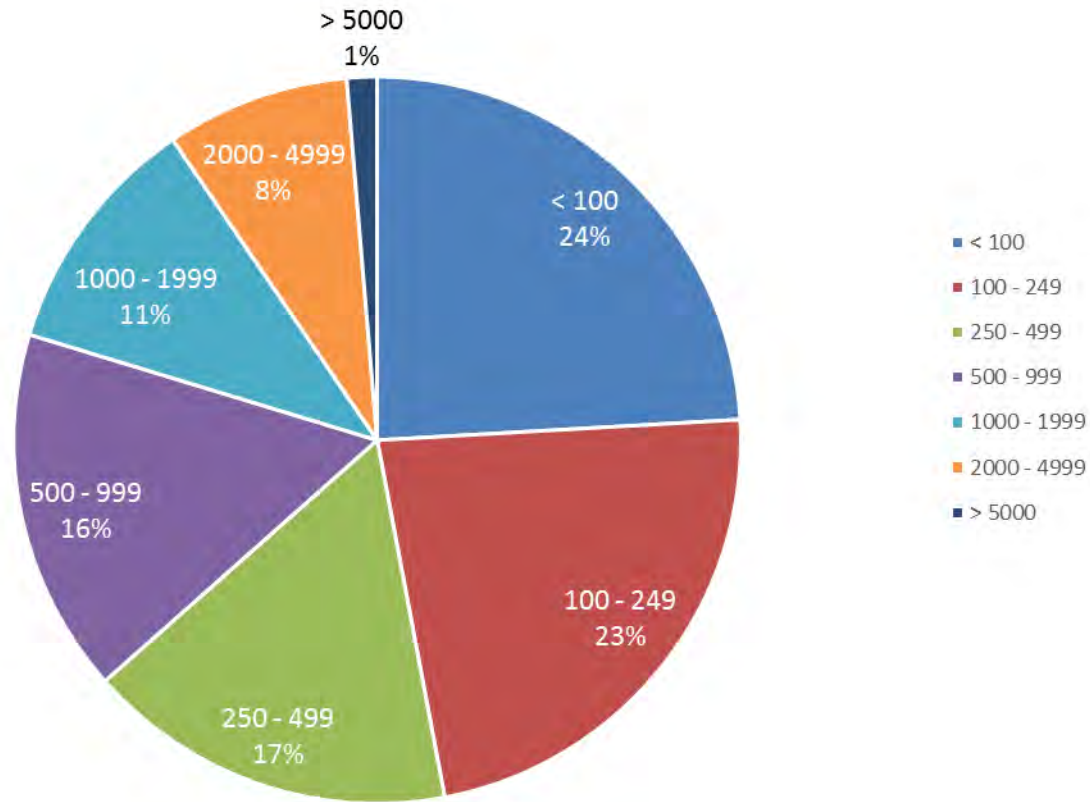
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Exhibit 9. Road Miles by Average Daily Traffic (ADT)



Source: Skagit County, 2015

More interesting than a simple breakdown of the road system traffic level is an additional breakdown by functional classification. Exhibit 6 clearly shows how the functional classification system works with respect to traffic level. For local access roads, the greatest number of roadway miles fall into the under 100 and the 100-249 ADT groups, and most of the road miles are on roads with under 500 ADT. Moving up the classification scale, minor collectors have the most road mileage in the 500-999 ADT group, while major rural collectors have the most mileage in the 1,000-1,999. Virtually all of the roads with 2,000 or more ADT are major collectors. All of the information in Exhibit 6 is shown in tabular form in Exhibit 7.



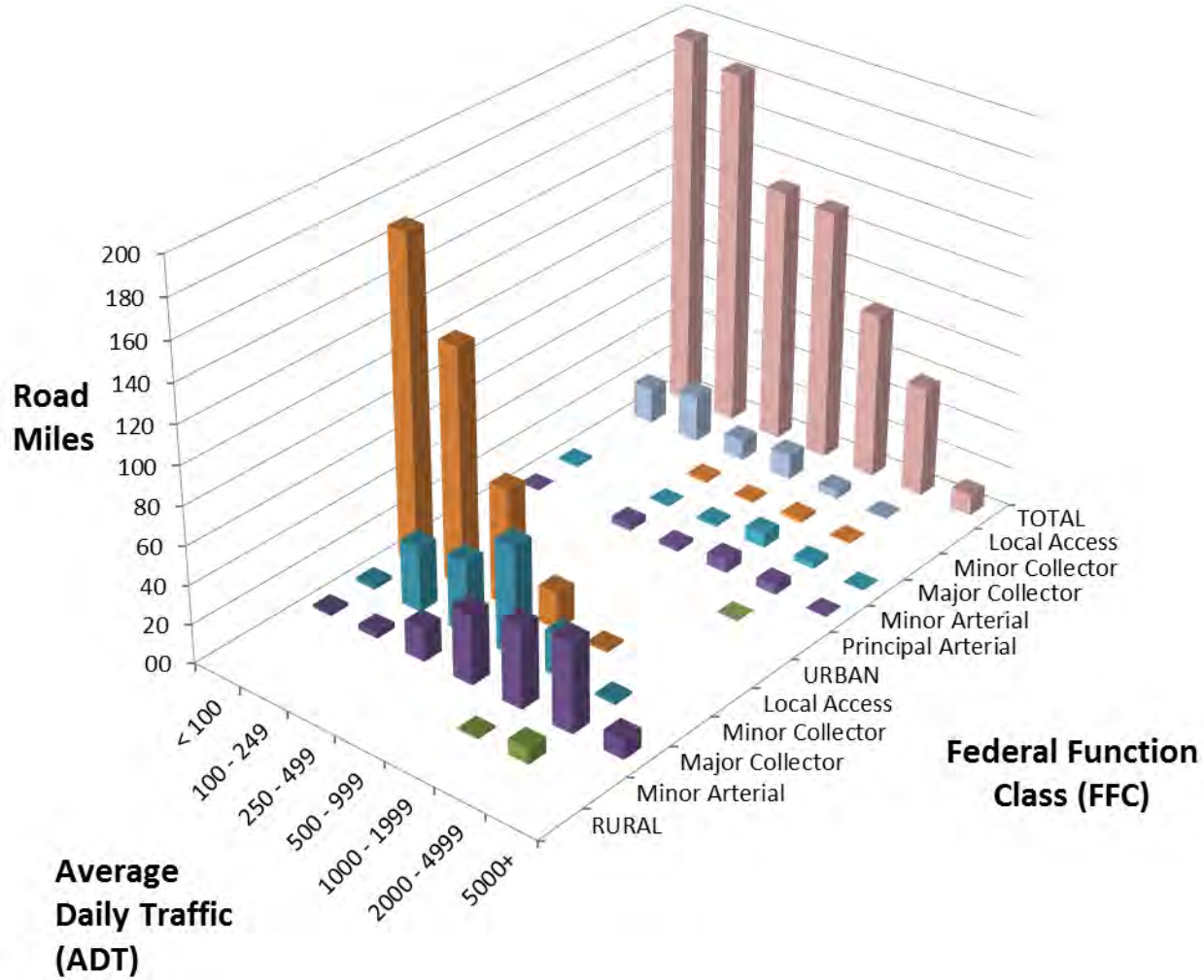
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Exhibit 10. County Public Road Miles by ADT Range by Functional Class



Source: Skagit County, 2015



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Exhibit 11. County Public Road Miles by ADT Range by Functional Class

Functional Class	< 100	100-249	250-499	500-999	1000-1999	2000-4999	5000+	Totals
Rural								
Minor Rural Arterial (06)	0	0	0	0	1.1	8.3	0	9.4
Major Rural Collector (07)	1.5	3.1	17.2	36.6	41.7	46.2	10.3	156.6
Minor Rural Collector (08)	2.2	33.3	37.3	56.9	22.0	1.5	0	153.2
Local Rural Access (09)	169.1	122.9	61.0	19.1	1.5	0	0	373.6
Urban								
Principal Urban Arterial (14)	0	0	0	0	0	0.5	0	0.5
Minor Urban Arterial (16)	0.3	0	3.7	2.2	6.6	4.6	0.2	17.6
Major Urban Collector (17)	1.4	0	0.7	1.4	7.2	2.9	0.2	13.8
Minor Urban Collector (18)	0	0	1.5	0.8	2.1	0.6	0	5.0
Local Access Urban (19)	18.5	24.3	10.4	13.0	4.3	0.8	0	71.3
Total	193.00	183.60	131.80	130.00	86.50	65.40	10.70	801.00

Source: Skagit County, 2015

The breakdown of the County Road System by functional classification showed that local access roads account for over half of the road mileage. Looking at the road system from a traffic level perspective tracking Vehicle Miles Traveled (VMT) on the system, the local access roads appear to take on much less importance while the major collectors take on increased importance. Local roads account for only about 15% of the daily VMT (ADT X road length) on the road system while the major collectors account for nearly 59% of total VMT. (See Exhibit 8.) Minor collectors account for 17%, and urban roads account for 14% of daily VMT.



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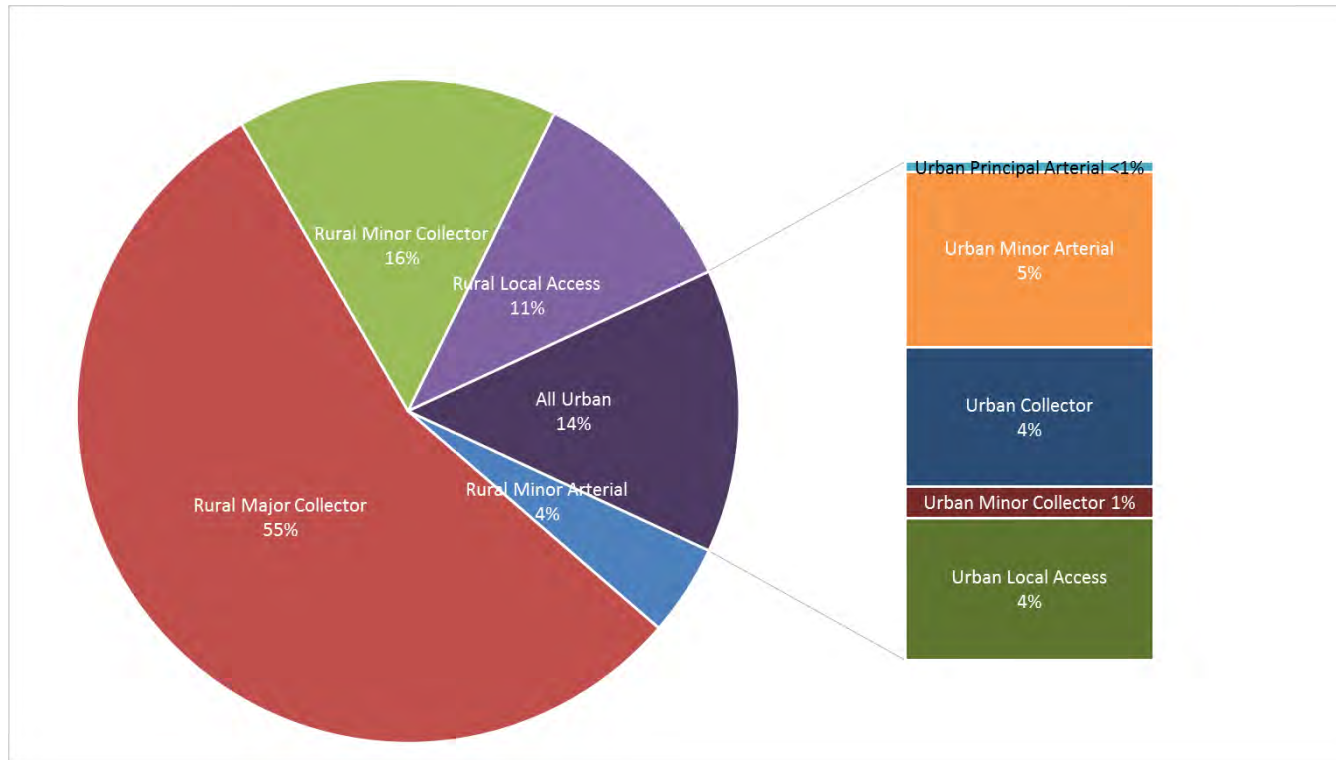
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Exhibit 12. Percent VMT by Functional Class



Source: Skagit County, 2015

Neither average daily traffic nor daily VMT data shows the whole picture of traffic on the County Road System because there is a relatively strong seasonal component in many parts of the County. The seasonal trend in Skagit County is generally for the traffic to be the lowest in the winter months and the highest in the summer months.

The seasons of the year have a systematic effect on traffic flow in Skagit County. Traffic volumes are typically below average in January and above average in August each year. Due to the seasonal effect on traffic volumes, traffic engineers must apply a seasonal adjustment factor when summarizing annual traffic data. The seasonal factor adjusts the days of short-term traffic monitoring to the year as a whole.



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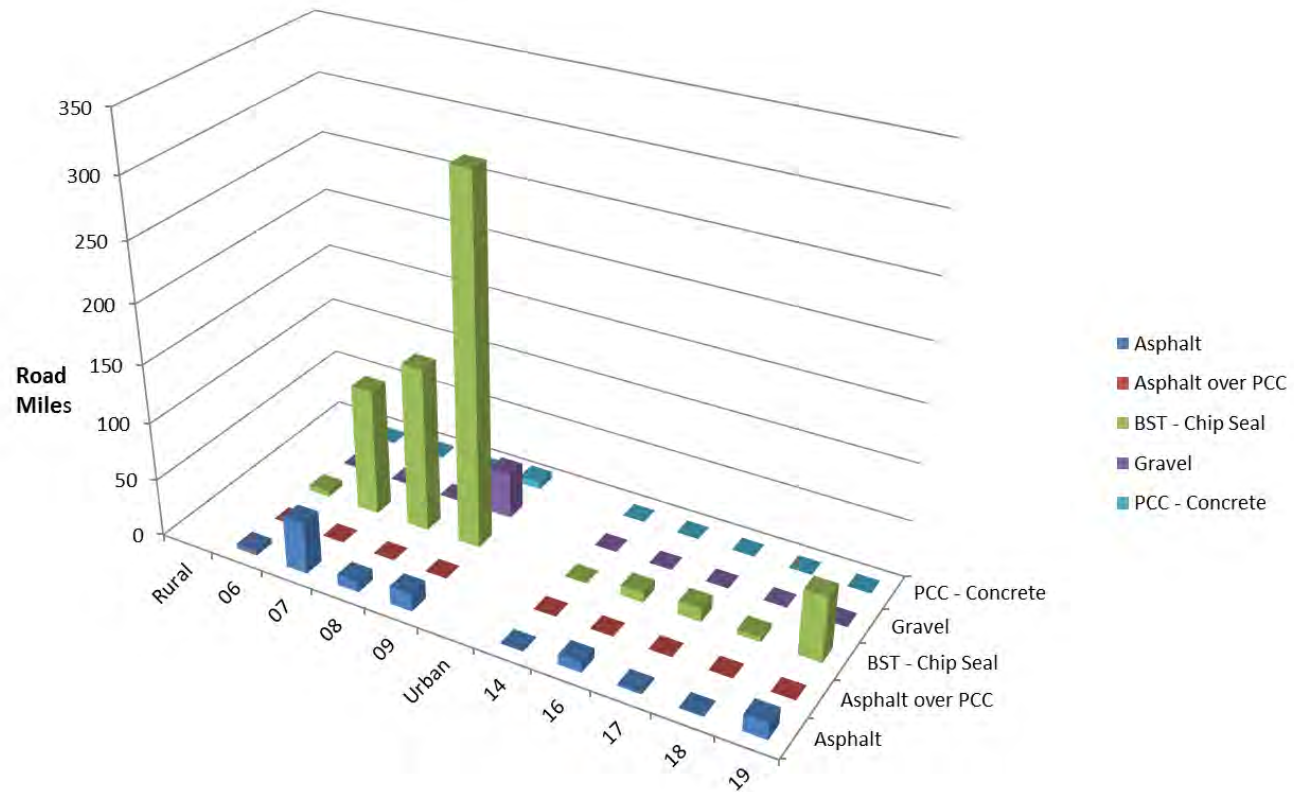
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Pavement Characteristics

There are four road surface treatment types used on the County road system: bituminous surface treatment (BST), also known as chip seal; asphalt concrete pavement (ACP), or simply asphalt; Portland cement concrete (PCC), or simply concrete; and gravel, abbreviated in the database as GRV. The chip seal surface treatment is where the surface is oiled, chip rock is spread, and the combination is allowed to set and harden with the help of the normal traffic on the road. See Exhibit 9 and Exhibit 10.

Exhibit 13. County Public Roads Pavement Type by Federal Functional Class



Source: Skagit County, 2015



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Exhibit 14. Pavement Type (in Miles)

Type	Miles
Gravel	40.2
BST – Chip Seal	649.5
Asphalt	101.6
Concrete	9.7
Total	801.0

Source: Skagit County, 2015

Chip seal is by far the most common surface treatment for County roads. Of the 800 total County road miles, 650 or more than 81 percent are paved with chip seal. The next highest is asphalt with 101 miles of road surface. About 40 road miles have a gravel surface. Only about 9.7 County road miles have a concrete surface.

Exhibit 9 provides a summary of pavement type by functional class. While the major collectors are fairly evenly split between asphalt and chip seal surfaces (73 miles to 99 miles), the vast majority of minor collectors are chip seal (169 miles to 11 for asphalt). Concrete and gravel make up a very small portion of these classified roads. The pavement surface for local roads is similar to that of the minor collectors with chip seal being the dominant surface type. Virtually all gravel roads in the County are local roads. See Figure 2-5 for a graphic depiction of pavement type by functional class.

County Bridges

In conjunction with its jurisdiction over the County road system, the County is also responsible for providing and maintaining the various bridges on County roads. Currently there are 110 highway bridges. Skagit County has 45 bridges that are at least 50 years old. Of those 45 bridges, 8 are 70 years or older and 2 are over 80 years old, built in 1930.

The largest bridge is the Rainbow Bridge with its 500-foot span across the Swinomish Channel. Some of the other large bridges include the Dalles Bridge and the Government Bridge along Concrete Sauk Valley Road, with spans of 300 and 225 feet respectively; the Skagit River Bridge on Cascade River Road at Marblemount, with a 280-foot span; and, the South Fork Bridge on Fir Island Road, with a 186 foot span. Fifty-four of the County's bridges have a span over 50 feet,



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thirteen of them over 100 feet. Six County bridges have a span under 20 feet. The greatest width of any County bridge is 37.2 feet.

Annually the County prepares a bridge report in compliance with WAC 136-20-060. This report summarizes Skagit County's bridge inspection program, focusing on the Engineer's recommendations as to replacement, rehabilitation, repair, and load restrictions on the County's deficient bridges and identifies possible projects that may be included on the County's six-year transportation improvement program. The County also inspects several City bridges upon request. As time allows the Parks Department pedestrian bridges are inspected. The most recent report prepared in 2014, shows:

- Construction of the Davis Slough Bridge on South Skagit Highway was completed.
- Federal funding was increased to replace the BNSF Railroad Overpass on Old Hwy 99; design is in progress.
- Currently, Skagit County has 6 structurally deficient bridges:
 - BNSF Railroad Overpass: Deck, Superstructure, Substructure – Rated Poor
 - Anacortes Ferry Dock: Superstructure – Rated Poor
 - Guemes Island Ferry Dock sufficiency rating: Superstructure – Rated Poor
 - Friday Creek Bridge: Deck – Rated Poor
 - Thomas Creek Bridge: Deck – Rated Poor
 - Samish River Bridge: Deck – Rated Serious

Three of the six structurally deficient bridges have funding allocated to have them repaired or replaced.

Currently, Skagit County has 15 functionally obsolete bridges. Functional obsolescence is assessed by comparing the existing design of each bridge to current standards. A bridge can be categorized functionally obsolete a number of different ways, including: substandard bridge widths, low vertical clearance that can lead to repeated damage from over height trucks, load-carrying capacity, or flood potential.



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The other local agency bridges inspected are all in good condition. The Town of Concrete's bridge, Baker River Bridge, is listed as Functionally Obsolete and is load restricted at 10 to 28 Tons depending on axle layout.

2.2 Non-Motorized Transportation

The two modes of travel which have traditionally been considered as non-motorized transportation are bicycle and pedestrian travel. Sometimes equestrian travel is included as well. These modes represent important travel options, but the planning for and development of facilities to accommodate them has generally not been a priority in the past. Future transportation decisions in Skagit County should include consideration for the accommodation of non-motorized travel needs.

Non-motorized Transportation Use

With respect to bicycling, national, university, and municipal studies show that there are essentially three or four types of bicyclists based on experience or frequency or types of facilities used:

- National Studies on Experience: 1) children and inexperienced riders; 2) casual adult riders; and, 3) experienced riders. While children and inexperienced riders tend to ride close to home and casual adult riders tend to do off-street travel and recreational riding, experienced adult-riders are comfortable riding in vehicular traffic and tend to gravitate to the quickest, most direct routes to their destination. While only about 20% of the riders fit into this experienced group, they account for close to 80% of the total miles traveled on bicycles.
- A McGill University Study of 2,000 cyclists identified: dedicated cyclists (motivated by speed, predictability and flexibility that bike trips offer), path-using cyclists (fitness and recreation using continuous path), fair-weather utilitarians (ride in good weather), and leisure cyclists (prefer bike paths and ride for pleasure and avoid traffic).
- Portland and Ashland Oregon studies found four categories: the strong and the fearless, the enthused and the confident, the interested but concerned (afraid of automobiles), and nonriders.



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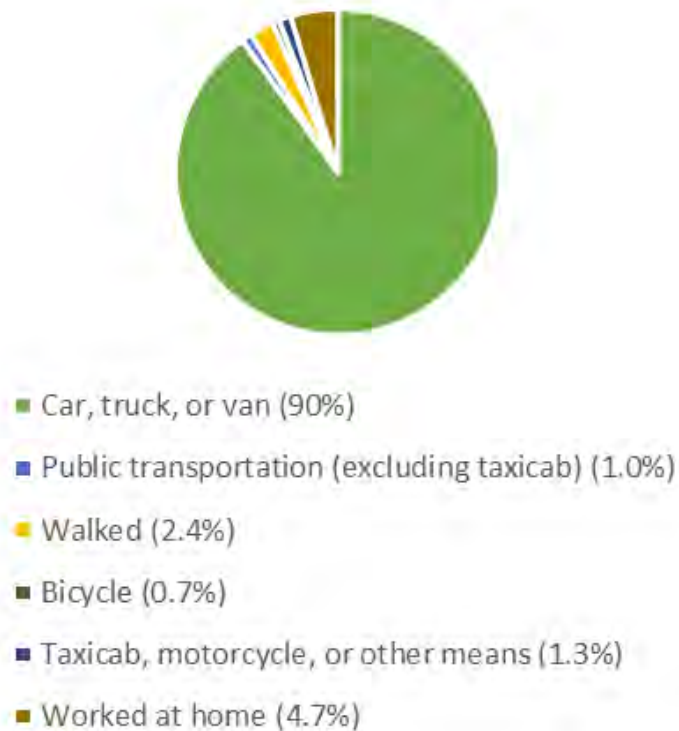
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Detailed information on pedestrian activities in Skagit County does not currently exist. However, according to the 2008 North Sound Travel Survey, walking accounted for 5.8% of all trips within Skagit County. The Skagit Council of Governments (SCOG) also performed the first non-motorized transportation counts in the fall of 2014 at key locations. SCOG performed bicycle and pedestrian counts at key locations for three days from September 30th through October 2, 2014 from 7-9am and again from 4-6pm. The counts do not address overall mode share for pedestrians and bicyclists, but indicate pedestrian and bicycle activity at specific locations. In total 473 bicyclists and 1,657 pedestrians were observed. Additional pedestrian and bicycle counts are planned. While the counts do not provide data on County-wide non-motorized travel, they do provide a snapshot of non-motorized travel at the selected locations.

For travel to work, SCOG analysis found walking and bicycling constitute 3.1% of the total trips, while the vast majority of people commute by car, truck or van (90%).

Exhibit 15. Means of Transportation to Work





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Source: US Census Bureau, American Community Survey, 2009-13

Current Facilities

Presently, the primary facilities that accommodate non-motorized uses in the unincorporated County are the County roads. Many roads lack adequate shoulder widths making them dangerous for pedestrian use. The same holds true for bicycle use on roads without adequate paved shoulders.

There are a few facilities in the County either built for or specifically designated for non-motorized transportation usage. One is the Padilla Bay Trail. Both bicyclists and walkers can use it, but it functions primarily as a recreational trail. The limited inventory of signed on-road bikeways in Skagit County includes portions of the following:

- Bayview-Edison Road
- La Conner- Whitney Road
- McLean Road
- West Big Lake Boulevard

The Skagit County Bike Map (Map 3) is an informational map for the public that identifies existing on and off-street bike routes in the County including regional bike routes. The map classifies routes based on shoulder width and traffic volumes. Major bike routes include the Coast to Salish Route, the Coast to Cascades Route, the Coast Millennium Route, and the Cascade Trail. The existing system of bike routes provides major connections east to west and north to south with links to adjacent counties (Skagit County, 2015).

The Skagit County Walking Trails Map (Map 4) is another informational map for the public that identifies existing walking and trail opportunities in Skagit County and provides basic information for users to locate and use them. The map also highlights trail systems in Anacortes, Burlington, Mount Vernon and at the Port of Skagit (Skagit Council of Governments, 2008).

The County has invested in two unused railroad corridors that provide opportunities for the development of some major non-motorized facilities in the County. One includes parts of an abandoned Burlington Northern Railroad (BNRR) line running north-south along SR-9 between Snohomish County and Sedro-Woolley. It is to be called the Centennial Trail and when completed, will link up to the Centennial Trail in Snohomish County. Construction for the



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Centennial Trail between Big Rock and Clear Lake is scheduled in 2016-17. Currently a ½ mile section of the trail is open for public use in Skagit County. The other includes a 23-mile stretch of an unused BNRR line between Sedro-Woolley and Concrete which is under a rail banking agreement. (Through rail banking, the right of way is retained, intact, by one jurisdiction. The railroad then retains the right to reacquire the line for rail use in the future.) The Cascade Trail is located on this railroad corridor.

Skagit County Non-motorized Transportation Plan

The Skagit County Non-Motorized Transportation Plan was adopted as Chapter X (10) of the County's Transportation Systems Plan by the Board of County Commissioners in 2004 (Ordinance O20040009), following several years of work. The non-motorized plan is a key component of the transportation element of the Skagit County Comprehensive Plan. Non-motorized plans are essential in the development of programs and funding for a variety of public facilities, including Federal funding support for sidewalks, access to transit activities, trails and road improvement projects. Facilities and issues that involve travel by bicycle, on foot, and to a lesser extent on horseback are addressed and a number of key recommendations are made. The overall long-term goal is to achieve a safe, convenient, cost-efficient and countywide non-motorized transportation system. The Non-motorized Transportation Plan meets policy and legislation direction from the Washington Growth Management Act and the Skagit County Comprehensive Plan, and is consistent with policies adopted by SCOG and the Washington State Department of Transportation.

Relationship to Other Plans

Skagit County Parks and Recreation Plan

In 2013 Skagit County adopted an updated Parks and Recreation Plan. It was based on a public outreach program of surveys and meetings. In 2011, 353 online survey responses revealed a strong interest in trails:

*Nearly all (93%) of the respondents reported their household had used a park facility in the past 12 months. The most popular activities respondents reported household members spending time on were trails in natural areas, trails near where people lived, access to shorelines, and visiting wetlands / viewing wildlife. ****



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When asked what the top four priorities are, respondents reported that trails were the top priority in terms of the uses ... “wilderness trails-non motorized” (1st), followed by “trails near where I live” (2nd), Preservation of natural open space (3rd), and “Shoreline Access” (4th).

When respondents were asked to rank the most needed facilities, trails, open space and shoreline access were the top priorities.

As a result of public input and an analysis of levels of service, the parks and recreation plan has identified trails among the highest priority projects:



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Level 1:

- Northern State Recreation Area Trails Plan
- Centennial Trail
- Sares Bluff Trail Development
- Clear Lake Improvements
- Skagit Valley Playfields Improvements
- Similk Bay Shoreline Access
- Other Trail Development and/or acquisitions

Level 2:

- Howard Miller Steelhead Park Improvements
- Indoor Recreation Center (gym)
- Evergreen Trail
- Bayview Community Park Development
- Northern State Recreation Area Development
- Proposed Shooting/Training Range
- Big Rock Access and Parking
- Other Open Space Development and/or acquisitions
- Other Lake Park Development and/or acquisitions

Level 3:

- Lake Shannon Trail
- Lake Shannon Park Development
- Presentin Park Improvements
- Northern State Recreation Area Ball Fields
- Grandy Lake Development
- Nichols Bar Development
- Sauk Park Development
- Conway Park Renovation
- Rexville Overlook Development
- Skagit River Interpretive Center at HMSP

Skagit Regional Transportation Plan

The existing Skagit and Island Metropolitan and Regional Transportation Plan (M/RTP) was completed in 2010 and is currently being updated. The updated plan is anticipated to be adopted in the spring of 2016 before the 2016 Skagit County Comprehensive Plan is adopted. However, with the dissolution of the Skagit-Island RTPO effective July 22, 2015, the updated plan will focus only on the Skagit County region. The multi-modal transportation plan provides a strategic framework for the Skagit region's existing and future transportation needs. A major purpose of the plan is to facilitate cooperation among jurisdictions to identify the highest priority



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transportation projects along with regional funding and implementation during the 25 year planning period (SCOG, 2010). Non-motorized travel will be a component of the transportation element, and will include a pedestrian and bicycle component that includes collaborative efforts to identify and designate planned improvements for pedestrians and bicycle facilities and corridors that address and encourage enhanced community access and promote healthy lifestyles (RCW 36.70A.070(6)(a)(vii)).

2.3 Transit

There are several types of transit services currently available in Skagit County. On the public side, these can be classified as: 1) general public transit; and 2) Paratransit service for the elderly and handicapped. Both of these services are provided by Skagit Transit, Skagit County's only public transit system. There are also private transit companies providing bus service in Skagit County.

General Public Transit

Skagit Transit was established under RCW 36.57A. The authority was established in 1993 when voters approved a 0.2% local sales tax (\$0.002 per \$1) to support transit service in the Mount Vernon and Burlington areas. Since initial voter approval in 1993, the Public Transit Benefit Area (PTBA), or service area, has expanded to include Anacortes, La Conner, Sedro-Woolley, Lyman, Hamilton, and Concrete. Voters in unincorporated South Fidalgo Island, Shelter Bay, Burlington Country Club, North and Northwest Skagit County, and Big Lake have also been annexed into the PTBA after successful voter initiatives to expand Skagit Transit's service area. In November 2008, voters approved an additional 0.2% sales tax to support transit service in the PTBA. Currently Skagit Transit is supported by a 0.4% sales tax. This equates to \$0.04 for every \$10 spent within the PTBA. Fares as well as capital and operating grants also support the expense of the transit system.

Skagit Transit's fixed route service includes local routes, commuter routes, and flex routes. In 2014, the number of all fixed route passenger boardings (local, commuter, and flex) increased by 10.7% from 2013. See Exhibit 12. Fixed route service is offered along a pattern of streets or routes, operating on a set schedule of pulses from Skagit Station, Chuckanut Park and Ride, March's Point Park and Ride, and other designated transfer locations including Skagit Valley College, 10th Street and Q Avenue in Anacortes, and the Food Pavilion in Sedro-Woolley.



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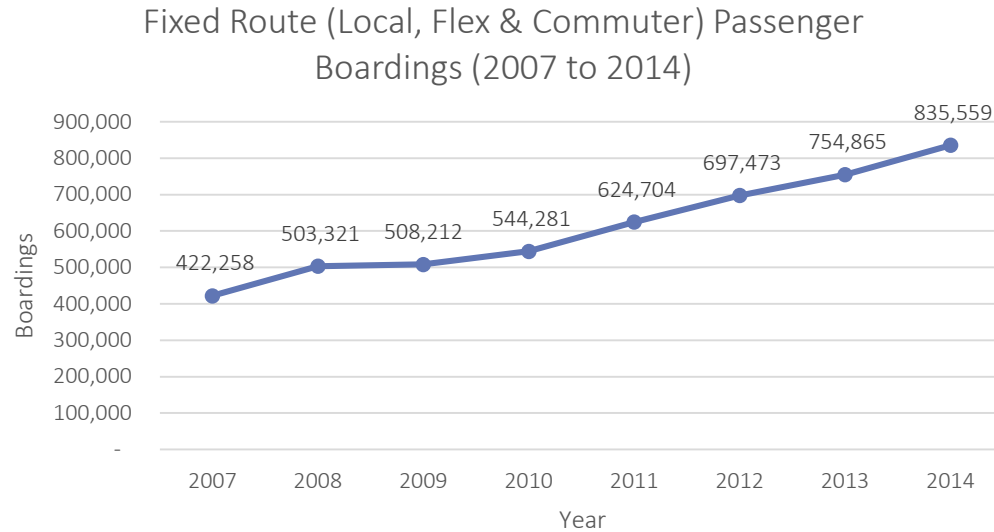
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In 2014 there were 19 fixed routes, including 11 local routes, two commuter routes and six flex routes covering 322 miles of streets, roads, and highways. Local fixed routes operated between 5 and 7 days per week. Commuter routes operate between 5 and 6 days per week. Flex routes operate between 2 and 5 days per week (Skagit Transit, 2015).

Exhibit 16. Skagit Transit Fixed Route Passenger Boardings



Source: Skagit Transit, Transit Development Plan, 2015

Commuter Routes - Commuter routes are a special category of fixed route service, and have increased over time flattening out in the last few years; see Exhibit 13. In 2014, Skagit Transit operated two commuter bus routes, the 80X making express trips between Mount Vernon and Bellingham and the 90X making express trips between Mount Vernon and Everett. Commuter bus schedules feature longer stretches of closed-door service and limited stops. Commuter routes also feature peak commute hour scheduling. Whatcom Transit Administration (WTA) and Skagit Transit jointly operate the 80X. In 2014, Island Transit operated commuter bus service from Whidbey and Camano Islands to Mount Vernon and Everett.



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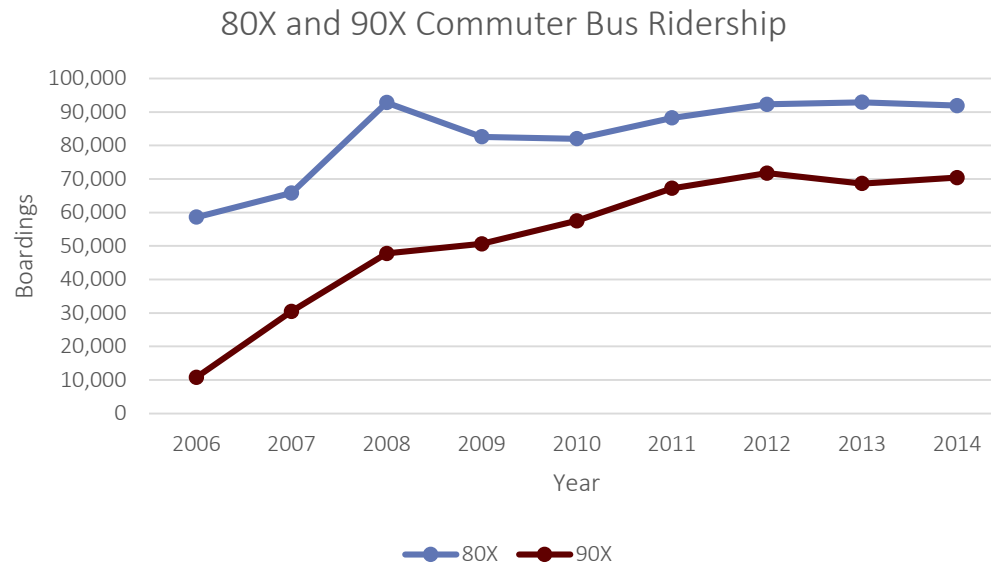
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Exhibit 17. Skagit Transit Commuter Routes Passenger Boardings



Source: Skagit Transit, Transit System Development Plan, 2015

Flex Routes - Flex routes are another special category of fixed route service. Flex routes operate on a scheduled route designed to travel up to $\frac{3}{4}$ mile off the main route to pick-up ADA transit clients. Skagit Transit currently has six flex routes. These routes provide transit service to areas of the PTBA not currently serviced by local fixed route buses. Non-ADA passengers are picked up and transported to urban centers and transit hubs. ADA clients are provided curb to curb service or transferred to another ADA transit vehicle. Four of Skagit Transit's Flex Routes began service in September of 2013 (Skagit Transit, 2015)

Paratransit (previously referred to as Dial-A-Ride) - provides specialized transportation comparable with Skagit Transit's fixed-route bus service. In 2014, ADA transit boardings increased by 4% from 2013 following a decrease in ridership between 2012 and 2013. This is largely due to the work of Skagit Transit's Travel Trainer who works with ADA clients so that they can begin using fixed route service.

ADA transit is a pre-scheduled service designed for people who are unable to get to the nearest bus stop or use a fixed-route bus. ADA transit is for individuals whose conditions and/or



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disabilities prevent them from using Skagit Transit's fixed-route buses. To become an ADA transit client, passengers go through an eligibility application and approval process. Curb-to-curb service is provided to most ADA clients within the PTBA service area. ADA transit service is a demand response, next-day service. Users are required to call a dispatcher in advance of the trip and inform Skagit Transit of the origin, destination, and time of the trip. It is a shared ride service and clients may be required to remain onboard while other passengers are picked up and dropped off on the way to the rider's destination. ADA transit service operates during the same hours as the fixed routes line it compliments.

Vanpool Program - The Vanpool Program is a service that allows people with long commutes to share the drive to work with others making the same or similar trip. In 2013, vanpool passenger trips increased by 5.7% from 2012 and in 2014 ridership increased by 2% from 2013. Skagit Transit currently has 50 vanpool groups. A vanpool group consists of 5 to 15 individuals with a driver provided from within the vanpool group. Vanpool groups must either start or end their trip in Skagit County. Groups pay a monthly fee and a per-mile charge. Skagit Transit maintains the van and provides fuel and insurance. In 2014, the cumulative sum of the distances ridden by each vanpool passenger totaled 5,770,073 miles.

Major Transit Stations, Transfer Terminals, Park and Ride Lots, and Destinations - Skagit Transit provides services to the following public transportation facilities:

- Skagit Station, Mount Vernon
- Washington State Ferry Terminal & Guemes Island Ferry Terminal, Anacortes
- Alger Park and Ride, Alger
- Chuckanut Park and Ride, Burlington
- March's Point Park and Ride, Anacortes
- South Mount Vernon Park and Ride, Mount Vernon
- Lincoln Creek Park and Ride, Bellingham
- Bellingham Station, Bellingham
- Everett Station, Everett

Skagit Transit provides connections to the following public transportation providers:



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- AMTRAK trains – Skagit Station
- Greyhound Bus – Skagit Station
- Washington State Ferry, Anacortes
- Skagit County Guemes Ferry, Anacortes
- Island Transit – Skagit Station & March’s Point Park & Ride, Anacortes
- Whatcom Transportation Authority – Skagit Station & Bellingham Station
- Everett Transit – Everett Station
- Community Transit – Everett Station
- Sound Transit – Sounder Train/Bus - Everett Station

Skagit Transit provides services convenient to most of the public schools within their service area including Skagit Valley College’s Mount Vernon Campus. Service is also provided to the hospitals in Anacortes, Mount Vernon and Sedro-Woolley as well as to important government centers such as the Skagit County Courthouse and city and town halls.

Through their partnership and joint operating projects with Island Transit and Whatcom Transit Authority, Skagit Transit service connections are provided to Western Washington University in Bellingham and the University of Washington in Seattle.

Skagit Station is a multi-modal transportation facility owned and operated by Skagit Transit. Skagit Transit leases space to AMTRAK and Greyhound and has plans to lease a deli/concessions area.

Private Transit

Greyhound provides intercity, interstate, and international bus service to Mount Vernon along the I-5 corridor. The Bellair Airporter Shuttle provides 11 round trips from Blaine to Sea-Tac /Seattle Convention Center, and Anacortes –San Juan Islands every day.

Relationship to Other Plans

Skagit Transit Development Plan 2015-2020, http://www.skagittransit.org/assets/1/7/2015-2019_TDP_Report.pdf. The following overview is provided in the Transit Development Plan:



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Skagit Transit’s Six-Year Transit Development Plan (TDP) identifies how the agency will meet state and local long-range priorities for public transportation through capital improvements, operating changes, and other programs. It also addresses how such programs will be funded. The Plan conforms to the State’s transportation system policy goals (RCW 47.04.280) and supports local comprehensive planning and economic objectives within Skagit County. State transportation system policy goals are:

Economic vitality. To promote and develop transportation systems that stimulate, support, and enhance the movement of people and goods to ensure a prosperous economy;

Preservation. To maintain, preserve, and extend the life and utility of prior investments in transportation systems and services;

Safety. To provide for and improve the safety and security of transportation customers and the transportation system;

Mobility. To improve the predictable movement of goods and people throughout Washington state;

Environment. To enhance Washington's quality of life through transportation investments that promote energy conservation, enhance healthy communities, and protect the environment; and

Stewardship. To continuously improve the quality, effectiveness, and efficiency of the transportation system (Skagit Transit, 2015).

Island & Skagit counties coordinated Public Transit – Human Services Transportation Plan Update <http://scog.net/transportation/hstp/>. The following is an excerpt from the Human Services Transportation Plan:

This plan, called the Skagit-Island Human Services Transportation Plan (HSTP), was developed by engaging special needs populations in conversations about their needs, documenting existing services, identifying needs and highlighting service gaps. Based on this information, this plan then defines regional priorities and recommends projects for state and federal grant funding.

Addressing both federal and state HSTP requirements, this plan was developed using best practices identified in the statewide HSTP. This includes “listening sessions” at events and other locations with concentrated special needs populations, identification of special



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needs populations through census data, and prioritization of projects using an objective and transparent methodology (SCOG, 2014).

2.4 Water + Air

County Ferry Service

In the State of Washington, there are four counties that own and operate their own ferry system. One of the four is Skagit County, which operates a ferry between Anacortes and Guemes Island. Additional details on the Skagit County ferry can be found in the most current version of the *14-year Ferry Capital Improvement Plan*.

Operation System Equipment and Facilities Inventory

The Skagit County ferry operating system equipment and facilities are functionally categorized as: ferry vessel, structures, parking and auto staging facilities, ferry service, and ferry operations. Most of the operating system facilities were built in the 1979-1980 time period to accommodate the M/V Guemes.

The 2014 value of the facilities, and vessel, after depreciation is estimated to be \$13,551,771. The total current replacement costs for these facilities, and the vessel, is estimated to be \$25,236,678 in 2015 dollars.

Ferry Vessel

The current ferry, the M/V Guemes, was built in 1979 and has served Skagit County and the residents of Guemes Island for 36 years. The ferry operates seven days a week, 365 days a year between Anacortes and Guemes Island. Skagit County has operated the ferry since the early 1960's when it was purchased from a private operator. The vehicle and passenger ferry, M/V Guemes, is a U.S. Coast Guard inspected vessel and is rated for 3 crew, 99 passengers and 22 vehicles. Vessel characteristics are listed in Exhibit 14. The M/V Guemes requires three crew members to staff each regularly scheduled crossing of Guemes Channel; a Captain and two Deckhands. A round-trip crossing of the three-quarter-mile channel normally takes 20-25 minutes.



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Exhibit 18. M/V Guemes Physical Characteristics

Length	124 ft
Beam	52 ft
Gross Tonnage	91 tons
Displacement	298 tons
Vehicle Capacity	22 cars
Passengers	99 persons
Crew	3 staff

Source: Skagit County, 2015

Ferry System Structures and Parking

The ferry system structures include docks, transfer spans and machinery, dolphins, wingwalls, and terminal buildings on both sides of Guemes Channel. The County also owns and maintains three parking lots and loading approach facilities.

The current dock facilities were built in 1980 when the M/V Guemes was put into service. The bridge mechanical, electrical, and hydraulic systems have been well maintained over the years keeping the bridges operational. However, the mechanical and electrical systems were upgraded in 2014.

The dock structures had minimal maintenance until 2010; as a result, they were in need of major work. In 2010, the two remaining creosote dolphins at the Guemes Island landing were replaced with steel pilings. In the same year, the wing walls at the Anacortes and Guemes Island landings were replaced. A dock rehabilitation project took place in the spring of 2011. This project included the replacement of girders on the approach spans on both the Anacortes and Guemes Island ferry docks. The remaining five creosote dolphins at the Anacortes landing were replaced with steel pilings in 2014. Skagit County will also replace creosote sections of the Anacortes breakwater in 2016.

Ferry Service

The ferry system operates seven days a week, 365 days a year. Resolution R20120140, signed by the Board of Skagit County Commissioners on April 30, 2012, establishes the hours of operation



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for the ferry and rescinds R20080556. Resolution R20120140 also establishes the effective non-peak and peak season dates.

The ferry operates Monday through Thursday, 6:30 a.m. to 8:30 p.m., Friday and Saturday, 6:30 a.m. to 11:00 p.m., and Sunday, 8:00 a.m. to 8:00 p.m. during the non-peak season (October 1 through May 19). During the peak season (May 20 through September 30), the hours of operation are the same except that, on Sundays, the ferry operates from 8:00 a.m. to 10:00 p.m.

During the non-peak season, the ferry makes 159 round-trip scheduled crossings per week; the scheduled crossings increase to 165 round-trip crossings per week during the peak season. The sailing schedule allows for extra runs to be made to accommodate heavy traffic volumes, but only during certain times. For example, the ferry may make one extra trip, when overloaded at 11:15 a.m. or when there is an hour or more between runs. However, there will be no extra trips at 6:45 p.m. The sailing schedule also allows for hazardous materials runs on Wednesdays at 9:15 a.m. to Guemes, and 2:00 p.m. from Guemes; during these no runs, no other vehicles may be onboard. The sailing schedule is subject to change with or without notice. Times when the sailing schedule may change with notice would be for a holiday sailing schedule to go into effect. Times when the sailing schedule may change without notice might be for an emergency, where fire or EMS vehicles need immediate priority crossings.

The most current ferry sailing schedule can be found at www.skagitcounty.net/ferry.

Ferry Ridership Statistics

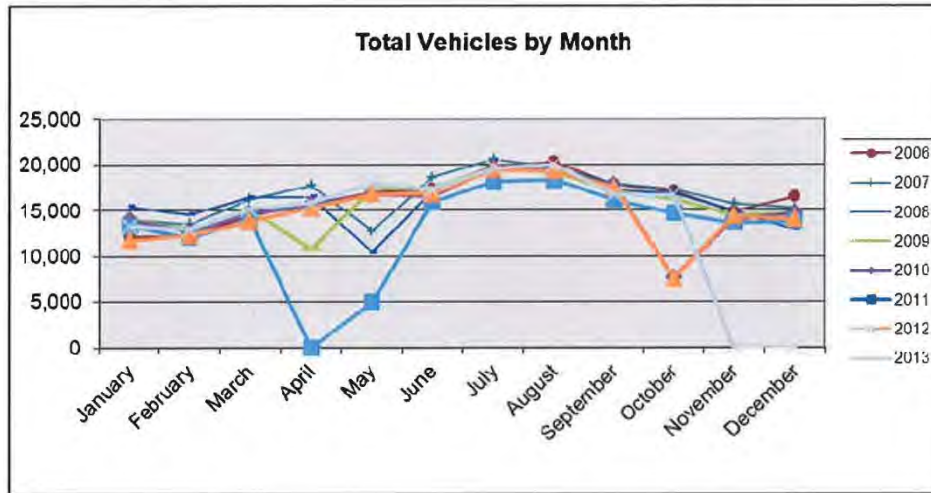
The Skagit County ferry system is relatively small considering it runs only one vessel with a 22-vehicle and 99-passenger capacity. The primary users of the ferry system are the permanent and part-time residents of Guemes Island who rely on the ferry as their link to the mainland. The residential development and population on Guemes Island have both increased over the past 36 years and the ferry system has experienced growth as a direct result. However, total vehicle and passenger ridership between 2006 and 2012 shows decline in the fall, whereas, in winter, spring, and summer months vehicle ridership has stayed relatively flat. Based on the ferry replacement plan prepared in 2013, vehicle ridership showed relatively little growth since the mid-1990s. However, according to the ferry replacement plan prepared by the Elliot Bay Design Group, the population will increase approximately 24% by the end of 2033. Additionally, in 2013, 42 percent of ferry runs were at capacity. The Elliot Bay Design Group report recommends a four-car capacity increase, but the County has not yet determined if this capacity increase is practical.



Exhibit 19. Total Vehicle Ridership by Month 2006-2013

**TOTAL VEHICLE RIDERSHIP BY MONTH
JANUARY, 2006 – OCTOBER, 2013**

	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
January	12,177	14,074	15,450	14,022	13,971	13,241	11,746	13,260
February	12,289	13,511	14,609	12,968	12,802	12,037	12,307	12,925
March	14,458	16,245	16,422	15,034	14,699	14,048	13,857	15,176
April	15,725	17,734	16,464	10,794	15,639	0	15,255	15,796
May	17,021	12,738	10,421	17,381	16,763	5,010	16,796	18,015
June	17,354	18,625	17,118	17,372	16,529	15,885	16,830	17,256
July	19,853	20,579	19,507	19,630	19,569	18,092	19,419	19,649
August	20,292	19,714	19,768	19,142	19,349	18,346	19,350	20,035
September	17,867	17,949	17,221	17,128	17,720	16,171	17,475	16,674
October	17,126	17,293	16,823	16,260	7,636	14,710	7,600	16,703
November	14,870	15,760	14,956	14,413	14,020	13,617	14,347	
December	16,494	15,275	12,884	14,708	14,702	13,845	14,060	
Total	195,526	199,497	191,643	188,852	183,399	155,002	179,042	165,489



Source: Ferry Division 2013 Draft Operations Status Report, November 2013, Skagit County Public Works. The vehicle ridership in April 2011 shows zero due to the Ferry Dock Rehabilitation Project, during which time all vehicle traffic was eliminated until May 21, 2011.

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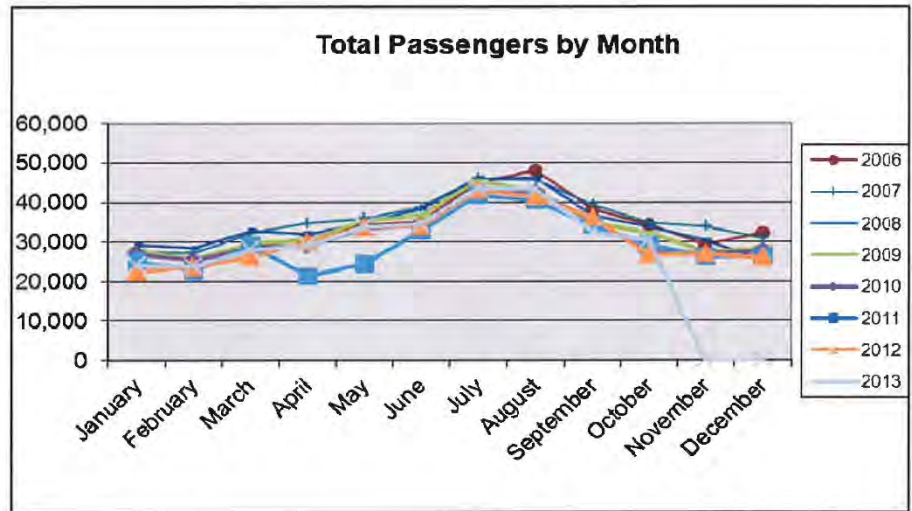
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Exhibit 20. Total Passenger Ridership by Month 2006-2013

TOTAL PASSENGER RIDERSHIP BY MONTH
JANUARY, 2006 – OCTOBER, 2013

	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
January	24,448	27,348	29,183	27,793	27,005	25,123	22,334	24,040
February	23,716	27,220	28,410	25,588	25,287	22,625	23,634	23,832
March	28,803	32,067	32,837	29,506	28,616	29,100	26,223	28,080
April	30,962	34,802	32,029	30,727	29,104	21,256	30,011	29,062
May	34,345	35,957	34,785	35,332	33,597	24,483	33,663	33,852
June	35,189	38,727	38,283	36,583	34,054	32,838	34,109	34,482
July	45,010	45,963	46,021	45,404	42,968	41,778	43,082	43,504
August	47,966	45,603	46,285	42,773	42,251	40,483	41,512	43,297
September	38,271	39,294	36,742	34,745	35,603	34,169	36,190	32,501
October	34,195	34,735	33,783	32,173	27,341	29,275	26,752	30,402
November	29,194	33,793	30,317	27,328	26,897	26,209	27,001	
December	32,094	30,917	25,404	28,239	27,694	26,363	25,954	
Total	404,193	426,426	414,079	396,191	380,417	353,702	370,465	323,052



Source: Ferry Division 2013 Draft Operations Status Report, November 2013, Skagit County Public Works

Relationship to Other Plans

Skagit County Public Works maintains several planning documents related to the ferry system. These plans are frequently updated, including some on an annual basis, and provide the most



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current and detailed information regarding the ferry facilities, operations and financing. These plans are available to the public on the County’s website, at www.skagitcounty.net/ferry, and are summarized below.

