Skagit County
**Planning & Development Services**
**DALE PERNULA, AICP** *Director* **JACK MOORE, CBCO** *Building Official*

# Staff Report

From: Dale Pernula, AICP, Director

Re: Code Amendments Proposed as Part of 2016 Comprehensive Plan Update

Date: June 4, 2015

## Contents



## Background

The 2016 Comprehensive Plan Update package will include a number of amendments to the County's development regulations. In deciding the scope of the Update, the Board of County Commissioners identified the code amendments described below for inclusion in the update proposal. Those code amendments are listed in Attachment 2 to Resolution R20140374 Establishing the Scope of the 2016 Comprehensive Plan Update. Several of these amendments are required by recent changes in state law; many are the result of the Department identifying needed changes to the code over recent years of processing development permits.

The purpose of the Planning Commission work session scheduled for June 16 is to get initial feedback from the Planning Commission and the public on the Department's proposed approach for implementing each of the code amendments included in the scoping resolution.

The work session is not intended to propose additional unrelated code amendments. Applications for comprehensive plan amendments and code amendments from the public are due on the last business day of July this year. The Board will review those applications and is expected to incorporate any amendments it chooses to docket into the 2016 Update proposal.

# Proposed Code Changes

## Docketed Code Changes Required by State Law

The Board of County Commissioners docketed six development regulation amendments for the 2016 Update that are required by changes in state law. We have numbered these state-required amendments as S1-S6.

**S-1 Transfer jurisdiction over conversion-related forest practices from the Department of Natural Resources to the County, per RCW 36.70A.570 and RCW 76.09.240.**

Where forestland is "likely to be converted" to a non-forestry use, the Legislature decided to transfer jurisdiction to local government to regulate timber management consistent with the Growth Management Act instead of the Forest Practice Rules. Lands considered "likely to be converted" include lands within UGAs (except where the landowner has committed in writing to long-term forest management) and lands where the landowner has indicated intent to change the use.[1]

**S-2 Review the critical areas ordinance (CAO) and best available science, per RCW 36.70A.130(1)(c).**

The Department has not completed its review to comprehensively determine what needs to be updated in the CAO. We do know that we will need to update the wetlands rating system and may need to make a couple of minor changes to be consistent with the proposed seawater intrusion policy in the Health Code and the new Shoreline Master Program.

Per RCW 36.70A.130(8)(b), no changes to the County's critical areas ordinance for ongoing agriculture are allowed or contemplated as part of the 2016 Update.

**S-3 Allow battery charging stations and other "electric vehicle infrastructure," per RCW 36.70A.695.**

GMA now requires the County to "allow electric vehicle infrastructure as a use in all areas except those zoned for residential or resource use or critical areas." "Electric vehicle infrastructure" means structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations. The Department will propose code amendments to replace vehicle fueling stations as a use in the code with a new term and definition that is inclusive of both fueling and charging. See also C-16.

**S-4 Adjust time limits for preliminary subdivision approval to be consistent with RCW 58.17 (amend SCC 14.18.100(6)(b) and (c)).**

RCW 58.17.140 sets forth time limits between preliminary subdivision approval and final subdivision approval. The legislature amended this provision to allow different durations for preliminary subdivision approvals occurring within certain timeframes. The code amendment will refer to RCW 58.17.140 rather than list specified preliminary plat approval duration

[1] WAC 222-16-050(2)

(currently 60 months, or five years, in code). The Department also proposes a minor change to subsection (c) for clarification.

The Department proposes to amend SCC 14.18.100(6)(b) and (c) as follows:

> (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 set forth in RCW 58.17.140.
>
> (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, except as provided in subsection (e) below.

The change in (c) simply makes note of the pre-existing exception in (e).

**S-5 Adjust time limits for…impact fees (amend SCC 14.30.080-.090).**

This code amendment was accomplished as part of the recent first quarter amendment to the 2015 Capital Facilities Plan.