Ferry Division Operations Status Report This report is prepared annually, and is intended to be an operational summary for the Skagit County ferry system. The guidelines for the preparation and presentation of the report are established by Resolution R20100050, amended by R20110382. The Operations Status Report is prepared by the Public Works Department with collaboration from staff, the Ferry Committee and the public. The draft report is generally presented at the fall Ferry Operations Public Forum with a presentation to the Board of Skagit County Commissioners prior to the end of each calendar year.

Fourteen-Year Ferry Capital Improvement Plan

The following is an excerpt from the Fourteen-year Capital Improvement Plan:

The fourteen-year program is a general guide for the effective, efficient and continuing operation of the Skagit County ferry system. This program will assist the County Engineer and Ferry Division management in planning for capital projects that pertain to replacement, maintenance and improvements for the Skagit County ferry system. This program serves as a guide for long range planning, thus does not require strict adherence. As events unfold, future plans will change as the needs of the ferry system and the available financing become clearer. The Board of Skagit County Commissioners, with advice from the County Engineer, will ultimately decide capital improvement based on priority and available funds. The capital projects listed here are the result of input from various county departments, governmental agencies, citizen groups, and approximately fifty years of operating and maintaining the ferry system, while complying with applicable state law. Enacted in 1975, Revised Code of Washington (RCW) 36.54.015 states: The legislative authority of every county operating ferries shall prepare, with the advice and assistance of the county engineer, a fourteen-year long range capital improvement plan embracing all major elements of the ferry system. Such plan shall include a listing of each major element of the system showing its estimated current value, its estimated replacement cost and its amortization period.

Ferry Fare Revenue Target Report

This financial report is prepared for submittal to the Skagit County Board of Commissioners pursuant to Skagit County Resolution R20100050, amended by Resolution R20110382, which establishes the Skagit County ferry fare revenue target methodology. This report is generally



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prepared by the Skagit County Public Works Department in the beginning of each year and presented at the spring Ferry Operations Public Forum. The revenue target report is then presented to the Board of Skagit County Commissioners prior to April 30.

State Ferry Service

The Washington State Department of Transportation (WSDOT) Marine Division provides ferry service to the San Juan Islands and to Vancouver Island in British Columbia (Sidney, B.C.) through its terminal facility in Anacortes. In addition to this service being the transportation lifeline for the residents of the San Juan Islands, it also serves the needs of vacationers and recreational visitors to the area.

In 2014, Washington State ferry service from Anacortes accommodated 2,023,281 total riders, including 941,812 vehicle and drivers and 1,091,469 passengers (both vehicle passengers and foot passengers). Of the total riders, 1,911,264 were traveling to and from destinations in the San Juan Islands and the remaining 122,017 were traveling to and from Sidney, British Columbia. On an average about, 5,545 riders use the system daily, with about 2,500 being vehicle and drivers and about 3,000 passengers. Historic data shows that August is the month with the highest ridership while January is usually the month with the lowest. August ridership is generally about triple that in January.

Relationship to Other Plans

WSDOT Ferries Division Final Long-Range Plan (2009)

The following is an excerpt from the plan describing the plan's purpose:

The goal of this Plan is to provide information about the needs of ferry customers, establish new operational and pricing strategies to meet those needs, and identify vessel and terminal operations and capital requirements. The Plan horizon covers 22 years, 2009-2030 (fiscal years 2010-2031), to meet federal planning requirements and to be consistent with regional efforts. The first 16 years of this Plan correspond to the legislature's 16-year financial planning period. This Plan is based on: 2007 legislative direction; a draft plan developed and presented for public review and comment in December 2008; a revised plan in January 2009 that incorporated the public comments, and an extensive review by the Governor's Office and the Legislature leading up to and during the 2009 session (WSDOT, 2009).



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Ports, Intermodal & Multimodal

Ports and other intermodal and multimodal facilities are a part of the overall transportation system that are often ignored in local transportation studies and plans because they are not generally under the jurisdiction of local government. Yet they represent transportation components that are integral to the functioning of the local and regional economy. In Skagit County, this importance has been recognized by all the jurisdictions and entities represented in the Skagit Sub-Regional Transportation Planning Organization.

Marine Ports

The marine ports in Skagit County function as important intermodal transportation centers as well as important centers for economic and recreational activity. Fifteen commercial piers, wharfs, and docks are located in the Anacortes area along Guemes Channel, along Swinomish Channel, on the west shore of Fidalgo Bay, and at March's Point.

Port of Anacortes Marine Terminal

The Port of Anacortes marine terminal facilities and services include a natural deep-water port with two piers and a wharf. Currently a port tenant, Dakota Creek Industries, Inc. operates a major shipbuilding and repair facility and has the primary use of Pier 1. The Curtis Wharf is a working wharf for commercial boats and ships providing periodic moorage for a variety of vessel types including the US Navy, tenants staging project cargoes, and short term project assembly (Port of Skagit, 2015). Pier 2 is used primarily for exporting dry bulk cargoes along with some short term moorage for barges and other vessels.

March's Point

The two petroleum refineries at March's Point, Shell Puget Sound Refinery and Tesoro, both have deep water terminals which can accommodate ocean going oil tankers. At this location, crude oil, refined petroleum products, and byproducts from the refinery process are transported in and out by ship, rail, and truck. Pipelines to the refinery facilities provide for the transport of oil products as well. The Tesoro refinery employs 360 full time employees and has a crude oil capacity of 120,000 barrels per day (bpd) (Tesoro, 2015). The Shell Refinery processes as much as 145,000 bpd. The shell refinery is the area's largest employer and taxpayer in Skagit County (Shell, 2015).

Other Marine Terminal Facilities

Other marine terminal facilities in Skagit County include the Dakota Creek Shipyard; the City of Anacortes's barge dock, boat launch, and boat ramp on Fidalgo Bay; Dunlop Towing's log-rafting



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facility in Swinomish Village; and the Swinomish Tribe's Industrial District pier at the north end of Swinomish Channel. The Swinomish channel generated \$86.2 million in business revenue during 2013 according to a 2014 Economic Study by the Port of Skagit. The channel also directly supports 499 jobs with an income of \$21 million while the combined activity on the channel generates 1,048 jobs with a total income of \$49.4 million (Port of Skagit, 2014).

Marinas & Boat Harbors

There are 14 marinas and boat harbors in Skagit County. The City of Anacortes is the location for three of the five largest. The La Conner area is the location of the other two.

The Cap Sante Boat Haven, owned and operated by the Port of Anacortes, is located on the east side of Anacortes on Fidalgo Bay. With 950 boat slips, it accommodates a large group of commercial fishing vessels as well as well as recreational boating and is one of the largest marinas in the state. The marina has space for 150-200 boats for guests (Port of Anacortes, 2015). Anacortes Marina, also on the west side of Fidalgo Bay is privately owned as are the marina facilities at Flounder Bay on the western side of Anacortes with 466 rental slips. The Flounder Bay facilities include the Skyline Marina, the Flounder Bay Yacht Club, Condominium # 18, and individual residential moorages.

Another large marina in Skagit County is the La Conner Marina. Owned and operated by the Port of Skagit County, it accommodates recreational boating on both sides of Fidalgo Island through the Swinomish Channel. It also accommodates large tourist vessels, especially during the Tulip Festival. Also in the immediate area is the privately owned marina at Shelter Bay. The marina has 366 covered moorage slips, 131 open slips, and 2,400 lineal feet of dock space for overnight moorage (Port of Skagit, 2015).

Airports

There are three municipal airports in Skagit County, the Anacortes Airport, the Skagit Regional Airport, and the Concrete Airport.

A. Skagit Regional Airport

The Skagit Regional Airport is operated by the Port of Skagit County and is adjacent to the Bayview Business & Industrial Park west of Burlington. The airport is used for general aviation and has runways of 5,475 feet and 3,000 feet in length which can accommodate all aircraft with 30 passenger capacity or less. It also provides a charter service, primarily for passengers in route to the San Juan Islands. In 2012, there were approximately 60,000 take-offs and landings, with



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approximately 1,400 being air cargo operations. The vast majority of activity at the airport is general aviation. In 2012 there were 150 aircraft based at Skagit Regional Airport (Port of Skagit, 2015). The County's 2014 Bayview Subarea Plan addresses land use compatibility with the Skagit Municipal Airport.

B. Anacortes Airport

The Anacortes Airport is a general aviation airport operated by the Port of Anacortes with a 3,018-foot runway serving Bellingham and the San Juan Islands. Numerous charter flights originate from the airport serving SeaTac Airport and Boeing Field (business travelers), and the San Juan Islands (tourist travelers). The airport has 39 covered hangars and 62 open tie-downs for private and recreational craft

C. Concrete Airport

The Concrete Airport, known as "Mears Field," operates a charter service for business and tourist travel, and provides a general aviation facility for the eastern part of Skagit County. The runway is 2,600 feet long. The only heavy usage period for the airport is in mid-May when the annual fly-in takes place. Up to 300 airplanes participate each year.

Other Intermodal/Multimodal Facilities

A. Multi-modal Center

The City of Mount Vernon built the Skagit Transportation Center in 2004, a multi-modal center in the heart of downtown Mount Vernon to accommodate the needs of rail and bus passengers as well as pedestrians and bicyclists in Skagit County. Amtrak Cascades passenger rail service is accommodated as well as Skagit Transit public transportation and Greyhound bus service to local and regional airports and ferry terminals. The location in downtown Mount Vernon will allow pedestrians and bicyclists easy access to local sidewalks and trails in central Skagit County.

B. Washington State Ferry Terminal

The Washington State Ferry Terminal in Anacortes functions as a significant regional intermodal passenger transportation facility. The available parking at the terminal allows travelers to leave their car in Anacortes and walk on or take a bicycle on the ferry. Some San Juan Island residents and property owners keep one vehicle on the island and one on the mainland, thus allowing them to travel on the ferry as walk on passengers. Since the ferry capacity constraint is related to vehicles not passengers, this increases the efficiency of the ferry system. In 2015 the Ferry between Anacortes and the San Juan Islands began accepting reservations.



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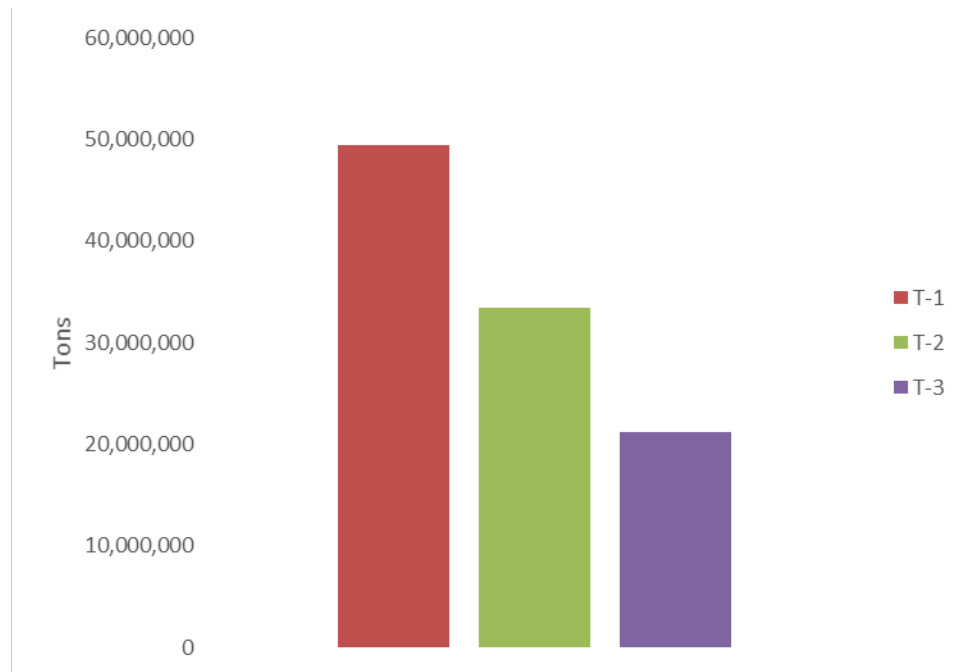
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2.5 Freight

Trucks

Skagit County has three classes of designated freight corridors within the Freight and Goods Transportation System (FGTS) including T-1, T-2 and T-3. The T-1 corridors carry the highest volumes of freight at 49,430,000 tons followed by T-2 with 33,403,000 and T-3 with 21,138,000. Exhibit 16 identifies the freight volumes by FGTS class.

Exhibit 21. Freight Volumes by FGTS Class



Source: WSDOT, 2015

Relationship to Other Plans

WSDOT Freight Mobility Plan

WSDOT recently completed a statewide freight mobility plan in October of 2014. The plan addresses freight mobility in Skagit County and across the state involving a variety of transportation modes including road and highway, water, rail and air. The importance of



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agricultural products transport is noted in the plan. A number of unfunded freight investments are identified as well on state and interstate highways and on waterways (Swinomish channel maintenance dredging). Additional information on freight corridors is available on WDOT's website at <http://www.wsdot.wa.gov/Freight/EconCorridors.htm>.

2.6 Rail

Freight Rail

The Burlington Northern Santa Fe (BNSF) Railroad is the one major railroad that serves Skagit County. It is an international company with a vast network of tracks in the Midwest and Western United States. It also owns a huge fleet of rolling stock to serve its customers. In Skagit County, it has one mainline, two branch lines, and numerous active spurs in the western part of the County that provides a freight rail service with connectivity regionally, nationally, and internationally. The main switching yards for the BNSF Railroad in Skagit County are located in Burlington.

The north/south BNSF mainline generally runs along the I-5 corridor connecting the urban centers of Seattle and Vancouver, British Columbia. The segment from Burlington to Everett is designated as an R1 freight railway, which carry the highest volumes of freight. From the Snohomish County line, it runs north along Pioneer Highway to Conway. From there it runs more or less parallel to I-5 all the way to Cook Road then veers northwest to eventually parallel SR -11 (Chuckanut Drive) all the way to the Whatcom County line. An east/west branch follows along SR-20 connecting the March's Point refineries to the mainline in Burlington. A second branch line runs along SR-20 from Burlington to Sedro-Woolley, then turns north and eventually parallels SR-9 to the Whatcom County line. That branch line eventually crosses the Canadian border at Sumas. The location of the Burlington Northern Santa Fe Railroad tracks are shown Exhibit 18.



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Exhibit 22. Northern Santa Fe Railroad Tracks in Skagit County



Source: WSDOT, 2013

The Everett/Burlington portion of the BNSF mainline is expected to be at 100% of capacity by 2035. However, additional capacity improvements will provide adequate capacity increases to accommodate demand. Crossings on the North-South Mainline along which the Amtrak Cascades route currently operates also experience four daily passenger rail trips (two northbound and two southbound), for a total of between 21 and 50 total daily train crossings.

Passenger Rail

In 1993 the rail corridor from Eugene Oregon to Vancouver, British Columbia was selected by the federal government as one of several high priority passenger rail corridors eligible for funding for upgrades. In response to this designation, the State of Washington (in conjunction with the then Burlington Northern Railroad) committed substantial funding to make track improvements in order to accommodate the reestablishment of Amtrak passenger rail service between Seattle and Vancouver. The Burlington/Mount Vernon area was selected for the future location of a new passenger terminal. The new multimodal transportation center opened in 2004.

In the spring of 1995, this new Amtrak service called the Amtrak Cascades, began with one round trip daily. There are currently two round trips daily, with stops in Everett, Mount Vernon and



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Bellingham. One-way travel time between Seattle and Vancouver is three hours and 55 minutes. The travel time from Mount Vernon to both Seattle and Vancouver is just under two hours. In 2013, Amtrak reported that 16,719 boardings and alightings at the Mount Vernon Station. In 2014, this number increased by to 18,255, an increase of 9.2% (Amtrak, 2015).

Relationship to Other Plans

WSDOT Freight Mobility Plan, <http://www.wsdot.wa.gov/Freight/freightmobilityplan>

The following is an excerpt from the Freight Mobility Plan:

This Plan was created to meet state and federal legal requirements; to align with the Legislature's six transportation policy goals: economic vitality, preservation, safety, mobility, environment, and stewardship outlined in RCW 47.04.280, with a significant focus on the newest goal, economic vitality; and to support freight-related strategies and recommended actions in the statewide Washington Transportation Plan 2030. This Plan also incorporates key points and findings from WSDOT's statewide Rail Plan, Highway System Plan, and statewide Aviation System Plan by highlighting the essential role that these modes play in freight mobility (WSDOT, 2014)

State Rail Plan <http://www.wsdot.wa.gov/Freight/Rail/default.htm>

The following excerpt summarizes the purpose and content in the Washington State Rail Plan:

The Washington State Rail Plan serves as a strategic blueprint for future public investment in the state's rail transportation system. It provides an integrated plan for freight and passenger rail, including 5- and 20-year funding strategies, that meets federal and state requirements. The plan informs the state Freight Mobility Plan; guides WSDOT as it develops strategic freight rail partnerships to support essential rail service; and establishes priorities for determining which freight rail investments should receive public support. It also guides Washington as it works with Oregon and British Columbia to implement intercity passenger rail service. The Federal Railroad Administration approved the plan on February 25, 2014. The plan was signed by WSDOT Secretary of Transportation Lynn Peterson on March 18, 2014 (WSDOT, 2014).



3.0 Adopted Level of Service (LOS) Standards

3.1 Arterials

The National Transportation Research Board's Highway Capacity Manual (HCM) contains specific methodologies to measure level of service for various transportation facilities. Most counties and cities in Washington employ LOS methodologies from this manual. Skagit County and most of the incorporated jurisdictions within the County employ HCM-based LOS methodology.

Once a level of service methodology is in place, a level of service standard can be set. A level of service standard is usually a congestion level measured by the LOS methodology, above which a road is considered to no longer function adequately in the manner to which it was designed. Once the LOS standard is exceeded on a road, the road is considered to be "in need" and improvements should be made.

Legal Requirement for LOS

LOS for County Facilities

Under RCW 36.70A070, the GMA requires that the Transportation Element of the Comprehensive Plan contain "Level of service standards for all arterials and transit routes to serve as a gauge to judge performance of the system. These standards should be regionally coordinated." The GMA goes on to state that "local jurisdictions must adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a transportation facility to decline below the standard adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development." This is the much discussed "concurrency" requirement of the GMA.

The County conducts an annual concurrency assessment to determine compliance. The concurrency assessment requires that "the Skagit County Public Works Department, under the direction of the County Engineer, shall evaluate the High Traffic County Road Segments and High Traffic County Road Intersections using a Highway Capacity Manual type method (as selected by



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the County Engineer) to determine whether these road segments and intersections comply with the level of service standards adopted in the Comprehensive Plan.”

The Level of Service (LOS) standard for County roads is C. LOS D is acceptable for all road segments that:

- Have Annualized Average Daily Traffic (AADT) greater than 7,000 vehicles; and
- Are NOT federally functionally classified as an Local Access Road; and
- Are designated as a County Freight and Goods Transportation Systems Route (FGTS).

The LOS standard for County road intersections is LOS D.

The Skagit County Public Works Traffic Engineering Unit has selected an LOS study volume unit threshold of 7,000 AADT. This threshold is an indicator that a road segment may be approaching the LOS C/D threshold and should be studied in depth.

Skagit Transit has not adopted specific level of service standards for their urban or rural routes. Therefore, the focus of the level of service standards and analysis here is on the County road system. Some additional discussion of service levels will be made with respect to the Guemes Island Ferry. However, formal level of service standards have never been considered for the County ferry system.

LOS for State Facilities

State transportation facilities, particularly the state highways and the state ferries are, in many respects, the most important transportation facilities in Skagit County. They carry all the through county traffic as well as a substantial amount of traffic between major urban centers in the County. Because of this, the level of service that is provided on these state facilities has important implications for the successful functioning of the overall transportation system in the region.

The Skagit Council of Governments (SCOG), as the Regional Transportation Planning Organization (RTPO) for Skagit County, is responsible for jointly developing level of service (LOS) standards for state highways and state ferry routes with the Washington State Department of Transportation (WSDOT), with the exception of highways of state-wide significance. Setting these regional LOS standards is accomplished through the Regional Transportation Plan.

Regional LOS standards were first set through the former Skagit-Island Regional Transportation Planning Organization (SIRTPO) through the 1996 Regional Transportation Plan. Through regional



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policy, LOS standards were established for rural and urban areas in Skagit County and Island County. For Skagit County, standards were set at LOS C for all rural regional facilities and LOS D for all urban regional facilities, with the exception of Anacortes urban regional facilities which were set at LOS C. At the regional level, these LOS standards have not changed since 1996 when they were first established.

The SIRTPO was dissolved in July 2015 when the organization no longer met all the membership requirements for an RTPO. Subsequent to its dissolution, SCOG became the RTPO for Skagit County.

Changes to state law, in 1998, affected how RTPOs established LOS standards on state facilities. The changes directed the state transportation commission to submit a list of state highways of state-wide significance for adoption by the 1999 legislature and exempted these adopted facilities from the regional LOS standards. For Skagit County, adopted state highways of state-wide significance are State Route 20 including the SR 20 Spur through Anacortes and Interstate 5.

State highways in Skagit County not designated as having state-wide significance are State Routes: 9; 11; 530; 534; 536; and 538. It is these state highways, along with state ferry routes, that the RTPO is responsible for developing LOS standards for. These LOS standards are to be developed jointly with WSDOT to ensure consistency across jurisdictions. The LOS standards for all highways is LOS C in rural areas and LOS D in urban areas.

The LOS for state ferries is a daily percent of sailings at vehicle capacity during May, August, and January. The actual LOS is established for each route. Exhibit 19 shows the LOS standards for each route including those to and from Anacortes.



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Exhibit 23. State Ferry LOS Standards

Route	Level 1 Standards (Consider Targeted Strategies to Spread Demand and Improve Customer Experience)			Level 2 Standards (Assets are Being Used Efficiently, Consider Additional Investment)		
	January	May	August	January	May	August
Pt. Defiance - Tahlequah	25%	25%	30%	50%	50%	60%
Pt. Townsend - Keystone	25%	30%	35%	75%	75%	85%
Mukilteo - Clinton	25%	25%	30%	65%	65%	75%
Fauntleroy - Vashon	25%	25%	30%	50%	50%	60%
Fauntleroy - Southworth	25%	25%	30%	50%	50%	60%
Seattle - Bremerton	25%	25%	30%	50%	50%	60%
Edmonds - Kingston	25%	25%	30%	65%	65%	75%
Seattle - Bainbridge	25%	25%	30%	65%	65%	75%
Anacortes - San Juan Islands	25%	30%	35%	65%	75%	85%
Anacortes - Sidney	N/A	50%	50%	N/A	100%	100%

Source: WSDOT, 2010

Priority Programming for Roads

The primary analytical method for evaluating and prioritizing transportation improvement projects in Skagit County prior to the implementation of GMA requirements has been the use of the Priority Array. WAC 136-14-020 states *"Priority programming techniques shall be applied in the ranking of all potential projects on the arterial (functionally classified) road system of each county. Priority programming will not be required, but is recommended, for the local access road system."* WAC 136-14-030 goes on to state *"Items to be included in the (priority programming) technique for roads shall include, but not be limited to the following:*

- (1) Traffic Volume;
- (2) Roadway condition;
- (3) Geometrics;
- (4) Matters of significant local importance."

Finally, WAC 136-14-040 states

"The resulting priority array shall be consulted together with the bridge priorities by the legislative authority and county engineer during the preparation of the proposed six year program."



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The Skagit County Priority Array, developed in the Engineering Division of the Public Works Department, is a computerized spreadsheet which contains information on all the road segments in the County road system. This information includes pavement condition, road geometrics, traffic level, and accident rates. The priority calculation combines and weights these various factors to come to a project priority numeric rating.

Under GMA, Skagit County is required to use level of service standards in the prioritization of transportation projects. The general focus of LOS project programming is on traffic problems and the alleviation of congestion. This is different from the traditional focus of the County's Priority Array which is on safety and the physical characteristics of the roadway. Because of the two legal requirements, Skagit County now uses both an LOS methodology and a Priority Array methodology for road project programming. Beyond the legal requirements, the use of these two types of methodologies provides a more balanced approach and will hopefully result in the most beneficial projects rising to the top of the funding lists.

Transportation Improvement Programs

The major impact of level of service standards produced through the GMA planning efforts should be on the transportation improvement programs developed in Skagit County. Three such programs are discussed below.

GMA Transportation Financial Plan

The passage of the Growth Management Act has added a long-range transportation project planning requirement for Skagit and other counties throughout the State of Washington. Specifically, the GMA (RCW 36.70A.070) requires that the Transportation Element of the Comprehensive Plan show transportation facility and service needs, and include a "*multi-year financing plan based on the needs which shall serve as the basis for the six- year street, road, or transit program.*" These needs are based on level of service considerations and are presented later in Chapter VI. The Financial Plan is based on a 20-year horizon and is presented in Chapters IX. The Financial Plan and other aspects of the Transportation Element now directly impact the content of the County's Six Year Transportation Improvement Program and the Annual Transportation Program as discussed below.

Six Year Transportation Improvement Program

Each year Skagit County is required to produce a Six Year Transportation Improvement Program (Six Year TIP) which identifies those road, bridge, ferry, and new or significant improvements to



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non-motorized projects the County plans to work on over the next six years. The current TIP was adopted in 2016 and addresses transportation projects through the year 2021.

Three aspects of the Transportation Element have a direct bearing on transportation project programming and funding through the Six Year Transportation Improvement Program. These are: 1) transportation policies; 2) existing and future transportation needs (based on LOS); and, 3) the transportation financial plan. The transportation policies are used to give general direction for transportation improvement investments. Along with the County's Priority Array which prioritizes road projects primarily on physical deficiencies, the transportation needs (or LOS deficiencies) are used to select potential projects. The transportation financial plan is used to produce a financially feasible six-year plan. Thus, the Transportation Element is a major tool for use in transportation investment decisions by Skagit County officials.

Annual Construction Program

During the County's budget process, the Annual Construction Program for the next year's transportation engineering and construction is compiled and adopted by the Board of County Commissioners. This is the County's short-range transportation improvement program. The projects included are a combination of the first year of the Six Year TIP, projects that were not completed in the previous year, and projects on the Six Year TIP that may have changed priority. Typically, the Engineering Division of the Public Works Department will begin work on a project in the year it is first included on the Annual Construction Program and complete the work the following year.

It is in the project design phase of the Annual Construction Program that various site specific issues and potential environmental impacts are considered. Often these issues relate to the project's impact on right of way, surface water drainage, on wetlands, and on adjacent property owners.

Defining Level of Service Standards

Highway Capacity Manual

The most widely used method to determine LOS for the GMA is the Highway Capacity Manual (HCM). This provides a good basis for coordinating among adjacent jurisdictions as required in the GMA. All agencies adjacent to Skagit County use the HCM to determine Level of Service (LOS) in their respective jurisdictions. It provides a consistent system of techniques for the evaluation of the quality of service on highway and street facilities. While different service measures are used



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for different types of facilities, The LOS rating categories are always A through F. In general, LOS A indicates free flow with no delays or mobility restrictions, while LOS F signifies severe congestion caused by more traffic than the facility has the capacity to serve ($V/C > 1$).

The Transportation Research Board's (TRB's) HCM provides a collection of state-of-the-art techniques for estimating the capacity and determining the level of service for transportation facilities, including intersections and roadways as well as facilities for transit, bicycles and pedestrians. For more than 60 years, the HCM has fulfilled this goal, earning a unique place in the esteem of the transportation community. Developed and revised under the direction of the TRB Committee on Highway Capacity and Quality of Service, the HCM, presents the best available techniques for determining capacity and level of service for transportation facilities.

The purpose of the HCM is to provide a set of methodologies, and associated application procedures, for evaluating the multimodal performance of highway and street facilities in terms of operational measures and one or more quality-of-service indicators. The objectives of the HCM are to:

1. Define performance measures and describe survey methods for key traffic characteristics,
2. Provide methodologies for estimating and predicting performance measures, and
3. Explain methodologies at a level of detail that allows readers to understand the factors affecting multimodal operations.

The HCM presents the best available techniques at the time of publishing for determining capacity and LOS.

The HCM provides methods for computational analysis that can be long and drawn out with a series of complex formulas. It does not provide or endorse software to perform the calculations. Several private companies have developed software to streamline the process. Users can just input variables to these programs and get reports summarizing the results. Users of the software should have training in the methodology of the HCM before using software to assure variables are in the correct format.

The Transportation Research Board adopted an updated HCM in 2010. The updated HCM included many refinements including changes to the Two-Lane Highways section that applies to most roads in unincorporated Skagit County. Although formulas calculating LOS are based on the ratio of traffic volumes to facility capacity, the HCM converts the output to terms better



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understood by laymen. For example, the LOS of Two-Lane Highways is output in *percent time spent following* and is calibrated on a scale from A to F. LOS A may mean free flowing traffic with less than 40% time spent following. LOS C is also free flowing traffic with less than 70% time spent following. LOS E is traffic volumes nearing capacity and is approaching 100% time spent following. LOS F is traffic volumes exceeding capacity that is also 100% time spent following but also signifies traffic congestion including stopped vehicles waiting their turn to pass through the facility.

As mentioned above, different service measures are often used for different types of facilities.

Volume over capacity (v/c) is a standard measure that is used for many different facilities.

Examples of measures often used for different facility types are the following:

- Freeway Segment: cars per mile per lane (or v/c)
- Multilane Highways: cars per mile per lane (or v/c)
- Two-Lane Highways: average travel speed, percent time following, and percent of free flow speed
- Signalized Intersections: average control delay
- Unsignalized Intersections: control delay and/or v/c
- Roundabouts: control delay and/or v/c
- Urban Streets Automobiles: free flow speed
- Urban Streets Non-automobiles: score and average pedestrian space

For rural county roads, the measures used for two-lane roads are percent time spent following or average travel speed. (A methodology for evaluating the LOS at specific intersections can be used as well.) The focus of the percent time spent following method is on restrictions in free flow travel caused by traffic level and restrictions in passing.

Saturation of traffic from low levels of service often impacts side street traffic and turning traffic requiring traffic signals to provide orders. Traffic signals in turn have a direct impact on road capacity in proportion to the percentage of time red indications are displayed on a facility.

Typically signalized intersections will have lower levels of service than a free flow roadway with



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the same traffic volumes. Monitoring potential signalized intersections is also necessary to determine the functionality of a facility.

Categories of Traffic Flow

Facilities are classified in two categories of flow: uninterrupted and interrupted. Uninterrupted-flow facilities have no fixed elements such as traffic signals that are external to the traffic stream and might interrupt the traffic flow. Traffic flow conditions result from the interaction among vehicles in the traffic stream and between vehicles and the geometric and environmental characteristics of the roadway.

Interrupted-flow facilities have controlled and uncontrolled access points that can interrupt the traffic flow. These access points include traffic signals, stop signs, yield signs and other types of control that stop traffic periodically (or slow it significantly) irrespective of the amount of traffic.

Uninterrupted and interrupted flows describe the type of facility, not the quality of the traffic flow at any given time. A freeway experiencing extreme congestion, for example, is still an uninterrupted-flow facility because the causes of congestion are internal. Highways can operate under uninterrupted flow in long segments between points of fixed interruption. On two lane highways it is often necessary to examine points of fixed interruption as well as uninterrupted-flow segments. Skagit County will monitor road segments as uninterrupted flow and intersections as interrupted flow.

Road Segments

Skagit County will perform an annual analysis on all applicable road segments as identified in the County Road Log. The first step will be screening by inputting updated traffic volumes and screening out all road segments with traffic volumes too low to register a level of service equal to the level established by the Board of Commissioners as acceptable. The process will also be applied after applying growth rates to the traffic volumes to also analyze the LOS in 2015.

3.2 Intersections

Intersection LOS will be calculated using Traffic Signal Warrants in conjunction with LOS methods. The analysis will use real time data which focuses on turn movements and volumes of the entire intersection. This type of analysis can be made on any intersection in the County Road System.



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3.3 Skagit County Ferry

The level of service (LOS) for the County ferry system is closely tied to its vehicle carrying capacity because vehicle traffic has a greater impact on the ferry system than walk-on passenger traffic. Simply put, the M/V Guemes can carry far more walk-on passengers than vehicles. In transportation planning, LOS is often measured by volume divided by capacity, the V/C ratio, and by the level of congestion. Measuring the V/C ratio is valuable in examining the overall carrying capacity of the system. As the V/C ratio approaches 100%, the overall system level of service is reduced. Examining the level of congestion on the Guemes Island Ferry system is more complex, but gives a better indication of LOS during peak demand for ferry service. The V/C ratio calculations and examination of system congestion will focus on the vehicle carrying capacity of the M/V Guemes. The County has plans to increase capacity based on growth in ridership.

The vehicle carrying capacity of the M/V Guemes in 2013 was 368,808. The total number of vehicles in 2013 (194,786) was divided by the number of scheduled ferry crossings (16,764) in 2013, which resulted in an average of 11.6 vehicles per scheduled ferry crossing. The 11.6 average vehicles per scheduled ferry crossing was divided by the 22 vehicle capacity of the M/V Guemes, which resulted in an average volume-to-capacity (V/C) of 53%.

3.4 Transit

Transit service, in contrast to level of service standards for streets and roads, is often measured in terms of the quality of service (QOS), which takes into account additional factors beyond delay to assess the quality of transit service in an area. Skagit Transit in association with Island County and WSDOT has an established policy to “develop coordinated transportation quality of service standards.” Additional QOS metrics may include service coverage, scheduling, capacity, information dissemination, passenger loads, reliability, travel time, cost, safety, and security and passenger comfort (Skagit/Island, 2010). Skagit Transit aims to maintain existing levels of service. Skagit Transit has established the following goals for service delivery:

- 1. Preservation.** Preserve and extend prior investments in existing transportation facilities and the services they provide to people and commerce.
- 2. Safety.** Education, training and enforcement to save lives, reduce injuries and protect property.



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3 .Stewardship. To continuously improve the quality, effectiveness, and efficiency of the transportation system.

4. Mobility. To facilitate movement of local and commuting citizens to contribute to a strong economy and a better quality of life for Skagit County residents.

5. Environmental Quality and Health. To enhance regional quality of life through transportation investments that promote energy conservation, enhance healthy communities and protect the environment.

3.5 Actions to Meet LOS Standards

Based on the regional travel demand model, land use growth assumptions, and the County's TIP the County will meet its LOS standards on all County transportation facilities through the year 2036.



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4.0 Travel Forecast

GMA specifically requires cities and counties to forecast travel growth for at least ten years based on adopted land use plans. The standard process for forecasting travel on the roadway system is to develop a travel demand model. This model relies on forecasts of land uses (employment and housing) to estimate future trips on the county system. For the 2016 update, the County is using the 2036 horizon year to estimate transportation needs while the Skagit Council of Governments (SCOG) is using the horizon year of 2040 for the Regional Plan.

4.1 Travel Demand Model

Travel demand models are tools that provide valuable information to help transportation professionals study possible scenarios for the future. These scenarios could reflect land use alternatives, street network alternatives, or both. The County must develop a transportation system to accommodate anticipated long-term growth.

Under the direction of SCOG, the regional travel demand model was updated in 2015 to address updates to land use forecasts, transportation network improvements, and modeling best practices.

The travel demand model was also developed to assist Skagit County and local cities in long-term transportation planning. The 2036 Baseline model was built based on input from SCOG and its member agencies. This includes input on land use growth allocations and transportation improvements. The model was developed using Visum modeling software.

4.2 Land Use Forecasts

GMA requires that counties consult cities and allocate population growth within a range of projections provided by the Washington State Office of Financial Management (OFM). GMA also requires that counties consult with cities and size their Urban Growth Areas (UGAs) based on growth over a 20-year period. Last, GMA requires that comprehensive plans and development regulations provide sufficient land capacity for development to accommodate allocated housing and employment growth. (RCW 36.70A.110 and 115)



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The update of the SCOG regional transportation model, and the pending Skagit County and cities comprehensive plan updates due June 30, 2016, present an opportunity to update the countywide population and job targets and allocations. The targets and allocations will inform UGA sizing as well as transportation modeling.

Skagit County and its cities will plan for a 20-year period that for GMA planning purposes will be the growth from a base year of 2015 to a horizon year of 2036.

Land Use and Transportation Analysis Zones

The growth allocations were distributed to transportation analysis zones. Transportation analysis zones (TAZs) divide the model study area into geographic areas based on a number of factors including land use, roadways and natural landscape boundaries. The distributions considered:

Employment

- Employment projection by UGA and sector
- Zoning
- Industrial Buildable Lands Analysis from ECONorthwest (2014)
- Calculated trips in 2012
- Taxable Retail Sales (TRS) from the Department of Revenue

Population

- 2010 US Census and 2012 American Communities Survey (ACS)
- Population projections by UGA
- Skagit County Zoning (combined zoning layer that included the county and cities/UGAs)
- Skagit County Assessor parcel layer
- Envision 2060 Plan Trend 20-year plan model snapshot
- Skagit Instream Rule Area (water restricted rural areas)
- Ferry ridership projections

Population Projections and Allocations

Starting with the OFM 2012 projections of population, county and city planners assessed factors that might affect which countywide projections to accept for the planning process. Factors they considered included: components of population change – natural and migration; historical growth rates; adjustments in previous OFM projections; and other unique factors and trends



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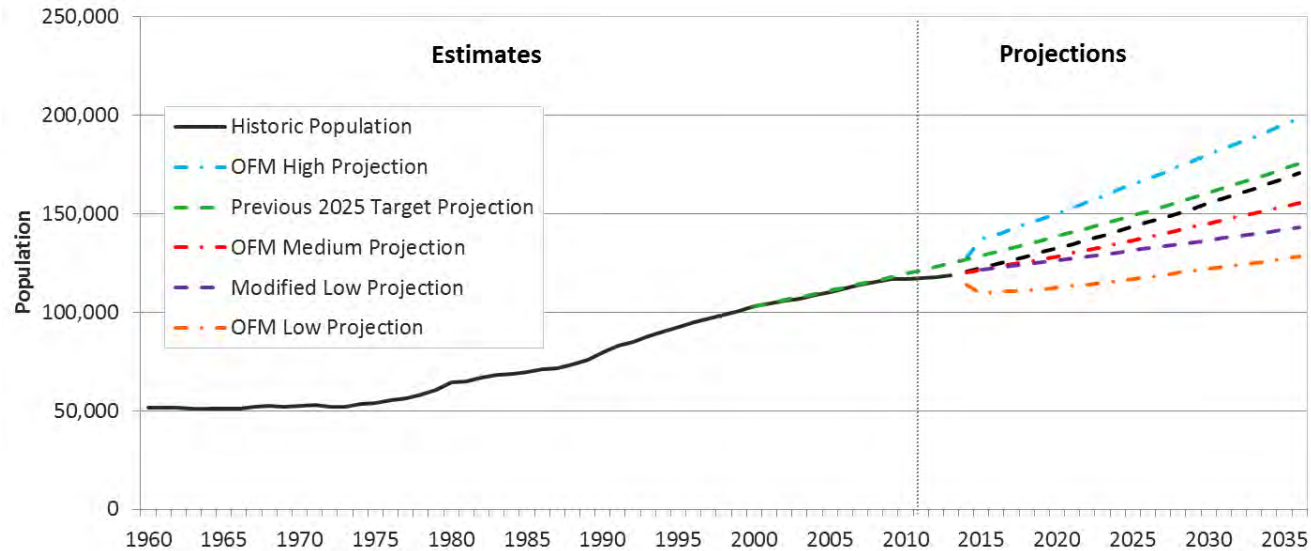
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potentially affecting population growth. Historic growth and the 2012-2040 OFM growth projections are shown in Exhibit 2.

Exhibit 24. 1960-2040 Population Growth



Source: Office of Financial Management, historical data and May 2012 projections

After review of a range of scenarios and factors, county and city planners developed population growth and allocation recommendations based on OFM Medium projections allocated to urban and rural areas by an 80/20 split reflecting trends and policy. UGAs would receive a share of population based on their current shares. Bayview Ridge population would be reduced to 0.2 percent to recognize the small number of existing buildable lots, and reallocated based on the current shares to remaining UGAs. The initial population allocations were approved by the Skagit County Growth Management Act Steering Committee on July 31, 2014 for preliminary planning purposes. See Exhibit 3.



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Exhibit 25. Initial Population Growth and Distribution Allocation

UGA	2012 Population	2012-2015 Population Growth Forecast	2015-2036 Population Growth Forecast	2015-2036 Population Growth Forecast Allocation Percent	2036 Population Growth Forecast Allocation
Anacortes	16,090	308	5,895	16.5%	22,293
Burlington	10,393	71	3,808	10.7%	14,272
Mount Vernon	33,935	1,034	12,434	34.8%	47,403
Sedro-Woolley	12,431	83	4,555	12.7%	17,069
Concrete	873	0	320	0.9%	1,193
Hamilton	310	3	114	0.3%	427
La Conner	898	-1	329	0.9%	1,226
Lyman	441	2	162	0.5%	605
Bayview Ridge	1,812	-1	72	0.2%	1,883
Swinomish	2,489	15	912	2.6%	3,416
Rural (outside UGAs)	38,277	238	7,150	20.0%	45,665
Total	117,949	1,752	35,751	100.0%	155,452

The figures apply to cities/towns including their associated UGAs. Source: BERK Consulting 2014

Employment Projections and Allocations

For employment, the historical relationship between population and employment was considered to calibrate the countywide employment projection. The industry split also considered the following factors: Current industry distributions; recent trends and industry shifts; Washington State Employment Security Department (ESD) mid-term industry projections; and other unique factors and trends identified by the County and cities including an industrial lands analysis.

The planners considered different allocation scenarios that varied in how employment is allocated to specific geographic areas. Based on a review of all scenarios, the Planners developed recommended initial allocations that reflect trends in the Rural area at 9 percent, a share of jobs in Anacortes at 13 percent reflecting that local jurisdiction’s review of employment data and discussions with local businesses, the I-5 Corridor share predominating at 73 percent, and a Towns & Tribal Land share of 5 percent.

The initial employment allocations were approved by the Skagit County Growth Management Act Steering Committee on July 31, 2014 for preliminary planning purposes and amended in 2015 to



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address additional consideration of the Northern State site through a multi-agency planning process. See Exhibit 22.

Exhibit 26. Initial Employment Growth and Distribution Allocation

UGA	2012	Net Growth						Additional Allocation: Northern State	Net Growth 2015-2036	Total 2036	Percent: 2015- 2036
		2012-2015	Resource	Retail	Industrial	Services	GovEdu				
Anacortes	8,166	238	0	92	702	806	476		2,076	10,480	11.0%
Burlington	9,467	429	0	305	1,141	1,360	710		3,516	13,412	18.6%
Mount Vernon	16,024	479	0	201	874	1,936	1,774		4,785	21,288	25.4%
Sedro-Woolley	4,594	158	0	46	368	592	566	2,746	4,427	9,179	23.5%
Concrete	347	11	0	9	7	8	85		109	467	0.6%
Hamilton	214	8	0	1	47	11	7		66	288	0.4%
La Conner	1,053	38	0	26	63	115	125		329	1,420	1.7%
Lyman	28	1	0	0	4	3	2		9	38	0.0%
Bayview Ridge	1,434	222	0	1	1,436	305	57		1,799	3,455	9.5%
Swinomish	925	32	0	9	22	150	109		290	1,247	1.5%
Rural	7,749	147	0	47	558	379	463		1,447	9,343	7.7%
Total 2015-2036	50,001	1,763	0	737	5,222	5,665	4,374	2,746	18,853	70,617	
Percent			0.0%	3.9%	27.7%	30.0%	23.2%	14.6%	100.0%		

The figures for cities/towns include their associated UGAs. Sector splits are based on ESD projections. ESD mid-term growth rates were applied to 2012 base employment. ESD Projections are for non-farm jobs and exclude proprietors, self-employed, unpaid family or volunteer workers, farm workers, and domestic workers. Source: Skagit Council of Governments 2014; BERK Consulting 2014

4.3 Travel Forecasts

The land use forecasts for Skagit County and local cities were used in the SCOG travel demand model to develop travel forecasts for vehicle trips. As would be expected based on the land use allocations, the greatest growth in vehicle trips was in the urban centers and along Interstate 5 and other state highways that connect these urban centers to other urban centers in the region. Most county roadways did not see the same amount of growth as exhibited in urban centers. Looking at the higher volume county roadways, the annual growth rate of vehicle trips ranged from 0.3 to 1.2 percent per year. The estimate of future daily trips on county roadways is shown in the next section, in Exhibit 23.

4.4 Forecasts for Other Modes

The SCOG travel demand model is primarily used for forecasting vehicle transportation modes, which is the dominant dominate mode in Skagit County. Forecasts and long-range planning for



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other transportation modes has been developed in separate planning processes and documents, and those findings are summarized below.

Transit

While Skagit Transit has not done any long term forecasts of ridership, it does have a Six Year Transit Development Plan for 2014-2019 that established the six transportation goals discussed in Section 3.4. Additional information on revenue forecasts and improvements in services, facilities and equipment over the next six years are available in Skagit Transit's Six Year Transit Development Plan.

Non-motorized Transportation

Some bicycle and equestrian use statistics are available from a 1995 survey that was taken as a part of the development of the Parks and Recreation Plan and the Non-motorized Transportation Plan. However, no use forecasts have been made.

Skagit County Ferry

The County's Ferry Replacement Plan (2013) indicates that vehicle ridership peaked in 2003 with 208,723 vehicles served and that passenger ridership continued to grow until it peaked in 2007 at 422,257. Passenger ferry ridership is expected to increase by 10 percent from 2007 to 2033.

Freight Transport

The *2014 WSDOT Freight Mobility Plan* forecasts a substantial increase in freight traffic for some modes while others are anticipated to remain relatively flat during the period from 2011 to 2030. The increase in freight tonnage moved by trucks is anticipated to increase by 80 percent while rail demand is expected to double during the planning period. Freight traffic on the state's waterways is also forecast to increase. Multimodal freight demand is also expected to increase as a result of population increases and growth in domestic manufacturing. Freight transported by pipeline is anticipated to remain flat due to capacity limitations through 2030.



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5.0 State and Local System Needs

At the heart of GMA Transportation Planning requirements is the determination by the planning jurisdiction of its transportation needs. There are several types of transportation modes that can be evaluated for improvement needs. In this section, the evaluation focuses primarily on needs in the road system along road segments.

5.1 Baseline Assumptions

The 2036 Baseline model was developed based on capacity improvement projects identified in prior plans and project lists prepared by WSDOT, Skagit Council of Governments, Washington State Ferries, and the other adjacent cities. Some of these improvements are funded or are expected to be funded in the next few years. These projects were generally limited in scope, within urban areas, and did not dramatically change County traffic patterns from existing conditions.

5.2 Baseline Capacity Needs

A major focus of the GMA transportation planning requirements is on the determination of level of service deficiencies and on funding transportation projects to address them. In essence, the GMA places congestion reduction as the primary goal for the long-range road improvement plan.

In Skagit County, traffic volumes on County roads are low and maintenance of the existing County road system takes precedence over road construction. Because of this, road improvements rely more on the priority array than on level of service deficiencies. Projects on the 2016 TIP list reflect this priority array.

In addition, the travel demand model was reviewed to understand if any roadway segments have volumes that are near the roadway capacities coded in the as well as estimate growth in traffic at “High Traffic County Road Segments” as identified by the County. The 2036 Baseline model confirmed that only the currently identified High Traffic County Road Segments had volumes approaching capacity.

Exhibit 23 below shows the estimated AADT at High Traffic County Road Segments (as defined in the *Skagit County Road Segment and Intersection Concurrency*, Skagit County, 2014). As shown in



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Exhibit 23, the County segments along Cook Road and Pioneer Highway are anticipated to remain at volumes levels consistent with LOS D.

However, this LOS does not take into account intersection operations or railroad crossing impacts. It is anticipated that existing traffic congestion along Cook Road between I-5 and Green Road will worsen with additional intersection volumes and with increased railroad crossing delays (See *SCOG Rail Crossing Study*, 2016). Exhibit 26 shows that the County has already identified a planned capacity improvement project for this roadway segment that includes possible grade-separation from the railroad or other mitigation measures.

Exhibit 27. 2014 and 2036 Forecasted Traffic Volumes

Roadway ¹	Segment	2014 ADT ²	2014 LOS ³	2036 ADT ⁴	2036 LOS
Cook Rd	I-5 SB Ramps to NB Ramps	12,000	WSDOT ⁵	14,300	WSDOT
Cook Rd	I-5 NB Ramps to Old Hwy 99	15,600	WSDOT ⁵	16,800	WSDOT
Cook Rd	Old Hwy 99 to Green Road	12,300	D	13,200	D
Cook Rd	Green Road to Collins Rd	11,100	D	12,000	D
Cook Rd	Collins Rd to Klinger St	10,900	D	11,600	D
Pioneer Hwy	County Line to Milltown Rd	8,000	C	10,500	D
Pioneer Hwy	Milltown Rd to Fir Island Rd	7,600	C	10,000	D

1. Segments as identified in Skagit County Road Segment and Intersection Concurrency, Skagit County, 2014

2. Average Daily Traffic volumes as reported in the Concurrency report.

3. Level of Services as reported in the Concurrency report, based on the Highway Capacity Manual (TRB, 2010).

4. Average Daily Traffic volumes forecasts based on model growth rates from the SCOG Travel Demand Models for 2013 and 2036.

5. These Cook Road segments are within WSDOT right-of-way.

Source: Transpo, 2015.

The travel demand model was also reviewed to understand impacts to state-owned facilities. The roadway segments on state routes were reviewed if volumes were near capacity. Sections of Interstate 5 through Burlington and Mount Vernon are forecast to be at 85 to 105 percent of capacity, a slight increase from existing conditions. Interstate 5 near the Cook Road Interchange is expected to be at 80 to 85 percent of capacity in 2036, and increase from 65 to 75 percent today. Small sections of SR 20 in Anacortes, Burlington, and Sedro-Woolley would be 80 to 90 percent of



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capacity, compared to existing conditions where these sections are below 80 percent. Sections of SR 536 in Mount Vernon are forecast to be 80 to 110 percent of capacity in 2036, up from 80 to 90 percent today. The other state routes in the model (SR 9, SR 11, SR 534, and SR 538) are forecast to remain below 80 percent of capacity. The only state route mentioned above that is outside a local city is Interstate 5 near the Cook Road Interchange, though mainline volumes are still well below capacity. Exhibit 26 shows that the County has already identified a planned capacity improvement project for the Interstate 5/Cook Road interchange area.

5.3 Bridges

Skagit County's 110 bridges are in reasonably good condition. There are some structural deficiencies on a few bridges in the County in handling heavy loads. While a number of the bridges are considered functionally obsolete by state and federal standards for bridge reconstruction, none meet Level of service problems, based on vehicle traffic congestion measures.

A detailed analysis of each bridge in the County has not been made for this plan. However, the Engineering Division estimates that 4 or 5 bridge structures will need to be replaced over the next 20 years due to structural deficiencies and future growth. The Annual Bridge Report is available in the Engineering Department of Public Works for review upon request. See project list in Exhibit 26 for current projects.

5.4 Non-motorized Transportation Needs

The Skagit Regional Transportation Plan will identify regional needs for bicyclists and pedestrians in several contexts and based on needs and projects identified by local agencies. The plan will identify regional deficiencies in conditions for bicycling based on access, safety, mobility and connectivity.

5.5 Ferry Needs

A *Guemes Island Ferry Fourteen-Year Capital Improvement Plan 2015-2028* was approved in December of 2014 to meet the ongoing RCW requirement to produce a 14-year long-range capital improvement plan. The 2016 TIP includes \$12,500,000 in federal and state funds to replace or modify the current Guemes Island ferry to meet current and future needs, in addition



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to repaving the ferry parking facility. The project is scheduled to begin in 2020. See project list in Exhibit 26.

5.6 Transit Needs

As mentioned in a previous chapter, Skagit Transit has done a six-year Transit Development Plan for 2014-2019. This plan lays out various equipment purchases and other planned expenditures over the six-year period. In addition, there are some service improvement goals, which are listed in the Plan. As mentioned previously, substantial increases in ridership are expected over the next six years.