**S-6 Update the Skagit County Shoreline Master Program (SMP).**

This work is currently underway through a separate process. Because SMP amendments must be approved by the Department of Ecology, we do not plan to integrate the SMP Update into the Comprehensive Plan Update process. Ecology's review of SMP updates is currently taking about 12 months, so we are not particularly hopeful that the SMP update will be adopted before the Comprehensive Plan update is complete.

## Docketed County-Initiated Code Changes

The Board of County Commissioners docketed the following code changes that Department staff have identified over the years as important improvements to the clarity and administration of the development code. We have numbered these docketed County-initiated amendments as C-1 through C-27.

**C-1 SCC 14.02.050 Vesting of applications. Ensure vesting provisions are consistent with state law and internally consistent with SCC 14.06, Permit Procedures.**

A recent Washington appellate case, *Potala Village Kirkland, LLC v. City of Kirkland,* 183 Wn. App. 191 (2014), considered what types of development permit applications vest a project to the development regulations in place at the time of application. The Court held that the submittal of a shoreline development permit application did not vest the project to the zoning regulations in effect at the time of application. Although the vested rights doctrine originated in common law, the court reasoned that subsequent action by the Legislature limited the vested rights doctrine to building permit applications (RCW 19.27.095(1)) and subdivision applications (RCW 58.17.033(1)). Prior to *Potala*, many practitioners understood that shoreline, conditional use, and certain other types of permit applications were also subject to vesting, based on the common law vested rights doctrine. The Washington State Supreme Court declined to review the *Potala* decision, thus leaving the holding intact.

Skagit County has a broad vested rights provision, encompassing all "development permit applications." The County may, at its discretion, broaden the scope of vesting beyond the statutory limitations. The Department may propose the language below for consideration by the Planning Commission and Board of County Commissioners to limit vesting to only building permit and subdivision applications. In the alternative, the Department recommends specifically listing the types of development permit applications to which vesting applies to provide clarity to the applicants and the Department in processing applications.

**14.02.050 Vesting of applications.**

(1) An application for a building permit or land division ~~development permit, 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.

**C-2 SCC 14.08.020(3) Petitions for Comprehensive Plan amendments and/or rezones.**

The Department will propose restructuring this section in an outline or table format for easier understanding, including rewording language regarding 7-year state-mandated GMA updates since the frequency of these updates is subject to change by the State Legislature. These changes will have no substantive effect. Also add language authorizing submittal of proposed amendments to Skagit County Code Title 14.

**C-3 SCC 14.08.020(5) Timing and procedures for UGA boundary amendments.**

Reword language regarding 7-year state-mandated GMA update since the frequency of these updates is subject to change by the State Legislature. Clarify that urban growth area (UGA) boundary amendments are due by 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. These changes will have no substantive effect.

**C-4 SCC 14.08.020(6) Fees for Comprehensive Plan Amendments. Clarify that proposed Comprehensive Plan policy amendments, non-site-specific map amendments, and proposed code amendments are not subject to the fee that applies to site-specific map amendments.**

Make corresponding clarification in the Permit Fee Schedule.

**C-5 SCC 14.08.020(7)(c)(iii) Comprehensive Plan amendments/rezones to a commercial or industrial zone. Remove requirement that development projects must be commenced within 2 years of redesignation/rezone or the commercial/industrial designation will be removed.**

The existing provision does not account for economic downturns. The amendment/rezone process is sufficiently rigorous that map changes should be permanent and not automatically rescinded.

**C-6 SCC 14.08.020(7)(b)(i), Submittal requirements for rezones within a UGA. Clarify that petitions for rezones within a UGA or associated with a UGA expansion proposal are not required to include a detailed development proposal.**

Rezones within a UGA will be evaluated on their long-term impacts and contemplated adjacent future land uses. The evaluation will no longer be required to provide a detailed short-term development proposal.