5.7 20-year Project List (2016-2036)

Exhibit 26 below shows the projects anticipated for the transportation system in Skagit County over the next 20 years. The project list includes the following types of projects:

- **Capacity/Operations:** Projects that are needed to improve the roadway capacity or traffic operations
- **Reconstruct/Repair:** Projects that bring the project back up to county design standards, in addition to improving the safety of the roadway.
- **Safety:** Project related to safety that do not change the structure of the roadway
- **Non-Motorized:** Projects related to non-motorized travel modes
- **Studies:** Projects related to studies
- **Bridge:** Projects that involve repairing or replacing existing bridges. These do not include any capacity improvement bridge projects
- **Ferry/Dock:** Projects related to water transport
- **Programs:** Annual programs administered by the County to improve transportation facilities



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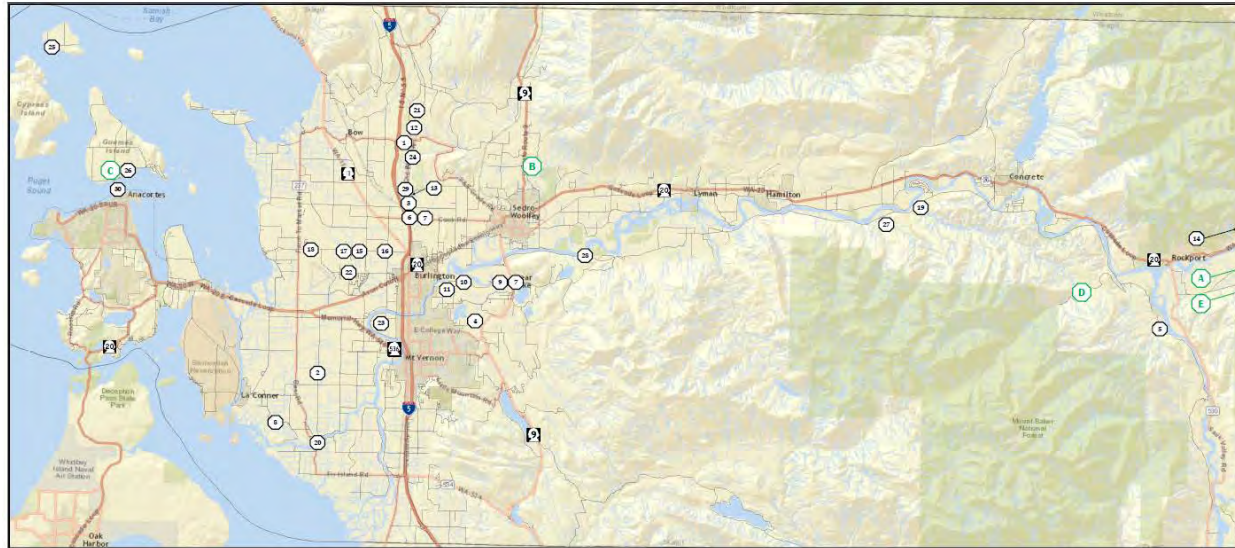
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Exhibit 28. Project Locations



MAP I.D.	PROJECT NAME
A	Cascade River Road Stationation
B	Fruitaek/Alouah Road Advance Improvements
C	Guemes Ferry Parking Lot Improvements (Guemes Island)
D	Illabot Creek Alouah Fan Restoration
E	Upper Finney Creek Bridge (Strengthening)

MAP I.D.	PROJECT NAME	MAP I.D.	PROJECT NAME	MAP I.D.	PROJECT NAME
1	Bow Hill Road Reconstruction	14	Hard Creek Bridge Replacement	27	South Skagit Highway Realignment (Mill Creek Area)
2	Bradshaw Road Rehabilitation	15	Joan Wilson Road Phase 1	28	South Skagit Highway (Milepost 4.0)
3	Burrington Northern Overpass (#40111)	16	Joan Wilson Road Phase 2	29	Thomas Creek Bridge (Old Hwy 99 N)
4	Centennial Trail (Big Rock to Clear Lake)	17	Joan Wilson Road Phase 3	30	Guemes Ferry Boat Replacement or Overhaul/Modifications
5	Constance Salk Valley Road (Milepost 13.0)	18	Joan Wilson Road Phase 4		Skagit River Bridge Modification & Interstate Highway Protection Project
6	Cook Road Reconstruction (Intersection I-5 Ramps to Green Road)	19	Lower Finney Creek Bridge Repairs		HMA (Hot Mix Asphalt) Overlay Project
7	Cook Road Signal Advance Warning	20	North Fork Skagit Bridge Replacement (#40037)		Emergent Projects at Various Locations
8	Dodge Valley Road Barrier Protection (Various Locations)	21	Old Highway 99 North Illumination		Fish Passage Emergent Projects
9	Francis Road Section 1, milepost 5.05 to 5.65	22	Peterson Road		Non-Authorized Emergent Projects
10	Francis Road Section 2, milepost 2.75 to 3.75	23	River Bend Road Improvements		Safety Improvement Emergent Projects
11	Francis Road Section 4, milepost 1.48 to 2.75	24	Sarnish River Bridge Repair (Old Highway 99 N)		Conical Safety Emergent Projects
12	Friday Creek Bridge	25	Strait Island Marine Access (#40160)		Slope Stabilization Emergent Projects
13	Green Road Rehabilitation	26	South Shore Road (Guemes Island)		



Source: Skagit County, 2015

Exhibit 29. 20-year Transportation Capital Projects, 2016-36

ID	Project	Location	Description	Project Cost
Capacity/Operations				
7	Cook Road Reconstruction	I-5 to Green Rd	Capacity improvements at Cook Road/Old Hwy 99; Potential I-5 ramp improvements; Potential railroad crossing improvements.	\$15,483,040
8	Cook Road Signal Advance Warning	East leg of Cook Rd/Old Hwy 99 Intersection	Install signal warning flashers when westbound signal is changing. Will also upgrade intersection signal hardware.	\$54,000



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ID	Project	Location	Description	Project Cost
Reconstruct/Repair				
1	Bow Hill Road Reconstruction	Old Hwy 99 to Darrk Ln	Reconstruct roadway	\$3,304,170
2	Bradshaw Road Rehabilitation	Summers Dr to McLean Rd	Rehab and resurface concrete roadway	\$1,650,000
4	Cascade River Road Stabilization	East county	Stabilize roadway	\$85,000
6	Concrete Sauk Valley Road Stabilization	MP 13.0	Bank stabilization along Sauk River	\$1,000,000
12	Francis Road Section 1	MP 5.05 to 5.66 (near SR 9)	Reconstruct roadway, SR 9 intersection improvements	\$1,425,000
13	Francis Road Section 3	MP 2.75 to 3.75	Reconstruct roadway and bridges	\$3,644,143
14	Francis Road Section 4	MP 1.48 to 2.75	Reconstruct roadway and bridges	\$4,422,000
16	Fruitdale/Kalloch Road Arterial Improvements	Vicinity of Fruitdale Rd and Kalloch Rd Intersection	Repair and widen to arterial standards	\$2,270,000
17	Green Road Rehabilitation	Cook Rd to Kelleher Rd	Repair surface	\$500,000
21	Josh Wilson Road Phase 1	Jensen Ln to Avon Allen Rd	Reconstruct to improve roadway to standards	\$1,870,520
22	Josh Wilson Road Phase 2	SR 11 to Avon Allen Rd	Reconstruct to improve roadway to standards	\$4,166,670
23	Josh Wilson Road Phase 3	Jenson Ln to Emily Ln	Reconstruct to improve roadway to standards	\$1,684,730
24	Josh Wilson Road Phase 4	Higgins Airport Way to Farm to Market Rd	Reconstruct to improve roadway to standards	\$1,910,350
29	Peterson Road	Bayview Ridge neighborhood to Higgins Airport Way	Improve to urban standards	\$3,853,763
30	River Bend Road Improvements	West of Burlington	Repair and raise roadway	\$850,000



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ID	Project	Location	Description	Project Cost
37	South Shore Road	Guemes Island	Stabilize roadway	\$75,000
38	South Skagit Highway Mill Creek Savage Creek Habitat Restoration	S Skagit Hwy at Mill Creek	Study to identify ways to improve fish habitat and bridge maintenance at Mill Creek, including possible realignment	\$10,000,000
39	South Skagit Highway Milepost 4.0	MP 4.0	Stabilize roadway	\$300,000
	Safety			
9	Dodge Valley Road Barrier Protection	Chilberg Rd to Best Rd	Install new guardrail at various locations to improve safety	\$400,000
28	Old Highway 99 North Illumination	Morton Rd Vicinity	Install lighting to improve safety along approximately half-mile of Old Hwy 99	\$166,000

Non-Motorized

5	Centennial Trail	Big Rock to Clear Lake	Construct pedestrian/bicycle trail	\$2,030,000
	Bicycle Route 5 (Coast Millennium Trail) Safety/Mobility Improvement Study ⁶	Southern County line to Bayview State Park	This is an existing north / south multimodal transportation corridor from the Southern County Line north to Bay View State Park which passes through the Town of La Conner and Bay View utilizing County roads and the existing Padilla Bay Trail. The projects would include paved shoulder widening, trail improvements, and signing along the corridor. Connects or will ultimately connect to bicycle routes in Whatcom and Snohomish Counties.	\$200,000

⁶ A designated regional bike route is a route that Skagit County in collaboration with cities, towns, and user groups identified as existing corridors that are used by non-motorized users, especially bicyclists. Following guidance from WSDOT, the routes are named and numbered to be consistent with what other counties and jurisdictions have named the routes.



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ID	Project	Location	Description	Project Cost
	North Fork Bridge Safety Project	North Fork Bridge	Improvements to the bridge to increase driver awareness and bicyclist safety; located on Bicycle Route 5 (Coast Millennium Trail). The project would install rider activated flashing beacons and signs warning motorists of bicycles on the bridge.	\$7,000
	Existing Bicycle Route 14 Shoulder Enhancements	Mount Vernon to McLean Rd. Rest Area	Bicycle Route 14 is an existing east/west multimodal transportation corridor from Mount Vernon to Bicycle Route 5 (Coast Millennium Trail) utilizing McLean Road. The project would include shoulder maintenance and widening where needed with the addition of signing.	\$100,000
	McLean Road Bicycle Rest Area	Best Road and McLean Road	A rest stop with amenities for the bicycle/pedestrian community positioned at the intersection of Best Road and McLean Road and centrally located between Skagit County's major destinations. This rest area would include bicycle racks, picnic area, toilets, and informational signing of bicycle routes and trails in the area.	\$300,000
	Peterson Road	Bayview Ridge from Avon Allen Road to Higgins Airport Way	Improve/widen roadway to urban standards adding sidewalks or trail. This project is in the County's adopted 2016-2022 Six-Year TIP.	\$3,900,000
	Guemes Ferry Trail	Ferry terminal to Edens Rd	A separated trail located on Guemes Island, adjacent to Guemes Island Road, that connects the ferry landing to Schoolhouse Park. The project would improve safety and mobility for a growing number of bicyclists and pedestrians. This project would construct a multi-use trail connecting the Ferry Terminal to the Community Center and Park near Edens Road. Where possible it would utilize adjacent right-of-way along Guemes Island Road.	\$1,400,000
	Cascade Trail – Wiseman Creek Boardwalk	East County near Hamilton	Boardwalk through Wiseman Creek area to reduce impact to fish and increase recreational value of trail.	\$300,000



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ID	Project	Location	Description	Project Cost
	Bicycle Route 13 (Centennial Trail) Corridor Study	State Route 9 and County Roads	This is an existing north/south multimodal transportation corridor from the southern County Line to the northern County Line adjacent or parallel to State Route 9 and County roads. The proposed project envisions a 10 foot paved trail and a grass shoulder for equestrian use, consistent with the Snohomish County trail sections. The corridor study would consider issues including available right of way, property impacts, shoulder widths, and alignment. Coordination with Snohomish and Whatcom counties would also be appropriate to link to their facilities. .	\$200,000
	US Bicycle Route 10 (Coast to Cascades Trail) Corridor Study	State Route 20 corridor	This is an existing east / west multimodal transportation corridor from Fidalgo Island to the Town of Concrete and east County line utilizing State Route 20, City and County roads and trails. The study would consider shoulder widening where necessary and trail construction and/or existing trail improvements.	\$200,000

Studies

35	Skagit River Bridge Modification and I-5 Protection Project	Transportation facilities near Skagit River	Study potential modifications of transportation facilities to improve flood control along Skagit River	\$1,199,700
	Bridge			
3	Burlington Northern Overpass (Old Highway 99)	Cook Rd to Dahlstedt Rd	Replace timber trestle bridge over railroad	\$17,104,317
15	Friday Creek Bridge (Old Highway 99)	North of Bow Hill Rd	Replace bridge deck and repair bridge	\$320,000
18	Hard Creek Bridge Replacement	East county	Replace damaged bridge	\$1,098,000
20	Illabot Creek Alluvial Fan Restoration	Rockport Cascade Rd	Construct 2 bridges to restore original channels	\$3,621,806



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ID	Project	Location	Description	Project Cost
25	Lower Finney Creek Bridge Repairs	S Skagit Hwy west of Concrete	Replace bridge deck and repair bridge	\$304,000
27	North Fork Skagit Bridge Replacement (#40037)	Best Rd	Replace Bridge	\$25,000,000
32	Samish River Bridge Repair (Old Hwy 99 N)	Old Hwy 99	Replace bridge deck and repair bridge	\$732,500
40	Thomas Creek Bridge (Old Hwy 99 N)	Old Hwy 99, south of Kelleher Rd	Replace Bridge	\$2,000,000
41	Upper Finney Creek Bridge (Strengthening)	East County	Strengthen bridge for truck use	\$1,136,200
	BN-Overpass Replacement		The project will demolish the existing wood super structure and deteriorating concrete deck with a new overpass. . The current bridge is the County's lowest rated bridge and is currently supported by temporary shoring to maintain the current legal load limits; it is rated as structurally deficient and functionally obsolete.	\$17,000,000
	Three Bridges Deck Repair			\$2,000,000
	Bridge Painting	Various Locations	Paint 10 steel bridges	\$11,000,000
	Nookachamps Bridge	Big Lake	Replace bridge	\$5,000,000
	Ferry/Dock			
43	Guemes Ferry Boat Replacement or Overhaul		Replace/overhaul ferry	\$12,000,000
42	Guemes Ferry Parking Lot Improvements	Guemes Island	Improve parking area	\$250,000
34	Sinclair Island Marine Access (#40160)	Sinclair Island	Repair/replace dock facility	\$2,210,000
Programs				
10	Emergent Projects at Various Locations		Address emergency repairs, minor construction, and safety improvement projects	\$60,000



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ID	Project	Location	Description	Project Cost
11	Fish Passage Emergent Projects		Address projects that improve fish passage	\$30,000
19	Hot Mix Asphalt Overlay Project		Address various roadway locations that have poor pavement ratings	\$604,660
26	Non-Motorized Emergent Projects		Address various non-motorized type projects	\$30,000
31	Safety Improvement Emergent Projects		Address safety improvement projects	\$120,000
33	School Safety Emergent Projects		Address safety projects related to schools	\$6,000
36	Slope Stabilization Emergent Projects		Address slope stabilization projects	\$90,000

Source: Skagit County, 2015

Exhibit 30. Capital Project Cost Summary

Project List	Cost
20-year (2016-2036) Project List Total	\$170,668,569

Source: Skagit County, 2016; BERK, 2016



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6.0 Non-Motorized Transportation

This section of the Transportation Element Technical Appendix focuses on non-motorized travel alternatives for Skagit County and constitutes the County's Non-Motorized Transportation Plan. The Non-Motorized Transportation Plan was adopted as Chapter X (10) of the County's Transportation Systems Plan by the Board of County Commissioners in 2004 (Ordinance O20040009), following several years of work. The non-motorized plan is a key component of the transportation element of the Skagit County Comprehensive Plan. Non-motorized plan are essential in the development of programs and funding for a variety of public facilities, including Federal funding support for sidewalks, access to transit activities, trails and road improvement projects. Facilities and issues that involve travel by bicycle, on foot, and to a lesser extent on horseback are addressed and a number of key recommendations are made. The overall long-term goal is to achieve a safe, convenient, cost-efficient and countywide non-motorized transportation system. Specifically, development and adoption of the Non-motorized Transportation Plan meets policy and legislation direction from the Washington Growth Management Act and the Skagit County Comprehensive Plan, and is consistent with policies adopted by SCOG and the Washington State Department of Transportation.

Non-motorized Transportation Planning Objectives and General Policies

The purpose of the NMTP is to provide a framework for the development of non-motorized transportation facilities and strategies that can satisfy current and future needs of the people of Skagit County and to meet the expectations and requirements of both the Skagit County Comprehensive Plan and state statutes. To accomplish this, general goals, several long-term objectives and a number of specific policies have been developed which address the needs of bicycle, pedestrian and equestrian modes of travel, as well as intermodal opportunities within the larger transportation system.

Non-motorized Transportation goals focus on three major themes: 1) the overall non-motorized transportation system, 2) specific facilities and design standards that comprise the system, and 3) related issues involving public safety, education and law enforcement.



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Objective #1 The Non-motorized Transportation System

To provide a safe, efficient and interconnected system of on- and off-street facilities, including trails and bikeways that link populated areas of the county with important travel destinations, including activity centers, educational centers (high schools and colleges) and residential areas.

Policies:

- The Skagit County non-motorized transportation system is comprised of all streets and highways to which access by bicyclists and pedestrians is permitted, separated trails and pathways which have a transportation function as defined in this plan, and any system or design accommodations meant to serve non-motorized users.
- In addition to the system described above, Skagit County will identify and map a countywide system of key streets and separated shared use facilities which are high priority facilities for specific non-motorized improvements and/or development and consistent with the regional non-motorized system. However, most non-motorized improvements on this network will be made when general reconstruction, major maintenance or new construction allows application of new design standards to be applied as a cost-effective element of the overall project.
- New and reconstructed roads across Skagit County should be designed and constructed to a standard which accommodates the safety, mobility and access needs of pedestrians, bicyclists and (where appropriate) equestrians. It is understood that on certain rural road facilities standards of accommodation may be met without specific facility upgrades.
- Provide for the diverse needs of bicycle, pedestrian and equestrian modes through appropriate routing and the utilization of single-use and shared-use facilities.
- Connect all significant traffic generators (such as neighborhoods and communities) with each other as well as with a wide variety of destinations including schools, employment and commercial centers, medical and social service centers, shopping areas, recreation sites and facilities (public and private), scenic areas, transit stops, ferry terminals, rail and other transportation stations, touring destinations, and the non-motorized facilities and systems of adjoining counties.
- Provide convenient access to and from abutting sites and facilities.



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- Promote the development of a cost-effective non-motorized transportation system in terms of right-of-way acquisition, design, development, maintenance and the incorporation of non-motorized facilities into multi-modal facilities.
- Utilize existing public and quasi-public lands in the development of the non-motorized transportation system.
- Accommodate, where appropriate, recreational use of the non-motorized transportation system.
- Coordinate system planning, funding, design and development with other local, regional, state, federal and tribal jurisdictions.

Objective #2 Facilities & Standards

To achieve a high standard in meeting the needs of bicyclists, pedestrians and equestrians through appropriate planning, design, construction and maintenance of user-friendly facilities, including single-user and multi-user trails, roads and road shoulders, bikeways, bike lanes and related improvements.

Policies:

- Skagit County should strive to provide safety for bicyclists of all abilities through enhanced transportation system design. Current AASHTO and WSDOT standards should be (and are) used as a minimum standard to be applied on local and regional facilities to be considered for funding through state and regional programs.
- Encourage land and transportation system development that accommodates the needs of bicyclists, pedestrians and (where appropriate) equestrians.
- Remove or minimize hazards, barriers and impediments to non-motorized transportation.
- Preserve or acquire land, easements or other access to railroad grades (including rail-banking), utility corridors, unique open space areas, or other potential corridors that may be valuable for future trail development. Such preservation and acquisition shall include due consideration of needs of adjacent residents and property owners, and should primarily serve transportation purposes if transportation funds are used in the development of such facilities.



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- Establish minimum bicycle parking standards for subdivision and development activities including acceptable rack design.
- Skagit County shall make every effort as defined by the implementation of the Americans with Disabilities Act to accommodate the needs of the disabled in the design and operation of transportation facilities.
- Promote the development of facilities which are aesthetically pleasing and complementary to the natural surroundings and that also respect the County's unique character.

Objective #3 Safety, Education & Enforcement

The County should increase education, information and traffic enforcement efforts associated with non-motorized transportation as a means of lowering collision and injury rates associated with these modes. Such efforts should extend to all highway users, including motorists. New programs and initiatives that further these aims should be integrated into existing safety, education and enforcement efforts within the County. Programs which specifically address non-motorized travel should be developed in conjunction with user groups, school districts and law enforcement agencies as demand for these programs grows.

Policies:

- Promote the safe use of facilities and conformance with rules of the road by all road users.
- Promote community and school-based educational programs that teach and encourage safe bicycling including traffic safety and the use of bicycle helmets.
- Encourage reasonable and balanced enforcement of regulations for motorized and non-motorized travel.
- Help build awareness among motorists of the rights and responsibilities of both motorists and cyclists and the importance of sharing the road.
- Encourage planning, design and educational programs that help minimize conflicts among users.



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Skagit County Non-Motorized Transportation Plan Specific Policies

General Facility Recommendations:

Maintenance of existing facilities, especially regular sweeping of paved road shoulders, is a high priority. Shoulder sweeping of primary on-street routes can potentially bring the greatest benefit to non-motorized travel at the lowest cost. Regular maintenance should also be provided for as new facilities are developed.

Priority routes are also identified for improvement within incorporated areas of the county. Although the cities have discretion over these improvements, the routes listed in the Non-motorized Plan represent priorities in linking urban areas to the regional non-motorized transportation system. As the cities plan for non-motorized transportation in the urban areas, Skagit County may need to review and/or revise portions of the system described in this plan.

Design Standards & Guidelines

All non-motorized transportation facilities should be designed, developed and maintained in accordance with recognized federal, state and local standards and guidelines, specifically the edition of the AASHTO Guideline to the Development of Bicycle Facilities, the Manual of Uniform Traffic Control Devices, and the Washington State Design Manual.

Skagit County should formally adopt these guidelines for development of transportation-funding eligible components of the County trail system, and should make every effort to develop the non-motorized transportation system to a standard that meets or exceeds the current AASHTO Guidelines.

Bicycles on County Roads.

The design, construction and maintenance of all County roads should provide for the needs of bicyclists, with specific added attention given to those roads established and defined on a network of designated key bicycling streets and corridors. See the policies regarding Rural Facilities Standards for Bikes, later in this section, for more specific discussion of bicycle facilities on rural roads.

Design Flexibility

The County should provide for flexibility in the design and construction of pedestrian facilities to make them safer, more attractive and enjoyable for users, allowing for the use of different material construction techniques to reflect local taste and diversity on non-arterial roads.



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It is understood that on many rural roads with low traffic volumes and speeds, the preferred facility may be a shared facility without specific shoulder or walkway improvements.

Regulatory Recommendations

Reasonable zoning, shoreline and subdivision requirements, development standards, impact fees, and incentives should be adopted by Skagit County and other jurisdictions to help ensure that facilities for non-motorized transportation are included in all developments except where they are clearly inappropriate.

Project Review

New residential and employment area development should incorporate designated pedestrian design elements, both on and off of the road system where appropriate. Incentives should be provided to the private sector to encourage development of facilities beyond those required as dedicated improvements.

Public Projects

All County, federally-supported and WSDOT projects proposed in Skagit County should be reviewed for the inclusion of appropriate bicycle and pedestrian facilities and mitigation, per the adopted policies and procedures of the lead jurisdiction.

Subdivisions and Master Planned Communities

The review of large subdivisions and master planned communities should address the following issues:

- Internal pedestrian circulation in commercial and high-density residential areas;
- Access to transit, including continuous walkways to transit stops, ADA-accessible routes, and shelters;
- "Pass-through" walkways that minimize pedestrian and bicycle trip distance to the perimeter of the development;
- Relationship to and preservation of existing local or regional trail systems and other park facilities;
- Linkage to open space, especially dedicated OS-RA areas;



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- Inclusion of grade separation facilities at points of contact with major and/or principal arterials; and
- Design compatibility with anticipated equestrian and bicycle traffic.

Sidewalk & Facility Maintenance

The County should continue and if possible increase efforts to repair and maintain pedestrian facilities through a cooperative effort of the County, homeowners, developers and businesses.

Safety, Education & Enforcement

Safety, education and law enforcement are key to the success of non-motorized transportation plans and programs and should be encouraged and supported at all levels of County government.

A non-motorized transportation facilities user map and information brochure, periodically updated, should be made available to the public.

Access and Mobility

Skagit County should emphasize non-motorized safety, mobility and access as an integral element of transportation planning and facility development. This effort should focus on the needs of students, the elderly and the developmentally and physically disabled.

Accessible and Intermodal Transportation

Non-motorized travel modes should be accommodated to the greatest extent practical in the design and operation of all multimodal facilities (such as transit stops, ferry terminals, Skagit Regional Airport, and motor vehicle park and ride lots), except where clearly inappropriate.

Skagit County should work with local and regional transit providers (including Skagit Transit, AMTRAK and the Washington State Ferries) to provide a transit system that is fully accessible for pedestrians and the disabled, and which integrates as thoroughly as possible the access, safety and parking needs of bicyclists.

Funding & Implementation

This plan includes implementing strategies, including specific recommendations for funding, administration, right-of-way acquisition and related needs. Projects that potentially qualify for both transportation and recreation funding sources should be prioritized for transportation



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funding purposes based upon the degree to which the project addresses safety, access and mobility for non-motorized users.

Funding Priorities

Appropriately funded non-motorized transportation projects are they key to meeting the goals of this plan. This can be accomplished through the expansion of funding for existing programs, effective utilization of available targeted grant programs, and institutionalization of non-motorized transportation facility design in County and local design standards.

Bicycle Facilities

The County should make a strong funding commitment to building bicycle facilities and to incorporating them in all new road construction and reconstruction of roads on the bicycle network. This commitment includes the programming of funds set aside for the use of Skagit County under RCW 47.30.

Pedestrian Facilities

Whenever practical and appropriate, the County should identify and commit both targeted and general roadway funds to build needed pedestrian facilities such as sidewalks (in urban or town areas), paths, separated grade crossings, signalized crossings and other devices to improve the environment for the pedestrian. In addition, consideration of pedestrian safety programs aimed at youth, the disabled and seniors should be a priority of the County in the planning and review of roads and land development.

Neighborhoods and Activity Areas

Design and locate transportation systems in such a manner as to contribute to the safety, efficiency and convenience of residential neighborhoods and activity centers. Bicycle, pedestrian, and (where appropriate) equestrian needs should be incorporated as a central component of this effort, through land uses and practices conducive to non-motorized transportation.

Non-motorized projects should also be planned and designed to serve areas near schools, recreation facilities, commercial/industrial areas, activity centers, tourist areas and established or planned multi-use trails.

Area Plans

As local and community plans are developed, attention should be paid to the identification of specific pedestrian projects and needs, including:



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Design and implementation of pedestrian facilities in designated activity centers;

Potential transit development, and assessment of pedestrian facilities within 1/4 mile of any proposed or existing transit facility, including rail, ferry, park & rides, and along existing transit routes; and

Facilities linking neighborhoods to existing or proposed parks, schools, major recreation facilities, or commercial and employment centers.

Energy

Comprehensive Plan policies calling for the development of an energy-efficient transportation system should be implemented in part through the promotion of bicycle and pedestrian-compatible transportation system design and land use practices.

Facility Standards and Seniors

Facility and signal standards should be reviewed to accommodate the needs of an aging public, particularly in regard to signal phase length, sign size, reflectivity of signs, street lighting and the crossing distance required of these at-risk pedestrians.

Rural Facility Standards for Bikes

The preferred facility for roads on the bicycle network in rural areas is a paved shoulder with edge stripe. While such facilities are desirable whenever they are developed, priority should be given first to projects that address existing safety deficiencies. Signing of paved shoulders as Class II (bike lane) facilities should only be done if the shoulder meets the minimum standard for width and pavement quality over a substantial portion of its length. It is understood that on many rural roads with low traffic volumes and speeds, the preferred facility may be a shared facility without specific shoulder or bike lane improvements

Project Types

Projects on the designated network should be designed with one of the following:

- Travel lane of fourteen feet;
- Striped bike lanes;
- Paved and edge-stripped shoulders; or



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- Access to a separated trail facility.

It is understood that on many rural roads with low traffic volumes and speeds, the preferred facility may be a shared facility without specific shoulder or bike lane improvements

Special Facility Consideration

Additional consideration shall be given to proposed bicycle system projects that can:

- Address topographic constraints to bicycle access;
- Develop new through access across man-made or geographic barriers; or
- Provide a usable and direct alternative to highways with high volumes and/or vehicle speeds

Limited Access Highways

The County shall actively seek the provision of separate non-motorized facilities in any and all cases where existing access is removed via construction or re-designation as a limited-access highway.

Shoulder Development

The County should develop the transportation system to a standard which incorporates the needs of bicyclists, and which integrates public involvement into the planning for shoulder development through existing maintenance programs.

Maintenance

The County should continue to emphasize maintenance in the accommodation of bicyclists on the County road system, with an emphasis on road sweeping and the ongoing development of smooth and continuous road shoulders.

Railroad Grade Crossings

Skagit County and railroads owning right of way in Skagit County should actively seek to identify all at-grade crossings that do not cross roadways at 90 degree angles. While all crossings should be developed to minimize hazards to bicyclists, projects which eliminate the hazard of bicyclists being forced to turn into adjacent traffic lanes should be emphasized. The use of rubber matting and approach ramps and aprons should be encouraged at these locations. The cooperation and understanding of railroads is vital to the successful implementation of this policy, and the County



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and railroads must continue to work proactively to protect the safety of the non-motorized public.

Relationship to Skagit County Comprehensive Parks and Recreation Plan

The County has an adopted Comprehensive Parks and Recreation Plan which identified a number of potential trail projects for development county-wide. The inclusion of projects from the Parks Plan in this document is recommended only if the identified project would be considered eligible for state and federal transportation funding.

While all but circuit paths are technically eligible for this funding, priority should be given to projects which:

- Serve destinations, areas and land uses cited in the Skagit County Comprehensive Plan for development,
- Serve as diversified a user population as possible,
- Provide usable access for local pedestrians,
- Provide an alternative to routes which are inaccessible or potentially hazardous to bicyclists,
- Provide relatively direct access to identified destinations, and
- Provide a specific contribution to the development of the county bicycle network.

Special Events

Skagit County should establish clear and consistent policies and procedures for the review and approval of special events (competitive, recreational or mass participation) which incorporate non-motorized modes, and encourage their promotion when conducted in accordance with these adopted policies and procedures. Competitive events should be consistent with the adopted State of Washington Bicycle Racing Guidelines.

Road Vacation Policies

Road vacation applications should be reviewed for their compatibility and potential impact on non-motorized facility development.



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Equestrian Policies

The County should incorporate the needs of local equestrian travel in the design of facilities located in areas populated or frequently traveled by equestrians, identify barriers to safe equestrian access and circulation in these areas, and strive to integrate these facilities with the other non-motorized needs of these areas whenever practical and appropriate.

Equestrian communities can be loosely defined as areas containing one or more of the following elements:

- Proximity to a regional trail which is accessible to horses;
- Significant tracts of land in which horseback riding is publicly sanctioned;
- Private land upon which equestrian recreational access has traditionally been granted, or with access to dedicated public open space;
- Commercial stabling operations;
- Commercial riding schools and arenas;
- Presence of supporting businesses such as tack shops and feed stores; and
- Concentrations of private parcels upon which horses are kept.

Implementation Policies

Direction

Unless specifically prohibited, the design and construction/reconstruction of roads and highways should assume the presence of pedestrians and bicyclists, and shall be designed to accommodate their presence and needs.

Citizen Participation & Advisory Committees

Program initiatives should be incorporated within existing County programs. Efforts should be made by transportation agencies to incorporate the input and concerns of private individuals affected by non-motorized facility development with the goal of identifying issues in advance of project development, and to facilitate effective mitigation of project impacts such that the public good and private rights can be reconciled to the greatest extent possible.

Public Process & Right-of-Way Acquisition



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The County shall provide a public review process equal in scope and outreach to that used for general transportation facilities (such as roads) when development of such facilities might require acquisition of right of way from private interests, whether the acquisition is through eminent domain, negotiated sale, or the assemblage of easements.

Trails on Dikes

A significant element of the research supporting this plan is represented by the Skagit County Dike Trail Feasibility Study. The study was requested by the County to investigate issues raised by Dike Districts, parks agencies and the public during the development of the Draft Skagit County Non-motorized Transportation Plan in 1996. The development of the study incorporated significant input from the Dike Districts, local and state agencies as well as the general public.

At the time the Study and revised plan were being finalized, a concern was expressed on the part of several Dike Districts that the Feasibility Study not be incorporated into the Proposed Final Non-motorized Transportation Plan. Accordingly, a summary of the points presented was included but the Study was not formally included in the Plan.

In addition, the following two policies should govern the development of future trail projects proposed for locations on dikes:

Any future trail projects proposed on dikes shall require the Planning and Development Services Department to meet, consult, and obtain the approval of any involved dike district and affected property owner.

The County will complete necessary and adequate environmental review prior to issuing a Mitigated Determination of Non-Significance for each specific project proposal on dikes or levees.

Regional Consistency

The County shall coordinate closely with other jurisdictions within and adjacent to the counties to ensure consistency in planning and developing non-motorized transportation projects and programs.

WSDOT Network

Skagit County should work closely with the district office of the Washington State Department of Transportation (WSDOT) to ensure that the projects and initiatives presented in this plan (especially those located on the state transportation network) are as comprehensively



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implemented as possible. For purposes of this plan, all WSDOT highways where bicyclists and pedestrians may operate are to be considered part of the Skagit County network of key streets.

Shared Use Trails and Pathways Developed with Transportation Funds

- Non-motorized transportation facilities separated from road rights of way should be considered for development with transportation resources if they:
- Provide needed access and increased safety across gaps in the non-motorized transportation system;
- Provide linkages to the Regional Trails System;
- Eliminate barriers to non-motorized transportation access;
- Are associated with projects in which access will be removed from a portion of the transportation system previously open to pedestrians and bicyclists; or
- Provide access to new transit or transportation facilities.

Reasonable zoning, shoreline and subdivision requirements, development standards, impact fees, and incentives help ensure that facilities for non-motorized transportation are included in all developments except where they are clearly inappropriate.



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7.0 Transportation Demand Management (TDM) Strategies

Many of the traditional funding programs for transportation facilities have focused on capital intensive street, road and highway, or other improvements. More and more it is becoming clear that we need to accomplish more with fewer resources. We need to find ways to make our transportation systems more efficient at moving people and goods in a time of limited funding resources. Two approaches to help do this are transportation system management (TSM) strategies and transportation demand management (TDM) programs.

The Washington State Department of Community, Trade, and Economic Development (CTED) states "Transportation system management (TSM) strategies include an array of actions to: a) increase the motor vehicle capacity of existing streets and roads; b) facilitate the use of high occupancy vehicles, thus increasing the people carrying capacity of the street and highway system."

TSM involves the use of low capital expenditures to increase the capacity of the transportation system. Some of the various TSM alternatives include signalization channelization, signal timing, turn restrictions, bus turn outs, and one way streets. Often the development of park-and-ride lots are considered TSM measures as well.

Transportation demand management (TDM) is similar to TSM in that such strategies increase the efficiency of transportation facility use. The difference is that the focus of TDM is on reducing the demand for transportation facilities rather than increasing the capacity. The CTED states "*Travel demand is 'reduced by measures which either eliminate trip making (all day or during the peak) or accommodate person trips in fewer vehicles. Common TDM measures include ridesharing, parking management, flextime, road pricing, HOV facilities, and special events measures.*" Since several of the potential measures in Skagit County could be considered either TSM or TDM, they are discussed together below. It should be noted that Skagit County is not currently a "non-attainment area" for air quality. Thus, compliance with 1990 Clean Air Amendments is not required.



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7.1 Skagit County Ferry

There are several TSM strategies that could be used to increase the vehicle carrying capacity of the Guemes Island Ferry system, including, but not limited to:

- Providing additional parking facilities near ferry terminals,
- Increasing the number of scheduled ferry crossings, and
- Replacing the vessel with a larger ferry.

Providing Adequate Parking Facilities

As noted above, the Skagit County Comprehensive Plan clearly states that it is desirable to reduce vehicle demand on the M/V Guemes. There is no guaranteed method of getting people out of their cars, however. One method of effectively reducing the demand for vehicle capacity is to encourage ferry users to ride as walk-on passengers rather than vehicle drivers. In order to accomplish this, there must be convenient and adequate parking facilities in place near the ferry terminals in Anacortes and on Guemes Island. Skagit County Comprehensive Plan Transportation Element Policy 8A-5.1 states the County should *“work with the city of Anacortes, property owners, and residents on Guemes Island to develop adequate parking areas.”*

On Guemes Island, a lot adjacent to the terminal can accommodate approximately 100 vehicles. In Anacortes, there is parking capacity to accommodate 148 vehicles. However, Lot 3, which is farthest from the Anacortes terminal, is typically underutilized. Ferry passengers typically park in the neighborhood surrounding the terminal in order to park closer. This is a source of tension with Anacortes residents. A committee was formed to find solutions to this problem. A volunteer driven community shuttle bus, provided by the County, was the primary solution, along with increased education and signage. If ferry capacity is to be increased, parking may need to be increased. Additionally, further solutions may be required to ensure neighborhood parking is not impacted.

Increasing Scheduled Ferry Crossings. The number of scheduled ferry round-trip crossings has increased from 125 per week in 2000 to 159 per week during the non-peak season, and 165 per week during the peak season. The current ferry schedule translates to an annual vehicle carrying capacity of roughly 368,808 standard-sized vehicles for the M/V Guemes. If all of the unscheduled



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ferry crossings were calculated, the existing vehicle carrying capacity of the M/V Guemes would be slightly greater.

Increasing the number of scheduled ferry round-trip runs can increase the total vehicle carrying capacity of the M/V Guemes. In fact, if the M/V Guemes consistently made two scheduled round-trip runs per hour during the existing hours of operation, 54 additional round-trip scheduled runs could be made per week. This equates to 2,808 additional round-trip runs per year. This would add approximately 2,376 vehicles spaces per week, or 123,552 vehicles spaces annually. Thus, the total annual carrying capacity for the M/V Guemes would be 492,360 vehicles, meaning a 25% increase in overall capacity. Doing so, however, would significantly increase operating costs for staff, fuel, etc. The increase in operating costs would require a fare increase in order to cover the cost of the additional runs.

An additional option is to extend the weekday operating hours, however, this does not help to serve the ridership that currently travel during the existing operating hours. Any expansion in ferry capacity must coincide with significant improvements to shoreside ferry traffic management. (Elliott Bay, 2013)

Replacing the Vessel with a Larger Ferry

In 2013, Skagit County adopted a Ferry Replacement Plan. According to the plan, while the overall condition of the vessel is fair, it is recommended that the M/V GUEMES not be operated for more than another ten years without a major overhaul. Immediate vessel replacement was recommended; if selected as an option, it is estimated that a new vessel would enter service in approximately three years, due to the time required initially for vessel planning, including design development, and acquisition, including construction and commissioning. The report notes that immediate or near term replacement of the M/V GUEMES with a new vessel “will minimize the overall cost of ownership and provide environmental improvements in vessel operation.” (Elliot Bay Design Group 2013)

Transportation Demand Management (TDM)

There are several TDM strategies that could be used to decrease the vehicle demand on the Guemes Island Ferry system, including, but not limited to:

Encouraging car-pooling and walk-on passengers;



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Encouraging increased public transit service and bus shelters at the Anacortes terminal;

Pricing policy (ticket price incentives and disincentives); and

Exploring the potential for a Guemes Island public transit service.

These TDM strategies should be used in combination with one another to be most effective.

Encouraging Car-Pooling and Walk-On Passengers

The Skagit County Comprehensive Plan Transportation Element Policy 9A-8.2 states “To meet future increases in demand, the County shall increase service capacity of the Guemes Island Ferry by: (a) encouraging car-pooling and walk-on passengers; (b) increasing the frequency of ferry runs based on demand; and (c) considering additional ferry capacity if the aforementioned procedures fail to accommodate demand.” The intent of this policy gives clear priority to TDM strategies for transforming vehicle trips into passenger trips. Car-pooling reduces the number of single-occupant vehicles demanding ferry service. Due to the relatively small size of Guemes Island, this strategy is very well-suited to reducing vehicle trips on the ferry.

Increased Public Transit Service and Bus Shelters at the Anacortes Ferry Terminal

Skagit Transit currently provides “on request” public transportation service to the Anacortes ferry terminal at the corner of 6th Street and “I” Avenue. A green Skagit Transit bus stop sign is posted; however, there is no bench or shelter for waiting passengers. In addition, the schedule may not correlate exactly to the arrival/departure times of the Skagit County ferry.

As of 2011, passengers can take advantage of Skagit Transit Route 49 plus service via a bus stop located within the ferry terminal area. The service operates on a dial-a-ride basis Monday through Saturday and people are asked to call 24 hours in advance to schedule a pick-up. Unfortunately, this service is grossly underutilized.

It has been suggested that the construction of covered bus shelter facilities may make public transit a more attractive alternative to passengers. Skagit County may be able to work in partnership with Skagit Transit to secure these improvements.

Pricing Policy

Pricing policy is a TDM strategy that Skagit County can and has used to provide an incentive for ferry users to ride the ferry as walk-on passengers rather vehicle drivers. The Skagit County Comprehensive Plan Transportation Element Policy 9A-8.3 states “*In making all decisions related*



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to the Guemes Island Ferry, the County shall balance the needs of the Island residents, the non-resident property owners, and the County citizenry as a whole.” In addition, policy 9A-8.5 specifically states “The County shall continue to provide safe and adequate ferry service between Anacortes and Guemes Island, and a fare structure designed to recover as much operating cost as practical from the users.” The intent of these policies is to provide adequate ferry service to Guemes Island in a financially sustainable manner, if possible.

In order to effectively reduce vehicle congestion on the M/V Guemes, it may be necessary to incorporate pricing strategies to be used during peak traffic hours. Pricing incentives can be used to encourage a more balanced ferry demand throughout the day, especially on weekends. (Elliott Bay, 2013)

Potential Guemes Island Public Transit Service

If a public transit service could be established on Guemes Island and synchronized with the ferry schedule, it would provide a viable alternative to the private automobile on Guemes Island, reduce vehicle demand on the M/V Guemes, and reduce vehicle traffic on Guemes Island roads. Ferry users could park their vehicles at the Anacortes lot, ride the ferry as walk-on passengers, and travel via public transit on Guemes Island. This would benefit Guemes Island residents and non-residents alike. Initial funding for this type of public transit may be available through a state rural mobility grant and could be sought in partnership with Skagit Transit.

7.2 Ridesharing Programs

There are three types of existing programs in Skagit County that promote ridesharing. One is vanpooling, another is express busses, and the third is the creation of park and ride lots.

Vanpooling

A significant number of Skagit County residents work outside of the County at major employers like Boeing, which is located in Everett and Snohomish County. Many of these Boeing workers live in the Mount Vernon/ Burlington/Sedro-Woolley area. With the concentration of workers both living in one area and working another area a significant distance away, a demand existed for sharing rides to and from work. To help fill this need, Community Transit of Snohomish County has established a program where it leases vans for the purpose of vanpooling. Since Community



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Transit serves vanpools that have either a home or a work location in Snohomish County, employees of major employers like Boeing living in Skagit County qualify for the program.

As of 2015 there were 31 vanpools using Community Transit lease vans traveling between Skagit County (home location) and Snohomish County (work location). Additional vanpools travel to other major employment centers located mostly in Snohomish and King Counties. The total number of vanpools in 2015 is 43

Park and Ride Lots

The Washington State Department of Transportation has, for a number of years, been involved in the development of park and ride lots up and down the 1-5 corridor. The purpose of these lots is for members of both vanpools and carpools to congregate leave their cars, and share rides primarily for work trips. See Exhibit 28 for a list of park and ride lots in the County.

Exhibit 31. Skagit County Park and Ride Lots

Description	Jurisdiction	Capacity	Amenities
March Point Park and Ride 8147 S. March Point Rd.	Anacortes	133	Lighted
George Hopper Park and Ride 1787 S. Burlington Blvd.	Burlington	77	Lighted
Chuckanut Drive Park and Ride 999 N. Burlington Blvd.	Burlington	369	Lighted, security cameras
Mount Vernon Park and Ride Across Kincaid from Skagit Station	Mount Vernon	44	
South Mount Vernon Park and Ride Old Highway 99 South and Hickox Road	Mount Vernon	382	Lighted, security cameras
SR9 and State Street Park and Ride	Sedro-Woolley	20	Lighted
SR9 and South Skagit Highway Park and Ride	Sedro-Woolley	52	Lighted

Source: Skagit Transit, 2015

Tulip Festival Programs

The Skagit Valley Tulip Festival has grown in popularity over the years to where it is now one of the major festivals in the year in Western Washington. With this growth has been a growth in



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traffic congestion in the Skagit Flats during the festival and the tulip bloom. The worst traffic congestion experienced in Skagit County each year takes place during this time period.

For the past several years, Skagit County Public Works Department, in conjunction with the Tulip Festival Board, Sheriff's Department, Cities, the Emergency Management Department, growers, and others has developed a traffic control plan for the Tulip Festival. This plan has contained several TSM provisions including the establishment of field parking lots by the growers, parking restrictions on selected roads, turning restrictions, and off-duty sheriff personnel to direct traffic at key intersections. These efforts have been very effective in managing the enormous amount of traffic generated by the festival.

Related to the County's efforts at managing the Tulip Festival traffic has been other efforts to manage and encourage the use of bus transit. Tulip Festival staff coordinates with the tour companies who bring busloads of tourists in order to ensure that the busses stop and park at appropriate locations.

7.3 Other Programs

The County is involved in two other programs that could be considered TSM or TDM. The County employees working at the Courthouse complex in downtown Mount Vernon have always had to pay to have a parking space. With the advent of Skagit Transit bus service to the Mount Vernon, the County increased its parking fees for its employees, creating an additional incentive to use the bus.



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8.0 Financing Plan

8.1 County Financing Plan

The Growth Management Act (GMA) requires the Transportation Element of the Comprehensive Plan to include a multi-year financing plan based on the identified improvement needs in the transportation technical appendix. The financing plan is the basis for developing the required six-year Transportation Improvement Program (TIP). If probable funding is less than the identified needs, then the transportation financing program will have to balance several goals, including financial solvency, maintenance and operations of the existing system, and supporting an appropriate transportation level of service.

To understand this balance, Skagit County has evaluated its future revenues against its existing TIP and 20-year transportation programs and project list. These projects, identified to address existing and future transportation system needs in Skagit County, are then compared to those future revenues. This comparison demonstrates the County's ability to implement its Transportation Element.

As with most local agencies, existing transportation revenues will not allow Skagit County to fund all of its planned maintenance, operations, or capital improvements. The Transportation Element identifies ways to balance the transportation budget, including through prioritization of capital improvement projects and new policies that could generate additional revenue. Any funding strategy must balance the County's transportation goals against its system of sustainable revenue sources. This is even more pressing given the limited policy mechanisms counties have at their disposal for raising revenue.

Methodology

Historical Revenues and Expenditures

The data used to summarize historical revenues and expenditures is from the Washington State Department of Transportation's (WSDOT's) County Road and City Street Revenues and Expenditures Fiscal Year 2005 to 2014 datasets. WSDOT collects this data from counties and cities as part of its annual reporting to the Federal Highway Administration. The data is collected from



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counties and cities using a standard report that uses the Budgeting, Accounting, and Reporting System (BARS) codes to standardize the data collected among all reporting jurisdictions. This standardization, along with the availability of significant longitudinal data, makes this data set appropriate for capital revenue analysis. Because this data provides historical actuals, it is presented in year of estimate dollars (YOE\$).

Projected Revenues and Expenditures, including Estimated Future Funding Sources

This analysis projects most future revenues and expenditures using compound annual growth rates on per capita funding and spending derived from 10-year historical averages. These growth rates are then multiplied by the 2014 per capita spending to project future revenues.

A few revenues and expenditures were projected differently from this typical approach. For example, Ferry Tolls were generated using the actual tolls collected from 2010 to 2014 and were compared against the County's own revenue projections.

All the fiscal projections in the Financing Plan are provided both in year of estimates (YOE\$) and in 2015 dollars (2015\$). Present value in 2015\$ is accomplished by dividing year of estimates (historical actuals and future projections that reflect the expected value of a dollar for those years) by a 2015 inflation assumption (3% inflation per year).

Revenues

To build a foundation for the development of funding strategies, this section examines historical County revenues for a 10-year period, 2005-2014. Historical revenues for this 10-year period are shown in Exhibit 29, below.



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Exhibit 32: Skagit County Transportation Historical Revenues, 2005 to 2014 (YOE\$)

	Property Taxes	General Fund Appropriations	Other Local Receipts	State Fuel Tax Distributions	Other State Funds	Federal Revenues	Total Revenues
2005	\$ 10,457,836	\$ -	\$ 2,387,229	\$ 3,466,955	\$ 2,078,182	\$ 3,019,856	\$ 21,410,058
2006	\$ 10,880,846	\$ -	\$ 3,130,716	\$ 3,836,220	\$ 1,876,855	\$ 793,824	\$ 20,518,461
2007	\$ 10,047,042	\$ 1,167,626	\$ 4,073,656	\$ 3,751,045	\$ 1,530,760	\$ 2,915,910	\$ 23,486,039
2008	\$ 11,928,093	\$ -	\$ 2,294,583	\$ 3,762,717	\$ 2,012,579	\$ 750,983	\$ 20,748,955
2009	\$ 10,392,635	\$ -	\$ 979,190	\$ 3,491,711	\$ 1,129,586	\$ 2,580,058	\$ 18,573,180
2010	\$ 10,222,035	\$ -	\$ 543,741	\$ 3,477,117	\$ 1,363,591	\$ 1,810,357	\$ 17,416,841
2011	\$ 10,535,383	\$ -	\$ 1,007,924	\$ 3,190,882	\$ 2,230,296	\$ 3,538,740	\$ 20,503,224
2012	\$ 10,797,049	\$ -	\$ 1,490,759	\$ 3,749,813	\$ 7,367,845	\$ 6,808,754	\$ 30,214,219
2013	\$ 11,150,557	\$ 2,516	\$ 1,963,613	\$ 3,832,597	\$ 1,340,077	\$ 2,130,029	\$ 20,419,390
2014	\$ 11,272,361	\$ 500,000	\$ 2,354,848	\$ 3,197,496	\$ 1,409,684	\$ 4,374,833	\$ 23,109,222
Total	\$ 107,683,837	\$ 1,670,142	\$ 20,226,259	\$ 35,756,553	\$ 22,339,454	\$ 28,723,344	\$ 216,399,590

Source: WSDOT, 2015; BERK Consulting, 2015.

As the exhibit shows, the County has five annual transportation funding sources, which include:

- Property Taxes
- Other Local Receipts
- State Fuel Tax Distributions
- Other State Funds
- Federal Revenues

On occasion the County sometimes supplements its transportation budget with General Fund Appropriations.

Additionally, the County generates revenues through ferry tolls. Rather than use the WSDOT dataset for this, this analysis uses Skagit County 2015 Draft Fare Revenue Target Report which includes actual revenues for the five year period 2010 to 2014.

Each funding source is discussed in greater detail below.



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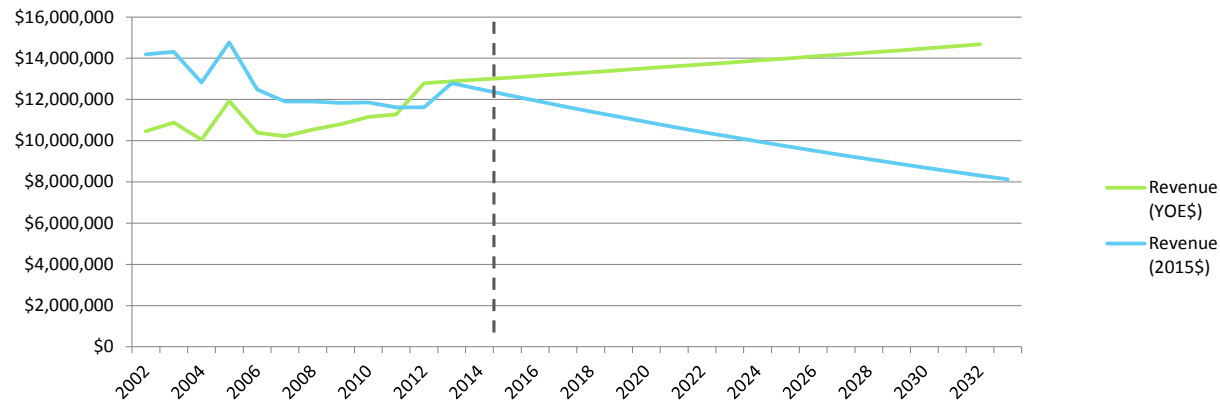
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Property Taxes

Skagit County generates transportation revenue through its county road tax. This tax is currently (February 2016) \$1.96365 per \$1,000 valuation. These revenues may fund projects throughout the county transportation network. Exhibit 30 shows historical and future projected revenues from property taxes for Skagit County in both 2015 dollars and year of estimate (YOE) dollars.

Exhibit 33: Historical and Future Property Tax Revenue, 2005 to 2036



Source: WSDOT, 2015; BERK Consulting, 2015.

As shown in Exhibit 30, while revenues presented in nominal dollars (not adjusted for inflation) are projected to grow slightly over the next 20 years, the actual value of this revenue source is quickly eroding despite projected population increases due to the declining value of the dollar due to inflation. This projected decline is due to the strict 1% limit on growth of property tax revenues put in place by Initiative 747.

Other Local Receipts

Other local receipts typically include some combination of Real Estate Excise Tax (REET) funds, Leasehold Excise Taxes, Road Permits, and other miscellaneous capital and transportation funds. This has been a relatively steady source of funding, though overall contributing a relatively small share of total revenues for transportation investments. Exhibit 31 shows historical and future projected revenues from other local sources for Skagit County.



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Exhibit 34: Historical and Future Revenues from Other Local Sources, 2005 to 2036



Source: WSDOT, 2015; BERK Consulting, 2015.

Nominal local receipts are expected to stay fairly flat, which represents a decrease in the value of the revenue source. More generally, local receipts have historically been highly responsive to the economy, as demonstrated by the sharp decline in 2008, and steady recovery since. It is possible that this projection is conservative in the short term.

State Fuel Tax Distributions

Per capita fuel tax dollars have been declining over time. This trend has become more pronounced in recent history due in part to a significant shift toward more fuel efficient vehicles. It is worth noting that there is significant statewide concern regarding the long-term viability of this source of funds as the fleet mix continues to shift toward ever more fuel efficient vehicles and automakers focus on meeting the new Corporate Average Fuel Economy (CAFE) standards.

The state legislature has conducted a number of recent studies to explore options to replace the gas tax, but no new funding packages have been approved at the time of this writing. In looking forward, there will continue to be uncertainty around revenues from this tax source. Exhibit 32 shows historical and future projected revenues from state fuel tax distributions for Skagit County.



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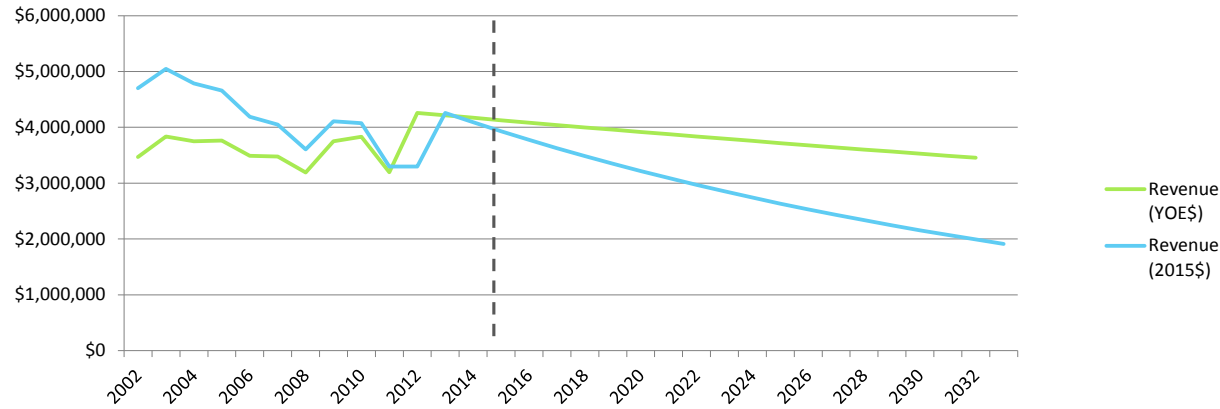
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Exhibit 35: Historical and Future Revenues from State Fuel Tax Distributions, 2005 to 2036



Source: WSDOT, 2015; BERK Consulting, 2015.

As shown in Exhibit 32, while revenues presented in nominal dollars are projected to decline slightly over the next 20 years, the actual value of this revenue source is quickly eroding despite projected population increases due to the declining value of the dollar from inflation. Another factor is the projected long term decrease in fuel purchases as the public purchases more fuel efficient vehicles and more and more residents move to other transportation modes.

Other State Funds

This category is primarily state grants and grants from the Urban Arterial Board, Transportation Improvement Board, Department of Community, Trade, and Economic Development, and the Washington State Department of Transportation. Beyond State grants, state shared revenues, entitlements, impact payments, and in-lieu taxes might be included in this revenue category. Exhibit 33 shows historical and future projected revenues from other state funds for Skagit County.



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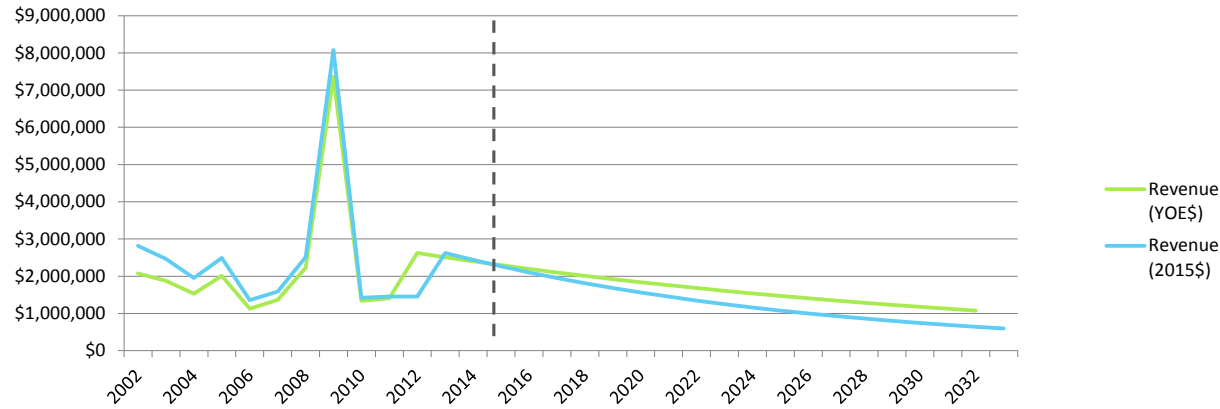
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Exhibit 36: Historical and Future Revenues from Other State Funds, 2005 to 2036



Source: WSDOT, 2015; BERK Consulting, 2015.

Other state funds are another highly volatile revenue source. As such, we have presented a very conservative projection. It is possible that the County could receive more state funds between 2016 and 2036 than is anticipated by this projection.

Federal Revenues

Federal transportation grants are funded through the federal portion of the Fuel Excise Tax. The federal gas tax rate has fluctuated between \$0.184 and \$0.183 per gallon since 1994. The majority of these funds are deposited into the Highway Trust Fund and disbursed to the states through the federal Highway and Mass Transit Accounts. The Federal share of funding has been a meaningful portion of overall funding, which demonstrates the County's overall success in winning grant applications for specific projects.

Exhibit 34 shows historical and future projected revenues from federal sources for Skagit County.



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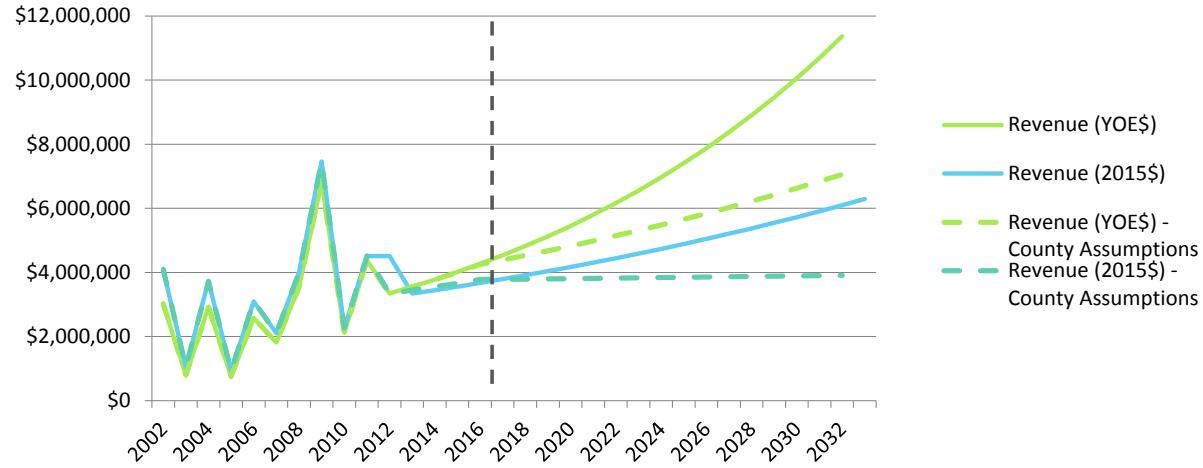
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Exhibit 37: Historical and Future Revenues from Federal Sources, 2005 to 2036



Source: WSDOT, 2015; BERK Consulting, 2015.

As shown in Exhibit 34, while revenues presented in nominal dollars are projected to grow over the next 20 years, the actual value of the revenues generated is not expected to grow significantly. In addition to our base projection, which assumes a per-capita revenue growth rate equal to inflation (assumed to be 3% for the purposes of this analysis), we have also provided a secondary projection based on the SCOG’s assumptions: 2.9% per-capita revenue growth from 2016 to 2020 and no growth (0% per capita growth rate) from 2020 to 2036.

Ferry Tolls

Skagit County operates a ferry between Anacortes and Guemes Island. This ferry is subsidized by the County government with a cost-recovery target from fare-box of 65%. These fares are one of the County’s dedicated transportation revenue sources. The County Board of Commissioners sets fares for the ferry annually. Exhibit 35 shows historical and future projected revenues from ferry tolls for Skagit County.



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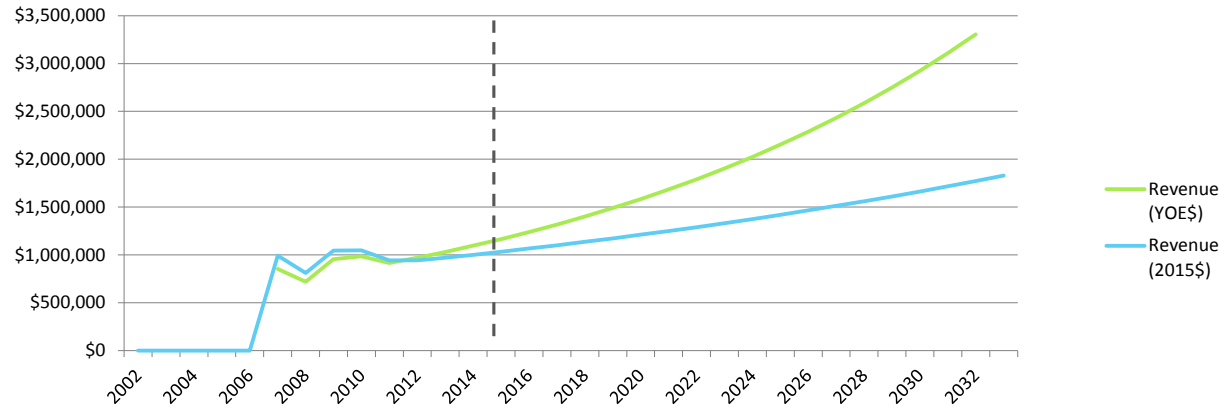
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Exhibit 38: Historical and Future Revenues from Ferry Tolls, 2005 to 2036



Source: Skagit County 2015 Draft Fare Revenue Target Report, 2015; BERK Consulting, 2015.

As shown in Exhibit 35, while revenues presented in nominal dollars are projected to grow over the next 20 years, the actual value of the revenues generated is not expected to grow as highly. The revenue projections assume 3% annual growth in revenues from Ferry tolls.

Supplemental Revenues

General Fund Appropriations

Because general fund revenues have few restrictions on how they are spent and the County has a dedicated Road Levy for transportation, it is relatively unusual for these funds to be used for transportation purposes. Historically the County’s General Fund contributions to transportation have been sporadic and relatively small. Over the ten year historical period, the County supplemented transportation funding with general funds three times:

1. \$1,167,626 in 2007
2. \$2,516 in 2013
3. \$500,000 in 2014

Bonds

The County has the ability to supplement its transportation budget using financing in the form of limited tax general obligation (LTGO) bonds or unlimited tax general obligation (UTGO) bonds.

These two financing sources are described below:



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LTGO bonds, also referred to in Washington State as "councilmanic" bonds, do not require voter approval and are payable from the issuer's general fund and other legally available revenue sources. LTGO bonds can be used for any purpose, but funding for debt service must be made available from existing revenue sources. The Washington State Constitution limits non-voted municipal indebtedness to an amount not to exceed 1.5% of the actual assessed valuation within the County.

UTGO bonds are both a financing and funding source as their issuance includes the levy of an additional tax to repay them. These bonds require 60% voter approval and may only be used for capital purposes. When residents of a county vote for a bond issue, they are being asked to approve: (a) the issuance of a fixed amount of general obligation bonds and (b) the levy of an additional tax to repay the bonds, unlimited as to rate or amount. Once voter approval is obtained, a municipal corporation is still restricted by constitutional and statutory debt limits with these bonds. The statutory debt limits on this type of debt is 2.5% of the assessed value of property inclusive of any LTGO (non-voted) debt.

The County didn't rely on any bonds to support transportation funding during the historical period 2005 to 2014. At this time, the County doesn't have plans to issue bonds to support any transportation improvements; however bonds can still be considered a supplemental funding source.

Expenditures

County Road Fund expenditures include administration, construction (including capital projects), operations, facilities, other maintenance, and ferry related expenditures. Historical expenditures for major transportation programs is displayed in Exhibit 36, below.



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Exhibit 39: Skagit County Transportation Historical Expenditures, 2005 to 2014 (YOES)

	Construction	Preservation	Maintenance	Administration & Operations	Maintenance & Construction of Facilities	Other	Total Expenditures
2005	\$ 2,868,990	\$ -	\$ 8,207,696	\$ 5,771,519	\$ 842,933	\$ 1,061,132	\$ 18,752,270
2006	\$ 7,492,995	\$ -	\$ 8,532,744	\$ 5,656,631	\$ 52,761	\$ 800,316	\$ 22,535,447
2007	\$ 3,291,923	\$ -	\$ 9,329,174	\$ 5,369,976	\$ 55,742	\$ 660,871	\$ 18,707,686
2008	\$ 971,909	\$ -	\$ 10,347,652	\$ 5,723,406	\$ 1,527,127	\$ 330,454	\$ 18,900,548
2009	\$ 4,055,597	\$ -	\$ 10,168,828	\$ 7,550,951	\$ 524,599	\$ 670,324	\$ 22,970,299
2010	\$ 3,502,818	\$ -	\$ 9,769,725	\$ 5,772,255	\$ 555,737	\$ 576,008	\$ 20,176,543
2011	\$ 5,051,940	\$ -	\$ 10,082,699	\$ 5,282,478	\$ 503,889	\$ 388,675	\$ 21,309,681
2012	\$ 14,633,891	\$ -	\$ 11,061,497	\$ 5,594,383	\$ 85,679	\$ 1,348,495	\$ 32,723,944
2013	\$ 6,313,338	\$ -	\$ 11,594,322	\$ 5,659,009	\$ 79,787	\$ 2,122,652	\$ 25,769,108
2014	\$ 1,098,812	\$ 4,365,122	\$ 12,145,523	\$ 4,912,747	\$ 25,054	\$ 826,909	\$ 23,374,165
Total	\$ 49,282,213	\$ 4,365,122	\$ 101,239,859	\$ 57,293,354	\$ 4,253,308	\$ 8,785,836	\$ 225,219,691

Source: WSDOT, 2015; BERK Consulting, 2015. The County's reporting to WSDOT changed in 2014 whereby construction expenditures were broken out into construction and preservation.

Historical expenditures provide a benchmark that can be used to approximate expected transportation funding needs, however they are not always an accurate indicator of a county's future capital funding needs. The County's capital project list can be used to approximate funding need more accurately, as is done in the following portion of this appendix.

Administration, Maintenance, and Operations Costs

The County has estimated 20-year costs for maintenance, preservation, and operations of the County transportation system at approximately \$239 million dollars for 2016-2036. The estimated costs take into account the current pavement condition of the road surface. Other factors used in generating the estimate include Average Daily Traffic (ADT), truck routes, and pavement surface ratings. The current network condition report has the overall average of the network at a pavement surface rating of 88 out of possible 100.

Ferry Operations and Maintenance costs are not included in the projected \$239 million in maintenance, preservation, and operations costs projected by the County for 2016-2036. Rather, we projected these potential costs separately based on historical revenue information for 2011 to 2015 presented in the Skagit County Public Works Department Ferry Operations Division 2016 Ferry Fare Revenue Target Report.



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Transportation Program and Capital Project List

Transportation System Vision and Capital Program

The County's 20-year transportation program and capital project list implement the County's transportation system vision, goals, and policies in the Transportation Element. The County's transportation system priorities, as outlined in the Transportation Element's goals and policies, are to:

- Plan and maintain a safe and efficient system for the movement of people and goods in partnership, where appropriate, with the Skagit Council of Governments. (Goal A)
- Maintain and improve the County roadway system consistent with the growth management strategies of the Land Use Element, and respect the unique environmental and economic character of the area. (Goal A1)
- Provide a safe and efficient network of trails and bikeways, including both on- and off-road facilities that link populated areas of the County with important travel destinations. (Goal A6)
- Provide a safe travel environment for county residents and visitors in all modes of transportation. (Goal A10)
- Provide a high level of maintenance to the County transportation system. (Goal A11)
- Increase the efficiency of the existing transportation system before major capital expenditures are made. (Goal A12)
- Integrate the Six-Year Transportation Improvement Program (TIP) and the 20-year long range transportation needs assessment with the Capital Facilities Plan consistent with the goals and policies of this Comprehensive Plan. (Goal A16)
 - **Evaluation Criteria** – Evaluate proposed projects according to the Comprehensive Plan goals and policies as well as engineering feasibility, costs and benefits to the public, safety, impacts to the built and natural environment, community support, opportunities for staged implementation, and system benefits and maintainability. (Policy 8A-16.1)



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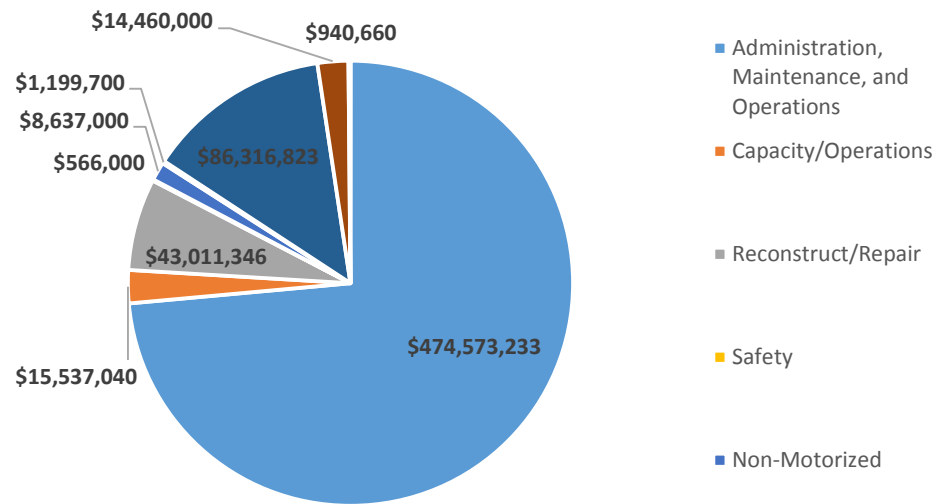
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- **Funding** – Make transportation capital investment decisions in consideration of capacity, safety, economic development, public health and growth management needs. (Policy 8A-16.2)

The County’s policy priorities are reflected in the 2016-2036 allocation of administrative, maintenance, and operations programs and capital projects detailed in Exhibit 37. Planned expenditures by category are summarized in Exhibit 37. Administration, maintenance, and operations accounts for over half of the planned expenditures (74%) during the 20-year planning period, followed by bridge projects (13%) and non-motorized projects (1%). The planned expenditures are consistent with the County’s transportation priorities and focused on maintaining the existing system.

The County’s 2016-2036 capital project list identifies only two capacity projects that are necessary to support new growth. Both projects are along Cook Road and are scheduled to be completed in 2016 and between 2018 and 2020. Based on the analysis of state and local system needs, no other capacity projects are necessary to accommodate future growth during the 20-year planning period.

Exhibit 40. 20-year Transportation Programs and Capital Projects



Expenditure Category	Cost	Percentage
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Administration, Maintenance, and Operations	\$474,573,233	74%
Capital Projects		
Capacity/Operations	\$15,537,040	2%
Reconstruct/Repair	\$43,011,346	7%
Safety	\$566,000	0%
Non-Motorized	\$8,637,000	1%
Studies	\$1,199,700	0%
Bridge	\$86,316,823	13%
Ferry/Dock	\$14,460,000	2%
Emergent Programs	\$940,660	0%
Capital Project Subtotal	\$170,668,569	26%
Total	\$645,241,802	

Source: BERK, 2016; Skagit County, 2016

8.2 Funding and Finance Plan

Cities and counties planning under GMA are required to develop a financing plan to demonstrate the ability to fund their transportation projects. The County must demonstrate an ability to fund projects in support of anticipated future growth as outlined in the Land Use Element. General funding sources for the 20-year long-range projects should also be identified based on GMA and implementing rules; accordingly, broad categories of funds are identified in Exhibit 38. 20-year revenue projections are identified in the next section along with potential gaps in dedicated capital funds and the potential for additional revenue sources.

Financial Capacity for Transportation Capital Investments: 2016-2036

To understand Skagit County's ability to meet its future transportation improvement goals, the County has evaluated its future revenues against its existing 20-year transportation programs and project list shown in Exhibit 26.



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To understand Skagit County’s ability to accomplish its desired capital projects, programmatic expenditures (from administration, maintenance, and operations) are subtracted from total revenues. This is presented in Exhibit 39, below.

Exhibit 41: Skagit County Revenues Available for Capital Projects under Desired Future State Maintenance and Operations, 2016 to 2036 (2015\$)

	2016-2036
Total Revenue	\$494,552,284
Total Programmatic Expenditures	\$474,573,233
Remaining Revenue for Capital Projects (Total Revenue minus Total Programmatic Expenditures)	\$19,979,051

Source: Skagit County, 2015; WSDOT, 2015; BERK Consulting, 2015.

Exhibit 40 shows the limited revenues available for capital projects after programmatic expenditures during the planning period. Skagit County’s current capital project list over the next 21 years, 2016 to 2036, is over \$170 million. However, as Exhibit 40 shows, the County is currently projecting only about \$20 million in available revenues for capital projects, leaving a gap of about \$150 million dollars in unfunded capital projects between 2016 and 2036.

Exhibit 42: Skagit County Capital Project Summary, 2016 to 2036 (2015\$)

	2016-2036
Remaining Revenue for Capital Projects	\$19,979,051
Capital Projects	\$170,668,569
Revenue Deficit (Total Remaining Revenue minus Capital Projects)	\$(150,689,518)

Source: Skagit County, 2015; WSDOT, 2015; BERK Consulting, 2015.

Because the two projects necessary to meet concurrency can be supported by these revenues, the County can fully consider additional prioritization or new revenues to help it accomplish its capital project goals. This is described below.



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Prioritization and Funding Options

Under current policies, the County might only be able to fund a little over one-tenth of its desired transportation capital improvement projects for the 2016-2036 period. The County could address this shortfall in several ways:

1. Prioritizing Capital Projects. The County can prioritize its capital projects, such that projects are funded on an as-funds-are-available basis. This would result in a delay in implementation of some projects, especially lower priority improvements.

2. Generating Additional Revenue. The County could increase funding for capital transportation projects through several policy changes that would generate additional transportation revenues. These include partnering with other agencies or additional grants.

3. Restructuring the Ferry System. The County may consider restructuring the ferry system as an enterprise such that the ferry would no longer be subsidized by the County's overall transportation program.

Each option to address potential 2022-2036 shortfalls is further described below.

Prioritizing Capital Projects

It is likely that there are low and medium priority projects in the 20-year project list that the County could choose to remove from the project list. Removing the costs of the low to medium priority projects would reduce the estimated funding shortfall. The projects are, however, still included in the Transportation Plan to illustrate the County's desired transportation system.

Additionally, some of the capital improvements may only become necessary when and if development occurs. These projects are somewhat unique in that the cause and effect of capital projects is directly linked to the individual development projects themselves, as compared to capital projects that become necessary due to aggregate growth within the County as a whole. Funding for these projects could be tied to developer mitigations or other County revenues generated through increased sales taxes.

The County may choose to prioritize its project list, and fund and pursue additional revenues only for the highest priority project.

Generating Additional Revenues

There are several new policies that Skagit County could consider to generate additional revenues for transportation:



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- Property Tax Levy Lid Lifts
- Transportation Benefit Districts
- Voter Approved Bond/Tax Package
- Other Developer Mitigation and Requirements
- Local Improvement Districts

Each of these policies is discussed below. It is possible that some of these policies may be less feasible than others based on Skagit County's limited growth expectation. That should be considered when considering any of these new policies.

Property Tax Levy Lid Lifts

The Road Levy is a property tax collected by the County specifically for transportation funding and accounts for a large portion of the County's transportation funds. Since the passage of I-747, the revenues from this levy have been declining because the 1.0 percent allowed increase does not keep pace with inflation (which hovers around 3.0 percent), or population growth.

One tool that counties can, and increasingly are, using to combat this is a levy lid lift. To do this, a county asks its voters to "lift" the 1 percent levy limit on annual levy increases so the district can collect a higher levy amount, up to the maximum rate limit amount for that jurisdiction. Many of these districts have seen their levy rate reduced year after year to avoid levying more than 1 percent additional revenue as property valuations increase. A levy lid lift lets them increase rates up to the statutory maximum rate. This is a powerful funding tool, but does pose the challenge of requiring voter authorization. There is prevailing sentiment, though, that barring the legislature redesigning the current levy caps, jurisdictions will be forced to employ levy lid lifts to collect revenues lost from the 1 percent levy cap.

Transportation Benefit Districts

Transportation Benefit Districts (TBDs) (Chapter 36.73 RCW) are independent taxing districts that can impose fees and/or taxes to fund transportation improvements. TBDs can be established via ordinance in jurisdictions ranging from a city to multi-county area. TBDs are intended to finance construction and improvements to roadways, high capacity transportation systems, public transit systems, and other transportation management programs.



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- **Sales and Use Tax (RCW 82.14.0455).** Counties can authorize local TBDs that provide up to a 0.2% local sales and use tax with voter approval. This tax must be authorized by voters, and may not be in effect longer than 10 years unless reauthorized by voters.
- **Motor Vehicle Excise Tax (MVET) (RCWs 81.100 and 81.104).** TBDs can levy up to a \$100 fee for each new vehicle weighing less than 6,000 pounds registered in its jurisdiction. \$20 of this fee can be leveraged without a public vote.

At this time, Skagit County has not established a TBD, and, therefore, does not collect any revenue via this mechanism. To generate transportation revenues via a TBD, Skagit County would first need to pass a County ordinance establishing the TBD, and then impose a fee or tax (from the options above) on that TBD. Depending on the fee or tax levied in the TBD, Skagit County might have to hold a public election to levy the tax. Two cities within the County, Anacortes and Sedro-Woolley, have already enacted TBDs.

Voter Approved Bond/Tax Package

Bonds do not result in additional revenue unless coupled with a revenue generating mechanism, such as a voter approved tax. The debt service on the bonds results in increased costs which can be paid with the additional tax revenues. Although the County does not anticipate issuing bonds in the near future, it remains an option for generating additional transportation revenues to fund some of the higher cost improvement projects.

Other Developer Mitigation and Requirements

The County could adopt specific development related requirements which would help fund the identified improvements. These include frontage improvements and mitigation under the State Environmental Policy Act (SEPA) and concurrency requirements. The County requires developments to fund and construct certain roadway improvements as part of their projects. These typically include reconstructing abutting streets to meet the County's current design standards. These improvements can include widening of pavement, drainage improvements, and construction of curb, gutter, and sidewalks.

The County has the authority to evaluate impacts of development projects under SEPA. The SEPA review may identify adverse transportation impacts. These could include impacts related to safety, traffic operations, non-motorized travel, or other transportation issues. The needed improvements may or may not be identified as specific projects in the Plan.



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The County requires an evaluation of transportation concurrency for development projects (SCC 14.28). The concurrency evaluation may identify impacts to facilities that operate below the County's level of service standard. To resolve that deficiency, the applicant can propose to fund and/or construct improvements to provide an adequate level of service. Alternatively, the applicant can wait for the County, or another agency or developer to fund improvements to resolve the deficiency. However, growth projections do not appear to require capacity increases in the county road system in the 2022-2036 period.

Local Improvement Districts

A local improvement district (LID) (*RCW 35.43 to 35.56*) is a special assessment area established by a jurisdiction to fund specific public improvements, including transportation improvements, through mechanisms that assess those costs to benefitted property owners. LIDs could be formed to construct sidewalks, upgrade streets, improve drainage, or other similar types of projects. A LID may be in residential, commercial, or industrial areas or combinations depending on the needs and benefits. LIDs can be proposed either by the County or by residents or business/property owners. LIDs must be formed by a specific process which establishes the improvements, their costs, and assessments. The assessments are added to the property tax which helps to spread the costs over time. The amount of money generated through an LID has to be equal to or less than the special benefit generated by the project for the properties being assessed. Due to that funding limiter, this tool works only in certain situations and for certain projects, but if the right opportunity presents itself it could be a useful tool. Many of these situations hinge on development, so it is unlikely that it will be a large funding source for Skagit County moving forward.

Restructure Ferry System

Currently the County Board of Commissioners is considering several strategies for more closely managing the relationship between ferry revenues and expenditures. These ideas, documented in the Draft 2015 Fare Revenue Target Report, include:

- Establishment of an Enterprise Fund for the Ferry starting on January 1, 2016. The Enterprise Fund would account for all activities of the ferry, including revenues, operational and capital expenditures; or
- Implementation of a rate setting policy for the purposes of determining the appropriate fare structure based on a current methodology in place; or



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- The creation of a Ferry District per RCW 36.54.110 for Guemes Island and assessing 75 cents per \$1,000 in valuation. The proceeds of the assessment would be retained in the Ferry Enterprise fund for capital purposes including the eventual replacement of the current ferry. Estimated revenue from a Guemes Island Ferry District is just over \$200,000 per year.



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9.0 Intergovernmental Coordination

Intergovernmental coordination was formalized in 1967 through establishment of the Skagit Regional Planning Council (SRPC), the precursor to the Skagit Council of Governments (SCOG). SRPC was formed through an agreement between Anacortes and Skagit County with the founding agreement noting the need for regional communication, cooperation and coordination. Later in the 1960s and 1970s, all the other cities and towns of Skagit County joined the organization. Special purpose districts and the Swinomish Indian Tribal Community also joined SRPC and participated in regional planning.

In 1978, SRPC developed the first regional transportation plan for Skagit County. Many other plans and studies were developed by SRPC throughout the 1970s and 1980s for subjects ranging from economic development, housing, solid waste, transit and social services.

In 1980, SRPC's name was changed to the Skagit Council of Governments, the organizational name that continues to this day. The current focus of SCOG has narrowed from its broader roots, to transportation and economic development.

9.1 Legislation

Regional transportation planning was significantly impacted by the adoption of GMA in 1990. One of GMA's many requirements was the establishment of Regional Transportation Planning Organizations (RTPOs). In 1991, Skagit County jurisdictions joined with Island County jurisdictions to form the Skagit-Island Regional Transportation Planning Organization (SIRTPO). The SIRTPO existed from 1991 – 2015, until it was dissolved because it no longer met the member requirements for an RTPO. Upon its dissolution, SCOG became the RTPO for Skagit County and Island County is not currently part of an RTPO.

Another force impacting regional transportation planning in Skagit County was the designation of an Urbanized Area for areas surrounding Mount Vernon, Burlington and Sedro-Woolley following the 2000 decennial Census. This designation was the first time an area in Skagit County surpassed the 50,000 population necessary to qualify as an Urbanized Area and led to the creation of a Metropolitan Planning Organization (MPO) in Skagit County. The original boundaries for the MPO closely followed the city limits and urban growth areas for Mount Vernon, Burlington, and Sedro-



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Woolley. These boundaries were expanded in 2013 to encompass all of Skagit County to provide greater consistency in transportation planning and decision-making structures.

9.2 RTPO Structure and Process

The structure of the RTPO is integrated with the structure of the MPO, under SCOG as the umbrella organization. These structures were simplified in 2014 and 2015 to ensure the dual organizations function consistently, without overlapping decision-making authority.

SCOG has two governing bodies: the Transportation Policy Board (TPB) and the Board of Directors (BOD). The TPB guides the transportation function of SCOG, including all RTPO and MPO functions. The BOD directs many of the administrative functions of SCOG and economic development activities.

The TPB is advised by a Technical Advisory Committee (TAC) that is made of staffs of member jurisdictions, primarily public works and planning staffs. The TAC is an advisory committee to the TPB and does not have decision-making authority at SCOG. The TAC utilizes a subcommittee for bicycle-pedestrian issues called the Active Community Taskforce (ACT). Both the TAC and ACT are assisted by SCOG staff in their regular activities.

There are three distinct transportation-related activities of SCOG. These are regional transportation planning, regional transportation project selection processes and the regional transportation improvement program. These three activities are described in the following three sections.

9.3 Regional Transportation Planning

SCOG maintains two regional transportation plans: the regional transportation plan (RTP); and the coordinated public transit-human services transportation plan (HSTP). Both of these plans address a mixture of state and federal transportation planning requirements.

The 2011 RTP established the strategic framework for meeting the present and future transportation needs in Skagit and Island counties. The MRTP is usually updated every five years, but may be updated more often if necessary. The last update to the MRTP was in 2011 and the next update is anticipated in 2016. The 2016 MRTP update will be reduced in scope to Skagit County only, reflecting the boundaries of the MPO and the new boundaries of the RTPO



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established in 2015. As part of the 2016 MTRP update the SCOG updated the regional travel demand model that also be used by the County for the 2016 Comprehensive Plan update.

The 2014 HSTP was developed to address the transportation challenges experienced by special needs populations: the elderly, persons with disabilities and low-income persons. The HSTP is usually updated every four years, but may be updated more often if necessary. The last update to the HSTP was in 2014 and the next update is anticipated in 2018.

Skagit County worked collaboratively with the SCOG, WSDOT, and local jurisdictions, and other agencies in the development of the 2016 Transportation Element for the Comprehensive Plan Update.

Transportation Element Consistency Review Process

RCW 47.80.023 requires all transportation elements of local comprehensive plans to undergo a consistency review to ensure that they conform to the requirements of the GMA. The GMA states that this process is to be developed and administered by Regional Transportation Planning Organizations (RTPOs). SCOG serves as the Skagit Regional Transportation Planning Organization (SRTPO) and is charged with performing the consistency review.

The WAC's procedural criteria for adopting comprehensive plans (Chapter 365-195 WAC) reiterates sections of the RCWs and recommends further steps to meet the requirements.

The GMA requires SCOG to review the transportation elements in local comprehensive plans for conformity with the GMA.

Other City/County/WSDOT Coordination

The allocation of land use within Skagit County and local cities is based on Countywide Planning Policies, which provides consistency and coordination for land use assumptions and travel demands for neighboring jurisdictions. Based on Skagit County coordination with SCOG and local cities, most of the planned growth is expected within existing urban areas and therefore trips originating in rural Skagit County areas would have minimal impacts on neighboring cities and jurisdictions.

There are a variety of other transportation coordination activities that have taken place in Skagit County over the past several years. These relate primarily to WSDOT and Federal Highway



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Administration projects and programs, and in most cases, the County has taken a lead role in this coordination.

Coordination of Level of Service (LOS) Standards

An important issue to all jurisdictions doing GMA planning is the coordination of LOS standards with other jurisdictions in the area. The specific requirement from the GMA is that level of service standards for transportation facilities "*should be regionally coordinated*". One of the purposes for this coordination is to help ensure that the region maintains an interconnected transportation system which does not have severe changes in quality of facility at jurisdictional lines. Another is to help ensure that each jurisdiction is doing its appropriate share in the maintenance and improvement of the overall system. In Skagit County, like in most other counties, the issue is most important in the Urban Growth Areas.

The individual road LOS standard used for concurrency, LOS C based on the HCM, is similar to the standards used by the State and cities in the Skagit County. For instance, the LOS standard for rural state highways is HCM LOS C, exactly the same as the County's. For specific intersection projects, the County uses standard HCM LOS methodology and standard warrants analysis as do the cities and the State. All the cities use HCM methodology, but with differing standards. In general, there is consistency between the County's individual road LOS standard and the LOS standards of the other local agencies. Also, the County uses the same construction standards as other agencies in the area for major reconstruction projects.



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10.0 Referenced Plans

1. Skagit 2040 (SCOG Regional Transportation Plan)
2. WSDOT Freight Mobility Plan
3. WSDOT Rail Plan
4. Skagit County Comprehensive Parks and Recreation Plan
5. 2014 Guemes Island Ferry 14-year Capital Plan
6. 2013 or 2014 Guemes Island Operations Plan
7. 2013 Concurrency Report
8. 2016-2021 6-year TIP
9. 2014 County Road Inventory
10. 2014 Private Road Inventory
11. WSDOT Long-range Ferry Plan
12. WSDOT Long-Range Statewide Transportation Plan
13. WSDOT Bicycle Transportation and Pedestrian Walkways Plan
14. WSDOT Statewide Public Transportation Plan (under development)
15. Island & Skagit Counties Coordinated Public Transit – Human Services Transportation Plan Update
16. Skagit Transit Development Plan 2014-2019
17. WSDOT Ferries Division Final Long Range Plan 2009



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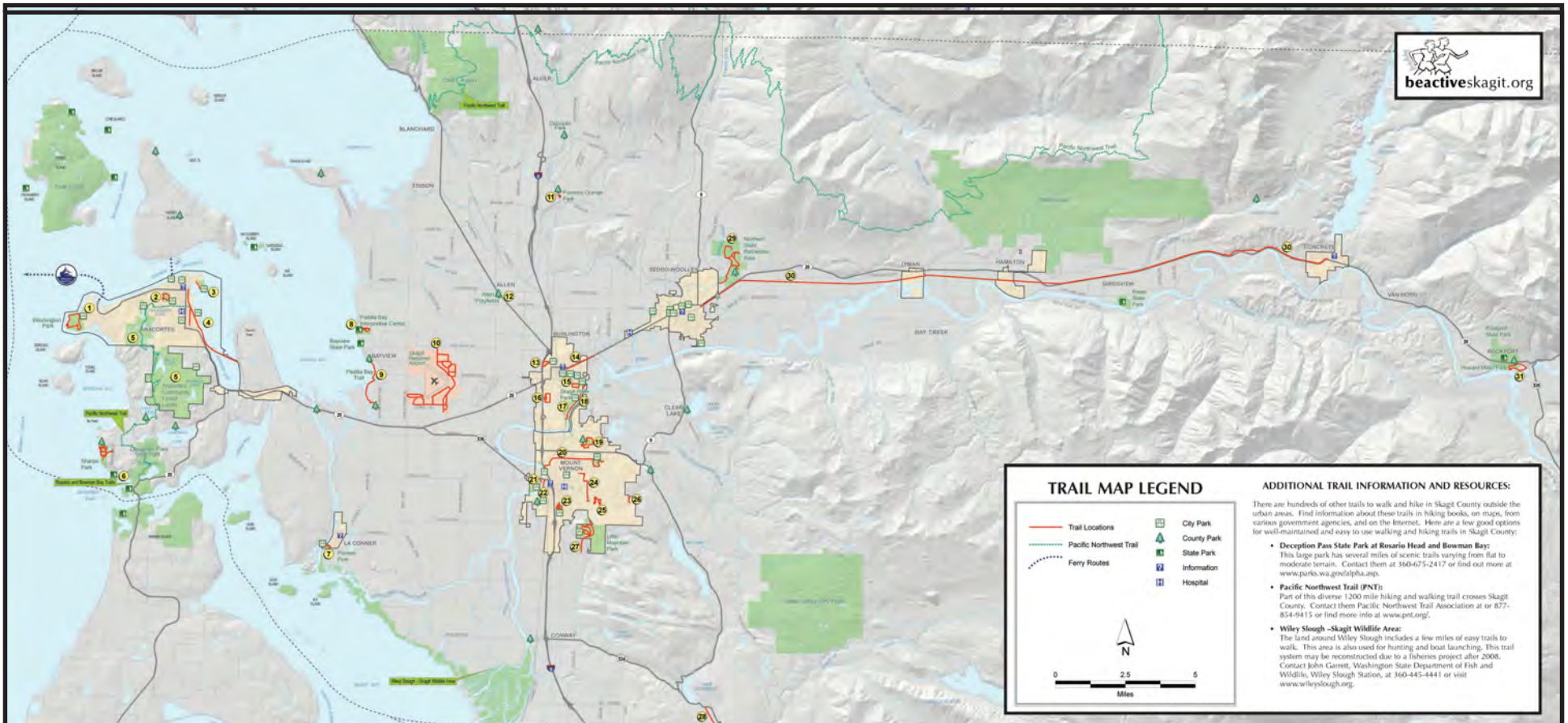
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11.0 Maps

1. Existing Transportation Network (east and west)
2. FGTS Network (sheets 1-3)
3. Existing Bicycle Network
4. Existing Walking Trail Network

Appendix A3: Regional Network Map



Source: Skagit County GIS, 2008

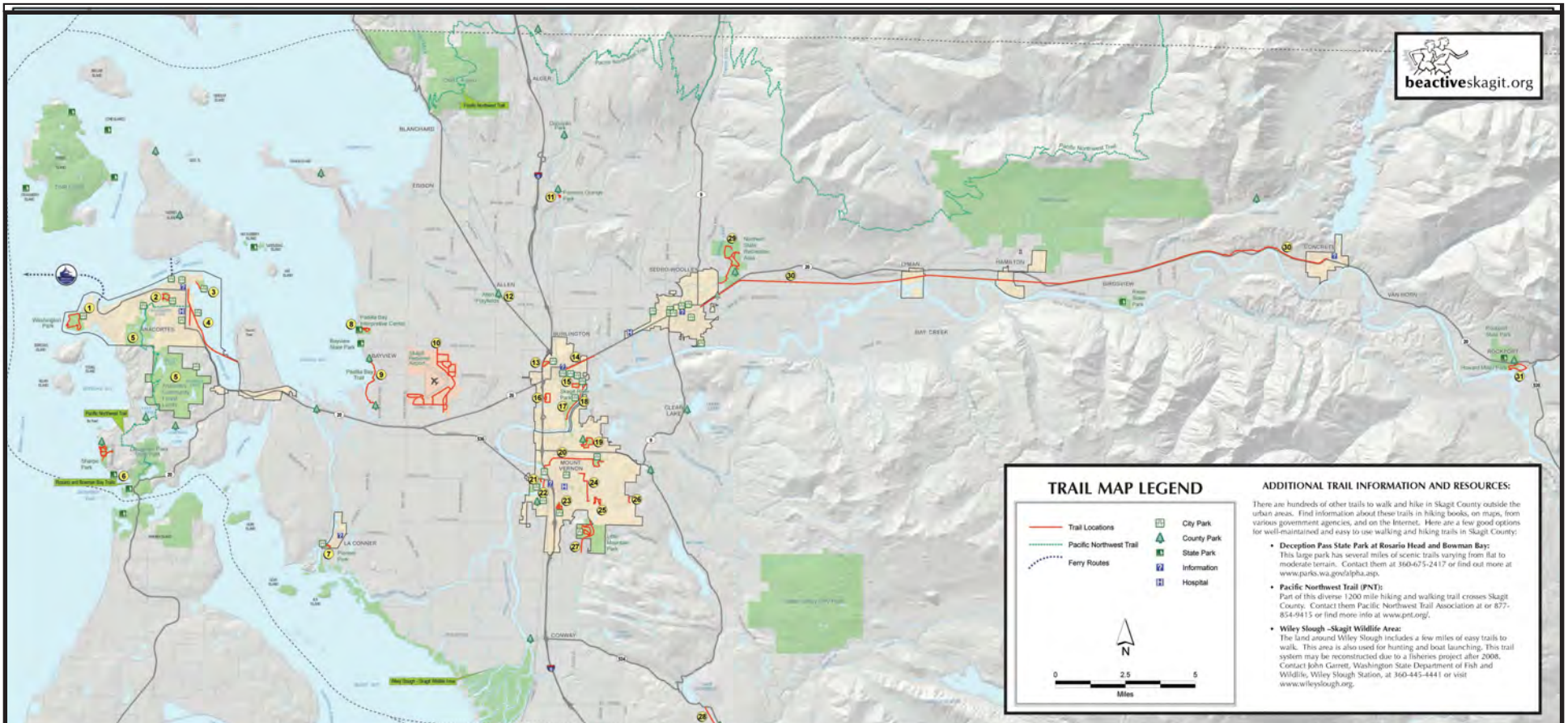


Source: Skagit County GIS, 2016



Source: Skagit County GIS, 2008

Appendix A3: Regional Network Map



Source: Skagit County GIS, 2008



Source: Skagit County GIS, 2018



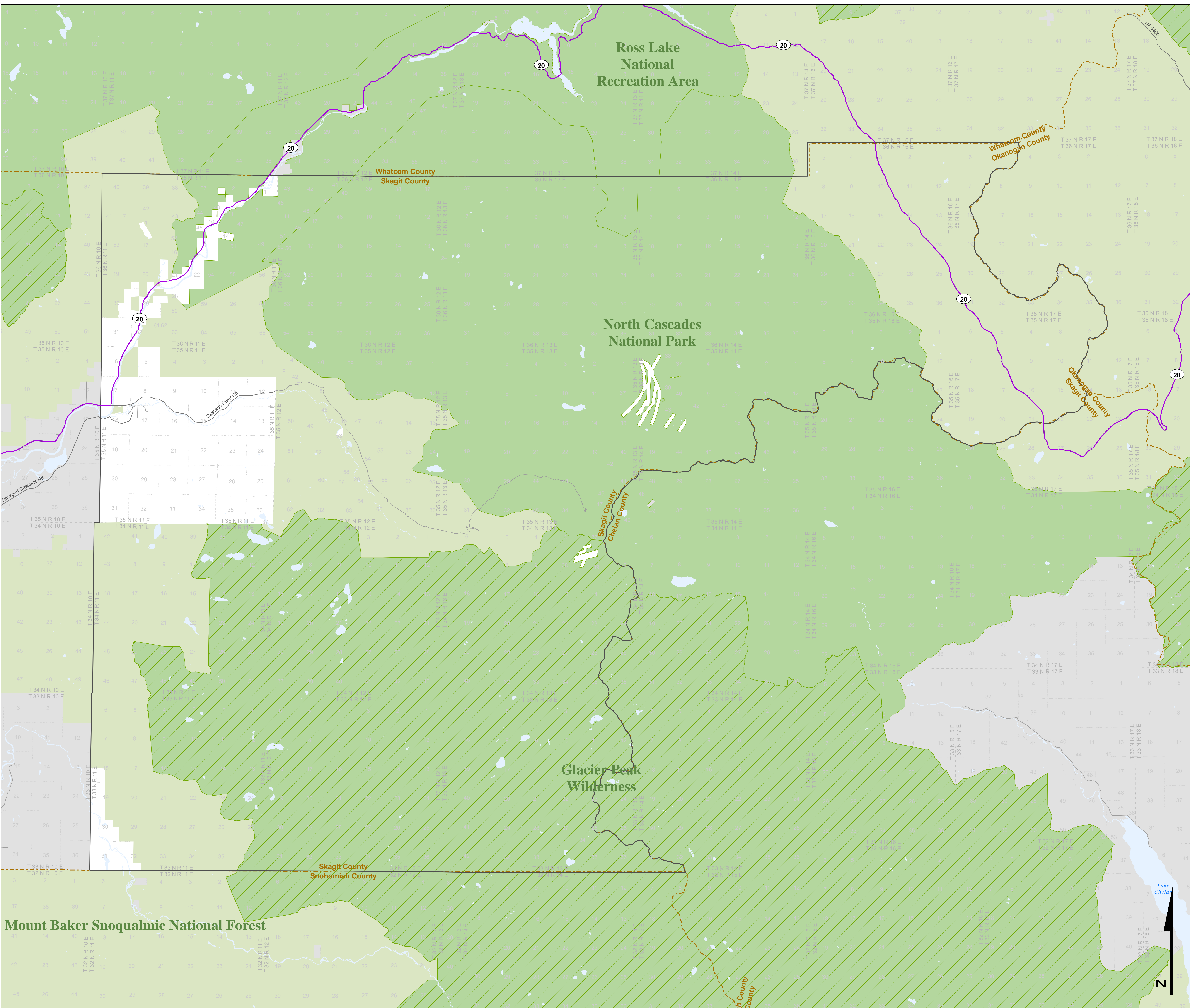
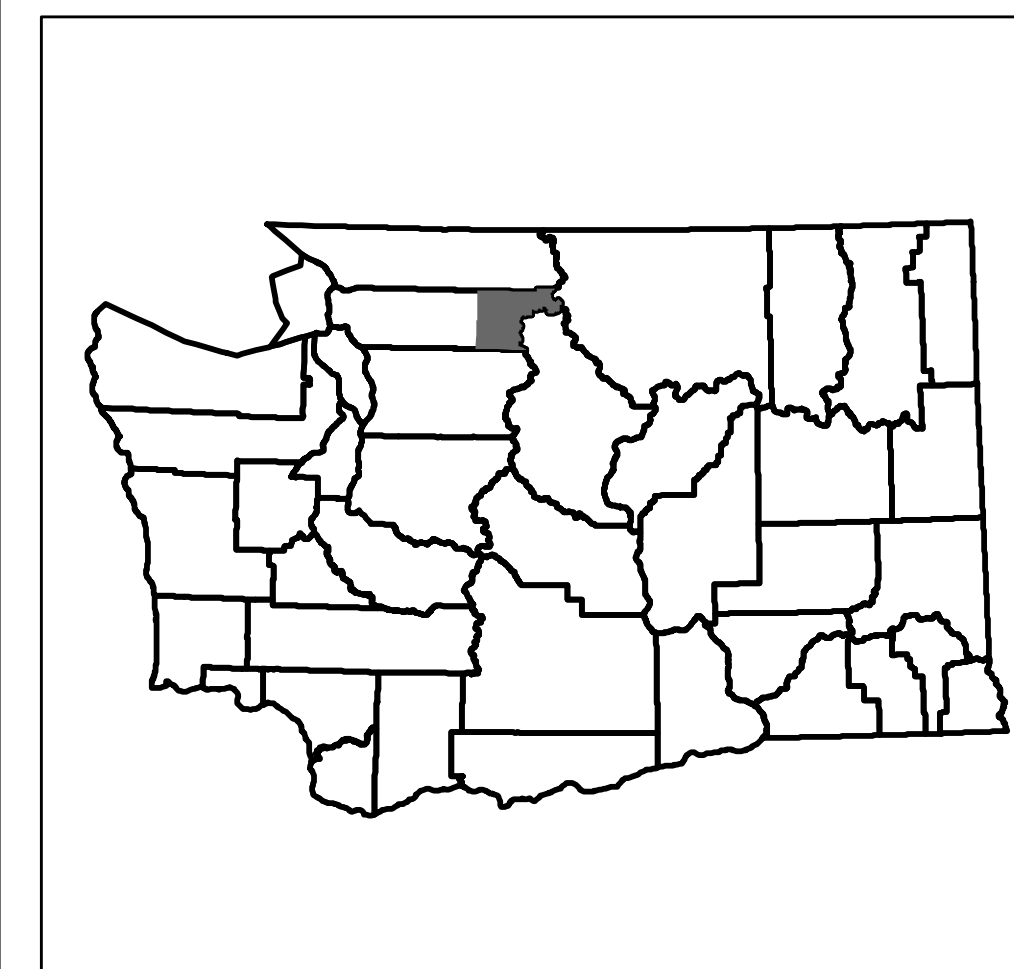
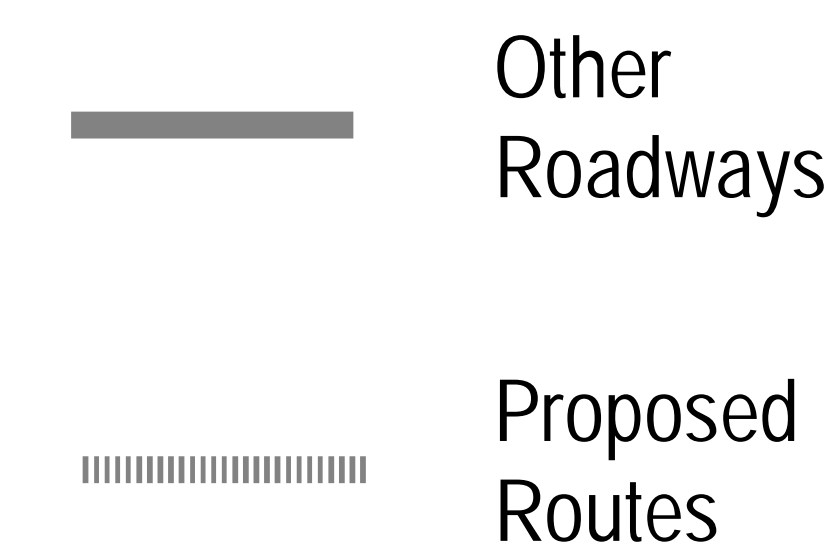
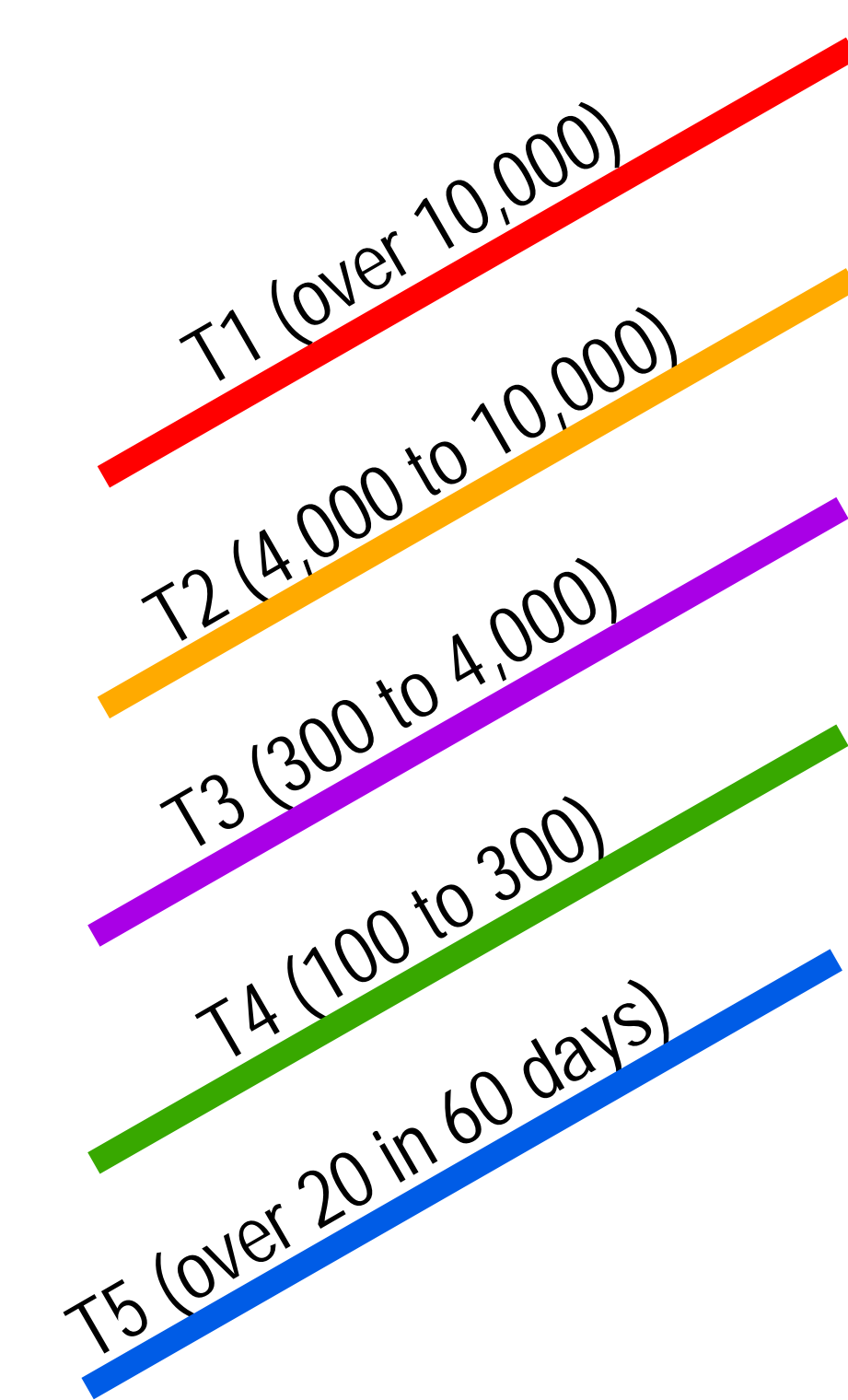
Source: Skagit County GIS, 2008