**C-7 SCC 14.16.420(2)(o) and (q), SF-NRL permitted uses. Clarify distinction between "(o) water diversion structure and impoundments," and "(q) watershed management but not including water diversion structures, impoundment dams or hydroelectric generation facilities. "**

The code contains no definition for "watershed management" and no staff are aware of how to interpret the use or what the County's intent was in including it as a separate use. The Department will propose to delete the "watershed management" use. The Department will propose to make this change in both zones where the use appears, Secondary Forest and Industrial Forest. Hydroelectric facilities would be permitted as a minor or major utility development, or if they were large enough, would be pre-empted by state or federal energy facilities siting law, so the change would have no effect on hydroelectric facilities.

**C-8 SCC 14.16.100(2)(w)(ix)(K), Alger Rural Village Commercial. Remove "tasting rooms" from list of permitted uses.**

Tasting rooms are already allowed under (ix) Small retail and service businesses. The inclusion of "tasting rooms" as a separate use is an oversight from a previous effort to remove the term from all zones where it's already permitted as an agricultural accessory use or a small retail use. The Department will propose to simply delete the use, which will have no substantive effect.

**C-9 SCC 14.18.300 Conservation and Reserve Developments (CaRDs). Clarify that transfers through a CaRD of development rights from a higher density zone to a lower density zone are not permitted.**

The Department proposes the following addition to SCC 14.18.300(2) to ensure that the CaRD land division process does not enable density shifting from a higher density zone to a lower density zone as part of the clustering of development rights. For example, the new provision would prohibit moving development rights from RI (1 du/2.5 acres) to RRv (1 du/10 acres or 2du/10 acres with CaRD), even if all within single ownership and as part of a single proposal.

(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.

(c) 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-10 SCC 14.16.600(3), Unclassified use permits. Revise reviewing authority for unclassified use permits from the Planning Commission to the Hearing Examiner. Also clarify essential public facilities siting process within SCC 14.16.600.**

This section of code has caused the County a significant amount of trouble in recent years. The code's definition of "unclassified uses" is inconsistent with how the term is usually used in land use planning, which is already adequately expressed in SCC 14.16.020(3). The County is required by RCW 36.70A.200 to have a process for permitting "essential public facilities," which are facilities that are typically difficult to site. Because these are all project-specific applications, likely controversial and with significant dollars (and County liability) at stake, the best practice is to have the Hearing Examiner conduct the public hearing, issue findings of fact, and a recommendation clearly based on those findings.

The Department will propose to:

- Retitle the section "Essential Public Facilities."
- Eliminate the concept of "unclassified uses" from the code.
- Convert the existing list of essential public facilities and their associated allowed zones to a table, add new definitions where useful, and add any missing facility types required by statute.
- Revise the process for approving an essential public facility to correspond to be a Level III application under SCC 14.06.130, where the Hearing Examiner makes a recommendation to the Board of County Commissioners.
- Add standards for evaluation of Essential Public Facilities proposals. The Department's proposal will likely be based on the City of Mount Vernon's Essential Public Facilities code (MVCC 17.200). The County recently used that process for siting of the County's new jail in Mount Vernon, and was pleased with the clear and concise process.

**C-11 SCC 14.16.720, Personal wireless services facilities. Amend code to reflect changes in federal law regarding permitting of "eligible facilities requests," i.e., certain limited modifications to existing wireless facilities.**

The Department will propose to:

- Create a new subsection within SCC 14.16.720—Personal Wireless Services Facilities, that reflects the new federal requirements for local government review of Eligible

Facilities Request (i.e., modifications to existing wireless facilities that do not involve a substantial change as defined by the FCC guidance). The new section would include:

  - 60 day timeframe for approving Eligible Facilities Requests and how this timeframe is tolled.
  - Criteria for what constitutes a "substantial change" to an existing facility and therefore is not an Eligible Facilities Request.
  - Application requirements to determine whether a project qualifies as an Eligible Facilities Request.