Freight and Goods Transportation System

Roadways 2013

WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

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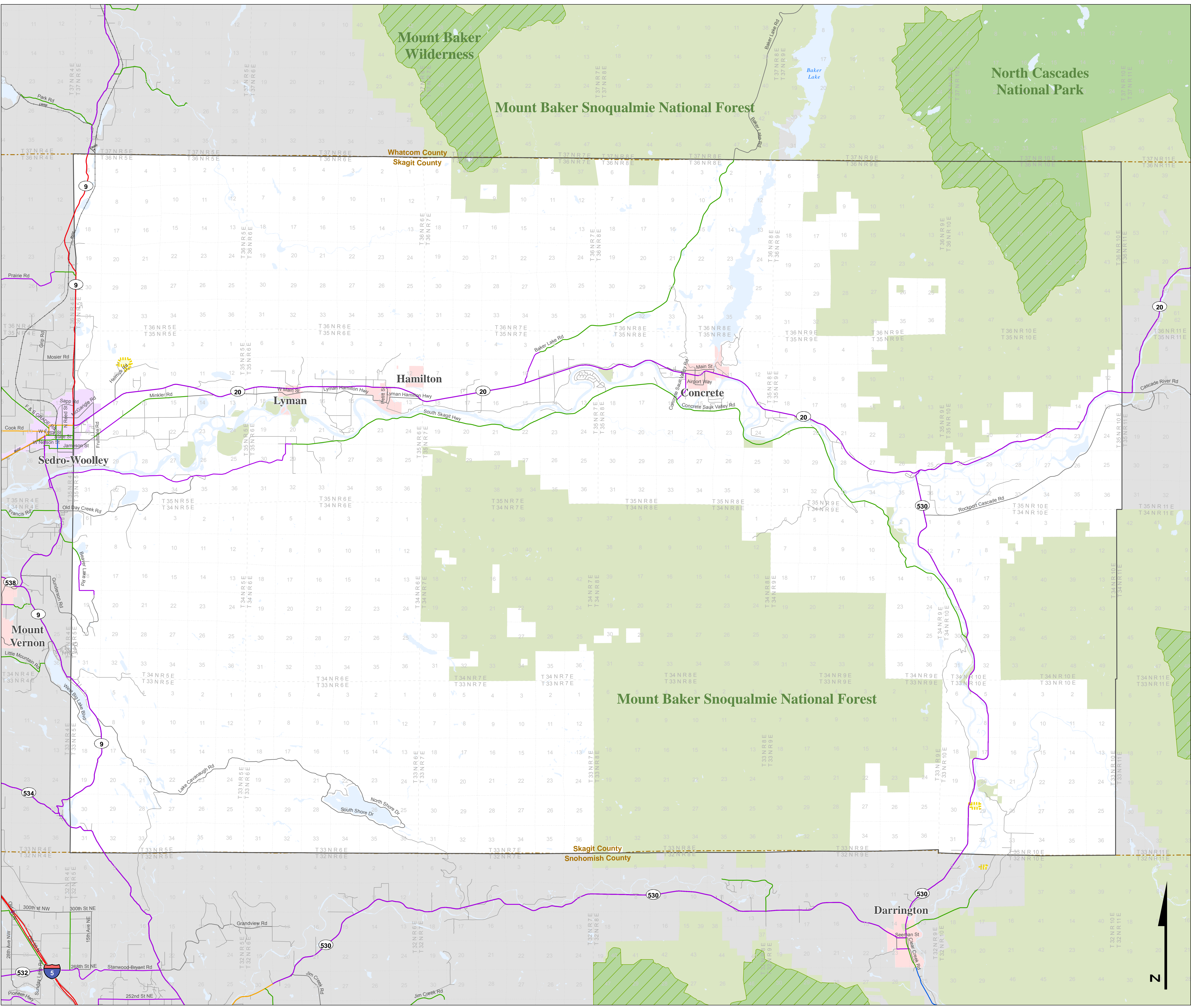
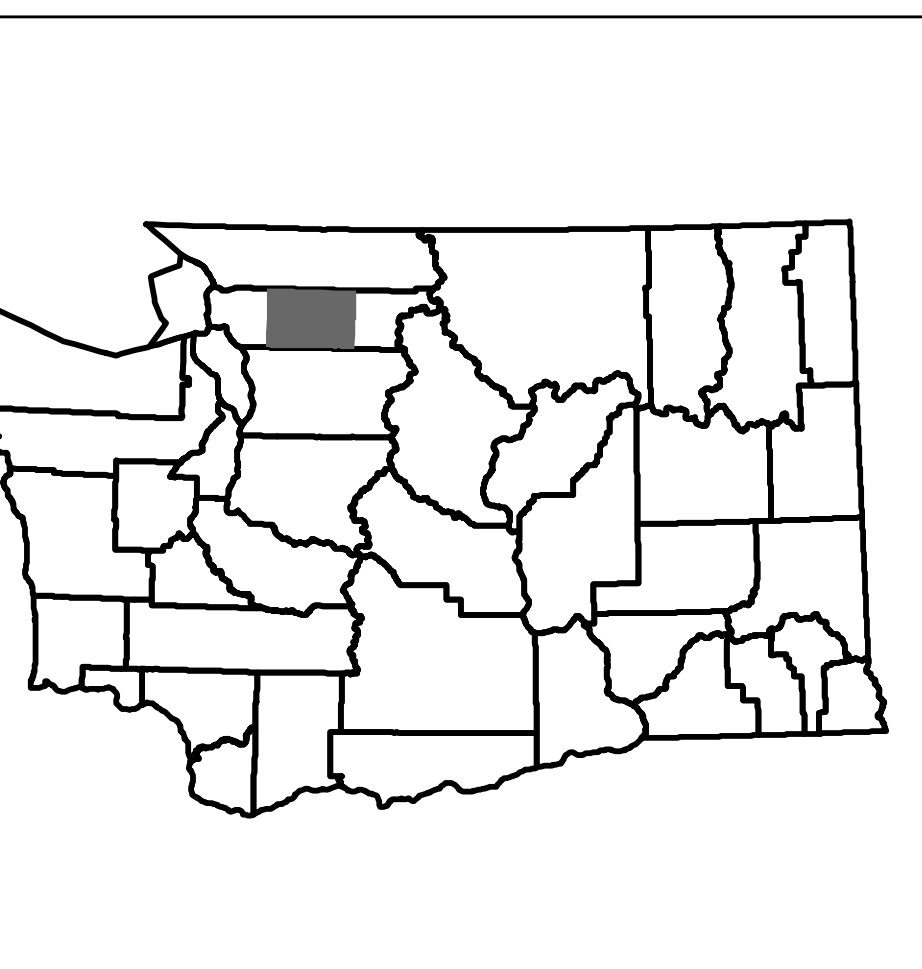
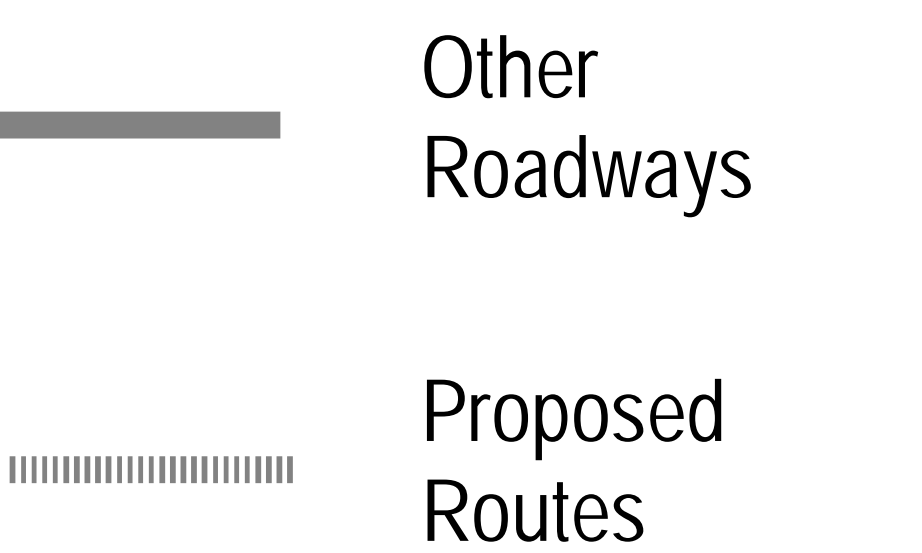
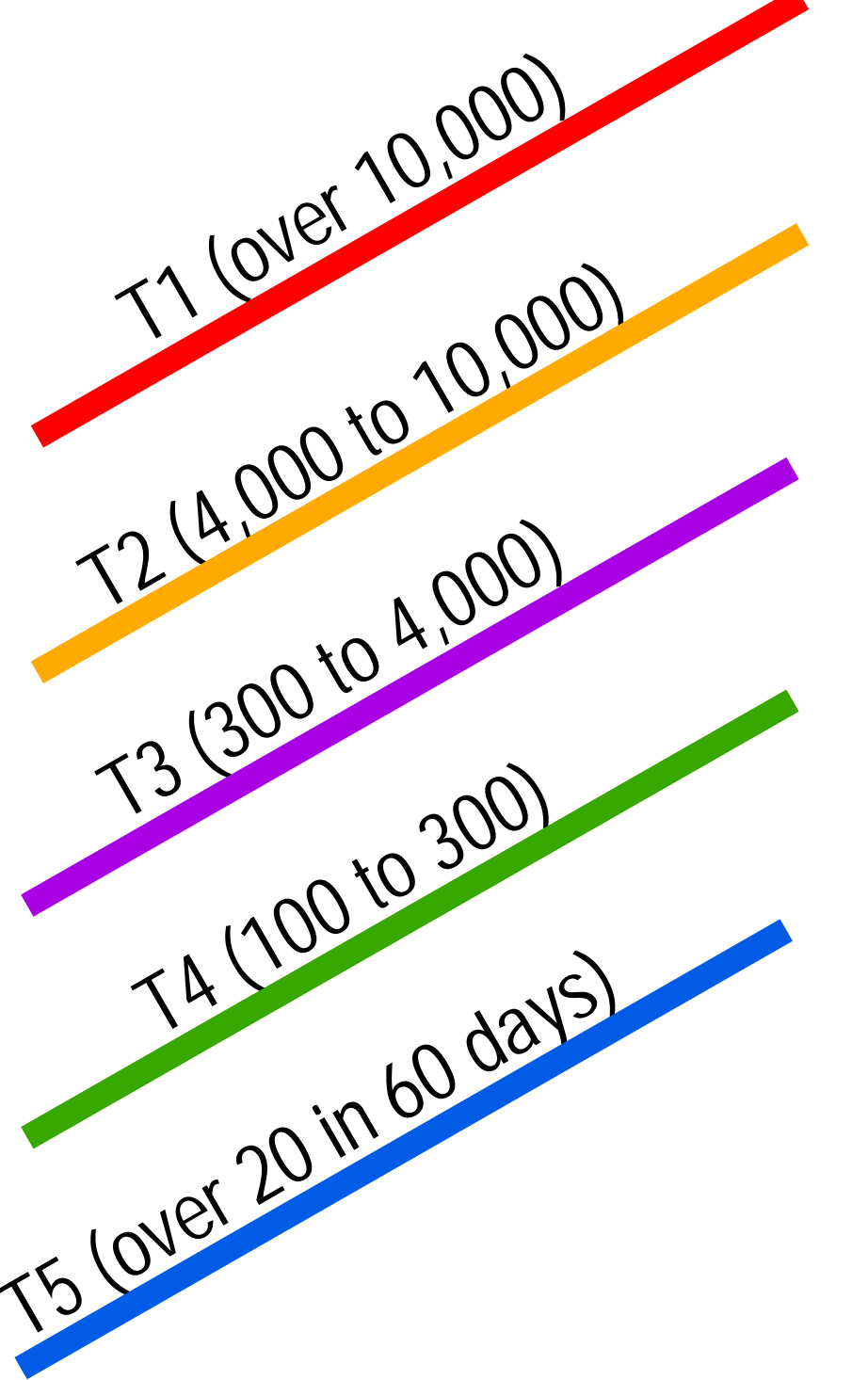


Freight and Goods Transportation System

Roadways 2013

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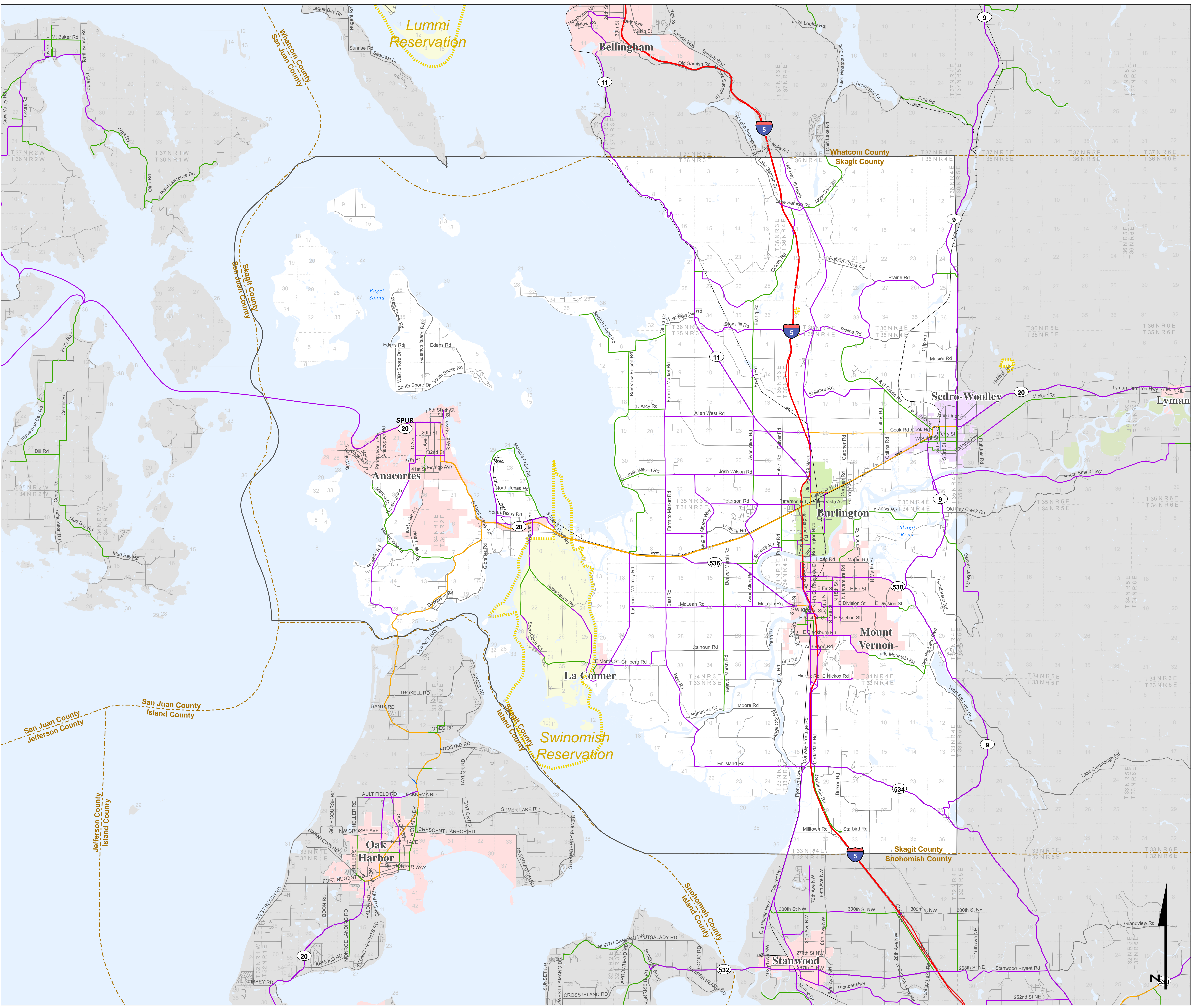
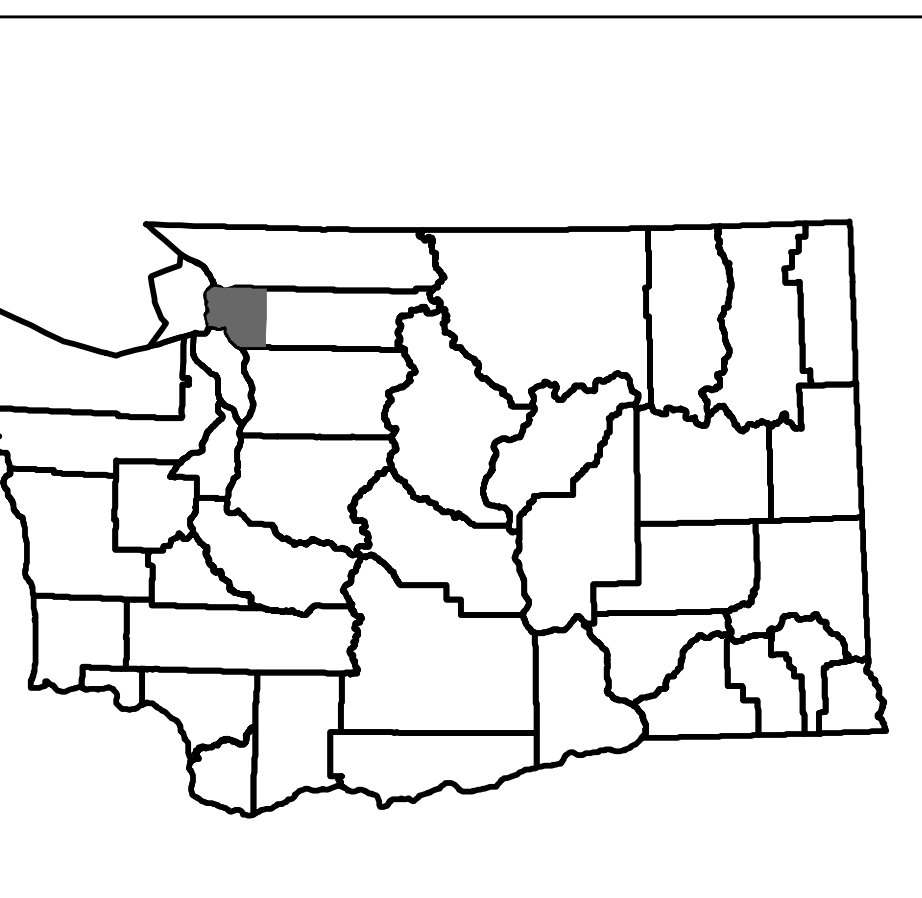
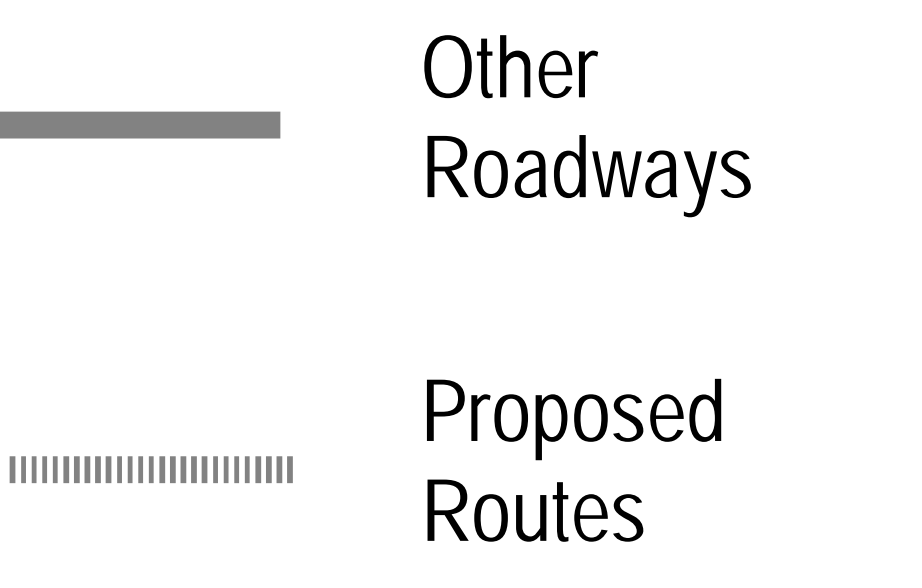
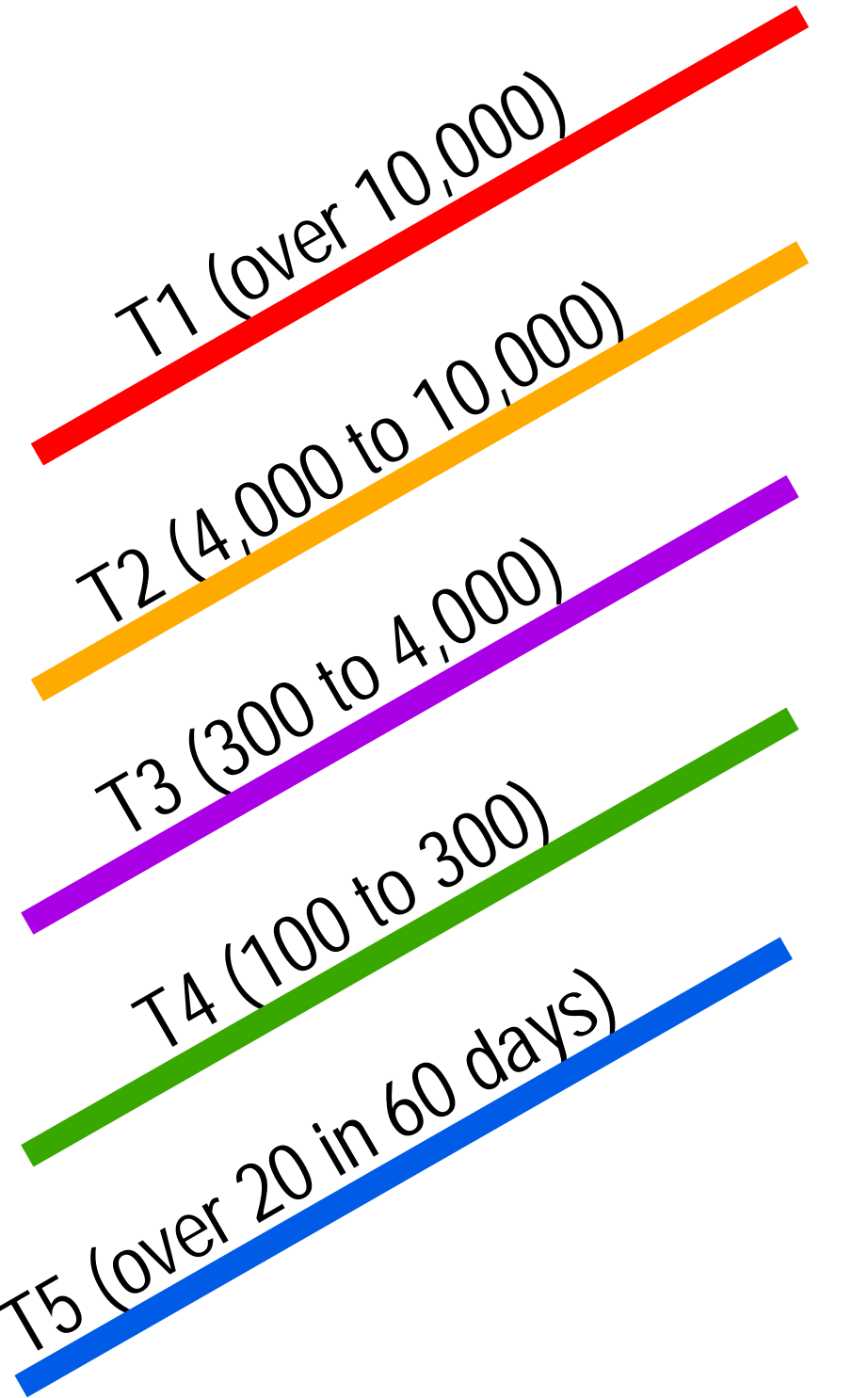


Freight and Goods Transportation System

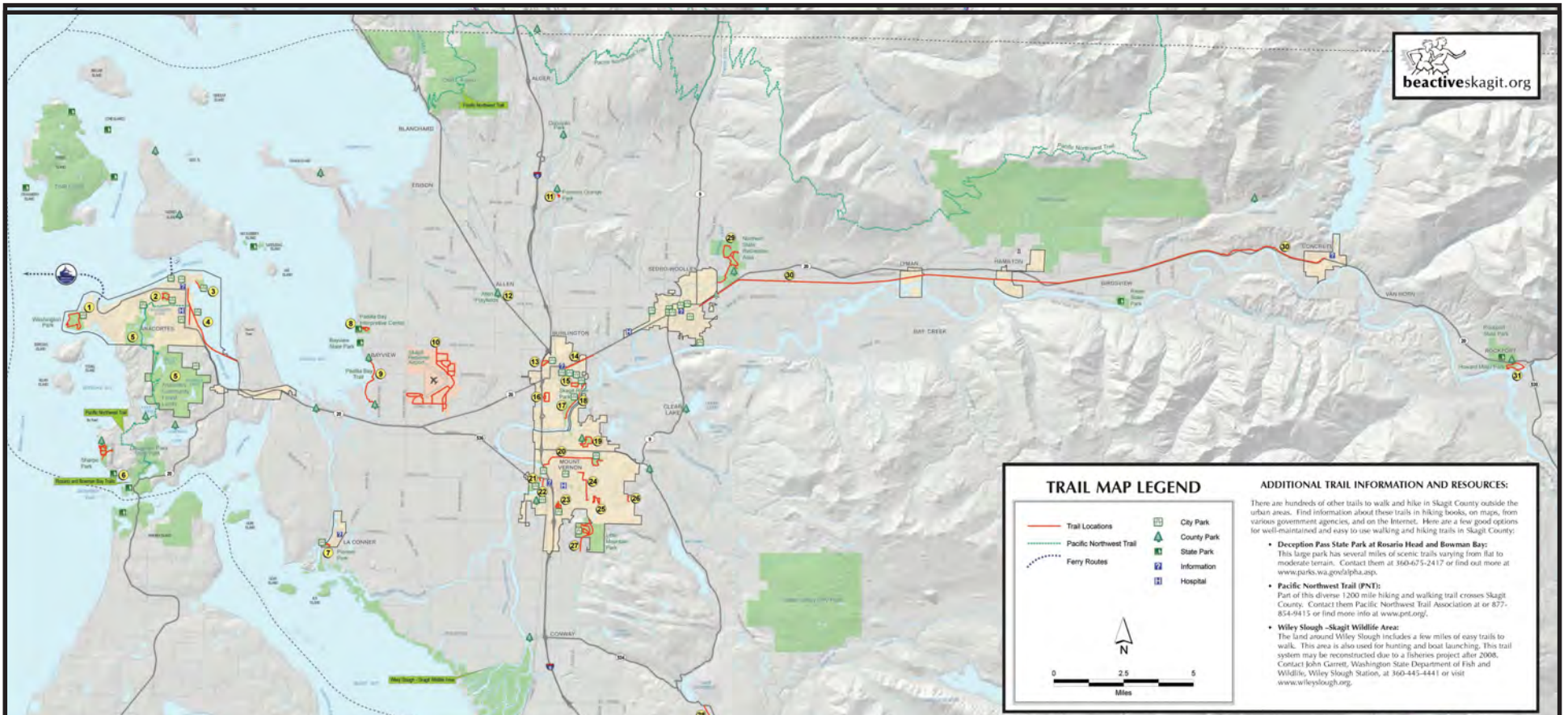
Roadways 2013

WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

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ANNUAL TONS
(in thousands)

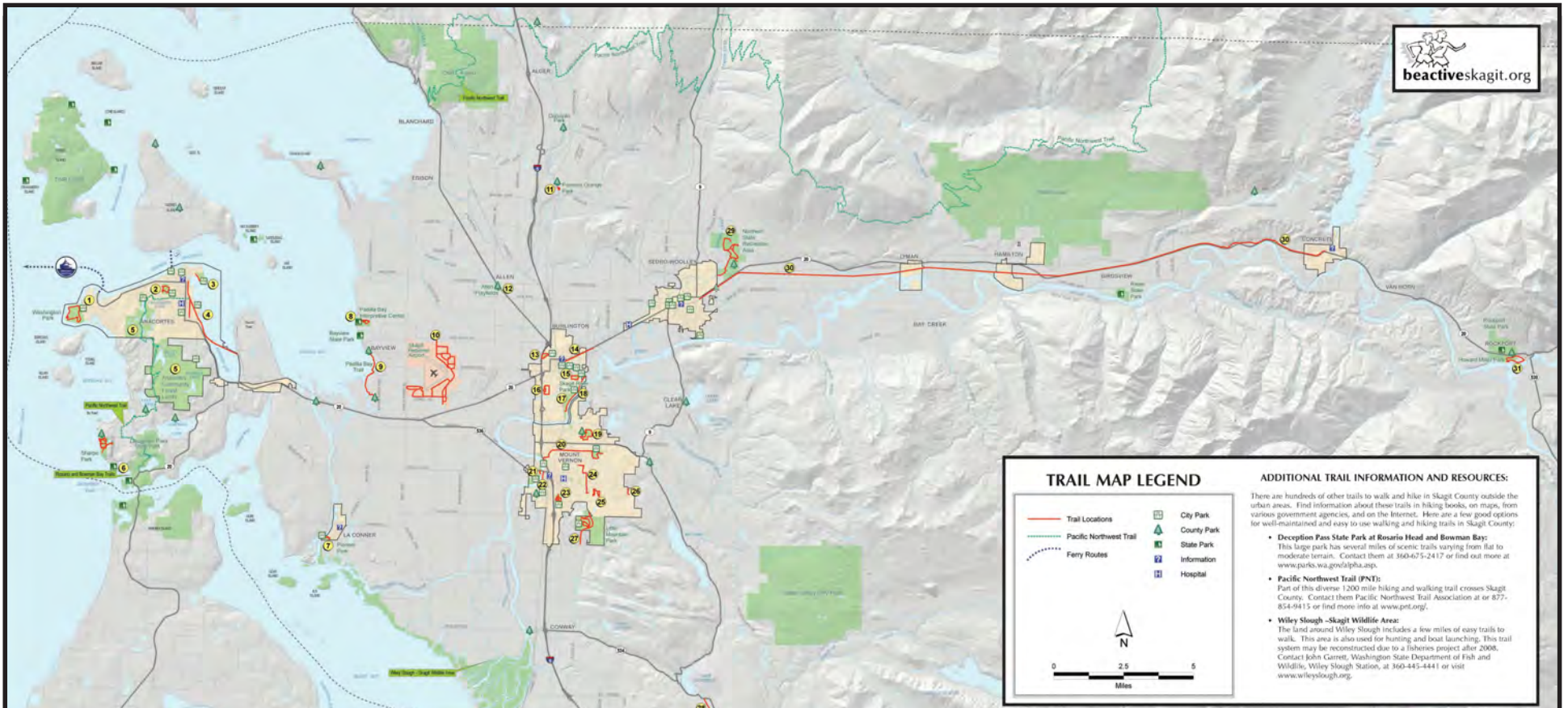


Appendix A3: Bicycle Network Map



Source: Skagit County GIS, 2008

Appendix A3: Bicycle Network Map



Source: Skagit County GIS, 2008

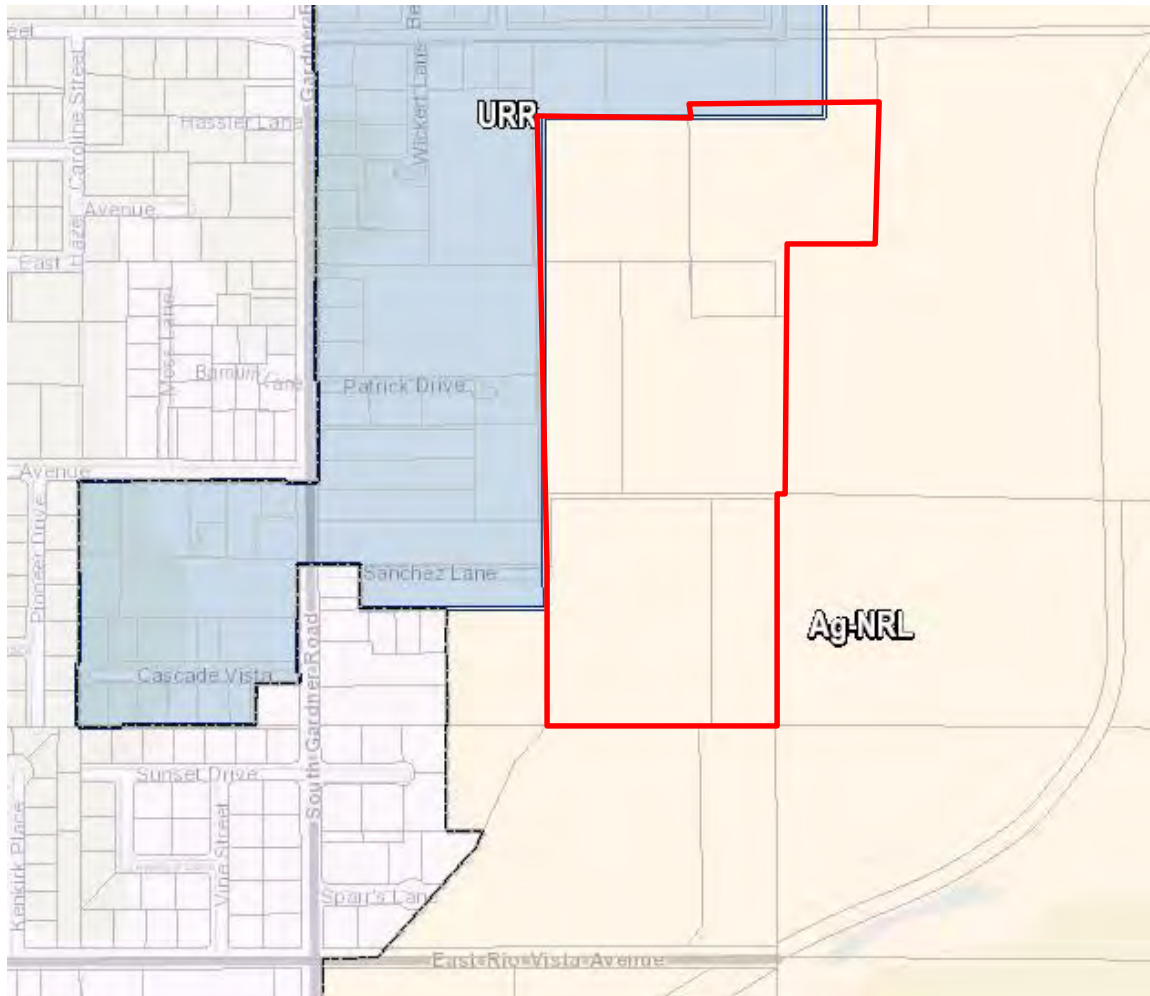


Source: Skagit County GIS, 2008

Attachment 3 Amendments to the Comprehensive Plan Land Use/Zoning Map

Burlington UGA

The parcels within the red boundary shown on the map below are re-designated UGA. These parcels are zoned Burlington-Urban Development District (B-UD) per SCC 14.16.225 upon Burlington's adoption of a Comprehensive Plan map designation for the area.



Affected parcels: 62437, 62504, 62517, 62518, 62519, 126054, and 126057

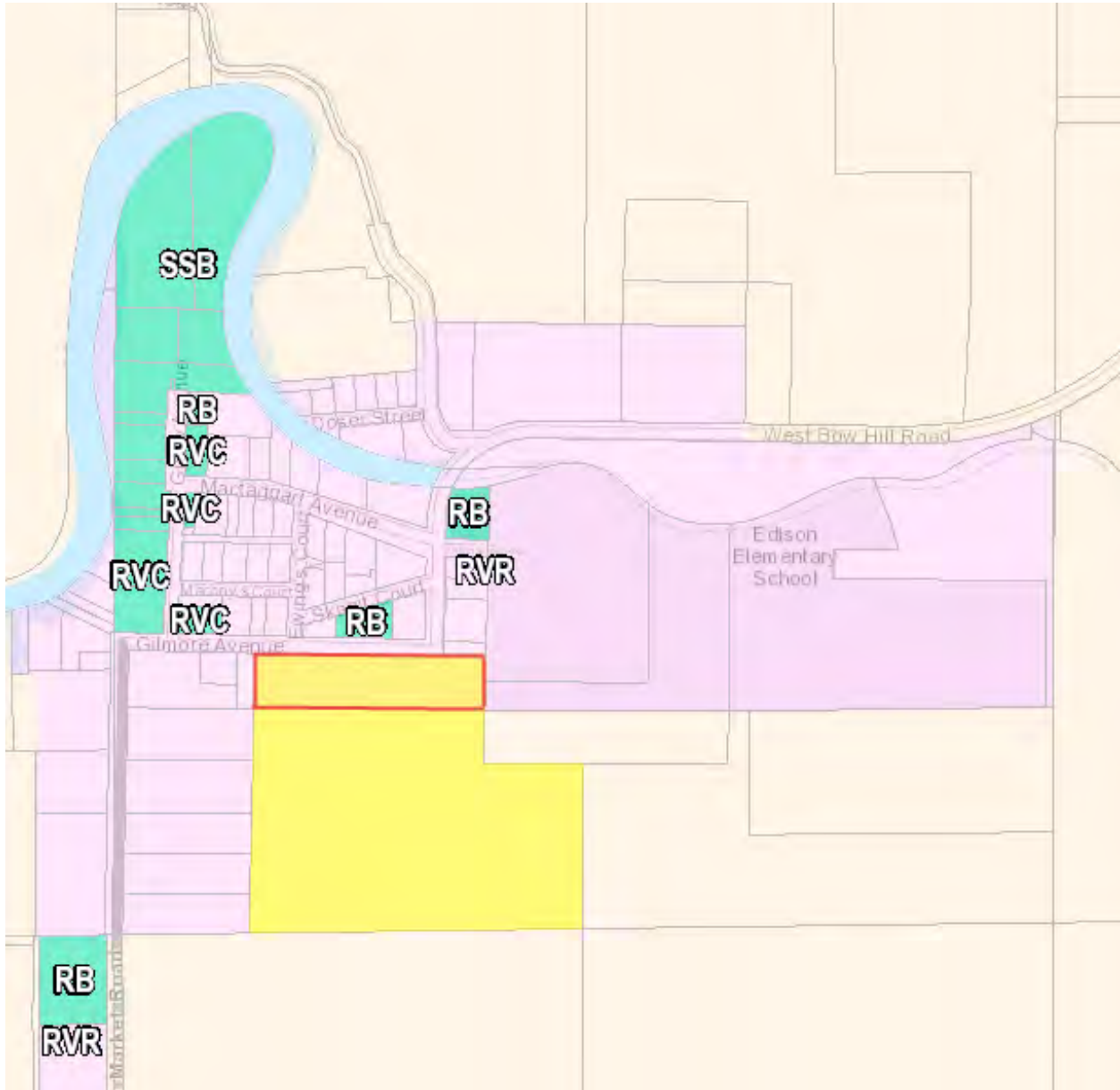
Concrete Concepts (Edison)

Map of Edison with parcel P72958 highlighted in yellow. Parcel is redesignated from Rural Village Residential to Rural Village Commercial.



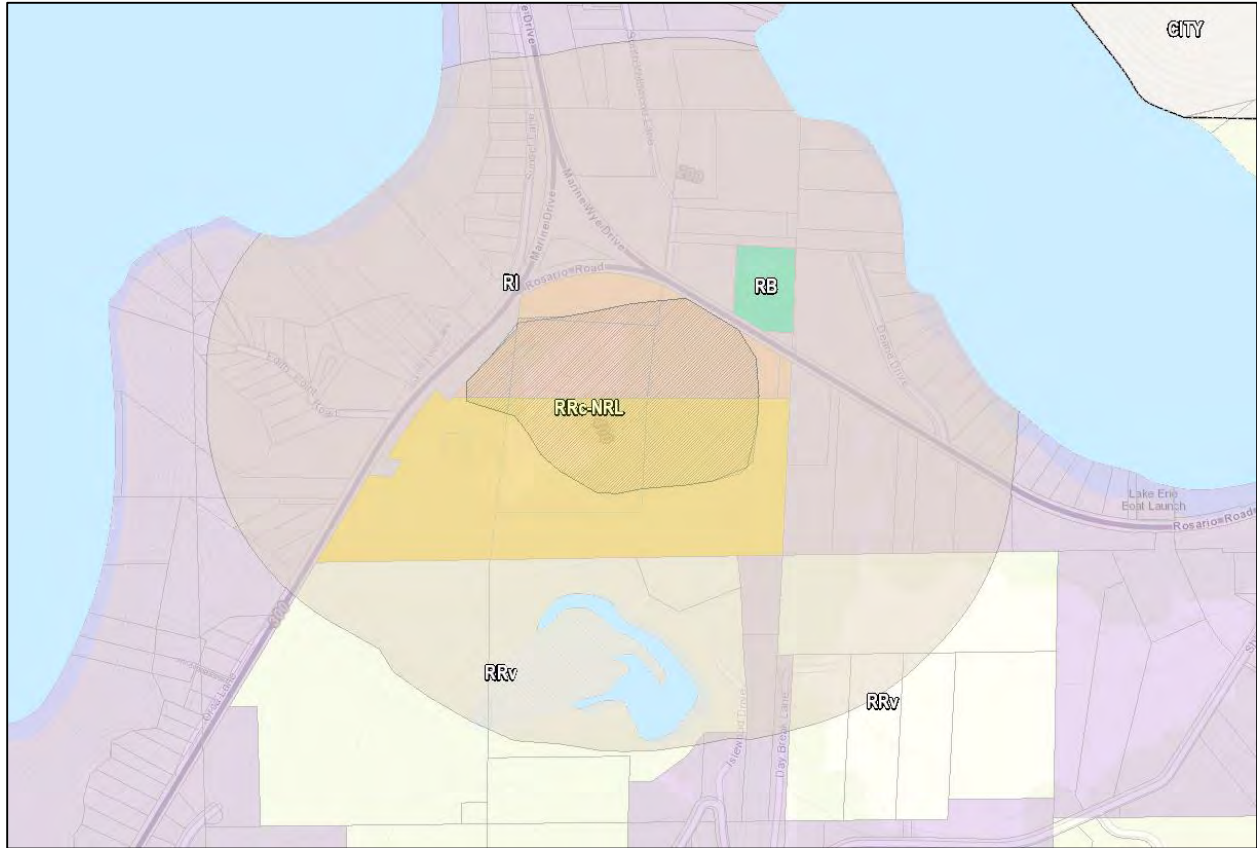
Edison Granary (Edison)

Map of Edison with parcel P48536 highlighted in yellow; the portion of parcel P48536 that is currently designated Rural Village Residential (bordered in red) is redesignated to Rural Village Commercial.



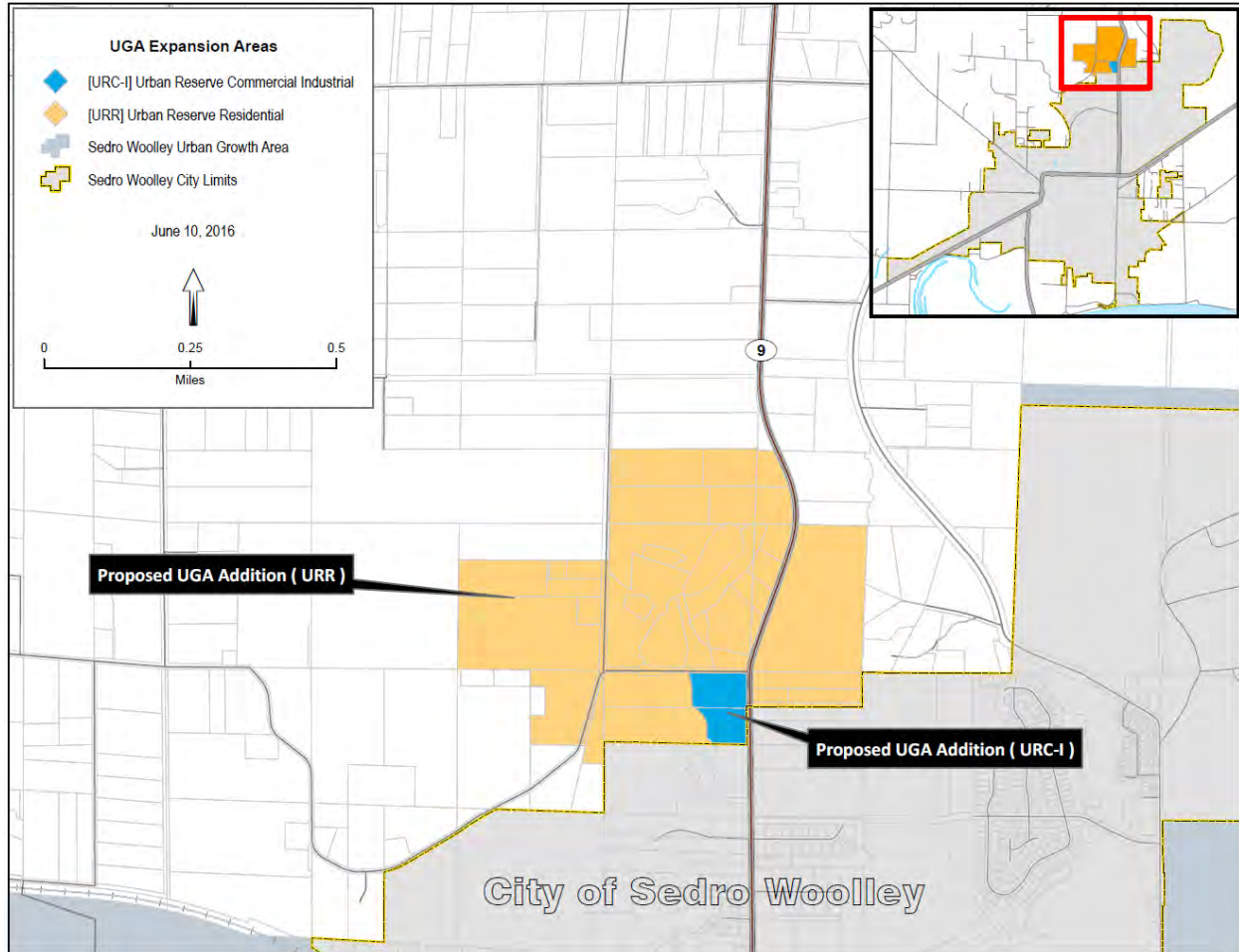
Lake Erie Trucking (South Fidalgo)

Map of area with existing MRO, center, in crosshatch. MRO is expanded to entirety of parcels P19158, P90028, P19165, and P19164 highlighted in light orange.



Sedro-Woolley Northern UGA

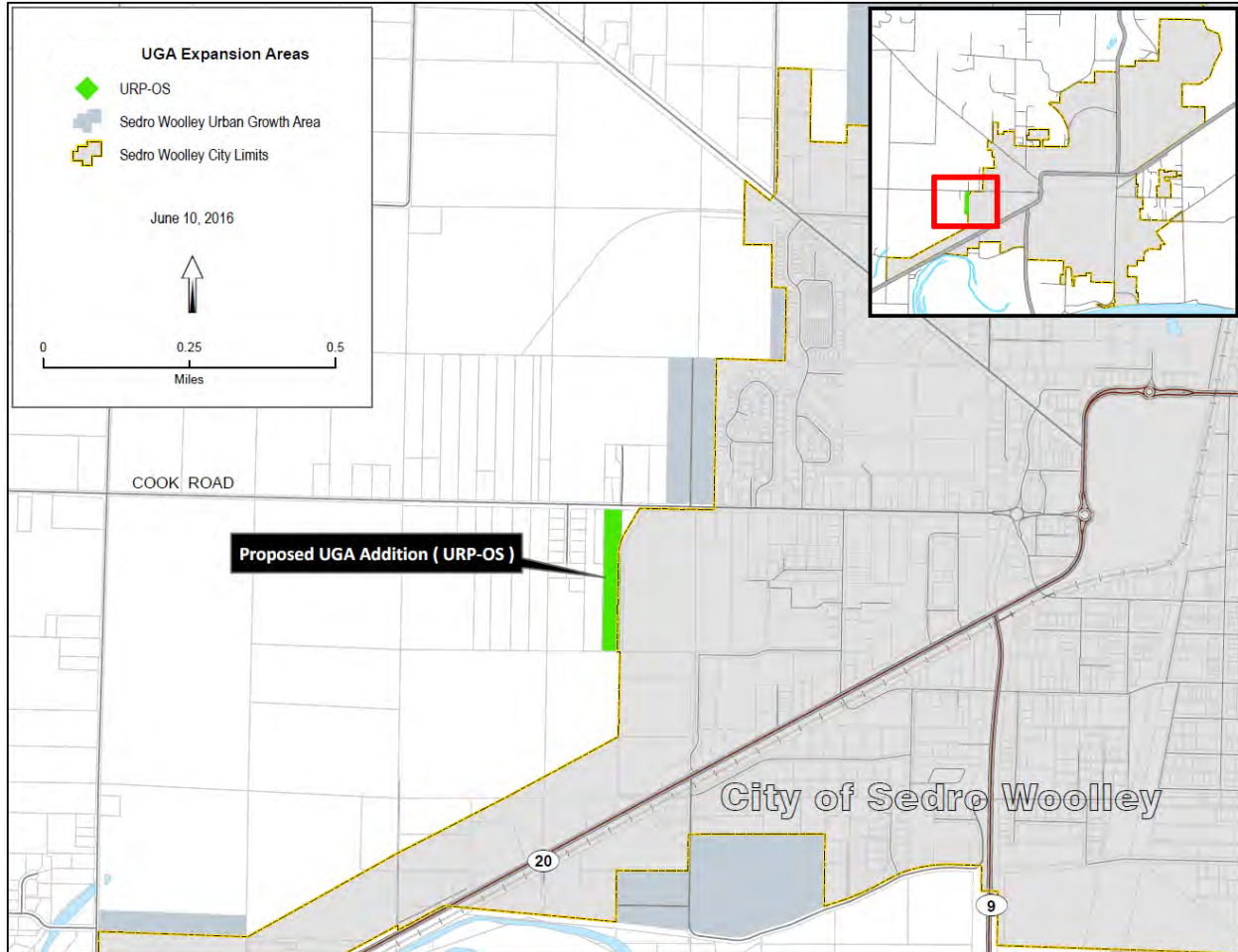
The 149.3 acres shown in orange below is added to the UGA and designated Urban Reserve Residential. The 6.5 acres shown in blue below is added to the UGA and designated Urban Reserve Commercial Industrial. The total acreage is 155.8.



Affected parcels: P118146; P36323; P36324; P36325; P38599; P36234; P38612; P38616; P38611; 36226; P38610; P38605; P36228; P36244; P36232; P36242; P38606; P39314; P39315; P39320; P39319; P39339; P120877; P118284; P36348; P36233; P36241; P125302; P36341; P36342; P36346; P36347; P36343; P36344; P36419; P126554; P36399 (sliver); P36413 (portion URC-I); P36414 (portion URC-I).

Sedro-Woolley Western UGA

Parcel P37311 shown in green below (about 4.3 acres) is added to the UGA and designated Urban Reserve Public Open Space.



Attachment 4
Amendments to the Countywide Planning Policy 1

1. Urban Growth

Encourage urban development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

- 1.1 Urban growth shall be allowed only within cities and towns, their designated UGAs and within any non-municipal urban growth areas already characterized by urban growth, identified in the County Comprehensive Plan with a Capital Facilities Plan meeting urban standards. Population and employment commercial/industrial land allocations for each UGA shall be consistent with those allocations shown in Appendix A, the following table:

Urban Growth Areas	Residential Population (2025)	Commercial/Industrial Land Allocations (New)
Anacortes	48,300	558
Bayview Ridge ¹	5,600	750
Burlington	42,000	242
Concrete	4,350	28
Hamilton	450	60
La Conner	950	2
Lyman	550	0
Mount Vernon	47,900	959
Sedro Woolley	45,000	278
Swinomish	3,650	0
Urban Growth Area Total²	105,750	2,877

¹The residential population has been placed in a reserve category until the completion of the Bayview Ridge subarea plan. At that time, it will either be accommodated in the proposed Bayview Ridge UGA, reallocated to other UGAs, or a combination thereof. The Port of Skagit County has 258 acres of the designated commercial/industrial properties. A sub-area plan and implementing regulations were adopted for the Bayview Ridge UGA; the urban standards set forth in this plan/regulations for roads, sewer, and stormwater shall meet or exceed those in effect in the City of Burlington on April 1, 1999. Police and Fire services shall, at a minimum, meet the requirements of CPP 1.7.

²The projected 2025 population for the remainder of Skagit County, outside of Urban Growth Areas, is 43,330. Adding that to the Urban Growth Area total cited above results in a total County population of 149,080. The Growth Management Act does not require a commercial/industrial land allocation for the rural area.

- 1.2 Cities and towns and their urban growth areas, and non-municipal urban growth areas designated pursuant to CPP 1.1, shall include areas and densities sufficient to accommodate as a target 80% of the county's 20 year population projection.
- 1.3 Urban growth areas shall provide for urban densities of mixed uses and shall direct development of neighborhoods which provide adequate and accessible urban governmental services concurrent with development. The GMA defines urban governmental services as those governmental services historically and typically delivered by cities, ~~and including~~ 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 nonurban areas.
- 1.4 Urban growth areas shall include greenbelts and open space, and encourage the preservation of wildlife habitat areas.
- 1.5 Cities shall encourage development, including greenbelt and open space areas, on existing vacant land and in-fill properties before expanding beyond their present corporate city limits towards urban growth boundaries.
- 1.6 Annexations beyond urban growth areas are prohibited.
- 1.7 The baseline for 20-year countywide population forecasts shall be the official Growth Management Act Population Projections from the State of Washington's Office of Financial Management. The Growth Management Act Technical Advisory Committee ("Planners Committee") shall recommend the process for allocating forecasted population and employment, which shall be cooperatively reviewed by the Growth Management Act Steering Committee (GMASC), consistent with the "2002 Framework Agreement." Final growth allocations will be ratified by each government's legislative body. The growth allocation process shall use the procedures in Appendix B, which calls for the following steps:
- a. Initial Growth Allocations;
 - b. Reconciliation;
 - c. Long Term Monitoring; and
 - d. Allocation Adjustment
- 1.8 The County and cities/towns shall use consistent land capacity analysis methods as approved by the GMASC to determine the amount of undeveloped buildable urban land needed. The inventory of the undeveloped buildable urban land supply is to be maintained by Skagit County in a Regional GIS database.
- 1.9 The County and cities/towns will establish a common method to monitor urban development to evaluate the rate of growth and maintain an inventory of the amount of buildable land remaining. The Planners Committee shall develop a monitoring process, prepare annual monitoring reports and present the reports to the Growth Management Act Steering Committee annually.
- ~~1.7 Development within established urban growth boundaries shall, as a minimum,~~

~~conform to those urban development standards in effect within the respective municipality as of April 1, 1999. Bayview Ridge UGA urban standards for roads, sewer, and stormwater shall meet or exceed those in effect in the City of Burlington on April 1, 1999. UGAs with populations of over 1500 or a Commercial/Industrial land allocation (new) over 100 acres shall have, as a minimum, the following levels of urban law enforcement and fire service levels:~~

Law Enforcement:

~~One commissioned law enforcement officer per 1,000 population served or per 100 acres of developed commercial or industrial property, whichever is the higher number.~~

Fire:

~~Urban fire level of service standard for Urban Growth Areas are as follows:~~

~~1. For Cities and their adjacent Urban Growth Areas, an ISO grading of 5 or better shall be maintained; otherwise 2. Within 5 minutes of being dispatched, the Fire Department shall arrive and be able to deliver up to 200 gallons per minute fire flow in an offensive (interior) attack, with a minimum of 4 firefighters, for responses to: structural fires, vehicle fires, other outside fires, motor vehicle accidents, activated fire alarm systems, or other hazardous conditions. The Fire Department shall also be capable of delivering a minimum of Basic Life Support including defibrillation, with a minimum of one First Responder or Emergency Medical Technician, for medical responses.~~

~~Within 10 minutes of being dispatched, the Fire Department shall be able to support the interior structural fire attack with teams which may include: a ventilation team, a search & rescue team, a team for a backup line, and standby firefighters, totaling between 8 and 12 firefighters on scene. The Fire Department shall also be capable of providing Heavy Rescue capability, including heavy hydraulics, at Motor Vehicle Accidents.~~

~~Within 20 minutes of being dispatched, the Fire Department shall be capable of delivering 1500 gallons per minute fire flow in a sustained defensive attack mode for structural fire responses. For buildings larger than 10,000 square feet, the Fire Department shall be capable of delivering 2000 Gallons per Minute, and shall have an elevated master stream capability.~~

~~These requirements shall be met for 90% of all incidents.~~

~~Mutual aid requested under the Mutual Aid Contract may be used to provide relief to the initial operating crews, but shall not be used to provide initial attack capability, support functions, or sustained attack capability. This does not preclude automatic aid agreements under separate contract which does provide these capabilities or functions from other agencies.~~

~~Times are considered to be "Response Time," which shall be measured by the sum of turnout time (the time from dispatch until the first arriving unit is enroute to the incident), plus travel time. Dispatch time shall be allocated a maximum of 1 additional minute which is measured from the time the 9-1-1 call is received until the fire department is dispatched.~~

~~All operations shall be conducted in compliance with state and federal regulations, including training requirements for firefighters, and maintenance requirements for equipment and apparatus.~~

~~All commercial and industrial facilities shall be inspected for compliance with the Uniform Fire Code at least annually. Water systems shall be installed in accordance with the Skagit County Coordinated Water System Supply Plan, with a fire flow meeting the requirements of the Uniform Fire Code~~

1.108 All growth outside the urban growth boundary shall be rural in nature as defined in the Rural Element, not requiring urban governmental services, except in those limited circumstances shown to be necessary to the satisfaction of both the County and the affected city to protect basic public health, safety and the environment, and when such services are financially supportable at rural densities and do not permit urban development.

Appendix A

Table 1: 2036 Initial Growth Allocations				
Urban Growth Areas	2015 – 2036 Forecast Population Growth	Total 2036 Population	2015 – 2036 Forecast Employment Growth	Total 2036 Employment
<u>Anacortes</u>	<u>5,895</u>	<u>22,293</u>	<u>2,076</u>	<u>10,480</u>
<u>Burlington</u>	<u>3,808</u>	<u>14,272</u>	<u>3,516</u>	<u>13,412</u>
<u>Mount Vernon</u>	<u>12,434</u>	<u>47,403</u>	<u>4,785</u>	<u>21,288</u>
<u>Sedro-Woolley</u>	<u>4,555</u>	<u>17,069</u>	<u>4,427</u>	<u>9,179</u>
<u>Concrete</u>	<u>320</u>	<u>1,193</u>	<u>109</u>	<u>467</u>
<u>Hamilton</u>	<u>114</u>	<u>427</u>	<u>66</u>	<u>288</u>
<u>La Conner</u>	<u>329</u>	<u>1,226</u>	<u>329</u>	<u>1,420</u>
<u>Lyman</u>	<u>162</u>	<u>605</u>	<u>9</u>	<u>38</u>
<u>Bayview Ridge</u>	<u>72</u>	<u>1,883</u>	<u>1,799</u>	<u>3,455</u>
<u>Swinomish</u>	<u>912</u>	<u>3,416</u>	<u>290</u>	<u>1,247</u>
<u>UGAs Subtotal</u>	<u>28,601</u>	<u>109,787</u>	<u>17,406</u>	<u>61,274</u>
<u>Rural (outside UGAs)</u>	<u>7,150</u>	<u>45,665</u>	<u>1,447</u>	<u>9,343</u>
<u>County Total</u>	<u>35,751</u>	<u>155,452</u>	<u>18,853</u>	<u>70,617</u>

Appendix B – Growth Allocations Procedure Steps

The process of setting and reviewing growth allocations shall be consistent with the 2002 Framework Agreement among Skagit County and the cities and towns as currently adopted or amended.

- 1. Initial Growth Allocations:** The Planners Committee will develop initial population and employment allocations for review and adoption by the GMASC.

 - a. The Initial allocations will be based on the most recently published official 20-year population projections for Skagit County from the Office of Financial Management (OFM).

Jurisdictions shall use these initial allocations for at least one of the plan alternatives they evaluate for their GMA plan updates.

- 2. Reconciliation:** Once the GMA comprehensive plan updates of jurisdictions have identified a preferred growth plan with sufficient detail to determine if the population and employment allocation can be accommodated, the Growth Management Act Steering Committee (GMASC) will review and, if necessary, recommend adjusting the population and employment growth allocations to be included in the CPPs.

 - a. The County and cities/towns shall jointly review the preferred growth alternatives proposed in local comprehensive plans for discrepancies with the allocation associated with the County's preferred plan alternative.
 - b. Based on the land supply, permitted densities, capital facilities, urban service capacities and other information associated with the preferred growth alternatives of proposed local comprehensive plans, the Planners Committee shall recommend to the GMASC a reconciled 20-year population and employment allocation.
 - c. The GMASC shall review and recommend to the Board of County Commissioners a reconciled 20-year population and employment allocation. Substantial consideration shall be given to the plan of each jurisdiction, and the recommendation shall be consistent with the GMA and the CPPs.
 - d. The Board of County Commissioners shall consider the recommendation of the GMASC and shall replace the allocations in the CPPs with a reconciled 20-year population and employment allocation.

- 3. Long Term Monitoring:** Subsequent to reconciliation, GMASC shall maintain a long term monitoring process to review annually the population and employment growth allocations contained in the CPPs.

 - a. Skagit County and the cities shall jointly monitor the following:

 - i. Estimated population and employment growth;
 - ii. Annexations and incorporations;
 - iii. Residential and non-residential development trends;
 - b. Results of the monitoring program shall be published in a growth monitoring report developed by the Planners Committee and recommended to the GMASC.
 - c. GMASC shall review and approve the annual report by resolution.




- 4. Allocation Adjustment:** The GMASC may consider adjustments to the population and employment growth allocations contained in Appendix A of CPPs in the years between state-required updates. The following steps shall be used:
- a. Based on the results of the long term monitoring process, the Planners Committee may review and recommend to the GMASC an adjustment to the population and employment allocations.
 - b. The GMASC shall review the Planners Committee recommendation to adjust growth allocations and may recommend to the Board of County Commissioners an adjustment to the population and employment allocations. Adjustments to the growth allocations shall be based on the results of the monitoring program and shall be consistent with the GMA and the CPPs.
 - c. The Board of County Commissioners shall consider the recommendation of the GMASC and may amend the CPPs with adjusted population and employment allocations for cities, UGAs, and rural areas.

Any disputes regarding the roles and responsibilities of the Board of County Commissioners, the GMA Steering Committee, and individual jurisdictions in reviewing and approving amendments to the Countywide Planning Policies shall be resolved in accordance with the procedures established by the 2002 Framework Agreement.

Attachment 5
Airport Environs Overlay Maps



LEGEND

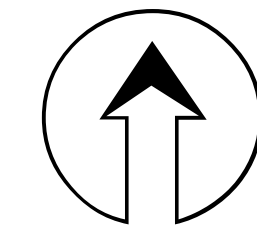
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-  Contour Interval 5ft.
-  AEO Compatibility Zone Extent

*Skagit County Code 14.16.210 (3) (d) (ii) (A)

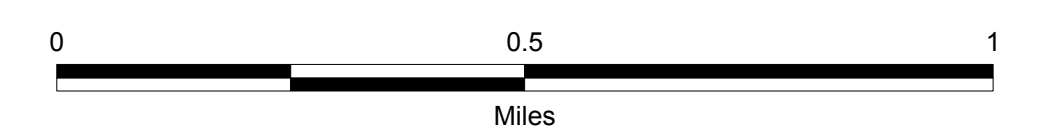
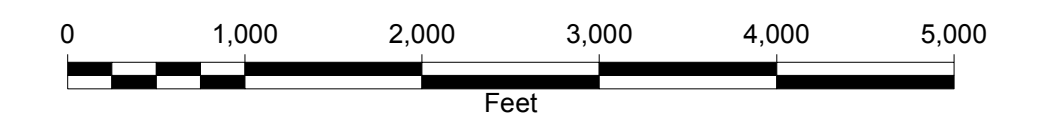
The AEO Building Heights Restriction Contours Map shows contours that describe an imaginary plane as defined by Section 77.25 of the Federal Aviation Regulations minus the underlying ground elevations.

Development may not impede the contours shown on the AEO Building Heights Restriction Contours Map.

For More Information Please Visit the AEO Webpage at www.skagitcounty.net/aeo



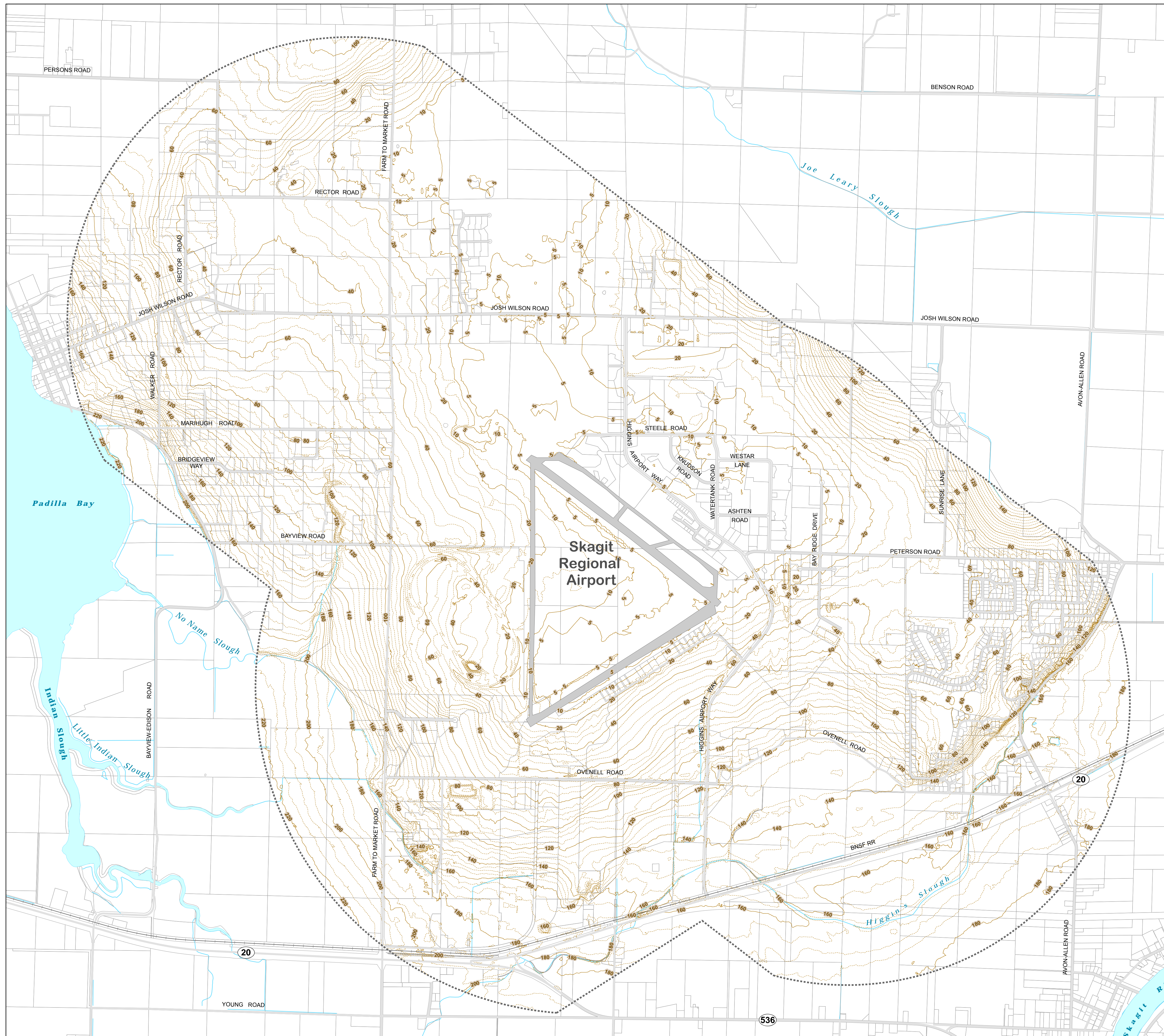
Map Print Date March 2015






Skagit County GIS

Airport Environs Overlay (AEO)

Building Heights Restriction Contours



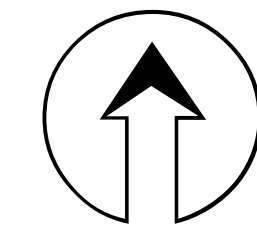
LEGEND

-  FAA Aeronautical Review Contours*
-  Contour Interval 5ft.
-  AEO Compatibility Zone Extent

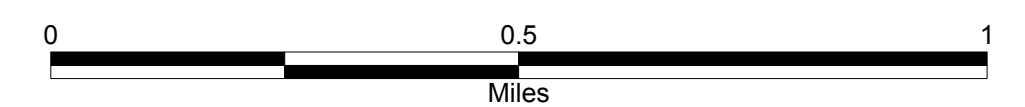
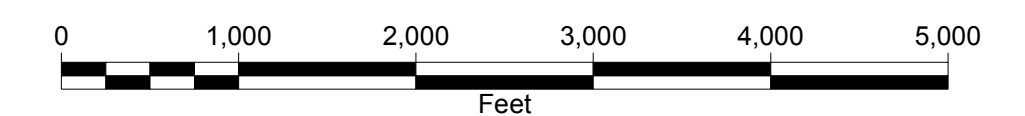
*Skagit County Code 14.16.210 (3) (d) (ii) (B)

Development that impedes the contours shown on the AEO FAA Aeronautical Review Map must submit a Notice of Proposed Construction or Alteration (FAA Form 7460-1 or its successor) to the FAA at least 45 days before the proposed start date of the proposed construction or alteration.

For More Information Please Visit the AEO Webpage at www.skagitcounty.net/aeo



Map Print Date March 2015



Skagit County GIS

Airport Environs Overlay (AEO)

FAA Aeronautical Review Contours

Attachment 6
Amendments to Skagit County Code Title 14, Unified Development Code

Development Regulation Amendments

<p>Plain text = existing code with no changes</p> <p>Strikethrough = existing code to be deleted</p> <p><u>Underlined</u> = new code to be added</p> <p>Double Strikethrough = existing code moved to another location</p> <p><u>Double Underline</u> = existing code moved from another location</p> <p><i>Italics</i> = instructions to code reviser</p> <p>[Bracketed] = options for public comment</p>
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S-1 Transfer of Jurisdiction for Forest Practices [not included]	2
S-2 CAO Update	2
S-3 EV Charging Stations	8
S-4 Time Limits for Preliminary Subdivision	9
S-5 Impact Fees [not included]	9
S-6 SMP Update [not included]	10
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C-7 Cleanup: Watershed Management	17
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C-14 Notification of Development adjacent to NRL land	34
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C-31 and C-32 Storage of Junk, Recreational Vehicles	65
C-33 Zoning Use Matrix	68
C-34 Rural Business	68
NC-1 Maximum Lot Coverage in Rural Reserve	68

S-1 Transfer of Jurisdiction for Forest Practices [not included]

This item is being developed through a separate process.

S-2 CAO Update

14.04.020 Definitions

The following definitions are amended:

Land use impact: the impact of a land use on adjacent wetlands, based on the land use impacts in Table 8C-3 (as updated in 2014) of Department of Ecology publication No. 05-06-008, Wetlands in Washington State, Volume 2 consisting of three levels:

~~Land use intensity, low~~ impact land use: land uses which are associated with low levels of human disturbance or low habitat impacts, including, but not limited to, passive recreation, open space, or forest management land uses.

~~Land use intensity, moderate~~ impact land use: land uses which are associated with moderate levels of human disturbance or substantial habitat impacts including, but not limited to, low-density residential (no more than one home per five acres), active recreation, and moderate agricultural land uses.

~~Land use intensity, high~~ impact land use: land uses which are associated with high levels of human disturbance or substantial habitat impacts including, but not limited to, medium- and high-density residential (more than one home per five acres), multifamily residential, some agricultural practices, and commercial and industrial land uses.

The following sections of SCC Chapter 14.24 are amended as follows:

14.24.200 Wetlands designations.

- (1) *No change.*
- (2) Designation. Wetlands shall be identified and designated through a site visit and/or a site assessment ~~utilizing the definitions, methods and standards set forth in the Washington State Wetland Identification and Delineation Manual, Department of Ecology publication No. 96-94 in compliance with WAC 173-22-035.~~

14.24.210 Wetlands classification.

Wetlands shall be rated according to the Washington State Wetland Rating System for Western Washington 2014 Update (Department of Ecology ~~2004 Publication no. 14-06-029~~). This document contains the definitions, methods and a rating form for determining the categorization of wetlands below:

(1) – (4) *No change.*

14.24.220 Wetlands site assessment requirements.

Any proposed high intensity impact land use as defined in Table 8C-3 of Department of Ecology publication No. 05-06-008 within 300 feet of wetland indicators, and any other proposed land use within 225 feet of wetland indicators, requires a wetlands site assessment. In addition to the requirements of SCC 14.24.080, the following shall be included in a wetlands site assessment:

(1) – (5) *No change.*

14.24.230 Wetland protection standards.

(1) Wetland Buffer Widths.

(a) Standard Wetland Buffers. Standard buffers are based on land use intensity impacts defined in Department of Ecology publication No. 05-06-008, Wetlands in Washington State, Volume 2, Appendix 8C. The following standard buffers shall be required for regulated wetlands unless otherwise provided for in this Section:

Standard Buffers			
	<u>Intensity Land Use Impact</u>		
Wetland Rating	Low	Moderate	High
Category I	150 feet	225 feet	300 feet
Category II	150 feet	225 feet	300 feet
Category III	75 feet	110 feet	150 feet
Category IV	25 feet	40 feet	50 feet

(b) Optional Wetland Buffers. The applicant may choose to have the following optional wetland buffers in Section 8C.2.3 (as updated in 2014) of Department of Ecology publication No. 05-06-008, Wetlands in Washington State, Volume 2 apply in place of the standard buffers in Subsection (1)(a) of this Section, provided a site assessment is completed by a qualified professional pursuant to SCC 14.24.080. ~~Habitat score is one of three elements used to determine the wetland rating as described in SCC 14.24.200.~~

<u>Wetland Rating</u>	<u>Habitat Score</u>	<u>Land Use Impact</u>		
		<u>Low</u>	<u>Moderate</u>	<u>High</u>
<u>Category I</u>	<u>Standard Buffers only</u>			
<u>Category II</u>	<u>8-9</u>	<u>150'</u>	<u>225'</u>	<u>300'</u>
	<u>5-7</u>	<u>75'</u>	<u>110'</u>	<u>150'</u>
	<u><5</u>	<u>50'</u>	<u>75'</u>	<u>100'</u>
<u>Category III</u>	<u>8-9</u>	<u>150'</u>	<u>225'</u>	<u>300'</u>
	<u>5-7</u>	<u>75'</u>	<u>110'</u>	<u>150'</u>

	<u><5</u>	<u>40'</u>	<u>60'</u>	<u>80'</u>
<u>Category IV</u>	<u>Standard Buffers only</u>			

-	Optional Buffers	
	Intensity	
Habitat Score	Moderate	High
31 or higher	225 feet	300 feet
30	200 feet	270 feet
29	175 feet	240 feet
28	155 feet	210 feet
27	135 feet	180 feet
26	115 feet	150 feet
25	105 feet	136 feet
24	95 feet	124 feet
23	85 feet	112 feet
22 or lower	75 feet	100 feet

(2) – (3) *No change.*

(4) Any person who alters or proposes to alter regulated wetlands shall reestablish, create, rehabilitate and/or enhance areas of wetland in order to compensate for wetland losses at the ratios described in mitigation ratios for projects in western Washington in Table 8C-11 (as updated in 2014) in Department of Ecology publication No. 05-06-008, Wetlands in Washington State, Volume 2, Section 8C.2.3. The following ratios in the tables below apply to reestablishment, creation, rehabilitation or enhancement which is in-kind (i.e., the same type of wetland), on-site and accomplished prior to or concurrently with loss. The first number specifies the acreage of wetlands to be reestablished, created, rehabilitated or enhanced and the second specifies the acreage of wetlands lost:

(a) ~~Wetland Reestablishment/Creation Ratios:~~

Wetland Area Reestablished/Created: Wetland Area Lost	
Category I	6:1
Category II or III	-
Forested	3:1
Scrub/shrub	2:1
Emergent	2:1
Category IV	1.5:1

~~(b) Wetland Rehabilitation Ratios:~~

Wetland Area Rehabilitated: Wetland Area Lost	
Category I	12:1
Category II	6:1
Category III	4:1
Category IV	3:1

~~(c) — Wetland Enhancement Ratios:~~

Wetland Area Enhanced: Wetland Area Lost	
Category I	24:1
Category II	12:1
Category III	8:1
Category IV	6:1

~~(d) — If a type and/or combination of mitigation is not mentioned in the tables above, Table 8C-11 of Department of Ecology publication No. 05-06-008 shall be used.~~

- (5) *No change.*
- (6) Category III and IV wetlands less than 4,000 square feet that have been identified through a site assessment may be exempted or partially exempted from the provisions of this Chapter and may be altered by filling or dredging as outlined below.
- (a) Category III and IV wetlands less than 1,000 square feet are exempt from County regulation where:
- (i) The wetland is isolated; and
 - (ii) The wetland is not associated with a riparian corridor; and
 - (iii) The wetland is not part of a wetland mosaic, as described ~~by the Department of Ecology in publication No. 04-06-025~~ in the Washington State Wetland Rating System for Western Washington (Department of Ecology Publication no. 14-06-029); and
 - (iv) The wetland does not contain Department of Fish and Wildlife-designated priority species or habitat identified as essential for local populations of priority species.
- (b) Category III and IV wetlands between 1,000 and 4,000 square feet may be exempted from the mitigation sequencing requirement to first avoid impacts where:
- (i) The wetland meets the criteria listed in Subsection (6)(a) of this Section; and
 - (ii) The project impacts are fully mitigated.

14.24.240 Wetland performance-based buffer alternatives and mitigation standards.

Buffer widths may be increased, decreased or averaged in accordance with the following provisions. All mitigation proposed shall be consistent with State and Federal wetland regulations.

- (1) Buffer Width Increasing. The Administrative Official may require the standard or optional buffer width to be increased by the distance necessary to protect wetland functions and provide connectivity to other wetland and habitat areas for 1 of the following:
 - (a) *No change.*
 - (b) *No change.*
 - (c) When a Category I or II wetland is located within 300 feet of:
 - (i) Another Category I, II or III wetland; or
 - (ii) A fish and wildlife HCA; or
 - (iii) A Type S or F stream; or
 - (iv) A high intensity-impact land use that is likely to have additional impacts.
- (2) *No change.*
- (3) Buffer Width Decreasing. Prior to considering buffer reductions, the applicant shall demonstrate application of mitigation sequencing as required in SCC 14.24.080. In all circumstances where a substantial portion of the remaining buffer is degraded, the buffer reduction plan shall include replanting with native vegetation in the degraded portions of the remaining buffer area and shall include a 5-year monitoring and maintenance plan.
 - (a) High intensity-impact land use projects may apply moderate intensity buffers if measures to minimize impacts to wetlands from high intensity-impact land uses are implemented. Some of the measures that may be used can be found in Department of Ecology publication No. 05-06-008, Wetlands in Washington State, Volume 2, Appendix 8C (as updated in 2014).
- (4) *No change.*
- (5) *No change.*
- (6) Allowed Uses in Wetlands or Wetland Buffers. The following activities may be permitted within wetlands or their buffers but shall comply with SCC 14.24.080 and 14.24.220:
 - (a) *No change.*
 - (b) *No change.*
 - (c) Stormwater discharges to wetlands shall be controlled and treated in accordance with the Stormwater Management Manual ~~for Western Washington, Department of Ecology publication No. 05-10-029 through No. 05-10-033.~~

14.24.310 Aquifer recharge areas designations.

No change.

- (1) *No change.*
 - (a) *No change.*
 - (i) *No change.*
 - (ii) *No change.*

- (iii) Areas designated as “wellhead protection areas” pursuant to Chapter 246-290 WAC and the groundwater contribution area ~~in WAC 246-291-100~~, or otherwise recognized by the Health Officer or Administrative Official as needing wellhead protection. Wellhead protection areas shall, for the purpose of this regulation, include the identified recharge areas associated with:
 - (iv) *No change.*
- (b) *No change.*
- (c) *No change.*
- (2) *No change.*

14.24.400 Geologically hazardous areas designations.

Geologically hazardous areas shall be designated consistent with the definitions provided in WAC ~~365-190-080(4)~~ 365-190-030 and 365-190-120. These include areas susceptible to the effects of erosion, sliding, earthquake, or other geologic events. They pose a threat to the health and safety of citizens when incompatible residential, commercial, industrial, or infrastructure development is sited in areas of a hazard. Geologic hazards pose a risk to life, property, and resources when steep slopes are destabilized by inappropriate activities and development or when structures or facilities are sited in areas susceptible to natural or human-caused geologic events. Some geologic hazards can be reduced or mitigated by engineering, design, or modified construction practices so that risks to health and safety are acceptable. When technology cannot reduce risks to acceptable levels, building and other construction in, above and below geologically hazardous areas should be avoided.

14.24.430 Geologically hazardous area mitigation standards.

No change.

- (1) Mitigation Standards.
 - (a) A ~~temporary erosion and sedimentation control plan prepared in accordance with the requirements of Construction Stormwater Pollution Prevention Plan per~~ Chapter 14.32 SCC (Stormwater Management), ~~as amended.~~
 - (b) A ~~drainage~~ plan for the collection, transport, treatment, discharge and/or recycling of stormwater in accordance with the requirements of Chapter 14.32 SCC, as amended. Surface drainage shall not be directed across the face of a landslide hazard (including marine bluffs or ravines). If drainage must be discharged from the hazard area into adjacent waters, it shall be collected above the hazard and directed to the water by tight line drain and provided with an energy dissipating device at the point of discharge.
 - (c) – (i) *No change.*
- (2) – (4) *No change.*

14.24.500 Fish and wildlife habitat conservation area designations.

- (1) Fish and wildlife habitat conservation areas (HCAs) are listed in WAC ~~365-190-080(5)~~ 365-190-130 and are designated as follows:
 - (a) – (d) *No change.*

- (e) Naturally occurring ponds under 20 acres with submerged aquatic beds that provide fish or wildlife habitat as further defined in WAC 365-190-130(4)(e);
- (f) – (l) *No change.*

S-3 EV Charging Stations

14.04.020 Definitions.

Add the following definitions:

Vehicle charging station: a facility for the charging of vehicles designed for operation on ordinary roads carrying passengers or larger cargo, including a battery exchange station as defined in RCW 36.70A.695, as amended.

Vehicle fueling station: a facility for the fueling of vehicles designed for operation on ordinary roads carrying passengers or larger cargo.

Modify the following paragraphs in Chapter 14.06:

14.16.100 Rural Village Commercial (RVC).

(2)(d): ~~Gas~~ Vehicle charging station and vehicle fueling stations;

(2)(w)(ix)(C): ~~Gas~~ Vehicle charging station and vehicle fueling stations;

14.16.110 Rural Center (RC).

(2)(d): ~~Gas~~ Vehicle charging station and vehicle fueling stations.

14.16.120 Rural Freeway Service (RFS).

(2)(a): ~~Gas and fueling~~ Vehicle charging station and vehicle fueling stations, vehicle repair garages and car washes;

14.16.130 Small Scale Recreation and Tourism (SRT).

(2)(z): Vehicle charging station;

14.16.140 Small Scale Business (SSB).

(2)(j): Vehicle charging station;

14.16.150 Rural Business (RB).

(2)(j): Vehicle charging station;

14.16.170 Rural Marine Industrial (RMI).

(2)(i): Vehicle charging station;

14.16.175 Hamilton Industrial (H-I).

(2)(j): Vehicle charging station;

14.16.180 Bayview Ridge Light Industrial (BR-LI).

(2)(dd): Vehicle charging and vehicle fueling station;

14.16.190 Bayview Ridge Heavy Industrial (BR-HI).

(2)(dd): Vehicle charging and vehicle fueling station;

14.16.195 Urban Reserve Commercial-Industrial (URC-I).

(2)(e): ~~Gasoline service~~ Vehicle charging and vehicle fueling stations and automobile repair garages conducted inside a building.

14.16.200 Aviation Related (AVR).

(2)(t): Vehicle charging station;

S-4 Time Limits for Preliminary Subdivision

14.18.100 Preliminary subdivisions.

No change.

- (1) – (5) *No change.*
- (6) Preliminary Subdivision Approval Duration.
 - (a) Preliminary short subdivision approvals shall be valid for 36 months.
 - (b) Preliminary long subdivision approvals shall be valid for ~~60 months~~ the time period listed in RCW 58.17.140, as amended.
 - (c) If any condition is not satisfied and the final subdivision is not recorded within the approval period, the preliminary plat approval shall be null and void.
 - (d) If the final plat is being developed in phases, the initial phase must be recorded within the approval period, or the subdivision is null and void. Additional phases may continue to have validity, based on a phasing schedule established by the preliminary approval.
 - (e) Any applicant who has received preliminary short or long subdivision approval on or before September 1, 2011, who submits a request for extension in writing to the Administrative Official at least 30 days before the preliminary approval expiration date may be granted a 1-year extension of the preliminary approval by the Administrative Official or designee upon a showing that the applicant has attempted in good faith to submit the final subdivision within the preliminary approval period set forth in Subsections (6)(a) and (b) of this Section. Only 5 such extensions shall be allowed. The Administrative Official's decision on a plat extension request is appealable as a Level I decision pursuant to Chapter 14.06 SCC.
- (7) *No change.*

S-5 Impact Fees [not included]

This item was already accomplished in a prior code update.

S-6 SMP Update [not included]

This item is being developed through a separate process.

C-1 Vesting of Applications

14.02.050 Vesting of applications.

- (1) An application for a ~~development permit~~ building permit or land division, ~~to be processed under Chapter 14.06 SCC or the Skagit County Shoreline Management Master Program, Chapter 14.26 SCC,~~ vests at such time as a complete application is filed with Planning and Development Services and all required permit fees are paid, consistent with RCW 19.27.095(1) and RCW 58.17.033(1). An application is “complete” on the date a complete application is filed, as subsequently determined in the letter of completeness issued pursuant to SCC 14.06.100. An application vested under this Subsection is not subject to any laws or regulations which become effective after the date of vesting, except as provided below.
- (2) - (5) *No change.*

C-2 through C-6 Comprehensive Plan and UGA Boundary Amendments

14.04.020 Definitions.

The following definitions are added:

Comprehensive Plan Periodic Update: the review, and if needed, update of the Comprehensive Plan required at multi-year intervals by RCW 36.70A.130.

SCC sections 14.08.020-060 are repealed and replaced with the following:

14.08.020 Comprehensive Plan, Zoning Map, or Development Regulations—Amendments.

- (1) An amendment to the Comprehensive Plan or the zoning map requires a petition; docketing by the Board of County Commissioners; public hearing, review, and recommendation by the Planning Commission; and final approval by the Board of County Commissioners.
- (2) A petition is one or more of the following types:
 - (a) an amendment to Comprehensive Plan policies;
 - (b) an amendment to the Comprehensive Plan map;
 - (c) a rezone permitted by an existing Comprehensive Plan map designation; and
 - (d) an amendment to development regulations.
- (3) All amendments to the Comprehensive Plan map require a simultaneous rezone.
- (4) Each petition type above is a legislative matter, except a rezone that is permitted by an existing Comprehensive Plan designation and does not require a simultaneous amendment to the Comprehensive Plan is a quasi-judicial matter.

- (5) The County must adopt all amendments to the Comprehensive Plan simultaneously each year, and may not adopt amendments more frequently than once per year, except for amendments that qualify for one of the exceptions in RCW 36.70A.130(2)(a).
- (6) The Board may accept petitions for development regulation amendments as part of the annual docketing process, or may itself initiate the process of adopting or amending development regulations at any time.

14.08.030 Petitions—Filing requirements.

- (1) Who may file.
 - (a) Any interested person or entity may file any petition except a petition to modify a UGA boundary, or the Comprehensive Plan map within a UGA.
 - (b) A petition to modify a UGA boundary, or the Comprehensive Plan map within a UGA, may be filed only by the affected jurisdiction (city/town for municipal UGA, tribe for tribal UGA, Skagit County for the Bayview Ridge UGA).
- (2) When to file.
 - (a) A petition must be submitted on or before the last business day of July, except that a County-initiated petition is not subject to this deadline.
 - (b) A petition for a rezone, or for a map amendment not involving a UGA boundary change, may be considered only once between each Comprehensive Plan Periodic Update unless the applicant demonstrates a substantial change in circumstances. In no case may a petition be considered in consecutive years.
 - (c) A petition for a map amendment involving a change to a given UGA's boundary may be considered only once between each Comprehensive Plan Periodic Update, unless the applicant demonstrates one or more of the following:
 - (i) the boundary change is necessary to make minor technical corrections to a UGA boundary (without increasing the UGA's buildable land development capacity by more than 1%) due to a mapping error or to be more consistent with identifiable physical boundaries such as natural features, roads, or special purpose districts;
 - (ii) the boundary change is the result of an emergency Comprehensive Plan amendment by the affected jurisdiction in accordance with RCW 36.70A.130(2)(b);
 - (iii) the boundary change is necessary to comply with changes to State or Federal laws, regulations or standards;
 - (iv) the boundary change is required as part of a compliance order from the Western Washington Growth Management Hearings Board or court of higher authority;
 - (v) the boundary change will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space (including, but limited to, landforms, rivers, bodies of water, historic properties, archaeological resources, unique wildlife habitat, and fish and wildlife conservation areas), as determined by the respective legislative bodies of the County and the municipality or municipalities immediately adjacent to the

proposed expansion, will provide separation between urban and rural areas, and will not result in a significant increase to population or employment capacity;

- (vi) there is less than 50% remaining of the vacant and buildable land base (residential, commercial, or industrial, respectively) that was designated within the incorporated and unincorporated areas of the particular UGA based on the last residential population and/or commercial/industrial land sub-allocation, or through any subsequent expansion of the UGA boundaries;
- (vii) the inability to reach the 50% threshold is accounted for by one or more of the following:
 - (A) a small number of parcels within the UGA that account for a significant portion of remaining buildable lands for which it can be clearly demonstrated that they are not likely to develop in the planning horizon of the existing boundary;
 - (B) an assessment that concludes there is a deficiency of larger parcels within that UGA to accommodate the remaining commercial or industrial growth projected for that UGA;
 - (C) other documented local circumstances that relate to the land market factors relevant to UGA expansion or reduction;
 - (D) the expansion will allow the development of a school, K-12, public or private and the expansion area is adjacent to an existing UGA and will be designated and zoned exclusively for that use and will not add any residential, commercial, or industrial capacity to the affected UGA.

(3) How to file.

- (a) A petition must be filed with the Department on forms provided by the Department.
- (b) A petition must be filed with all fees required by the adopted fee schedule.
- (c) A County-initiated petition does not require a written petition or fees.

(4) Contents of petition.

- (a) A petition for amendment of the Comprehensive Plan, or for amendment of the development regulations, must include the following:
 - (i) a detailed statement of what is proposed to be changed and why;
 - (ii) a statement of anticipated impacts to be caused by the change, including geographic area affected and issues presented;
 - (iii) a demonstration of why existing Comprehensive Plan policies should not continue to be in effect or why existing policies no longer apply;
 - (iv) a statement of how the amendment complies with the Comprehensive Plan's community vision statements, goals, objectives, and policy directives;
 - (v) a statement of how adopted functional plans and Capital Facilities Plans support the change;

- (vi) a statement of how the change affects implementing development regulations in SCC Title 14 and the necessary changes to bring the implementing development regulations into compliance with the plan;
 - (vii) a summary of any public review of the recommended change.
- (b) A petition for a rezone or amendment of the Comprehensive Plan map must also include a detailed description of how the map amendment complies with:
- (i) the land use designation criteria in the Comprehensive Plan; and
 - (ii) approval criteria for map amendments and rezones in SCC 14.08.060;
- (c) A petition for amendment of the Comprehensive Plan map to a commercial or industrial designation (other than a petition for a change in a UGA boundary) must also include:
- (i) a detailed development proposal that is consistent with the applicable designation criteria; and
 - (ii) a 1-inch equals 100 feet map showing the subject property and property lines and land use designations for all properties within 500 feet of the site.
- (d) A petition for amendment of the Comprehensive Plan map to a Master Planned Resort designation must also include all of the elements required by SCC 14.20.050.
- (e) A petition for a rezone or amendment of the Comprehensive Plan map to a new Small-Scale Recreation and Tourism designation must also include:
- (i) a site plan showing the location of all uses;
 - (ii) a demonstration that the location of the Small-Scale Recreation or Tourism uses is based upon the scenic and/or natural features of the land that support the need for a rural location and setting;
 - (iii) a demonstration that the proposed expansion of an existing recreational or tourist use is a logical expansion and is compatible with existing uses on the site;
 - (iv) measures to protect or minimize adverse impacts on prime soils, drainage, traffic generation, visual impact, noise, and other relevant criteria, and to preserve the existing rural character of the area;
 - (v) measures to ensure the protection of critical areas, as provided in RCW 36.70A.060, frequently flooded areas, and surface water and ground water resources including sole source aquifers;
 - (vi) measures to ensure protection from conflicts with the use of agriculture, forest, and mineral resource lands of long-term commercial significance designated under RCW 36.70A.170;
 - (vii) measures to protect or mitigate adverse impacts on Rural Intermediate, Urban Growth Areas, or Rural Village Residential-designated lands.

14.08.040 Petitions—Docketing.

- (1) The Department must review all new petitions and any petitions deferred from the previous year's docket, and forward a recommendation to the Board as to which petitions should be included in the next year's docket.

- (2) In making its docket recommendation, the Department must consider whether:
 - (a) the petition complies with the filing requirements;
 - (b) the petition, in light of all proposed amendments being considered for inclusion in the year's docket, can be reasonably reviewed within the staffing and operational budget allocated to the Department by the Board;
 - (c) the proposed amendment, to be adopted, would not require additional amendments to the Comprehensive Plan or development regulations not addressed in the application, and is consistent with other goals, objectives and policies adopted by the Board;
 - (d) the proposed amendment raises policy, land use, or scheduling issues that would more appropriately be addressed as part of an ongoing or planned work program, or as part of a regular review cycle;
 - (e) some legal or procedural flaw in the petition would prevent its legal implementation; or
 - (f) the petition lacks sufficient information or adequate detail to review and assess whether or not the proposal meets the applicable approval criteria. A determination that the proposal contains sufficient information and adequate detail for the purpose of docketing does not preclude the Department from requesting additional information at any later time.
- (3) Following receipt of the Department's docket recommendation, the Board must hold a public hearing to allow applicants and the public to comment on the Department's recommendation. The Board must subsequently consider the Department's recommendation and the public comment and decide which petitions to include as part of the annual docket.
- (4) The Board must include, exclude, or defer each petition.
 - (a) Include. The Board's decision to include a petition in the docket is procedural only and does not constitute a decision by the Board as to whether the amendment will ultimately be approved.
 - (b) Exclude. The Board's decision to exclude a petition from the docket terminates the petition without prejudice to the applicant or the proposal. The applicant may request a refund of the unused portion of any application fees, and may request the same, or similar amendment as part of a future amendment or review cycle.
 - (c) Defer. The Board's decision to defer a petition means the petition may be considered for docketing in the next annual amendment cycle.
- (5) The petitions included in the docket must be processed according to the remaining sections of this Chapter, including public review and comment and Planning Commission recommendation, and final Board action to approve, approve with modifications, defer to a subsequent amendment cycle, or deny each petition.

14.08.050 Petitions—Environmental review.

- (1) After the Board establishes the year's docket of Comprehensive Plan amendments, the County must complete environmental review of all of the proposed amendments, consistent with the requirements of RCW Chapter 43.21C and SCC Chapter 16.12. For a site-specific Comprehensive Plan amendment, the applicant must submit a complete environmental checklist to the County and required fees.

- (2) After receipt and review of the environmental checklist(s) for each of the docketed Comprehensive Plan amendments, the Department must issue threshold determination(s) on the docket of amendments.
- (3) Any environmental review must consolidate, as much as practical, site-specific SEPA review with review of the entire docket of proposed Comprehensive Plan amendments to ensure adequate consideration of cumulative effects of the proposed amendments.
- (4) A petition that is carried over from a previous year's docket to the next docket does not require a new SEPA checklist and fee, and is not required to be considered in the same environmental document as other proposals in the same docket. However, the Department may require additional SEPA analysis to assess the cumulative impacts of the various proposals constituting a docket.

14.08.060 Petitions—Approval Criteria for Map Amendments and Rezones.

- (1) A rezone or amendment of the Comprehensive Plan map must be consistent with the requirements of the Skagit County Comprehensive Plan, including any applicable designation criteria.
- (2) A change to a rural or natural resource land map designation must also be supported by and dependent on population forecasts and allocated non-urban population distributions, existing rural area and natural resource land densities and infill opportunities.
- (3) A change from a natural resource land map designation must also recognize that natural resource land designations were intended to be long-term designations and must be supported by and dependent on one or more of the following:
 - (a) a change in circumstances pertaining to the Comprehensive Plan or public policy;
 - (b) a change in circumstances beyond the control of the landowner pertaining to the subject property;
 - (c) an error in initial designation;
 - (d) new information on natural resource land or critical area status.
- (4) A change to a UGA boundary must be supported by and dependent on the following analyses:
 - (a) population forecasts and allocated urban population distributions, existing urban densities and infill opportunities, phasing and availability of adequate services, proximity to designated natural resource lands and the presence of critical areas.
 - (b) documented consistency of the proposed UGA expansion with Countywide Planning Policy 1.1 and the adopted 20-year population and employment allocation, including identification of any allocated but undesignated forecast population or employment.
 - (c) planning and analysis sufficient to update and confirm the development capacity analysis for buildable land within the existing UGA for residential, commercial, and/or industrial lands, which takes into account all development approved within the overall UGA since the last UGA expansion. Minimum requirements for UGA buildable lands development capacity analyses include the following steps:
 - (i) Define vacant and underutilized (but likely to redevelop) parcels by zone.

- (ii) Deduct from the gross land capacity by zone the following lands not available to accommodate future population or employment:
 - (A) critical areas (and buffers as appropriate);
 - (B) future roads/rights-of-way needs;
 - (C) future public or quasi-public facilities needs;
 - (D) remaining lands likely to be held off-the-market (e.g., market or other factors).
- (iii) Apply the minimum (or average achieved) density or intensity of use in each zone to the remaining net developable acres.
- (iv) Apply appropriate household size and/or employee land intensity standards to the output to determine total UGA population or employment capacity.
- (d) a comparative evaluation of potential areas for UGA expansion, including:
 - (i) planning and zoning regulations currently in place;
 - (ii) an evaluation of how a full range of urban-level infrastructure and services would be provided within potential expansion areas, including appropriate capital facility analysis; and
 - (iii) an evaluation of reasonable alternatives, other than expanding the UGA, to accommodate the forecast UGA population or employment allocation, including consideration of development regulation amendments to allow for increased densities and intensities of use in the existing UGA. Consideration of reasonable alternatives to UGA expansion must be within the discretion afforded to local governments by RCW 36.70A.110(2) to make choices about accommodating growth.
- (e) documentation of the proposed UGA expansion for consistency with any applicable inter-local agreement between the affected municipality and the County.
- (f) a review of the planning and zoning regulations and any incentive programs in place to determine expected densities in the existing UGA consistent with the GMA, as interpreted by the Growth Management Hearings Board, and the adopted Comprehensive Plan.
- (5) A change to a UGA boundary must meet the following requirements:
 - (a) Sufficient land area must be included in the UGAs to accommodate the adopted 20-year population and employment forecast allocation in Countywide Planning Policy 1. The extent of a UGA boundary expansion must be sufficient to provide a minimum 10- and a maximum 20-year supply of vacant and buildable lands within the UGA.
 - (b) In evaluating potential changes to a particular UGA boundary, the County must consider Countywide implications for other UGAs and their population and employment sub-allocations.
 - (c) In cases of residential lands proposed for inclusion within a UGA, annexation or incorporation should be encouraged to occur if immediately feasible, or an interlocal agreement must be executed between the municipality and County regarding the timing and conditions of future annexation and provision of urban services.

- (d) The UGA expansion may not include areas that are designated as natural resource lands (agricultural, forest, or rural resource) unless:
 - (i) The jurisdiction has an adopted transfer of development rights program in place and an agreement with the property owner(s) that will allow for continuation of the natural resource land activities on said lands following UGA designation; or
 - (ii) Said lands have been re-designated to an appropriate non-resource land use designation consistent with the applicable provisions of the Skagit County Comprehensive Plan, Skagit County Code, and Chapter 36.70A RCW.
- (e) The County and petitioner must conduct early and continuous public involvement when establishing, expanding, or adjusting UGAs, and must do so jointly when appropriate. Residents and property owners of unincorporated areas shall be consulted and actively involved in the process affecting them.
- (f) The County must make best efforts to coordinate UGA boundary change proposals with the affected municipality(ies), including the preparation of joint staff recommendations where possible. Unless waived by the affected municipality(ies), such municipality(ies) must be given at least 60 days' notice of the proposal prior to a County hearing thereon.

C-7 Cleanup: Watershed Management

14.16.410 Industrial Forest—Natural Resource Lands (IF-NRL).

- (1) Purpose. *No change.*
- (2) Applicability. *No change.*
- (3) Permitted Uses.
 - (a) – (n) *No change.*
 - ~~(o) Watershed management, but not including water diversion structures, impoundment dams or hydroelectric generation facilities.~~
 - ~~(p)~~(o) Maintenance, drainage.
 - ~~(q)~~(p) Net metering system, solar.
 - ~~(r)~~(q) Repair, replacement and maintenance of water lines with an inside diameter of 8 inches or less.
- (4) Administrative Special Uses. *No change.*
- (5) Hearing Examiner Special Uses. *No change.*
- (6) Dimensional Standards. *No change.*
- (7) *No change.*

14.16.420 Secondary Forest—Natural Resource Lands (SF-NRL).

- (1) Purpose. *No change.*
- (2) Permitted Uses.
 - (a) – (p) *No change.*

~~(q) Watershed management, but not including water diversion structures, impoundment dams or hydroelectric generation facilities.~~

~~(r)(g)~~ Maintenance, drainage.

~~(s)(r)~~ Net metering system, solar.

~~(t)(s)~~ Repair, replacement and maintenance of water lines with an inside diameter of 8 inches or less.

- (3) Administrative Special Uses. *No change.*
- (4) Hearing Examiner Special Uses. *No change.*
- (5) Dimensional Standards. *No change.*
- (6) *No change.*

C-8 Cleanup: Tasting Rooms

14.16.100 Rural Village Commercial (RVC).

- (1) Purpose. *No change.*
- (2) Permitted Uses.
 - (a)-(v) *No change.*
 - (w) In the Rural Village Commercial zone in Alger, the permitted uses shall be limited to the following:
 - (i)-(viii) *No change.*
 - (ix) Small retail and service businesses, including, but not limited to:
 - (A)-(J) *No change.*
 - ~~(K) Tasting rooms.~~
- (3)-(5). *No change.*

C-9 CaRD Density Shifting

SCC 14.18.300 Conservation and Reserve Developments (CaRDs)—An alternative division of land.

A Conservation and Reserve Development (CaRD) is a method of single-family residential land development characterized by building lots or envelopes that are much smaller than typical of the zone, leaving open space for agriculture, forestry, continuity of ecological functions characteristic of the property, and preservation of rural character. This results in reduced impervious surface area and lowered costs of development and maintenance. Certain requirements of the zone may be modified when using the CaRD process, as specifically stated in the CaRD provisions.

- (1) Purpose. *No change.*
- (2) Applicability.
 - (a) A CaRD is an overlay permit, which must be accompanied by a land division permit (either a subdivision or a binding site plan developed as a condominium).
 - (b) CaRD approvals allow variations in the underlying zoning regulations but are not intended as and do not constitute rezoning. Where land proposed to be part of a CaRD

includes two or more zoning designations, development rights may not be moved from a higher density zone to a lower density zone.

- (c) CaRDs are permitted in the following zones: [No change]
- (3) Additional Submittal Requirements. *No change.*
- (4) Process. *No change.*

C-10 Unclassified Uses/Essential Public Facilities

14.04.020 Definitions.

Essential public facilities: those facilities that are typically difficult to site, such as airports, State education facilities and State or regional transportation facilities as defined in RCW 47.06.140, State and local correctional facilities, solid waste handling facilities, and inpatient facilities, including substance abuse facilities, mental health facilities, and group homes.