- Re-define co-location for consistency with federal definition.
- Amend subsections SCC 14.16.720(6)—Co-Location Encouraged, 14.16.720(12)(b) General Requirements for Existing Uses, and 14.16.720(17) Application Process, to ensure consistency with new subsection on Eligible Facilities Requests.

MRSC has additional background on the changes to the federal law regarding Eligible Facilities Requests and sample ordinances.

**C-12 SCC 14.38.030, Natural Resource Land disclosure mailing. Remove section (1)(a) requiring Skagit County to mail disclosure statement every 3 years to all landowners whose parcel(s) lie within 500 feet of an area designated as a Natural Resource Land.**

Skagit County has apparently only once actually mailed the statement described above. There are some 12,000 parcels that should receive such a statement. The Department will propose to delete the requirement.

**C-13 SCC 14.38.030(1)(b) Natural Resource Land disclosure recording. Modify so that upon transfer of real property by sale, exchange or other means, the *buyer* is required to sign and record with the County Auditor a statement containing the Natural Resource Land disclosure language set forth in SCC 14.38.030(2).**

Current code requires the *seller* to record the statement. In most real estate transactions, however, the buyer (or the buyer's agent) does the recording. Current code does not require a signature on the statement; the Department would also propose that the *buyer* sign the statement. To the extent that this type of notice is effective at all, we believe it will be most effective if the buyer's signature is required.

As an alternative, the Department will propose to delete the requirement. The Auditor's Office reports that only one title company in Skagit County, Chicago Title, is presently complying with the requirement despite the Department's best efforts at outreach to the title companies last year. The Department has no other mechanisms at its disposal to enforce the requirement. See also RCW 64.06.022 and RCW 7.48.305.

**C-14 SCC 14.16.870, Notification of development activities on or adjacent to designated Natural Resource Lands. Remove current requirement that applicant for a development permit record a title notice regarding the parcel's proximity to designated Natural Resource Land.**

The Department believes recording a signed notice is more effective and appropriate at time of property sale or transfer, per above. Requiring a title notice at time of permit issuance

slows down permit processing times. The Department will propose to modify the requirement to be consistent with RCW 36.70A.060(1)(b), which requires that the notice be included in the *permit*, rather than recorded on the title.

**C-15 SCC 14.16.430(4)(g), mineral resource extraction in Rural Resource-NRL. Make language consistent with SCC 14.16.410(5)(d), Industrial Forest-NRL, and SCC 14.16.420(4)(d), Secondary Forest-NRL, by adding "pursuant to SCC 14.16.440, Mineral Resource Overlay" to SCC 14.16.430(4)(g), Rural Resource-NRL.**

This proposed code amendment simply provides internal consistency for mineral resource extraction activities within natural resource designated lands. This change will have no substantive effect.

**C-16 Fueling stations: Make use descriptions for fueling stations consistent across zones in all relevant sections of code.**

Current code contains inconsistent titles for these uses, e.g.:

- Gas and fueling stations
- Gasoline service stations
- Gas stations
- Vehicle fueling and charging stations

The Department will propose harmonizing all those terms under the new term "vehicle fueling and charging stations" and adding a definition. See also S-3.

**C-17 SCC 14.16.195, Urban Reserve Commercial-Industrial (URC-I), and SCC 14.16.200, Aviation Related (AVR). Move temporary events from administrative special use to permitted use.**

Temporary events are an appropriate use in commercial zones and it is overly burdensome to require an administrative special use permit in these zones. In the AVR zone, the Heritage Flight Museum does many events and no purpose is served by requiring a special use permit. The Department will propose to make this change in URC-I, AVR, and the new AVR-L (AVR-Limited) zone.

**C-18 SCC 14.12.210, SEPA administrative appeals. Remove administrative appeals for project-level SEPA.**

Staff is in the process of reviewing the state law on administrative appeals for SEPA and the County's current code for such appeals and will develop a proposal for ensuring consistency with state law and providing clarity in our current process.