14.06.010 Intent.

The intent of this Chapter is to combine and consolidate the application, review, and approval processes for development permits as defined by Chapter 14.04 SCC. In addition, this Chapter is intended to establish roles and responsibilities of the Administrative Official, Hearing Examiner, ~~Planning Commission~~, and Board of County Commissioners relating to development permits. It is further intended to comply with State guidelines for combining and expediting development review and integrating environmental review. Procedures for review and approval of Comprehensive Plans, subarea plans, functional plans, development regulations, open space, open space current use applications, and amendments thereto shall be governed by the provisions of Chapter 14.08 SCC and not this Chapter. For development permits that require or propose an amendment to a plan or development regulation, the amendment shall first be processed pursuant to the requirements of Chapter 14.08 SCC and, if/once that amendment has been approved, the balance of the development permit decisions shall be processed pursuant to the provisions of this Chapter. Procedures for review of interpretations of the provisions of the adopted building codes and fire codes, as may be amended, shall be governed by Chapter 15.16 SCC and not this Chapter; provided, that the County's decision to issue, to condition or to deny a building permit pursuant to any of the requirements of SCC Title 14 shall be governed by this Chapter.

14.06.050 Application level.

- (1) Applications for development permits and other administrative determinations shall be categorized as 1 of 4 levels as follows; provided, that shoreline applications shall be processed as described in the Skagit County Shoreline Management Master Program:
 - (a) *No change.*
 - (b) Level II. Level II applications are those applications that require an open record pre-decision hearing level before the Hearing Examiner and for which the Hearing Examiner decision is final, unless that decision is appealed to the Board in a closed record appeal. Level II applications include:
 - (i) Hearing Examiner variances pursuant to SCC 14.10.020(3).
 - (ii) Hearing Examiner special use permits.

- (iii) Forest Practices Act waivers for other than single-family residential development.
- (iv) Request from the County or another party to review or interpret a previously issued land use permit or land use approval that required a public hearing by any County entity or Board, including, but not limited to, conditional uses, special uses and variances for the purpose of considering possible revocation, suspension, clarification or modification.
- (v) Hearing Examiner URDP pursuant to SCC 14.16.910(2).
- (vi) Review of preliminary long subdivisions which contain between 9 and 50 lots, tracts or parcels on contiguous land under the same ownership pursuant to Chapter 14.18 SCC.
- (vii) Review of binding site plans that contain between 9 and 50 lots, tracts, parcels or units on contiguous land under the same ownership pursuant to Chapter 14.18 SCC.

~~(viii) Recommendations on development agreements involving 50 or less fewer lots or residential dwelling units or 50,000 square feet or less of commercial or industrial building space.~~

~~(viii) Local essential public facilities per SCC 14.16.600.~~

- (c) Level III. Level III applications are those applications that require an open record pre-decision hearing before the Hearing Examiner ~~(“Level III HE”)~~ or before the Planning Commission ~~(“Level III PC”)~~, and for which the Hearing Examiner ~~or Planning Commission action is~~ makes only a recommendation. The Board of County Commissioners shall make the final decision after a closed record hearing ~~on the Level III HE actions. The Hearing Examiner shall make the final decision after a closed record hearing on Level III PC actions.~~

~~(i) — Level III HE.~~

~~(A)(i)~~ Board of County Commissioners’ variances pursuant to SCC 14.10.020(2) and 14.16.860, Agricultural land preservation.

~~(B)(ii)~~ Preliminary long subdivisions containing more than 50 lots, tracts or parcels on contiguous land under the same ownership pursuant to Chapter 14.18 SCC.

~~(C)(iii)~~ Binding site plans that contain more than 50 lots, tracts, parcels or units pursuant to Chapter 14.18 SCC.

~~(D)(iv)~~ Development agreements ~~of more than 50 lots or residential dwelling units or more than 50,000 square feet of commercial or industrial building space.~~

~~(E)(v)~~ Other recommendations as requested by the Board.

~~(vi) Regional essential public facilities per SCC 14.16.600.~~

~~(ii) — (ii) — Level III PC.~~

~~(A) — Recommendations as requested by the Hearing Examiner.~~

- (d) Level IV. Level IV applications are those development permit applications that do not require a public hearing, but require a final decision by the Board of County

Commissioners. Level IV applications include: final long subdivisions pursuant to Chapter 14.18 SCC.

14.06.130 Level III review procedures.

- (1) Pre-development meetings described in SCC 14.06.080(1) are optional.
- (2) Pre-application meetings described in SCC 14.06.080(2) are required before filing an application, unless the Administrative Official has approved a waiver of the pre-application meeting.
- (3) Letter of completeness review procedures from SCC 14.06.100 are required.
- (4) The Notice of Development Application and comment period procedures of SCC 14.06.150(3)(b) through (e) are required.
- (5) Before an application has been set for open record public hearing before the Hearing Examiner ~~or the Planning Commission~~, and after the close of any required comment period, including any threshold determination comment period required by Chapter 43.21C RCW and Chapter 14.12 SCC, the Department shall coordinate and assemble the comments and recommendations of other County departments and governmental agencies having an interest in the subject application and shall prepare a staff report summarizing the factors involved, including the Department findings and supportive recommendations. The staff report shall be filed with the Hearing Examiner ~~or the Planning Commission~~ at least 7 days prior to the scheduled hearing and copies thereof shall be mailed to the applicant and shall be made available for use by any interested party at the reproduction cost.
- (6) Notice of public hearing shall be as required by SCC 14.06.150(3).
- (7) The Hearing Examiner ~~or the Planning Commission~~ shall conduct review of the development permit in an open record pre-decision hearing, pursuant to the requirements for those hearings in SCC 14.06.160.
- (8) After conducting the open record hearing, the Hearing Examiner ~~or the Planning Commission~~ shall prepare a recommendation to the Board in writing that shall include findings of fact and conclusions based on those facts. The recommendation may include such conditions, modifications and restrictions the Hearing Examiner ~~or the Planning Commission~~ deem necessary to carry out the objectives and goals of the Comprehensive Plan, the Zoning Ordinance, the Subdivision Ordinance, and other codes and ordinances of Skagit County. Each recommendation shall be transmitted to the Board and mailed to the applicant and all parties of record within 14 days following conclusion of all hearings or the date for submittal of all written comment, whichever is later, unless a longer period is mutually agreed to in writing by the applicant. ~~For Level III Planning Commission recommendations, the Planning Commission recommendation shall be by recorded motion and shall be by affirmative vote of not less than a majority of the total members.~~
- (9) ~~Upon~~ After receiving a recommendation from the Hearing Examiner ~~or Planning Commission~~, the Board shall, ~~at its next regular public meeting set the date for~~ hold a closed record hearing pursuant to the requirements of SCC 14.06.170.
- (10) The decision of the Board, after conducting a closed record hearing on the matter, shall be final. A Notice of Decision of the Board shall be issued as required by SCC 14.06.200.

- (11) Any appeal of the Board decision shall be to Superior Court, as provided in SCC 14.06.220, Judicial appeals.

14.06.160 Open record public hearings procedures.

- (1) *No change.*
- (2) *No change.*
- (3) *No change.*
- (4) *No change.*
- (5) Staff Report by Department.
 - (a) In an open record appeal hearing, at least 7 days prior to the date set for the open record public hearing, the Department shall transmit to the hearing body all of the records pertaining to the decision being appealed, together with such additional written report that the Administrative Official deems pertinent explaining the decision being appealed or responding to the statements in the Notice of Appeal. If the Administrative Official prepares an additional written staff report, a copy shall also be sent to the applicant and to any appellants 7 days prior to the date set for the hearing.
 - (b) In the case of a pre-decision open record hearing, the Department shall coordinate and assemble the comments and recommendations of other County Departments and governmental agencies having an interest in the subject application and shall prepare a staff report summarizing the factors involved, including the Department findings and supportive recommendations. The staff report shall be filed with the Hearing Examiner ~~or the Planning Commission~~ at least 7 days prior to the scheduled hearing and copies thereof shall be mailed to the applicant and shall be made available for use by any interested party at the reproduction cost.
- (6) One Public Hearing. Before rendering a decision or recommendation on the Development permit or appeal, the Hearing Examiner ~~or the Planning Commission~~ shall hold 1 public hearing pursuant to SCC 14.06.060, however, the public hearing may be continued for more than 1 day. Notice of the public hearing shall be provided as required in SCC 14.06.150(3). The public hearing may be continued to a date, time and place certain, without requiring additional public notice, as long as the requirements of the Open Public Meetings Act, Chapter 42.30 RCW, are met.
- (7) *No change.*
- (8) As described in SCC 14.02.070 and 14.02.080, the Hearing Examiner ~~or the Planning Commission~~ may adopt other rules of procedure not inconsistent with these procedures. Further, if deemed appropriate to facilitate review of a particular development permit, the Hearing Examiner ~~or the Planning Commission~~ may adopt specific procedures for an individual matter.
- (9) Decision or Recommendation. Within 15 days after completion of the public hearing or after the date for submittal of all written comments, whichever is later, the Hearing Examiner ~~or the Planning Commission~~ shall render a decision or make a recommendation on the appeal or development permit. The Hearing Examiner ~~or the Planning Commission~~ decision or recommendation shall be in writing and shall include a statement of the applicable criteria and standards from the Skagit County Comprehensive Plan; the Skagit County Code and other

applicable law; a statement of the facts that the Hearing Examiner ~~or the Planning Commission~~ found showing the application does or does not comply with each applicable approval criterion and assurance of compliance with applicable standards; the reasons for the decision or the recommendation to approve or deny the development permit or appeal; and any conditions or modifications deemed necessary.

14.06.220 Judicial appeals.

- (1) The decision of the Board approving or disapproving a recommendation from the Hearing Examiner ~~or the Planning Commission~~, or granting or denying any appeal from the Hearing Examiner shall be incorporated into a resolution or ordinance and shall be final and conclusive on the date of adoption of said resolution or ordinance for purposes of appeal pursuant to the Land Use Petition Act (Chapter 36.70C RCW).
- (2) *No change.*

14.16.600 ~~Unclassified use permit~~ Essential Public Facilities.

- (1) Purpose. This section provides for the higher scrutiny necessary to permit certain regional uses that will have potentially significant built and natural environmental impacts that can adversely affect the rural character of the surrounding area.
- ~~(2) — Unclassified uses include the following uses. Included in parentheses after each use are the zones in which an unclassified use may be considered. The listing of zoning districts in which an unclassified use may be permitted does not presume that a specific use in a given location will be determined to be appropriate.~~
 - ~~(a) — State and regional correctional facilities (SF-NRL, RRc-NRL, RRv).~~
 - ~~(b) — Power generation facilities (IF-NRL, SF-NRL, RRc-NRL, BR-HI).~~
 - ~~(c) — Oil and gas extraction (IF-NRL, SF-NRL, RRc-NRL).~~
 - ~~(d) — Solid waste handling facility (SF-NRL, RRc-NRL, BR-HI, BR-LI, HI).~~
 - ~~(e) — Regional wastewater treatment facilities (SF-NRL, RRc-NRL, RRv, BR-HI).~~
 - ~~(f) — Regional racetracks (RRv, BR-LI, BR-HI).~~
 - ~~(g) — Fairgrounds (RRv).~~
 - ~~(h) — Stadiums/arenas (RRc-NRL, RRv, BR-LI, BR-HI).~~
 - ~~(i) — Colleges/State educational facilities (SF-NRL, RRc-NRL, RRv).~~
 - ~~(j) — Regional transportation facilities (SF-NRL, RRc-NRL, RRv, BR-LI, BR-HI).~~
 - ~~(k) — In-patient substance abuse and mental health facilities (RRv).~~
 - ~~(l) — Hospitals (RRv, RI, BR-LI).~~
 - ~~(m) — Regional performing center (RRv, RI, RVR, BR-LI).~~

~~As authorized under SCC 14.16.020(3), additional unclassified uses may be determined by the Administrative Official.~~

- ~~(2) When allowed. An essential public facility (EPF) may be permitted in the following zones. Inclusion in the table does not presume that a specific use in a given location will be~~

determined to be appropriate. In the table, R means a regional EPF is allowed in the zone; L means a local EPF is allowed in the zone.

Type of Use	AVR	BR-LI	BR-HI	HI	IF-NRL	RVR	RRc-NRL	RRv	RI	SF-NRL
Airports	R		R							
State educational facility							R, L	R, L		R, L
State or regional transportation facility as defined in RCW 47.06.140		R, L	R, L				R, L	R, L		R, L
Regional transit authority facility as defined in RCW 81.112.020										
State/regional or local correctional facility							R, L	R, L		R, L
Solid waste handling facility		R, L	R, L	R, L			R, L			R, L
In-patient substance abuse, mental health, or secure community transition facility								R, L		
Power generation facility			R, L		R, L		R, L			R, L
Oil and gas extraction					R, L		R, L			R, L
Regional wastewater treatment facilities			R, L				R, L	R, L		R, L
Regional racetracks		R, L	R, L					R, L		
Fairgrounds								R, L		
Stadiums/arenas		R, L	R, L				R, L	R, L		
Hospitals		R, L						R, L	R, L	
Regional performing center		R				R		R	R	

- (3) ~~Process. An unclassified use application shall be reviewed under the same process as a Comprehensive Plan amendment, found in SCC 14.08.020. After receipt of an application for an EPF, the Administrative Official must determine if the EPF is of local or regional scale.~~
- (a) ~~A regional EPF is a major facility that provides public services to more than one county, where the provider has statutory authority to site and construct the facility, or where a regional, inter-governmental siting process has been followed. An application for a regional EPF is processed as a Level III application per SCC Chapter 14.06.~~
- (b) ~~A local EPF serves residents or property in Skagit County and is not a regional EPF. An application for a local EPF is processed as a Level II application per SCC Chapter 14.06.~~
- (4) ~~Application Requirements. An unclassified use application shall provide the same submittal materials as a rezone, found in SCC 14.16.900 and 14.08.020. An unclassified use permit shall also include an alternative site analysis evaluating at least 3 other alternative sites for the proposed facility. An application for an essential public facility must include the following:~~
- (a) ~~A detailed written description of the proposed and potential public services to be provided, including a proposed site plan, the proposed service area of the facility, the source or sources of funding, and identification of any applicable public regulatory agencies or regional state or federal project agency sponsors and the federal or state authority which the agency has been granted for siting decision-making;~~

- (b) A written statement of the need, in statistical or narrative form, for the proposed project currently and over the following 10-year period;
- (c) An inventory of known, existing or proposed facilities, by name and address, within Skagit County, or within the region, serving the same or similar needs as the proposed project;
- (d) An explanation of the need and suitability for the proposed facility in the proposed location(s);
- (e) An assessment of the suitability of the proposed location in the county or another jurisdiction in terms of local, county, regional and/or state needs in order to minimize public costs (where appropriate) and environmental impacts, to discern the suitability of the facility's location in the city or within another jurisdiction, to determine the number of jurisdictions affected or served by the proposed EPF, and to decide what, if any, inter-jurisdictional approach is most appropriate or available;
- (f) An analysis of the environmental, social, economic, financial and infrastructure impacts of the proposed EPF, including an assessment of the proportionate financial impacts on affected jurisdictions, consideration copies of agreements which allocate the financial burdens of the proposed project on the city and other jurisdictions, and the approximate area within which the proposed project could potentially have adverse impacts, such as increased traffic, public safety risks, noise, glare, emissions, or other environmental impacts;
- (g) An analysis of the proposal's consistency with the County's comprehensive plan and development regulations, and plans and policies of other affected jurisdictions, including but not limited to Skagit County countywide planning policies;
- (h) Documentation of public involvement efforts to date, including public and agency comments received, and plans for future public participation;
- (i) All application materials required by other provisions of Skagit County Code for components of the project not covered by this chapter; such as platting requirements, critical area code compliance, traffic concurrency, comprehensive plan and zoning, etc., so that code compliance for all components of the project can be reviewed together;
- (j) Any additional information requested by the Administrative Official necessary to complete the preliminary analysis or to otherwise assist the Department and Hearing Examiner in making recommendation(s) and the Board of County Commissioners in making the final determination on the application.

(5) Approval Criteria. The burden of proof shall be on the applicant to provide evidence in support of the application. The criteria for approval or denial shall include the following elements:

- (a) The characteristics of the ~~unclassified~~-use will not be unreasonably incompatible with the types of uses permitted in surrounding areas;
- (b) The proposed ~~unclassified~~-use will not create undue noise, odor, heat, vibration, air and water pollution impacts on surrounding existing or potential dwelling units;
- (c) The ~~unclassified~~-use will not materially endanger the health, safety and welfare of the community;

- (d) The ~~unclassified~~ use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the local area;
 - (e) The ~~unclassified~~ use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts;
 - (f) The location, size and height of buildings, structures, walls and fences and screening vegetation for the ~~unclassified~~ use shall not hinder or discourage the appropriate development or use of neighboring properties;
 - (g) The ~~unclassified~~ use is not in conflict with the policies of the Comprehensive Plan, the Comprehensive Plans of adjacent jurisdictions that may be affected by the use, or the basic purposes of this Title. In particular, the factors of Capital Facilities Element policies 5.4.2, 5.4.3, and 5.8, and Essential Public Facilities Policy 3.2 shall be addressed;
 - (h) For ~~unclassified~~ uses outside of urban growth areas, extension, construction, or maintenance of urban services and facilities is not required, unless no practicable alternative exists;
 - (i) No feasible alternative sites which better meet the requirements of these criteria;
 - (j) The need for the ~~unclassified~~ use at a specific location is necessary, taking into account region-wide distribution of facilities and the capacity and location of equivalent facilities;
 - (k) For ~~unclassified~~ uses in or adjacent to IF-NRL, SF-NRL, AG-NRL, and RRc-NRL zoned lands, the impacts on the long-term natural resource management and production will be minimized;
 - (l) For State-owned essential public facilities, the State shall provide justification for the facility and its location in Skagit County based on forecasted needs and a logical service area; and
 - (m) For State-owned essential public facilities, the State shall have established a public process by which the residents of the County and of affected and "host" municipalities have a reasonable opportunity to participate in the site selection process.
- (6) Conditions of Approval. If approved, conditions of approval for the ~~unclassified~~ use shall include conditions of approval ~~which that~~ address the criteria listed above and the following:
- (a) Accessibility;
 - (b) Transportation needs and services;
 - (c) Supporting public facility and public service needs and the availability thereof;
 - (d) Site design;
 - (e) Time required for construction;
 - (f) Control of on-site and off-site impacts during construction;
 - (g) Facility operations;
 - (h) Impacts on critical areas;

- (i) Maintenance of standards congruent with applicable governmental regulations, particularly as they may change and become more stringent over time; and
- (j) Expediting and streamlining necessary governmental approvals and permits.

(7) Notice and community involvement.

(a) Regional EPF.

- (i) In addition to such other notice as may be required by law before the siting decision, and at least 90 days before submitting an application for a Regional EPF, the applicant must notify the affected public and jurisdictions of the general type and nature of the proposal, identify sites under consideration for accommodating the proposed facility, and identify opportunities to comment on the proposal.
- (ii) Published notice must be in a newspaper of general circulation in the affected area, and must include the information described above.
- (iii) The purpose of this provision is to enable potentially affected jurisdictions and the public to collectively review and comment on alternative sites for major facilities before the project sponsor has made their siting decision. Facilities identified and sited in the County's comprehensive plan shall be considered to have enabled potentially affected jurisdictions and the public to collectively review and comment on alternative sites.

(b) Local EPF. Must follow the notice procedures for Level II applications.

C-11 Personal Wireless Services Facilities

Replace all instances in Title 14 of "co-locate" with "collocate" and "co-location" with "collocation."

14.04.020 Definitions

The following definitions are amended or created:

Collocation: ~~the use of a personal wireless service facility, cell site or other structure by more than 1 personal wireless services provider.~~ The mounting or installation of equipment on an existing tower, building, or structure for the purposes of either transmitting or receiving, or both, radio frequency signals for communication purposes.

Eligible Collocation or Modification Request: Any request for collocation or modification of an existing tower, building, or structure that does not result in a substantial change as provided in SCC 14.16.720(6). Modification may include removal or replacement of transmission equipment.

14.06.100 Determination of completeness.

- (1) *No change.*
- (2) *No change.*
- (3) For applications determined to be incomplete, the Administrative Official or designee shall identify, in writing, the specific requirements or information necessary to constitute a complete application and inform the applicant that the required information must be submitted to the Department within 180 days. If the applicant does not submit all of the required information within the 180-day period, the application shall lapse. The applicant may

request in writing an extension of time if the request is made at least 14 days prior to the expiration of the 180-day period. The Administrative Official or designee may grant 1 or more (although not exceeding 3) 3-month extensions if the required studies or information warrants additional time. Upon submittal of the additional information, the Administrative Official or designee shall, within 14 days, issue a determination of completeness or identify what additional information is required except for eligible collocation and modification requests for personal wireless services facilities which require a response within 10 days of receipt of additional information. An application will not be deemed complete for purposes of vesting until all information requested for a complete application is received by the Department, unless Subsection (4) of this Section applies.

- (4) *No change.*
- (5) *No change.*
- (6) *No change.*

14.06.210 Timing of decisions

(1) In general, all development permit decisions shall be issued within 120 days of the date the letter of completeness is issued.

(a) Final decision on preliminary subdivisions and binding site plans shall generally be issued within 90 days from the date the letter of completeness is issued.

(b) Final decisions on final plats and short plats shall generally be issued within 30 days from the date the letter of completeness is issued.

~~(1)~~(c) Final decisions on eligible collocation and modification requests for personal wireless services facilities must be issued within 60 days of the date a letter of completeness is issued.

(2) *No change.*

(3) *No change.*

(4) The provisions of this Section notwithstanding, the failure to issue a final decision within the time frames specified shall not be considered an implicit approval or denial of the development permit, nor shall it be reason in and of itself for the County to be liable for damages for failure to meet the specified time frames.

(a) Exception. If the County fails to issue a final decision for an eligible collocation or modification request for a personal wireless services facility within 60 days (accounting for any tolling) the application is deemed granted. The approval does not become effective until the applicant notifies the County in writing after the review period has expired that the application has been deemed granted. The County may challenge this determination in a court of competent jurisdiction.

14.16.720 Personal wireless services facilities.

(1) Purpose. These standards were developed to protect the public health, safety and welfare, to protect property values and minimize visual impact while furthering the development of enhanced wireless telecommunications services in the County. These standards were designed to comply with the Telecommunications Act of 1996. The Board of County Commissioners finds that the promulgation of this Section is warranted and necessary:

- (a) To manage the location of towers and antennas in the County;
 - (b) To protect residential areas and land uses from adverse impacts of towers;
 - (c) To minimize adverse visual impacts of towers through careful design, siting, landscape screening and innovative camouflaging techniques;
 - (d) To accommodate an increased need for towers/antennas to serve the wireless communication needs of County residents;
 - (e) To promote and encourage ~~co-location~~collocation on existing and new towers as an option rather than construction of additional single-use towers and to reduce the number of such structures needed in the future;
 - (f) To consider the public health and safety of towers to the extent permitted by the Telecommunications Act of 1996; and
 - (g) To avoid potential damage to adjacent properties through sound engineering practices and the proper siting of antenna support structures.
- (2) Tower Sites on Substandard Lots and Lots with Other Uses.
- (a) For the purposes of this Title, personal wireless services and facilities shall be considered utilities. A communication tower may be located on a lot utilized for other uses and on a parcel smaller than the minimum lot size required in the zoning district. This parcel shall be identified as the “tower site.” The tower site shall be subject to the requirements of SCC 14.16.720, but not the requirements of Chapter 14.18 SCC, Land Division.
 - (b) A wireless service provider shall provide documentation that permission has been granted for the use of an easement for a “tower site.” Such easement areas shall be shown on the site plan. Documentation of the recording of the easement shall be required prior to the issuance of the building permit.
- (3) Intent. The intent of this Section is to provide specific regulations for the placement, construction and modification of personal wireless service facilities. The provisions of this Section are not intended to and shall not be interpreted to prohibit or to have the effect of prohibiting the provision of personal wireless services, nor shall the provisions of this Section be applied in such a manner as to unreasonably discriminate between providers of functionally equivalent personal wireless services.
- (4) Interpretation. To the extent that any provision or provisions of this Section is inconsistent or in conflict with any other provision of the County code or any ordinance of the County, the more restrictive provisions(s) shall control.
- (5) Siting Goals. The County has been confronted with increasing frequency with requests to site towers and antennas. Thus, the County has established the following goals to guide the siting of towers and antennas:
- (a) Enhance the ability of personal wireless service providers to provide such services throughout the County quickly, effectively and efficiently;
 - (b) Encourage personal wireless service providers to locate towers and antennas in nonresidential areas;
 - (c) Minimize the total number of towers throughout the County;

- (d) Encourage personal wireless service providers to co-locate ~~on new and existing tower sites~~; and
 - (e) Encourage personal wireless service providers to locate towers and antennas in areas where the adverse visual impact on County residents is minimal.
- (6) ~~Co-Location~~ Collocation Encouraged. ~~To minimize adverse visual impacts associated with the proliferation of towers, co-location~~ Collocation of personal wireless service facilities ~~on existing or new~~ towers is encouraged as follows:
- (a) ~~Providers shall and are encouraged to co-locate onto towers provided such co-location is accomplished in a manner consistent with the policy, site criteria, landscaping/screening and all other provisions contained in this Section, then such co-locations~~ Eligible collocations are permitted by right and new or additional special use permit review approval is not required, except that any other permit, license, lease, or franchise requirements must be satisfied. An eligible collocation is one that does not result in a substantial change in the size of the tower, structure, etc. "Substantial change" occurs when a collocation or modification substantially changes the physical dimensions of an existing tower, building, or structure if it meets any of the following criteria:
 - (i) For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater;
 - (ii) For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;
 - (iii) For any existing structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;
 - (iv) It entails any excavation or deployment outside the current site;
 - (v) It would defeat the concealment elements of the existing structure; or
 - (vi) It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in paragraphs (i)-(iv) of this subsection.

- (b) The County will not consider an application complete to construct new facilities unless the applicant has shown that it has made a diligent effort to mount the facilities on an existing structure or tower that is within a 2,500-foot radius of the chosen site.
- (c) When ~~co-location~~collocation on an existing facility is not feasible:
 - (i) An applicant's site plan shall reserve an area for other providers' equipment near the base of the applicant's tower; and
 - (ii) The site plan for towers in excess of 100 feet must propose space for a minimum of 2 additional providers, while the site plan for towers 100 feet or less must propose space for a minimum of 1 additional provider.

~~(d) — To provide further incentive for co-location, an existing tower may be modified as a matter of right to accommodate co-location without new or additional special use permits. The following conditions shall also be met:~~

- ~~(i) — Height. An existing tower may be modified or rebuilt to a taller height, not to exceed 20 feet over the tower's existing height and subject to the other provisions of this Section. The height change may occur only once per tower.~~

~~(e)~~(d) Application Requirements for Eligible Collocation or Modification Requests. The applicant must submit sufficiently detailed plans ~~to Planning and Development Services on forms provided by the Department~~ for an administrative review to determine if the special use permit review process and public hearing can be waived per (6)(a) above. No building permit will be issued until approval is granted through the administrative review of the ~~co-location~~eligible collocation or modification request. See SCC 14.06.100 and .210 for requirements related to timing of review of eligible collocation and modification requests.

(7) – (11) *No change.*

(12) General Requirements. The following general requirements shall apply to towers and antennas construction:

- (a) New Uses. All new applications for antennas and towers filed after the adoption of the ordinance codified in this Chapter shall comply with this Section.
- (b) Existing Uses. All towers and antennas existing on the date of passage of this Section shall be allowed to continue as they presently exist. Routine maintenance shall be permitted on existing towers and antennas. However, new construction other than routine maintenance on existing towers, antennas, buildings or other facilities shall comply with the provisions set forth in this Section.
- (c) Permits Required. Permits are required for all personal wireless service facilities as follows:
 - (i) Building permits shall be required for co-location or expansion projects on existing towers located within any zoning district. For the purposes of this Subsection only, a building permit does not trigger a development permit application for a shoreline substantial development permit under Chapter 14.26 SCC when the application is to co-locate on an existing antenna support structure. Eligible collocation and modification requests are permitted as of right and do not require a special use permit.

- (ii) Building permits and administrative special use permits shall be required for projects (excluding eligible collocation and modification requests) located within the Bayview Ridge Light Industrial (BR-LI), Bayview Ridge Heavy Industrial (BR-HI), Natural Resources Industrial (NRI), Rural Marine Industrial (RMI), Rural Freeway Services (RFS), Urban Reserve Commercial-Industrial (URC-I), Hamilton Industrial (H-I), Rural Village Commercial (RVC), Rural Center (RC), Rural Business (RB), Agricultural (Ag-NRL), Secondary Forest (SF-NRL), Rural Resource (RRc-NRL), Industrial Forest-Natural Resource Lands (IF-NRL), Urban Reserve Public Open Space (URP-OS), Public Open Space of Regional/State Importance (OSRSI), and the Master Planned Resort (MPR) zones and on projects located within the (c), (d), (e) and (f) priority locations of Subsection (10) of this Section.
- (iii) Building permits and Hearing Examiner special use permits shall be required for projects (excluding eligible collocation and modification requests) located within the Aviation Related (AVR), Rural Intermediate (RI), Rural Village Residential (RVR), Urban Reserve Residential (URR), Hamilton Urban Reserve (H-URv), Rural Reserve (RRv), Small Scale Business (SSB), and Small Scale Recreation and Tourism (SRT) zoning districts and for (g) and (h) priority locations of Subsection (10) of this Section.
- (d) Inspection Required. Each year after a personal wireless service facility becomes operational, the facility operator shall conduct a safety inspection and file a report with the County within 60 days of the inspection. This requirement shall be a condition of any permit.
- (e) Noise Regulations. Noise from air conditioners or other equipment associated with personal wireless service facilities and appurtenant structures shall not exceed 45dBA “EDNA” (Chapter 173-60 WAC, Maximum Environmental Noise Levels) at the adjacent residential property line, except for emergency situations requiring the use of a backup generator where the noise standards may be exceeded on a temporary basis.
- (f) Federal Requirements. All towers and antennas must meet or exceed current standards and regulations of the FAA, the FCC and any other agency of the Federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the personal wireless services providers governed by this Section shall bring such towers and antennas into compliance within the timelines provided by the revised standards and regulations. The revised standards and regulations are not retroactively applicable to existing providers unless otherwise provided or permitted by Federal law. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the County to remove the provider’s facilities at the provider’s expense.

(g) No banners or similar materials may be attached to the tower, antenna support structure or antenna.

(13) – (16) *No change.*

(17) Application Process. Developers of towers and antennas are encouraged to consult with Skagit County Planning and Development Services staff prior to making application in order to review the siting policies, priority of locations and to discuss the permitting process and application requirements. In reviewing any application to provide personal wireless services or to install personal wireless service facilities, Planning and Development Services shall act within a

reasonable period of time taking into account the nature and scope of the application. For eligible collocation and modification requests, a reasonable period of time is 60 days from the time an complete application is filed. For all other proposals for personal wireless service facilities, a reasonable period of time is 120 days. Any decision to deny such an application shall be in writing and supported by substantial evidence contained in a written record. The review and approval process is defined in Chapter 14.06 SCC, Permit Procedures.

- (18) Application ~~Package~~ Requirements for Proposed Personal Wireless Service Facilities, Excluding Eligible Collocation and Modification Requests. A complete application form provided by Planning and Development Services, with supporting documents as required below, that contains sufficient information to determine compliance with adopted rules and regulations as outlined in SCC 14.16.850 shall be submitted. At the discretion of Planning and Development Services, all personal wireless service facilities applicants shall be required to submit any combination of site plans, surveys, maps, technical reports or written narratives necessary to convey the following information:
 - (a) – (q) *No change.*
- (19) *No change.*
- (20) Upon approval of a special use permit where necessary, the subsequent completed building permit application will require the following items:
 - (a) – (c) *No change.*

14.18.000 General

- (1) *No change.*
- (2) Applicability/Exemptions. This Chapter shall apply to all divisions and redivisions of land for the purposes of sale, lease, or other transfer except:
 - (a) Cemeteries and other burial plots while used for that purpose;
 - (b) Divisions of land into lots 80 acres and greater. For purposes of computing the size under this Subsection exemption of any lot that borders on a street or road, the lot size shall be expanded to include that area which would be bounded by the centerline of the road or street and the side lot lines of the lot running perpendicular to such centerline.
 - (c) Divisions made by testamentary provisions, or the laws of descent; provided, that newly created parcels are subject to all zoning and building code regulations in effect at the time of the filing of a complete development permit application for such parcel.
 - (d) A division for the purpose of leasing land for facilities providing personal wireless services while used for that purpose.
 - (e) Any other division exempted by RCW 58.17.040.

C-12 and C-13 NRL Disclosure Mailing and Title Notice

SCC 14.38.030 Disclosure.

- ~~(1) The statement set forth in Subsection (2) of this Section (“disclosure”) shall be used under the following circumstances and in the following manners:~~

~~(a) Skagit County shall mail a copy of the disclosure, with an explanatory informational attachment to all landowners whose parcel(s) lie within an area or within 500 feet of an area designated as a Natural Resource Land in Skagit County beginning in the year 1999 and every 3 years thereafter; provided that no liability shall attach to Skagit County for any actions or omissions under this Subsection.~~

~~(b)~~(1) Upon transfer of real property by sale, exchange, gift, real estate contract, lease with an option to purchase, any other option to purchase, ground lease coupled with improvements, or any other means, the ~~seller shall be required to~~ buyer must record with the County Auditor a statement containing the language set forth in Subsection (2) of this Section in conjunction with the deed conveying the real property; ~~provided, however, that~~ when the real property is located within 1 mile of the Agriculture Natural Resource Land (Ag-NRL), or 1/4 mile of Industrial Forest Natural Resource Land (IF-NRL), Secondary Forest Natural Resource Land (SF-NRL), or Rural Resource Natural Resource Land (RRc-NRL), or Mineral Resource Overlay (MRO-NRL) districts, as set forth in SCC 14.16.400, 14.16.410, 14.16.420, 14.16.430, and 14.16.440, respectively.

(2) The following shall constitute the disclosure required by this Section:

This ~~disclosure applies to parcels~~ property may be designated or may be within 1 mile of designated agricultural land or designated or within 1/4 mile of rural resource, forest or mineral resource lands of long-term commercial significance in Skagit County. A variety of Natural Resource Land commercial activities occur or may occur in the area that may not be compatible with non-resource uses and may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals; or from spraying, pruning, harvesting or mineral extraction with associated activities, which occasionally generates traffic, dust, smoke, noise, and odor. Skagit County has established natural resource management operations as a priority use on designated Natural Resource Lands, and area residents should be prepared to accept such incompatibilities, inconveniences or discomfort from normal, necessary Natural Resource Land operations when performed in compliance with Best Management Practices and local, State, and Federal law.

In the case of mineral lands, application might be made for mining-related activities including extraction, washing, crushing, stockpiling, blasting, transporting and recycling of minerals. If you are adjacent to designated NR Lands, you will have setback requirements from designated NR Lands.

C-14 Notification of Development adjacent to NRL land

14.16.870 Notification of development activities on or adjacent to designated natural resource lands.

(1) Title Notification. The owner of any site in or within 500 feet of Natural Resources Lands, for which an application for a development permit is submitted ~~as defined in Chapter 14.04 SCC, shall record a title notification with the Skagit County Auditor. The content and form must be approved by the Administrative Official and the Prosecuting Attorney. The notice shall be notarized and shall be recorded prior to approval of any development proposal for the site, and include the following language~~ must sign a statement that includes the following language:

This parcel lies within an area or is within 500 feet of an area designated as a natural resource land (agricultural, forest, and mineral resource lands of long-term commercial significance) in Skagit County. A variety of natural resource land commercial activities occur or may occur in the area that may not be compatible with non-resource uses and may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals; or from spraying, pruning, harvesting, or mineral extraction with associated activities, which occasionally generates traffic, dust, smoke, noise, and odor. Skagit County has established natural resource management operations as a priority use on designated natural resource lands, and area residents should be prepared to accept such incompatibilities, inconveniences, or discomfort from normal, necessary natural resource land operations when performed in compliance with best management practices and local, State, and Federal law. In the case of mineral lands, application might be made for mining-related activities including extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals. In addition, greater setbacks than typical may be required from the resource area, consistent with SCC 14.16.810. Contact Skagit County Planning and Development Services for details.

C-15 Cleanup: MRO

14.16.430 Rural Resource—Natural Resource Lands (RRc-NRL).

- (1) *No change.*
- (2) *No change.*
- (3) *No change.*
- (4) Hearing Examiner Special Uses.
 - (a) – (f) *No change.*
 - (g) If located within a designated mineral resource overlay, extracting and processing mineral resources pursuant to SCC 14.16.440, Mineral Resource Overlay.
 - (h) – (t) *No change.*
- (5) *No change.*
- (6) *No change.*

C-16 Fueling Stations [see S-3]

This item is addressed in item S-3.

C-17 Temporary Events in Commercial and Industrial

14.16.195 Urban Reserve Commercial-Industrial (URC-I).

- (1) Purpose. *No change.*

- (2) Permitted Uses.
 - (a) – (aa) *No change.*
 - (bb) Temporary events.
- (3) Administrative Special Uses.
 - (a) – (h) *No change.*
 - ~~(i) Temporary events.~~
 - (j)(i) Trails and primary and secondary trailheads.
 - (k)(j) Marijuana retail facility.
- (4) Hearing Examiner Special Uses. *No change.*
- (5) Dimensional Standards. *No change.*
- (6) Infrastructure Development Standards. *No change.*
- (7) Pedestrian Circulation. *No change.*
- (8) *No change.*

C-18 SEPA Admin Appeals

14.06.110 Level I review procedures.

- (1) – (12) *No change.*
- (13) The decision of the Hearing Examiner on the open record appeal may be appealed to the Board by filing a written Notice of Appeal with the clerk of the Board that meets the requirements of Subsections (8) and (9) of this Section within 14 days after the date of the Hearing Examiner decision, or decision on reconsideration, if applicable. Consistent with SCC 16.12.210, Appeals, the decision of the Hearing Examiner on SEPA procedural determinations (e.g., the adequacy of a determination of significance/nonsignificance or of a final environmental impact statement) is the final County determination and no appeal to the Board is allowed. This appeal shall be processed as a closed record appeal, pursuant to the provisions of SCC 14.06.170. The appellant shall bear the burden of proving the decision of the Hearing Examiner was clearly erroneous. The Board shall not overturn or modify the decision of the Hearing Examiner unless it finds it is clearly erroneous. The closed record appeal shall be conducted and a decision rendered within 60 days of the receipt of the Notice of Appeal.
- (14) – (15). *No change.*

C-19 Administrative Reduction in Setbacks

The following sections are amended as follows:

14.10.010 Purpose.

Variations from the terms of this Title may be authorized in specific cases that will not be contrary to the public interest, and where, due to special conditions, literal enforcement of the provisions of this Code would result in unnecessary hardship. Generally, variations shall only be considered for dimensional

standards, unless otherwise specified in this Title. Under no circumstances shall a variance be granted that allows a use not permissible under the terms of this Chapter in the district involved, or any use expressly or by implication prohibited by the terms of this Chapter in the district.

14.10.020 Applicability—Types of variances.

~~Variances shall generally be one of three types:~~A variance is one of three types:

- (1) Administrative Variances. The following variances ~~shall be processed as a~~are Level I ~~administrative decision pursuant to the provisions of SCC Chapter 14.06 by the respective department indicated. Appeals of administrative variances shall be to the Hearing Examiner as provided in SCC Chapter 14.06, except for alternatives to public works standards of SCC Chapter 14.36. applications and must demonstrate compliance with the criteria identified in the cited code sections:~~
 - (a) ~~Alternatives to the public works standards of SCC Chapter 14.36 shall be decided administratively by the Public Works Department, pursuant to Section 2.10 of the Skagit County Road Standards Manual.~~
 - (b) ~~Variances to the agricultural siting criteria of SCC 14.16.400 and 14.16.860 shall be decided administratively by Planning and Development Services.;~~
 - ~~(c)~~ Variances allowed in SCC 14.16.800(1)(d) related to Reductions in parking requirements allowed by SCC 14.16.800(2)(b);;
 - ~~(c)~~(d) Administrative setback reductions up to ~~50~~100% of the standard setback allowed by SCC 14.16.810(4) related to setback reductions and SCC 14.16.830(6)(i) related to landscaping requirements; shall be decided administratively by Planning and Development Services.
 - ~~(d)~~(e) Variances to SCC 14.16.340(5), minimum density for short plats, may be allowed in cases where previously developed property or property with critical areas constraints precludes development at the required densities. Such variances shall be decided administratively by Planning and Development Services.;
 - ~~(e)~~ Adjustments or exceptions from the provisions of SCC Chapter 14.32 are decided administratively by Planning and Development Services using the process and criteria in SCC 14.32.040(5) and not this Chapter.;
 - (f) ~~Variances to standard critical area buffer widths (25 percent to 50 percent) pursuant to SCC 14.24.140(1)(a) shall be decided administratively by Planning and Development Services.~~
- (2) Board of County Commissioner Variances. Variances to any ~~other~~ requirements of the Ag-NRL zone found in SCC 14.16.400, other than those listed above, or to ~~SCC 14.16.860~~, agricultural resource land preservation, ~~SCC 14.16.860~~, shall be processed as a Level III application ~~HE recommendation by the Hearing Examiner with a final decision by the Board of County Commissioners, as described in Chapter 14.06 SCC.~~
- (3) Hearing Examiner Variances. ~~All~~Any other requests for variances ~~to from~~ any of the allowed provisions requirements of this Title ~~shall be processed as is~~ a Level II application unless otherwise specified. ~~Hearing Examiner Decision pursuant to the requirements of Chapter 14.06 SCC (Permit Procedures). Appeal of the Hearing Examiner Decision may be made to the Board of County Commissioners as described in Chapter 14.06 SCC; provided, that shoreline~~

variances shall follow the procedures of the Skagit County Shoreline Management Master Program, as may be amended.

14.10.030 Application ~~procedures~~ requirements.

- (1) An application for a variance must be submitted on forms provided by the Department and must demonstrate compliance with each of the variance criteria in 14.10.040.
- (2) An application for a variance may be accompanied by another permit application that depends on the variance, but the accompanying permit application may not be approved until the variance is approved.
- ~~(1) A variance from the requirements of this Title shall be submitted on forms provided by Planning and Development Services, or, in the case of a request for an alternative from the Public Works Standards, on forms provided by the Public Works Department.~~
- ~~(2) A narrative statement shall be included with the application forms demonstrating that the requested variance conforms to the following standards:
 - ~~(a) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. Topics to be addressed include topographic or critical area constraints that make use of the particular site infeasible without the proposed variance.~~
 - ~~(b)(a) Literal interpretation of the provisions of this Chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of SCC Titles 14 and 15.~~
 - ~~(c)(a) The special conditions and circumstances do not result from the actions of the applicant.~~
 - ~~(d)(a) The granting of the variance requested will not confer on the applicant any special privilege that is denied by SCC Titles 14 and 15 to other lands, structures, or buildings in the same district.~~~~
- ~~(e) An explanation of how the requested variance meets any other specific criteria required for the type of variance requested, where applicable, including, but not limited, to the following:
 - ~~(i) Explanation of compliance with the criteria for a Critical Areas Ordinance variance under SCC 14.24.140.~~
 - ~~(ii) Explanation of compliance with the criteria for a shoreline variance under the Skagit County Shoreline Management Master Program.~~
 - ~~(iii) Explanation of compliance with the criteria for a public works alternative under the Skagit County Public Works Standards adopted pursuant to Chapter 14.36 SCC.~~
 - ~~(iv) Explanation of compliance with the criteria for variance from the agricultural siting criteria found in SCC 14.16.400(6).~~
 - ~~(v) Explanation of compliance with the criteria for a Flood Hazard Ordinance variance found in SCC 14.34.130.~~~~

~~(f) If applicable, an explanation from the applicant as to why, if a variance is denied, the applicant would be denied all reasonable use of his or her property.~~

14.10.040 Findings of variance Approval criteria.

- (1) ~~The Approving Authority shall make findings whether:~~In order to approve a variance, the Approving Authority must make findings that the reasons set forth in the application and record justify the granting of the variance and all of the following:
 - ~~(a) The reasons set forth in the application justify the granting of the variance, including findings relating to compliance~~The variance complies with any relevant variance criteria found in other sections of Skagit County Code.
 - (b) The variance is the minimum variance that will make possible the reasonable use of land, building, or structure.
 - (c) The granting of the variance will be in harmony with the general purpose and intent of this Title and other applicable provisions of the Skagit County Code, and will not be injurious to the neighborhood, or otherwise detrimental to public welfare.
 - (d) For all Level II variances and all setback variances:
 - (i) The requested variance arises from special conditions and circumstances, including topographic or critical area constraints, which are peculiar to the land, structure, or building involved and which are not ordinarily found among other lands, structures, or buildings in the same district.
 - (ii) The special conditions and circumstances do not result from the actions of the applicant.
 - (iii) Literal interpretation of the provisions of this Chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of SCC Titles 14 and 15.
 - (iv) The granting of the variance requested will not confer on the applicant any special privilege that is denied by SCC Titles 14 and 15 to other lands, structures, or buildings in the same district.

14.10.050 General conditions.

- (1) In granting any variance, the Approving Authority may prescribe such conditions and safeguards as are necessary to secure adequate protection for the locality in which the use is to be permitted.
- (2) All variance decisions of the County shall be recorded with the Auditor. If they contain conditions to be imposed on the property even after it has been sold, the recorded notice shall include the following information:
 - (a) Owner's name.
 - (b) Parcel number.
 - (c) Property address.
 - (d) Complete legal description.
 - (e) Conditions to be imposed on the property.

14.16.810 Setback requirements.

- (1) Applicability.
 - (a) All structures must meet minimum horizontal setback requirements of the applicable zone.
 - (b) Setbacks do not apply to fences 6 feet or less in height, fences 8 feet or less in height in the commercial–industrial or aviation-related zones, retaining walls 4 feet or less in height, landscaping, freestanding signs, or paved areas, unless otherwise provided.
- (2) *No change.*
- (3) *No change.*
- (4) Administrative Reduction of Setbacks. ~~The Administrative Official may reduce the required front, side or rear setbacks where topography or critical areas or the lot’s size and configuration impact the reasonable development of the property. To reduce the front or rear setback, the Administrative Official must determine that the public health, safety, and welfare will be maintained. Consultation with the Public Works Department concerning traffic safety may be solicited during this analysis. An applicant may request a variance to reduce the standard setbacks per SCC Chapter 14.10. This provision may not be used in locations where 100% height of tower setbacks are required per SCC 14.16.720(13)(b) for personal wireless services facilities.~~
- (5) Side and Rear Yard Easements. In lieu of normal side or rear yard setback standards required in each zoning district, and as an alternative to obtaining a setback variance, a landowner may seek an easement from the affected adjoining property owner(s). ~~The~~ provisions of this Subsection ~~shall~~ provide greater flexibility to the property owner for the placement of a residence and/or accessory buildings, agricultural, commercial or industrial structures. Minimum building separation must be maintained, ~~i.e.e.g.~~, 16 feet in a residential zoning classification and as otherwise required by the IBC. In order to construct a structure within the normal side or rear yard setback area, an easement document must be obtained from the adjacent property owner. The easement must be recorded with the Skagit County Auditor’s Office and filed with the building permit application. The easement document must contain:
 - (a) The legal description of the grantor’s property.
 - (b) The legal description of the grantee’s property.
 - (c) The legal description of the easement.
 - (d) What rights are being granted or restricted by the easement. At a minimum the property granting the easement must be restricted from building within twice the normal side yard setback requirements from the property line or the amount of feet necessary to maintain minimum building separation. The owner of the property receiving the easement must be granted the right of access to maintain the structure if needed. Additional rights or restrictions are up to the individual parties.
 - (e) Identification of all the owners of the properties involved.
- (6) *No change.*
- (7) Parcels of land outside of and immediately adjacent to Natural Resource Lands (Rural Resource-NRL, Agriculture-NRL, Industrial Forest-NRL, Secondary Forest-NRL, and Mineral Resource Overlay Zones) shall observe a minimum building setback of 200 feet from such

Natural Resource Lands. ~~The setback does not apply. This setback may be waived~~ if the applicant for the building permit on the adjacent non-resource land acknowledges in writing the possible occurrence of agricultural, forestry, or mining activity on the adjacent property and waives, in writing, for all current and future owners, any claim for damages that may occur to the building or occupants because of such activities which are conducted in accordance with applicable State regulations, and records the acknowledgement and waiver with the County auditor. In the case of Agricultural-NRL and Industrial Forest-NRL lands, this waiver must also be approved by the owner of the adjacent ~~Agricultural-NRL and Industrial Forest-NRL lands. Planning and Development Services may administratively reduce this setback in lieu of a signed waiver from the neighboring NRL landowner where the lot's size and configuration would otherwise preclude reasonable development of the property. To reduce this setback, the Administrative Official must determine that the public health, safety, and welfare will be maintained. The acknowledgement and waiver discussed herein shall be recorded by the applicant with the County Auditor.~~

(a) For Ag-NRL lands, if approval of the adjacent landowner cannot be obtained, the Department may reduce the setback if it meets the variance criteria in SCC 14.10.040.

(b) For Industrial Forest-NRL lands, if approval of the adjacent landowner cannot be obtained, a Hearing Examiner variance is required to reduce the setback.

- (8) ~~Planning and Development Services may administratively reduce setbacks within Natural Resource Lands; provided, that the Administrative Official determines that the public health, safety, and welfare will be maintained. Such Administrative reductions are permitted where~~The Administrative Official may reduce setbacks within Natural Resource Lands when 1 or more of the following situations would otherwise preclude reasonable development of the property:
- (a) Existing Structures. Existing structures are located within the setback area, and allowing new structures to be located within the setback area close to the existing structures will assist in resource operations.
 - (b) Road Right-of-Way as Part of Building Setback Calculation. Where a Natural Resource Land abuts right-of-way, the Administrative Official may reduce the setback by including the right-of-way footage in the setback calculation.

14.16.830 Landscaping requirements.

- (1) – (5) *No change.*
- (6) General Standards. The following general standards will be required in all districts where landscaping is required:
 - (a) – (h) *No change.*
 - (i) Alternative landscape plans ~~may be submitted which that~~ differ from the requirements contained in this Section may be approved as a Level I variance per SCC 14.10.~~The Administrative Official shall make an administrative decision to approve or deny the landscape plan pursuant to a Level I process.~~ All plans shall demonstrate how they meet the intent as outlined in this Section or that a hardship exists because of lot topography, size, or location.
 - (j) *No change.*

C-20 and C-21 Home-Based Business

Wherever "home based business" or its variants appear in SCC Title 14, hyphenate "home-based."

SCC 14.16.730 ~~Home-Based Business 1~~ Home-Based Businesses

- (1) There are 3 types of ~~Home-Home~~-Based Businesses: ~~Home-Based Business 1, Home-Based Business 2, and Home-Based Business 3~~. Home Based Business 2 and 3 require a special use permit, and are discussed in SCC 14.16.900. Uses specifically identified in this Chapter ~~shall only be~~ allowed in the zoning districts for which they are designated and ~~shall not be~~ are not eligible for consideration as a ~~Home-Home~~-Based Business in any other zone.

(2) ~~Home-Home~~-Based Business 1.

~~(2)~~(a) The use ~~must shall~~ meet the following criteria:

- ~~(a)~~(i) Is carried out exclusively by a member or members of a family residing in the dwelling unit;
- ~~(b)~~(ii) Is clearly incidental and secondary to the use of the property for dwelling purposes, with the floor area devoted to the home occupation not exceeding 25% of the living area of the dwelling unit (business activity may be conducted in buildings other than the dwelling, provided that the size of such use does not exceed 25% of the living area of the dwelling unit);
- ~~(c)~~(iii) Has no outside storage, no outside signs of any size or type, nor other exterior indication of the home occupation or variation from the residential character of the property;
- ~~(d)~~(iv) Does not require the installation of heavy equipment, large power tools or power sources not common to a residential dwelling;
- ~~(e)~~(v) Does not create a level of noise, vibration, smoke, dust, odors, heat or glare beyond that which is common to a residential area; and
- ~~(f)~~(vi) Does not have clients come to the site.

- (b) The intent of this use category is to allow a ~~home-home~~-based business to operate with the above-noted limitations. When the business grows beyond the criteria established above, the business shall apply for a ~~Home-Home~~-Based Business 2 or 3 special use permit (if allowed by the applicable zone) or shall relocate to a zoning classification which would permit the activity. Special use permits issued after June 1, 1997, shall not be used as justification for Comprehensive Plan amendment and/or rezone requests.

(3) ~~Home-~~Based Business 2.

~~(3)~~(a) Special use permits are subject to the following criteria:

- (i) Is carried out by a member or members of a family residing in the dwelling;
- (ii) Is clearly incidental and secondary to the use of the property for dwelling purposes (business activity may be conducted in buildings other than the dwelling, provided that the size of such use does not exceed 50% of the living area of the dwelling unit);

- (iii) Has no outside storage nor other exterior indication of the home occupation or variation from the residential character of the property with the exception of 1 sign not to exceed 4 square feet, provided such sign shall not be illuminated;
- (iv) Does not require the installation of heavy equipment, large power tools or power sources not common to a residential dwelling;
- (v) Does not create a level of electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odors, heat, glare, traffic and other environmental impacts beyond that which is common to a residential area;
- (vi) Does not create a level of parking demand beyond that which is normal to a residential area;
- (vii) May have clients come to the site;
- (viii) If established after June 1, 1997, shall not be used as justification for future Comprehensive Plan amendment and/or rezone requests.

~~(b)~~ It should be noted that the The intent of this category of special uses is to allow home-based businesses to operate with the above-noted limitations. When the business grows beyond the criteria established above and the conditions included in any approval, the business shall relocate to a zoning classification which would permit the activity.

~~(4)~~ Home-Based Business 3.

~~(a)~~ Special use permits are subject to the following criteria:

- (i) Is carried out by a member or members of a family residing in the dwelling and may include up to 3 additional employees;
- (ii) Is clearly incidental and secondary to the use of the property for dwelling purposes;
- (iii) The business activity may be conducted in buildings other than the dwelling; provided, that the size of such building shall be consistent with the residential area and such building is properly permitted for the use;
- (iv) Has no outside storage nor other exterior indication of the home occupation or variation from the residential character of the property with the exception of 1 sign not to exceed 4 square feet, provided such sign shall not be illuminated;
- (v) Does not create a level of electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odors, heat, glare, traffic and other environmental impacts beyond that which is common to a residential area;
- (vi) Does not create a level of parking demand beyond that which is normal to a residential area;
- (vii) May have clients come to the site;
- (viii) If established after June 1, 1997, shall not be used as justification for future Comprehensive Plan amendment and/or rezone requests.

~~(b)~~ It should be noted that the The intent of this category of special uses is to allow home-based businesses to operate with the above-noted limitations. When the business

grows beyond the criteria established above and the conditions included in any approval, the business shall relocate to a zoning classification which would permit the activity.

14.16.900 Special use permit requirements.

- (1) Special Uses. [No change]
- (2) Special Uses with Specific Criteria.
 - (a) *No change.*
 - (b) *No change.*
 - (c) *No change.*
 - (d) *No change.*
 - (e) Home-Based Business 2. See SCC 14.16.730.
 - (f) Home-Based Business 3. See SCC 14.16.730.

~~(e)(g) Home-Based Business 2. Special use permits are subject to the following criteria:~~

- ~~(i) Is carried out by a member or members of a family residing in the dwelling;~~
- ~~(ii) Is clearly incidental and secondary to the use of the property for dwelling purposes;~~
- ~~(iii) Has no outside storage nor other exterior indication of the home occupation or variation from the residential character of the property with the exception of 1 sign not to exceed 4 square feet, provided such sign shall not be illuminated;~~
- ~~(iv) Does not require the installation of heavy equipment, large power tools or power sources not common to a residential dwelling;~~
- ~~(v) Does not create a level of electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odors, heat, glare, traffic and other environmental impacts beyond that which is common to a residential area;~~
- ~~(vi) Does not create a level of parking demand beyond that which is normal to a residential area;~~
- ~~(vii) May have clients come to the site;~~
- ~~(viii) If established after June 1, 1997, shall not be used as justification for future Comprehensive Plan amendment and/or rezone requests.~~

~~It should be noted that the intent of this category of special uses is to allow home based businesses to operate with the above noted limitations. When the business grows beyond the criteria established above and the conditions included in any approval, the business shall relocate to a zoning classification which would permit the activity.~~

~~(f)(h) Home-Based Business 3. Special use permits are subject to the following criteria:~~

- ~~(i) Is carried out by a member or members of a family residing in the dwelling and may include up to 3 additional employees;~~

- (ii) ~~Is clearly incidental and secondary to the use of the property for dwelling purposes;~~
- (iii) ~~The business activity may be conducted in buildings other than the dwelling; provided, that the size of such building shall be consistent with the residential area and such building is properly permitted for the use;~~
- (iv) ~~Has no outside storage nor other exterior indication of the home occupation or variation from the residential character of the property with the exception of 1 sign not to exceed 4 square feet, provided such sign shall not be illuminated;~~
- (v) ~~Does not create a level of electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odors, heat, glare, traffic and other environmental impacts beyond that which is common to a residential area;~~
- (vi) ~~Does not create a level of parking demand beyond that which is normal to a residential area;~~
- (vii) ~~May have clients come to the site;~~
- (viii) ~~If established after June 1, 1997, shall not be used as justification for future Comprehensive Plan amendment and/or rezone requests.~~

~~It should be noted that the intent of this category of special uses is to allow home based businesses to operate with the above noted limitations. When the business grows beyond the criteria established above and the conditions included in any approval, the business shall relocate to a zoning classification which would permit the activity.~~

14.16.400 Agricultural—Natural Resource Lands (Ag-NRL).

- (1) *No change.*
- (2) *No change.*
- (3) *No change.*
- (4) Hearing Examiner Special Uses.
 - (a) – (d). *No change.*
 - (e) **Home-Based Business 3, provided the use is accessory to an actively managed, ongoing agricultural operation and no conversion of agricultural land is required to accommodate the business activity.**
 - (f) – (o) *No change.*
- (5) *No change.*
- (6) *No change.*
- (7) *No change.*

C-22 Setbacks for Fences

14.04.020 Definitions

Modify the definition of “setback” as follows:

Setback: a line generally parallel with and measured from the lot line, existing or planned street or road right-of-way, easement or driven surface (whichever is most restrictive) defining the limits of an area in which no above-ground buildings, structures or junk may be located. ~~Setbacks do not apply to fences 6 feet or less in height, retaining walls 4 feet or less in height, landscaping, freestanding signs, or paved areas. See SCC 14.16.810.~~

C-23 Adult group care facility

14.04.020 Definitions

Modify the definition of “adult group care facility” as follows:

Adult group care facility: an establishment providing full-time care for more than 5 patients, convalescents, invalids, or aged persons. Such establishment ~~shall~~must be ~~duly~~ licensed by the State of Washington ~~as a nursing home~~ in accordance with current State statutes. Adult family homes regulated pursuant to Chapter 70.128 RCW and living quarters for unrelated, handicapped individuals protected under the Federal Fair Housing Amendments Act and RCW 35A.63.240 shall not be considered adult group care facilities for purposes of this Title.

C-24 Concurrency

SCC 14.04.020 Definitions

The following concurrency-related definitions are retained or amended in SCC Chapter 14.04.020:

Available capacity: capacity in a concurrency facility or service that is available for use without requiring facility construction, expansion or modification or will be available at project occupancy as a result of a committed improvement.

Certificate of capacity: a document issued by Planning and Development Services indicating the quantity of traffic impacts on County roads and the quantity of capacity for non-transportation concurrency facilities and services that has been reserved for a specific development project on a specific property.

Concurrency determination: ~~a concurrency determination for roads or a concurrency determination for non-transportation facilities and services~~ a determination that compares a proposed project’s impact on a given facility to the capacity of such facility, taking into account available facility capacity and any mitigation measures proposed by the applicant.

Concurrency facilities and services: the facilities and services for which project concurrency review is required in accordance with the provisions of ~~this SCC~~ Chapter 14.28. All of the concurrency facilities and services other than County roads are referred to as non-transportation concurrency facilities and services.

Concurrency facility and service providers: the County department or other governmental entity responsible for providing the applicable service or facility to a development project subject to project concurrency review, ~~as listed in SCC 14.28.110 under this Title. All of the concurrency facility and service providers providing facilities and services other than County roads are referred to as non-transportation concurrency facilities and services providers.~~

Final concurrency decision: a decision made by the project permit decision maker that there is or is not concurrency.

Funded projects: transportation improvement projects for which a financial commitment is in place to complete the improvements or TSM strategies within 6 years of the date the final concurrency decision is to be made. Each year, projects are to be designated as “funded” by the Board of County Commissioners at the time of adoption of the 6-Year Transportation Improvement Program.

Project concurrency review: a system of reviewing specific development projects to ensure that development permits are issued only after it is demonstrated that the levels of service on concurrency facilities and services will not be degraded below the adopted level of service standards for these facilities and services. This system involves an application filed by the permit applicant, a concurrency determination for facilities and service made by the concurrency facility and service provider and a final concurrency decision made by the project permit decision maker.

The following definitions are deleted from SCC Chapter 14.04.020:

Birdsall method: a level of service (LOS) methodology that is used by Skagit County to determine Road System Concurrency. This method uses “Planned Capacity” rather than “Physical Capacity” in determining roadway improvement needs. Roadways have an unmet need where the ratio of peak hour traffic (V) to planned capacity (PC) is greater than 1 ($V/PC > 1.0$). (For a detailed discussion of this concept, see Ch. V, Level of Service Standards, in the Transportation System Plan.)

Committed improvement: a legally binding commitment that a specific amount of capacity will be added to a concurrency facility or service by a specific date.

Concurrency decision: a decision that a proposed land development will not cause the level of service on a concurrency facility and service to decline below adopted levels of service standards, taking into account the available capacity, the capacity used by the proposed development, the capacity tentatively reserved by other pending development permit applications, the capacity reserved in certificates of capacity issued to projects that are not yet built, the capacity to be used by other growth estimated to occur, the capacity to be added by committed improvements that will be in place at the time the capacity is needed by the proposed development, and, in the case of transportation concurrency, the capacity to be added by funded projects.

Concurrency determination for non-transportation facilities and services: a concurrency determination made by the non-transportation facility provider which compares an applicant’s impact on that provider’s facilities to the capacity of such facilities, taking into account available facility capacity and any mitigation measures proposed by the applicant.

Concurrency determination for roads: a determination of concurrency made by the Department of Public Works which compares an applicant’s impact on County roads to the capacity of the County roads, taking into account available and planned capacity and any mitigation measures proposed by the applicant. Two separate methodologies are used: the Birdsall method for evaluating road system concurrency, and the Highway Capacity Manual for evaluating individual road concurrency.

High traffic County road intersections: any County road intersection into which the total approach volume is at least 7,000 average daily trips and the approach volume from all of the minor legs totals at least 1,000 average daily trips.

High traffic County road segments: any County road segment on which there are at least 8,000 average daily trips.

Highway Capacity Manual (HCM): a document which presents a collection of techniques for determining lane capacity and the best methodologies available at the time of publication for determining congestion based on quality of service or level of service for streets, roads, and highways.

Individual road concurrency: concurrency based on traditional A through F LOS rankings related to specific County road segments and to County road intersections using the Highway Capacity Manual.

Project occupancy: the time when a development project is ready to be occupied and will use concurrency facilities and services. It shall be assumed that the entire proposed development will be occupied upon issuance of the initial occupancy permit for the project.

Road system concurrency: concurrency related to the entire County road system rather than individual road segments or individual road intersections. This concept is used in the Birdsall method.

Chapter 14.28 is revised to read as follows:

14.28.010 Purpose.

(1) ~~Pursuant to the State Growth Management Act, Chapter 36.70A RCW, after the adoption of its Comprehensive Plan,~~ Skagit County is required by RCW 36.70A.070(6)(e) and the planning goals of RCW 36.70A.020 to ensure that transportation improvements or transportation systems management strategies to accommodate the impacts of development are in place at the time when a project is first occupied, or that a financial commitment is in place to complete the improvements or transportation systems management strategies within 6 years. ~~The County is also bound by the planning goals of RCW 36.70A.020 to ensure that public facilities and services necessary to support development are adequate to serve the development at project occupancy.~~

(2) Concurrency for certain urban and rural public facilities and services is ~~assured~~ ensured by the implementation of the Capital Facilities Plan, the County's monitoring and annual review of that plan, and the County's response in the absence of concurrency. Certain public facilities and services also need to be analyzed before the County can issue a project permit for a specific development. This Chapter addresses both the annual concurrency review process and the system whereby individual development projects are examined for concurrency and development permits are issued only after it is demonstrated that the levels of service will not be degraded below the adopted level of service standards for these facilities and services.

14.28.020 ~~Development exempt from project concurrency review.~~ Applicability.

~~All development shall undergo project concurrency review unless specifically exempt as follows:~~

(1) This chapter applies to all development except the following:

~~(1)(a)~~ (a) Exempt Development Permits. ~~The following development permits are exempt from project concurrency review:~~

~~(a)(i)~~ (i) Boundary line adjustment.

~~(b)(ii)~~ (ii) Final subdivision (if a concurrency test was conducted for the corresponding preliminary subdivision).

~~(c)~~(iii) Rezone (but not including a contract rezone which establishes a specific timeline for constructing the specific use and a deadline for such construction after which the contract rezone expires).

~~(d)~~(iv) Shoreline substantial development variance.

~~(e)~~(v) Street vacation.

~~(f)~~(vi) Temporary use permit.

~~(g)~~(vii) Variance.

~~(2)~~(b) Exempt Types or Levels of Development. ~~Permits for the following types or levels of development are exempt from project concurrency review:~~

~~(a)~~(i) Single-family dwelling unit.

~~(b)~~(ii) Duplex.

~~(c)~~(iii) Accessory dwelling unit.

~~(d)~~(iv) Any addition to, renovation or replacement of a residential structure with no change in use and no more than 1 additional dwelling unit added, such as reroofing.

~~(e)~~(v) Any accessory structure with no change in use and no more than 1 additional dwelling unit added.

~~(f)~~(vi) Interior completion of a structure for a use with the same or less intensity as the existing use or a previously approved use.

~~(g)~~(vii) Temporary construction trailer.

~~(h)~~(viii) Driveway, resurfacing, or parking lot paving.

~~(i)~~(ix) Demolition.

~~(j)~~(x) Any other permit or approval that the Administrative Official determines has no impact on a concurrency facility or service.

~~(3)~~(2) Exemption from Obtaining Concurrency Determination for ~~Road~~transportation. Any development generating a total of 4 or less peak-hour trips from the total project shall be exempt from obtaining a concurrency determination for ~~road~~transportation, but shall not be exempt from obtaining a concurrency determination for non-transportation facilities and services and shall also not be exempt from providing appropriate transportation improvements or mitigation for traffic impacts in the immediate vicinity of the project as may be required by Chapter 14.16, 14.18, or 14.36 SCC.

~~(4) — Projects in Municipal Urban Growth Areas. Any proposed project within a municipal urban growth area that is permitted without an urban reserve development permit under SCC 14.16.910 shall be subject to the concurrency review requirements of this Chapter. Any project within the municipal urban growth area that may only be permitted with an urban reserve development permit under those~~

same code sections shall not be subject to concurrency review under this Chapter, but instead shall be subject to any concurrency requirements for the city in whose UGA the property is located.

~~(5) — Tracking Exempt Development. Concurrency facility and service providers shall must establish a tracking system to account for exempt development in the same manner as certificates of capacity are used to maintain an accounting of traffic impacts on County roads and capacity for non-transportation concurrency facilities and services that have been reserved.~~

~~14.28.030 Concurrency facilities and services.~~

~~The following concurrency facilities and services, if used by the proposed development, must be evaluated during project concurrency review:~~

~~(1) — In rural areas and municipal UGAs where an urban reserve development permit under SCC 14.16.910 is not required: County roads, public water systems, police, and fire.~~

~~(2) — In Big Lake Rural Village and Swinomish UGA: County roads, public water systems, police, fire, and sanitary sewer.~~

~~(3) — In Bayview Ridge UGA: County roads, public water systems, police, fire, sanitary sewer, and stormwater.~~

~~(4)(3) In municipal UGAs where an urban reserve development permit under SCC 14.16.910 is required: City ordinances. See Chapter 14.02 SCC.~~

14.28.040 Project concurrency review.

(1) Timing. All applicants for development permits, except those exempt, ~~shall~~must apply for project concurrency review at the time ~~the applicant submits the~~ applications for development project permits ~~are submitted~~. Inquiries about availability of capacity on concurrency facilities and services may be made prior to development permit applications, but responses to such inquires are advisory only and available capacity can only be reserved through a certificate of capacity as set forth in this Chapter.

(2) Concurrency facilities and services. The following concurrency facilities and services, if used by the proposed development, must be evaluated during project concurrency review:

<u>Location</u>	<u>County roads</u>	<u>Public water</u>	<u>Police</u>	<u>Fire</u>	<u>Sewer</u>	<u>Storm-water</u>
<u>Bayview Ridge UGA</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
<u>Big Lake Rural Village and Swinomish UGA</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>No</u>	<u>No</u>
<u>Other rural areas</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>No</u>	<u>No</u>
<u>Municipal UGAs where an urban reserve development permit is not required</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>No</u>	<u>No</u>
<u>Municipal UGAs where an urban reserve development permit is required</u>	<u>See city requirements and SCC 14.16.910</u>					

~~(2)(3)~~ Procedures.

- (a) Applications for project concurrency review ~~shall~~must be submitted on forms provided by Planning and Development Services.
- (b) Project concurrency review ~~shall~~must be performed for the specific property, uses, densities, and intensities based on the information provided by the applicant. The

applicant shall specify densities and intensities that are consistent with the uses allowed or to be vested for the property. If the project concurrency review is being requested in conjunction with a contract rezone, the applicant ~~shall~~ must specify the densities and intensities consistent with the proposed contract zoning for the property.

- (c) Upon receipt of a complete application for a development permit, there shall be a tentative reservation of traffic impacts on County roads and a tentative reservation of capacity for non-transportation concurrency facilities and services that will serve that development in order to account for the potential future traffic impacts and future use of capacity by that development. That tentative reservation shall convert to a final reservation of traffic impacts/capacity upon issuance of a certificate of capacity or shall become void in the event that project permits for the development are not issued.
- (d) Planning and Development Services shall notify the concurrency facility and services providers of all applications received requiring project concurrency review and request a concurrency determination.
- (e) The concurrency facility and service providers shall notify the applicant and Planning and Development Services of the results of the concurrency determination within 30 days. If additional information is needed to determine concurrency, such additional information may be requested by the concurrency facility and service provider, but such request shall not make the original application to be deemed incomplete.
- (f) The decision maker for the project permit(s) shall make a final concurrency decision as part of the development permit decision(s) based on the concurrency determination and all relevant evidence presented in the public record on the project permit. The development permit may be conditioned as necessary to ensure that an improvement relied upon to demonstrate concurrency will be completed or a transportation systems management strategy will be implemented in the required time frame. The final concurrency decision shall be a part of the permit decision which is appealable pursuant to Chapter 14.06 SCC.
- (g) If the decision maker concludes that there is no concurrency and the project permit cannot be conditioned to accomplish concurrency, the project permits shall be denied.
- (h) If the decision maker concludes that there is concurrency and issues project permits, Planning and Development Services shall issue a certificate of capacity to the applicant with a copy sent to each concurrency facility and service provider. The certificate of capacity shall be used to maintain an accounting of traffic impacts on County roads and capacity for non-transportation concurrency facilities and services that have been reserved.
- (i) If the development permit for a project is withdrawn, expires or is otherwise cancelled, the certificate of capacity for that development shall automatically be voided. Planning and Development Services shall send notice of all voided certificates of capacity to each concurrency facility and service provider.

~~(3)~~(4) Administrative Rules. The Administrative Official may, by administrative order, establish administrative rules to manage project concurrency review.

~~(4)~~(5) Relation to Other Requirements. Compliance with or exemption from the requirements of this Chapter ~~shall~~ does not exempt a development project from compliance with ~~all~~ any other requirements of the Unified Development Code including, but not limited to, compliance with

SCC Chapters 14.12 (SEPA), 14.30 (Public Facilities Impact Fees), 14.32 (Stormwater Management), and 14.36 (Public Works Standards) ~~SCC~~.

14.28.050 Phased development.

- (1) When a development is proposed in phases or construction is expected to extend over some period of time, the applicant may offer a schedule of occupancy that limits the occupancy during any given period of time. When there is such an offer, the schedule of occupancy ~~shall~~ may be used in identifying the improvements or transportation systems management strategies that will be required to be implemented with each phase or time period of the development to comply with project concurrency review.
- (2) All permits based upon a schedule of occupancy ~~shall~~ must be conditioned so that the improvements or transportation systems management strategies identified as being necessary to comply with project concurrency review are completed prior to each identified development phase (e.g., final plat approval, phased building permit). When an applicant is relying on funded projects to demonstrate transportation concurrency, the funded projects necessary for concurrency with the level of service standards must be identified at the time of the final concurrency decision.

14.28.060 Concurrency determination—Transportation concurrency.

- (1) A project ~~concurrency determination for roads~~ must demonstrate concurrency with the County road segment and road intersection level of service standards as follows:-
 - (a) The project's impact on County roads must be compared to the capacity of the County roads, taking into account available and planned capacity and any mitigation measures proposed by the applicant.
 - (b) Two separate methodologies are used:
 - (i) For evaluating road system concurrency, the Birdsall method, which uses "Planned Capacity" rather than "Physical Capacity" in determining roadway improvement needs. Roadways have an unmet need where the ratio of peak hour traffic (V) to planned capacity (PC) is greater than 1 (V/PC > 1.0).
 - ~~(1)~~(ii) For evaluating individual road concurrency, the Highway Capacity Manual, a document which presents a collection of techniques for determining lane capacity and the best methodologies available at the time of publication for determining congestion based on quality of service or level of service for streets, roads, and highways. The Highway Capacity Manual type methods selected by the County Engineer shall be used to assess individual road segments and intersections capacity.
- (2) The annual concurrency report for County roads (see SCC 14.28.110) will provide the basic starting information for this assessment.
- (3) Traffic information used for the annual report shall be updated as necessary to account for traffic levels from the following development projects if these projects were not considered in the last annual report:
 - (a) Traffic from newly constructed development projects;
 - (b) Projects for which traffic impacts have been tentatively reserved; and

- (c) Projects for which a final concurrency decision has been made.
- (4) The traffic information used for the annual report shall also be updated and reserved traffic impacts removed as necessary as a result of any discontinued certificates of concurrency and any funded projects after the last annual report.
- (5) Each affected County road segment and affected County intersection shall be reviewed and if necessary analyzed. The applicant may be required to provide a traffic analysis if existing information does not provide adequate information for this assessment.
- (6) There is concurrency with the individual road segment and intersection level of service standards if, taking into account funded projects:
 - (a) The level of service on each affected County road segment and each affected County intersection will meet or exceed the standards adopted in the Comprehensive Plan and, if applicable, the Bayview Ridge Subarea Plan; or
 - (b) The applicant agrees to modify the project or provide transportation improvements or transportation systems management strategies and/or other binding financial commitments that will result in the level of service on each affected County road segment and each affected County intersection meeting or exceeding the standards adopted in the Comprehensive Plan and, if applicable, the Bayview Ridge Subarea Plan.

14.28.070 Concurrency Determination—~~Non-transportation concurrency.~~

- (1) Development projects required to obtain a concurrency determination for non-transportation concurrency facilities and services shall demonstrate that there is concurrency with each non-transportation concurrency facilities and services as ~~follows: described in the LOS table in the Comprehensive Plan Capital Facilities Element and as follows:~~
 - (a) ~~For~~ Water. If the project is within the service area for a public water system as identified in the Coordinated Water Services Plan (CWSP), the applicant ~~has~~ must provide a letter of water availability from the applicable water system purveyor and the project ~~is~~ must be conditioned as appropriate to provide water system improvements necessary to meet the applicable urban or rural LOS standards ~~as set forth in Appendix A.~~ If the project is within the Bayview Ridge UGA, the property owner ~~shall~~ must connect to the PUD No. 1 water system.
 - (b) ~~For~~ Sewer. If the project is within an area approved for public sanitary sewer ~~pursuant to the Skagit County Code~~ and the applicable sewer purveyor’s Comprehensive Plan, ~~and~~ the applicant ~~must provides~~ must provide a letter of sewer availability from the applicable purveyor demonstrating the project complies with all requirements of that purveyor for obtaining sewer service, including any conditions as appropriate for improvements necessary to meet the applicable standards adopted by that purveyor. If the project is within the Bayview Ridge UGA, the owner must submit confirmation of sewer availability from the City of Burlington prior to development approval and must connect to the existing sewer line or extend the line to serve the project.
 - ~~(c) — For Police.~~
 - ~~(i) — In Urban Growth Areas. One officer per 1,000 population served or per 100 acres of developed commercial or industrial property, whichever is higher.~~
 - ~~(ii) — In Rural Areas. One officer per 2,000 population served.~~

~~(d) For Fire.~~

- ~~(i) In Urban Growth Areas. The project provides fire flow in accordance with the CWSP (Section 4, Minimum Design Standards) and International Fire Code; the provider has the capability for annual inspections of all commercial and industrial facilities and has an ISO grading of 5 or better, or has the ability to comply with the following 90% of the time:
 - ~~(A) Within 5 minutes response time, delivering up to 200 gallons per minute (gpm) fire flow in an offensive (interior) attack, with a minimum of 4 firefighters for responses to structural fires, vehicle fires, other outside fires, motor vehicle accidents, activated fire alarm systems or other hazardous conditions; capable of delivering a minimum of basic life support including defibrillation with a minimum of 1 first responder or emergency medical technician for medical responses.~~
 - ~~(B) Within 10 minutes response time, supporting the interior structural fire attack with teams which may include a ventilation team, a search and rescue team, a team for a backup line and standby firefighters totaling between 8 and 12 firefighters on-scene; providing heavy rescue capability, including heavy hydraulics, at motor vehicle accidents.~~
 - ~~(C) Within 20 minutes response time, delivering 1,500 gpm fire flows in a sustained defensive attack mode for structural fire responses. For buildings larger than 10,000 square feet, delivering 2,000 gpm and have an elevated master stream capability.~~~~
- ~~(ii) In Non-Urban Growth Areas. The project provides fire flow in accordance with the CWSP (Section 4, Minimum Design Standards) and International Fire Code; and the provider has a Washington Surveying and Rating Bureau (WSRB) public protection classification No. 8 or better. The one exception to the requirements for fire flow and the WSRB classification of No. 8 or better is residential subdivision and construction of single-family dwellings on certain saltwater islands, as further described in SCC 14.16.850(6)(b)(iv). Within an IF-NRL designation, the project must also be within 5 road miles from a recognized Community A fire station, or within 10 road miles to a recognized Community A fire station and within 5 road miles of a fire station having an initial attack fire apparatus.~~

~~(e)(c) For Stormwater. The property owner shall must construct surface and stormwater management improvements ~~as determined by the County to be consistent with the surface water management standards found in SCC~~ Chapter 14.32-~~SCC~~, Stormwater Management. Surface and stormwater management improvements shall must be constructed consistent with the adopted Bay View Watershed Stormwater Management Plan Phase 1.~~

- (2) Non-transportation concurrency facility and service providers shall be responsible for maintaining and monitoring the available capacity for their facility for the purpose of responding to requests for project concurrency determinations and for responding to requests by the County during the annual concurrency determination. The providers shall take into account existing use of their facility, additional use from anticipated growth, new projects for which capacity has been tentatively reserved and new projects for which a final concurrency

decision has been made, and additional capacity available as a result of any discontinued certificate of capacity and capacity improvements that are funded and under construction.

- (3) To demonstrate concurrency with each of the non-transportation concurrency facilities and services, the applicant may:
 - (a) Demonstrate that the development will have a lower need for capacity than usual; or
 - (b) Modify the application to reduce the need for capacity; or
 - (c) Offer binding mitigation measures that will provide additional capacity necessary to maintain the level of service standard upon project occupancy, i.e., the time when a development project is ready to be occupied and will use concurrency facilities and services. It shall be assumed that the entire proposed development will be occupied upon issuance of the initial occupancy permit for the project.

14.28.080 Certificate of capacity.

(1) A certificate of capacity:

~~(1)(a)~~ shall may only be issued upon payment of any concurrency fee due to the service provide and performance of any precondition established in the permit decision as a prerequisite for obtaining such certificate.

~~(2)(b)~~ A certificate of capacity shall apply applies only to the specific land uses, densities, intensities and development projects described in the application and development permit.

~~(3)(c)~~ A certificate of capacity is not transferable to other property, but may be transferred to new owners of the same property.

~~(4)(d)~~ A certificate of capacity shall remain is valid so long as the accompanying development permit has not expired or been revoked.

~~(5)(e)~~ A certificate of capacity is valid for any modification of the permits for which the certificate was issued so long as such modification does not require the applicant to obtain a new development permit.

~~(6)(2)~~ Any capacity that is not used because the full extent of the development is not built shall must be returned to the pool of available capacity.

(3) Tracking Exempt Development. Concurrency facility and service providers must establish a tracking system to account for exempt development in the same manner as certificates of capacity are used to maintain an accounting of traffic impacts on County roads and capacity for non-transportation concurrency facilities and services that have been reserved.

~~14.28.090 Facility capacity fees.~~

~~Concurrency facility and service providers may charge concurrency fees based upon an adopted fee schedule.~~

14.28.100 Development within municipal UGAs.

- (1) It is the responsibility of a city or town to perform project Project concurrency review for development within the unincorporated portion of a city's / or town's urban growth area shall be the responsibility of that city or town pursuant to the concurrency regulations of that city

~~or town~~. The County, in its annual concurrency review, ~~shall~~must assess concurrency within the unincorporated portions of all urban growth areas.

- (2) Consistent with SCC 14.02.040, Applicability, the County ~~shall~~must review and condition development permit applications to ensure that project impacts occurring outside of municipal UGAs are mitigated consistent with County road standards and transportation concurrency requirements of SCC 14.28.060. Skagit County ~~shall~~must make a final concurrency determination as part of the permit decision pursuant to SCC 14.28.040(2)(f) through (i) and issue a certificate of capacity pursuant to SCC 14.28.080 if the requirements of this Chapter are met.

14.28.110 Annual concurrency assessment.

- (1) Annual Concurrency Assessment for Roads. The County Engineer ~~shall~~must produce ~~an annual~~a concurrency report for County roads ~~by July 1 of each year, which will to~~ update the status of County roads with respect to concurrency.

(a) ~~Individual Road Concurrency. By July 1st of each year, the Skagit County Public Works Department, under the direction of the~~The County Engineer, ~~shall~~must evaluate the high traffic County road segments ~~(any County road segment on which there are at least 8,000 average daily trips)~~ and high traffic County road intersections ~~(any County road intersection into which the total approach volume is at least 7,000 average daily trips and the approach volume from all of the minor legs totals at least 1,000 average daily trips)~~ using a Highway Capacity Manual type method (as selected by the County Engineer) to determine whether these road segments and intersections comply with the level of service standards adopted in the Comprehensive Plan.

(b) This evaluation ~~shall~~must be based on existing traffic levels plus traffic impacts from development plus traffic impacts from development projects anticipated for completion within the next year based upon a growth projection, upon consideration of projects for which traffic impacts have been tentatively reserved and upon projects for which a final concurrency decision has been made.

(c) In addition, a projection of those County road segments service standards adopted in the Comprehensive Plan over the next 5 years shall be made to help in the planning for road system improvement projects.

~~(a)~~(d) Any County road segment or County road intersection, which has fallen below the level of service standards adopted in the Comprehensive Plan, shall be considered concurrent if an improvement project will cause that road segment or intersection to meet or exceed the adopted level of service standards and has been designated on the 6-Year TIP as a funded project. The results of the annual update for individual road concurrency shall be included in the annual report.

- (2) Annual Concurrency Assessment for Non-Transportation Concurrency Facilities and Services.

- (a) By ~~January 31st~~July 1 of each year, the following concurrency facility and service providers ~~shall~~must report to the County the total available capacity of their facility or service in units that are directly comparable to the level of service standards established for these facilities and services.

Facility/Service	Provider
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	Unincorporated Urban Growth Area	Rural
Water	Water purveyors identified in Coordinated Water System Plan	
Sanitary Sewer	Municipal sewer service providers Skagit County Sewer District—1 for portions of Swinomish UGA City of Burlington—Bayview Ridge UGA	Big Lake Sewer District for Big Lake Rural Village only Whatcom County Water District No. 12 pursuant to existing sewer service contracts only
Stormwater	County Public Works	
Police	County Sheriff	
Fire	Fire Districts	
Fairgrounds	County Parks Department	
General Government	County Administrator	
Parks	County Parks Department	
Public Safety (jails)	County Sheriff	
Senior Centers	County Senior Services	
Solid Waste	County Public Works	

- (b) The annual information submitted by each provider shall take into account current capacity usage, capacity tentatively reserved for pending permit applications, capacity reserved for permitted projects that are not yet fully occupied based upon final concurrency decisions, capacity available as a result of expired, withdrawn or revoked final concurrency decisions and capacity that has been added by the implementation of improvements and strategies.
- (c) By ~~July 1st~~October 1 of each year, the Administrative Official must evaluate capacity of the facilities and services set forth above ~~shall be evaluated by the Administrative Official~~ to determine if the level of service standards for each of these facilities and services is being met. The level of service standards to be used in this annual review are as follows set in the Comprehensive Plan Capital Facilities Element:

Delete Facility/Service and LOS table.

- (3) Results of Concurrency Assessment.
- (a) The Administrative Official ~~shall~~must present the annual concurrency assessment to the Board of County Commissioners ~~prior to~~at or before the start of the annual budget process along with recommendations on actions to take in response to the assessment.
- (b) The results of the annual concurrency assessment ~~shall~~must be used to update the Capital Facilities Plan and establish the County's annual budget.

- (c) In the event that the annual concurrency assessment determines that concurrency is not being met for ~~1 or more~~any concurrency facilities and services, the County ~~shall, as necessary, must~~ evaluate the need for modifications to adopted levels of service standards, reassess the land use element of the Comprehensive Plan, or impose additional requirements or limitations on development until concurrency is obtained.

Delete Appendix A.

C-25 Latecomers Agreements [not included]

This item is being developed through a separate process.

C-26 Guemes Island Subarea Plan

New Section 14.16.360 Guemes Island Overlay

- (1) Purpose. This Section describes additional development standards for Guemes Island.
- (2) Applicability. This Section applies to all development within all zones on Guemes Island, and is to be applied in conjunction with the underlying zoning regulations.
- (3) Permitted Uses. Reserved.
- (4) Administrative Special Uses. Reserved.
- (5) Hearing Examiner Special Uses. Reserved.
- (6) Prohibited Uses.
 - (a) Accessory Dwelling Units (ADUs) where the water source contains chloride levels greater than 25 ppm.
- (7) Dimensional Standards.
 - (a) Setbacks.
 - (i) Front setback for fences: Fences that are less than 50% opaque and more than 3 feet tall must be setback at least ten feet.
 - (ii) Side: Each side setback must be at least 8 feet. The total of both side setbacks must be at least 30 feet, or 30% of the lot width at its widest point, whichever is less.
 - (b) Maximum Height.
 - (i) Structures: The actual height of the structure from base flood elevation may not exceed 12 feet at the side setback. The actual height of the structure from base flood elevation may increase by one foot for each foot inside the required side setback, up to a maximum actual structure height of 30 feet.

14.24.340 Aquifer recharge areas impact mitigation.

The Administrative Official and Health Officer shall review development proposals to assess aquifer(s) vulnerability and establish needed mitigation measures. Where determined to be necessary through the site assessment process, or otherwise required under SCC 14.24.310(1)(a)(iii), development approvals

shall include conditions designed to prevent significant degradation of water quality or reduction in recharge to underlying aquifer(s). Mitigation for groundwater withdrawals is presented in SCC 14.24.360. The project shall not cause exceedance of the water quality standards specified in Chapter 173-200 WAC or otherwise violate the anti-degradation requirements of Chapter 173-200 WAC ~~or Skagit County's seawater intrusion policy.~~

- (1) Mitigation Plan Elements. For proposals requiring aquifer recharge area impact mitigations, in addition to adhering to any of the required mitigation measures identified above, the applicant shall develop for approval by the Administrative Official and the Health Officer a mitigation plan for the proposed development. All mitigation conditions applied to permits shall be based on all known, available, and reasonable methods of prevention, control, and treatment. Compliance with the mitigation plan shall be enforceable by the Administrative Official or Health Officer. The applicant may amend the plan with the approval of the Administrative Official and Health Officer. The Administrative Official and Health Officer may, based on performance criteria and monitoring results, require additional amendments to the plan. The mitigation plan shall contain the project's permit conditions and, as applicable:
 - (a) *No change.*
 - (b) *No change.*
 - (c) *No change.*
 - (d) *No change.*
 - (e) *No change.*
 - (f) *No change.*
 - (g) Seawater Intrusion ~~Mitigation~~. Mitigation ~~shall~~ **must** be consistent with ~~the Skagit County Public Health Department's "Seawater Intrusion Policy" and Chapter 12.48 SCC SCC 14.24.380 Seawater Intrusion Areas.~~
 - (h) "Sole Source Aquifer" Mitigation. ~~There shall be no density bonus for CaRD developments in areas designated as a "sole source aquifer," except where the source of water for the project is a public water system whose source is not located within the designated sole source aquifer area. See SCC 14.18.310(2).~~
 - (i) *No change.*
- (2) *No change.*
- (3) *No change.*

New Section 14.24.380 Seawater Intrusion Areas

- (1) Applicability. This section applies to wells and applications for building permits; special use permits; shoreline substantial development, variance, and conditional use permits; and land divisions in the following areas:
 - (a) areas within one-half mile of a marine shoreline; and
 - (b) the entirety of Guemes, Sinclair, Cypress, and Vendovi islands.
- (2) Application requirements.

- (a) For wells. An application proposing use of a well must include all of the following, which must be submitted for review prior to drilling any new well:
 - (i) a site plan, including:
 - (A) a dedicated inland well site location;
 - (B) estimated depth of proposed well;
 - (C) an estimated land elevation of the well, except that if the well is within 250 feet of the shoreline, or if determined by the County hydrogeologist, the elevation of the well must be surveyed by a licensed surveyor;
 - (D) depth and chloride levels of surrounding wells;
 - (ii) a drilling plan;
 - (iii) payment of applicable fees.
 - (b) For alternative water sources. An application proposing use of an alternative water source must include the following:
 - (i) documentation of system design consistent with this section and SCC 12.48.250;
 - (ii) payment of applicable fees.
 - (c) For land divisions. In addition to any applicable requirements above, an application for a land division proposing use of a well must include the following:
 - (i) an assessment of the available groundwater, including a report from a demonstration well located so that it will represent the groundwater under the entire land division and with consideration to where other wells will be located in the land division;
 - (ii) if the proposed land division is within an area of documented chlorides in excess of 25 ppm, all well locations must be specified and spaced 100 feet or more from any other well, including wells on neighboring properties.
- (3) Development standards for alternative water sources.
- (a) Where a known seawater intrusion problem exists, alternative sources of water are encouraged, but must comply with the requirements of SCC 12.48.250.
 - (b) Reverse osmosis (RO) systems. Any reverse osmosis (RO) system must be designed to:
 - (i) use seawater collected from the open sea as the water source; and
 - (ii) discharge effluent only to the open sea.
- (4) Development standards for wells.
- (a) Generally. For both existing and new wells, a well driller must:
 - (i) install a wellhead source meter;
 - (ii) install a sounding tube to allow water level measurements;
 - (iii) set the maximum pumping rate consistent with Table 14.24.380-1;
 - (iv) conduct a pump test under the supervision of a licensed well driller or licensed hydrogeologist, consistent with the following:

- (A) use the conservative maximum pumping rate defined in Table 14.24.380-1, or if the well driller proposes to use more than the maximum pumping rate in Table 14.24.380-1, include a hydrogeological assessment (including pump tests) using observation wells;
 - (B) pump a minimum of 350 gallons from the formation during the test;
 - (C) continue the pump test for at least 4 hours after water level stabilization has occurred, or for the timespan determined by the County hydrogeologist, whichever is longer.
- (b) Documentation of installation. The well driller must submit the following after the pump test:
- (i) well ID;
 - (ii) proof of the sounding tube installation;
 - (iii) the maximum pumping rate set;
 - (iv) a record of the static water level depth prior to starting the pump test;
 - (v) pumping rates during the pump test;
 - (vi) drawdown measurements recorded throughout the pumping test in intervals as approved by the County Hydrogeologist;
 - (vii) the time of day when the drawdown measurement was observed;
 - (viii) exact time of pump start and stop;
 - (ix) any changes in pumping rate during the test;
 - (x) measurement of water level following pump shutoff until the water level in the well recovers to at least 95% of its pre-pumping level, including time of measurement.
- (c) Documentation of elevation. Before final inspection, the applicant must submit a land elevation of the well as surveyed by a licensed surveyor.
- (d) Maximum pumping rates.
- (i) The maximum pumping rate for wells must be set consistent with the following table.
 - (ii) A maximum pumping rate other than that in the table may be set if approved by the County hydrogeologist.

Table 14.24.380-1. Maximum pumping rates.

Location	Chloride level		
	0-24 ppm	25-99 ppm	100–250* ppm
less than ½ mile from the coast for areas in (1)(a)	as determined or approved by the County hydrogeologist		
less than ½ mile from the coast for islands in (1)(b)	3 gpm	2 gpm	1 gpm
greater than ½ mile from the coast for islands in (1)(b)	3 gpm	3 gpm	3 gpm

14.18.000 General

- (1) *No change.*
- (2) *No change.*
- (3) *No change.*
- (4) *No change.*
- (5) General Requirements. The following requirements shall be met for any land division under this Chapter to be approved. In addition to these general requirements, any specific requirements relevant to each individual type of land division are found in their respective sections of this Chapter.
 - (a) – (h) *No change.*
 - (i) Evidence must be supplied from the applicable purveyor of the availability of water to serve the projects and adequate provision for sewage disposal. The method of sewage disposal shall also be provided, including soil data, if individual sewage disposal is to be used, or if public sewer or community septic disposal is used, the name of the system. If individual wells are to be utilized, documentation approving the well sites must be provided, pursuant to Chapter 12.48 SCC. A land division within a Seawater Intrusion Area (as defined in SCC 14.24.380) may not propose to use a well where chloride levels are 200 ppm or greater.
 - (j) – (n) *No change.*
- (6) – (10) *No change.*

C-27 Other Amendments

Existing Chapter 14.12 SEPA

Recodify chapter as chapter 16.12 State Environmental Policy Act.

New Section SCC 14.16.225 Burlington UGA Urban Development District (B-UD)

- (1) Purpose. The purpose of the Burlington UGA Urban Development district is to permit development in a portion of the unincorporated UGA of the city of Burlington, including

subdivision of property and the issuance of development permits, consistent with the Growth Management Act requirements for provision of urban services by the city of Burlington. The city of Burlington has already made adequate provision for urban services, including sewer, within the portion of the Burlington UGA zoned Burlington Urban Development district. The city comprehensive plan has also identified the appropriate city land use designation and development regulations that should be applied to those areas upon annexation.

- (2) Permitted Uses. The County shall accept an application for, and approve a permit for, a subdivision and/or development of any lot of record located within this UGA Urban Development district, provided the proposed subdivision or development is consistent with the use, lot size and other development standards for the zone that has been identified by the city for the parcel that is the subject of the application. Applications for a short plat or subdivision of the parcel shall be required to follow the procedures and requirements for short plats or subdivisions in Chapter 14.18 SCC. Applications for development that do not require a short plat or subdivision may be processed administratively as a Level I decision, pursuant to SCC 14.06.110, unless the proposed use or development requires Hearing Examiner review pursuant to the applicable city regulation, in which case the permit shall be processed as a Level II decision, pursuant to SCC 14.06.120. Chapter 14.24 SCC, Critical Areas Ordinance, and Chapter 16.12 SCC, SEPA, review shall apply in place of any city regulation covering the same topic.

Existing Chapter 14.22 Records of Survey

Recodify chapter as section 14.02.090.

Existing Chapter 14.42 Accepting Grants of Real Property

Recodify chapter as chapter 1.42 Acceptance of Real Property.

SCC 14.32.030 Application Requirements.

- (1) *No change.*
- (2) *No change.*
- (3) Outside the NPDES Permit Area.
 - (a) *No change.*
 - (b) The stormwater site plan must be prepared by a qualified professional and must include an offsite analysis only when the application includes any of the following:
 - ~~(i) — Creation or cumulative addition greater than or equal to 5,000 square feet of impervious surface area from the pre-development conditions;~~
 - ~~(ii)(i)~~ Land-disturbing activity greater than or equal to one acre;
 - ~~(iii)(ii)~~ Grading greater than or equal to 500 cubic yards;
 - ~~(iv)(iii)~~ Any improvements within County right-of-way for which the County will ultimately assume responsibility for maintenance.
 - (c) *No change.*
 - (d) *No change.*

- (4) *No change.*

14.16.820 Signs.

- (1) Purpose. *No change.*
- (2) Definitions. The sign definitions outlined in the ~~2009-current adopted~~ International Building Code (Appendix H) are hereby adopted by reference.
- (3) – (11) *No change.*

14.44.330 Civil penalty.

- (1) *No change.*
- (2) *No change.*
- (3) Collection of Civil Penalties.
 - (a) An order to pay civil penalties is ~~only~~ valid for the penalties accrued as of the date of the order and for future penalties that accrue until a specified event.
 - (b) The Administrative Official may issue a supplemental order for additional civil penalties. That order is appealable like any other order, but only for the additional civil penalties imposed by the supplemental order.
 - (c) Per RCW 19.16.500, the Administrative Official may refer orders to pay civil penalties to collection agencies 30 days after service, and may add a reasonable fee to cover the costs of collection.
- (4) Payment of a civil penalty pursuant to this Chapter does not relieve the violator of the duty to correct the violation.

C-28 AEO Maps

This item is addressed in the main text of the ordinance.

C-29 AEO Maximum Building Size

14.16.210 Airport Environs Overlay (AEO).

- (1) Overview. *No change.*
- (2) Applicability. *No change.*
- (3) Compatibility Requirements.
 - (a) Prohibited Uses. *No change.*
 - (b) Additional Compatibility-Zone-Specific Restrictions. To protect the safety of both pilots and people on the ground in the event of an airplane crash, uses within the Airport Compatibility Zones are subject to the restrictions shown in the following table in addition to the restrictions imposed by the applicable zoning districts. Required open space must be maintained as vegetation not more than four feet in height, mowed lawn, or pavement.

ACZ	Additional Use Restrictions	Max Building Size	Required Open Space
1	No new structures or uses allowed (except aviation-related Port uses).	n/a	100%, except airport structures
2	No multi-family dwellings, accessory dwelling units, temporary manufactured homes, day care, co-housing, churches, or bed and breakfasts allowed.	13,000 sq ft and max one building per acre, except aircraft hangars.	30%
3S	n/a	13,000 sq ft and max one building per acre, except aircraft hangars.	15%
3L	No accessory dwelling units, temporary manufactured homes, co-housing, or bed and breakfasts allowed.	13,000 sq ft and max one building per acre, except aircraft hangars.	15%
4S	n/a	100,000 sq ft	10%
4L	n/a	100,000 sq ft	10%
5	n/a	30,000 sq ft	30%
6	Public and institutional uses (including churches) may not exceed a density of 100 people/acre.	n/a	10%

(c) Other Compatibility Requirements. *No change.*

(d) Height. *No change.*

(4) Port of Skagit Review. *No change.*

(5) Required Avigation Easement and Title Notice. *No change.*

C-30 Title Notice Requirements [not included]

This item is addressed through items C-12 and C-13.

C-31 and C-32 Storage of Junk, Recreational Vehicles

14.04.020 Definitions

The following definitions are amended:

Junk: means any solid, non-organic, non-putrescible solid waste including discarded or salvaged materials, scrap metals or other scrap material; used or scrap building, plumbing, electrical, and heating materials; discarded household appliances, furnishings, and fixtures; or dismantled or demolished machinery including unlicensed and/or inoperable vehicles.

Park model trailer: a type of recreational vehicle that is primarily designed to provide temporary living quarters for recreational, camping, or seasonal use that is built on a single chassis mounted on wheels, has a gross trailer area not exceeding 400 square feet (13.75 square meters) in set-up mode and is certified by the manufacturer as complying with ANSI A119.5.

Recreational vehicle: means a park model trailer or a vehicle ~~which that~~ is:

- (1) Built on a single chassis;
- (2) Four hundred square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light-duty truck; and
- (4) Designed not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

14.16.850 General provisions.

- (1) Any provision of this Title may be suspended in an emergency situation by the Administrative Official, subject to approval by the Board of County Commissioners.
- (2) There shall be no more than 1 primary dwelling unit and 1 accessory dwelling unit per lot of record, unless otherwise permitted in the zoning district. Recreational vehicles do not qualify as dwelling units.
~~(a) — Recreational vehicles, including park model trailers, will not be considered as dwelling units, shall only be occupied on a temporary basis and shall be limited to 1 occupied vehicle per lot of record.~~
- (3) *No change.*
- (4) Development of Lots of Record.
 - (a) – (b) *No change.*
 - (c) The County shall only consider issuing development permits on those substandard lots of record meeting any of the exemptions in this Subsection.
 - (i) – (vii) *No change.*
 - (viii) The lot of record was legally created prior to March 1, 1965, or if created after March 1, 1965, was exempt from subdivision requirements at the time it was created, and meets 1 of the following requirements:
 - (A) *No change.*
 - (B) The lot of record is 5 acres or larger and is located in a the Rural Reserve ~~or Bayview Ridge Urban Reserve~~ zoning district; or
 - (C) – (E) *No change.*
 - (d) In the following zones, if the proposed use for the substandard lot of record is 1 of the following nonresidential uses and otherwise meets all requirements for the use in the zone, it may be allowed regardless of the determination pursuant to SCC 14.06.045(1)(b):
 - (i) – (vii) *No change.*
 - ~~(viii) — Bayview Ridge Urban Reserve.~~
 - ~~(A) — Permitted uses: agriculture.~~
 - ~~(B) — Administrative special uses: minor utility developments; parks, specialized recreational facilities; trails and primary and secondary trailheads.~~

~~(C) — Hearing Examiner special uses: expansion of existing major public uses up to 3,000 square feet; impoundments greater than 1-acre feet in volume; parks, community.~~

- (e) *No change.*
- (f) Reasonable Use.
 - (i) Variances from the requirements of this Section shall not be considered. However, if a substandard lot of record in the Rural Reserve, Rural Intermediate, Rural Village Residential, Urban Reserve Residential, or Bayview Ridge Residential ~~or Bayview Ridge Urban Reserve~~ zones does not meet any of the exceptions in Subsection (4)(c) of this Section, the lot owner may request that the County further evaluate the lot for a reasonable use exception pursuant to this Subsection. Issuance of a reasonable use exception shall allow the lot owner to apply for residential development permits on the lot. Reasonable use exceptions shall only be issued if the lot owner can demonstrate the following:
 - (A) – (C) *No change.*
No change.
 - (ii) – (iii) *No change.*
- (5) – (9) *No change.*

New section 14.15.945 Prohibited Uses

- (1) Generally.
 - (a) In addition to any use that is prohibited by SCC 14.16.020(3) or other provisions of Skagit County Code, this section describes additional uses that are expressly prohibited in all zones.
 - (b) Consistent with SCC 14.44.320, a violation of this section is a class 1 civil infraction and is subject to the other penalties in SCC Chapter 14.44.
- (2) Storage of junk. No person may use more than 500 square feet of a lot or parcel of land for the depositing, sorting, refining, baling, dismantling, or storage of junk except when conducted entirely within an enclosed structure or with a special use permit for that purpose.
- (3) Recreational vehicles.
 - (a) No person may use a recreational vehicle as a dwelling unit.
 - (b) No person may occupy a recreational vehicle for more than 180 days in any 12-month period.
 - (c) No person may maintain more than one occupied recreational vehicle on any lot without a special use permit for that purpose.
 - (d) No person may maintain more than two recreational vehicles on any lot without a special use permit for that purpose.

C-33 Zoning Use Matrix

~~14.16.700 Zoning use matrix.~~

~~A matrix is available at Planning and Development Services showing the various uses allowed in each zone. This matrix is intended as an aid to provide a general understanding about the uses, including special uses, which may be allowed in specific zones. The matrix does not include detailed requirements; those are instead reflected in the text of various sections of this Chapter.~~

C-34 Rural Business

14.16.150 Rural Business (RB).

- (1) *No change.*
- (2) *No change.*
- (3) *No change.*
- (4) Hearing Examiner Special Uses.
 - (a) – (c) *No change.*
 - (d) With an approved Hearing Examiner Special Use Permit, a use designated Rural Business which was established prior to July 1, 1990, may be expanded beyond the 1,500 square foot limit established in Subsection (2)(c) of this Section ~~;~~ provided, that For agricultural support services, the expansion is not limited. For all other uses, the expansion ~~does~~ may not exceed 50% of the gross floor area dedicated to the Rural Business use as of July 1, 1990, up to a maximum of 5,000 square feet; and ~~further provided, that~~ Subsections (4)(d)(i) through (vi) of this Section ~~are~~ must be met. The applicant shall have the burden of proof to demonstrate that the use was established, and to what extent, prior to July 1, 1990. An expansion of 50% is not guaranteed, but instead is a maximum allowance; provided, that in no instance shall an expansion greater than 5,000 square feet of gross floor area be allowed. Compliance with the criteria below may dictate a smaller maximum expansion. Expansions greater than 1,500 square feet shall not be allowed if the following criteria cannot be met:
 - (i) – (vi) *No change.*
 - (e) *No change.*
- (5) *No change.*
- (6) *No change.*

NC-1 Maximum Lot Coverage in Rural Reserve

14.16.320 Rural Reserve (RRv).

- (1) Purpose. The purpose of the Rural Reserve district is to allow low-density development and to preserve the open space character of those areas not designated as resource lands or as urban growth areas. Lands in this zoning district are transitional areas between resource lands and non-resource lands for those uses that require moderate acreage and provide residential

and limited employment and service opportunities for rural residents. They establish long-term open spaces and critical area protection using CaRDs as the preferred residential development pattern.

- (2) *No change.*
- (3) *No change.*
- (4) *No change.*
- (5) Dimensional Standards.
 - (a) – (f) *No change.*
 - (g) Maximum lot coverage: ~~35%~~
 - (i) for agricultural accessory and agricultural processing uses: 35%;
 - (ii) for all other uses: 5,000 sq ft or 20%, whichever is greater, but not to exceed 25,000 sq ft.
- (6) *No change.*