**C-19 SCC 14.10, Variances, and SCC 14.16.810(4), Administrative Reduction of Setbacks. Amend the variance and administrative reduction of setbacks sections to clarify applicable criteria for granting a reduction in setbacks.**

SCC 14.18.810(4) currently provides:

> (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.

The code, as drafted, requires that applicants for an Administrative Reduction of Setbacks pursuant to SCC 14.16.810(4) demonstrate compliance with both this section as well as the variance criteria set forth in SCC 14.10.030(2), because the Administrative Reduction of Setbacks is listed as a type of variance in SCC 14.10. Prior to a recent Board of County Commissioners' decision interpreting the code to this effect, Planning staff had not been applying the variance criteria to these requests. Instead, Planning staff understood the intent of the Administrative Reduction of Setbacks process as enabling applicants to go through a less rigorous process than a variance.

Options for the code include (1) amend to clarify that the Administrative Reduction in Setbacks requests are not subject to the variance criteria; (2) leave unchanged so that both the criteria in .810(4) and the variance criteria in SCC 14.10 apply; or (3) develop a hybrid approach where minor setback reduction requests would not require application of the variance criteria, but more substantial requests would require application of the variance criteria. The Department recommends option (1) because it is simplest and consistent with the Department's past practice. We will also recommend deletion of SCC 14.10.030(2)(f).

**C-20 SCC 14.16.730 and SCC 14.16.900, Home Based Business. Place all Home Based Business code provisions in one section of code for ease of use.**

There are three types of Home-Based Businesses (HBB1-HBB3) in current code. The standards for HBB1 are in SCC 14.16.730, while the standards for HBB2 and HBB3 are in SCC 14.16.900. The Department will propose to move the HBB text in SCC 14.16.900 to .730 and leave a cross-reference in .900 to the new location. This code change will have no substantive effect, but will make the requirements much easier for applicants to find.

**C-21 SCC 14.16.730(2)(b), Home Based Business 1. Clarify that the 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.**

This issue also exists in HBB2 and HBB3; the Department will propose that a HBB2 be restricted to 50% of the size of the living area of the dwelling unit. HBB3 currently has no percentage limit; instead the limit is "consistent with the residential area and properly permitted for the use." The Department does not propose to modify the limit for HBB3.

**C-22 SCC 14.04.020, Definitions. Modify the definition of "Setback" to allow 8-foot high fences in commercial and industrial zones, compared to the existing 6-foot height in other zones.**

Under current code, fences up to six feet in height are allowed within the property setback. Many commercial uses desire fences that are six feet tall plus two feet of razor wire. Aviation facilities require such fences. The Department will propose to modify the code to exempt 8-ft fences from the setback requirement, only in commercial-industrial and aviation zones. The

Department may also propose to move this exemption out of the definition of the word "setback," where it is now, to SCC 14.16.810, Setback Requirements.

Under the building code, fences over seven feet require a building permit. The Department proposes no change to the building code requirement.

**C-23 SCC 14.04.020, "Adult group care facility" definition. Amend definition to remove "as a nursing home" so that it is inclusive of other types of state-regulated facilities, including assisted living facilities.**

The Department will propose the following change:

**Adult group care facility:** an establishment providing full-time care for more than 5 patients, convalescents, invalids, or aged persons. Such establishment shall 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 SCC Chapter 14.28, Concurrency. Consolidate LOS in the Capital Facilities Element and delete from code, adjust timeline in SCC 14.28.110, remove superfluous definitions, and delete Appendix 1.**

SCC 14.28 includes Levels of Service (LOS) that need to be replaced with references to the LOS in the Comprehensive Plan Capital Facilities Element so that all LOS are in one place and not duplicated.

The timeline in SCC 14.28.110 for special purpose districts to submit capital facilities data to the County is not being followed and needs to be adjusted to make it easier for those agencies to comply. Superfluous definitions and Appendix 1, which doesn't have a section number, need to be removed.

The Department may propose to make some of these code amendments through the annual Capital Facilities Plan update because they are related to the latecomer agreement requirement below.

**C-25 SCC 14.28, Concurrency. Adopt code provisions to accommodate latecomer agreements consistent with recent changes to RCW 35.91.**

This is actually a state requirement, adopted in 2013 and effective July 1, 2014. Latecomer agreements, also referred to as recovery contracts or reimbursement agreements, allow a property owner who has installed street or utility improvements to recover a portion of the costs of those improvements from other property owners who later develop property in the vicinity and use the improvements. The new law *requires* counties to contract with owners of real estate for the construction of water or sewer facilities upon request, if a municipality's ordinances require the facilities to be improved or constructed as a prerequisite to further property development.

The Department may propose to make this code amendment through the annual Capital Facilities Plan update, as the latecomer agreement section may be inserted into the Concurrency chapter and if a property owner desires to utilize this reimbursement method, the County will require code to make payback effective.

**C-26 Guemes Island Subarea Plan: Consider a limited number of code amendments to implement goals and policies from the adopted Guemes Island Subarea Plan.**

The Guemes Island Planning Advisory Committee (GIPAC) has requested the following changes, which are proposed as part of the 2016 Update consistent with the Board of County Commissioners' scoping resolution. The Department and GIPAC have decided not to include any of these changes within the Shoreline Master Plan Update.

A. Amend 14.18.310 CaRD General Approval Provisions to state that there shall be no density bonus for CaRD developments on Guemes Island.

B. Add to SCC 14.24.310: Guemes Island is designated as a Category I Critical Recharge Area under SCC 14.24.310; therefore all applications for single-family residential building permits, including Accessory Dwelling Units and Accessory Buildings as well as residential short plats; and building permits for any other uses that require or could impact groundwater resources, shall comply with the Site Assessment Requirements as outlined in SCC 14.24.330. Amend SCC 14.24.330(1) to require that initial project review by the Skagit County Planning and Development Services Department shall include staff from the County Health Department and a County Staff Hydrogeologist to evaluate likely impacts to groundwater quality or quantity.

C. Amend SCC 14.16.710 to prohibit Accessory Dwelling Units (ADUs) on Guemes Island in areas where the water source contains 25 ppm or more chlorides, and to require that the approved water source meets current quantity requirements as specified in SCC 12.48.

D. Amend SCC 14.16.320 Rural Reserve (RRv) and SCC 14.16.300 Rural Intermediate (RI): to require side-yard setbacks totaling 30 percent of the average width of the lot or 30 feet (whichever is less) for the combination of the two side-yards, with an eight-foot minimum setback on each side; and to establish a 12-foot height limit at each side-yard setback line, with one additional foot of building height allowed for each foot inside the required side-yard setback, up to the maximum height of 30 feet.

E. Amend SCC 14.16 to create a new height overlay for Guemes Island, establishing a 30' maximum height limit island-wide.

F. Revise SCC 14.18.300 to require that, on Guemes Island, any open space designated through a CaRD is permanently preserved through filing of a protective easement or covenant on the property prior to final subdivision approval.

G. Include the following requirement in the new Guemes Island height overlay, to be established in SCC 14.16: Solid fences higher than three feet must be set back a minimum of ten feet from the street front right of way. "Solid fences" means any fence that is less than 50% open. Solid fences that are within building setbacks are limited to six feet in height.

**C-27 Other amendments to code, as needed, to maintain consistency with Comprehensive Plan policies that may change through the 2016 Update process.**

We have not yet identified any needed amendments in this category.

## Additional Department-Proposed Code Changes

Consistent with RCW 36.70A.470, the Department has identified several other possible code changes during project review, as described below. The Department will ask the Board of County Commissioners to formally add these changes to the 2016 Update docket at a later date.

**C-28 Adopt revised AEO maps that subtract the underlying ground elevation.**

The maps that were adopted as part of the AEO update last year showed the elevations above mean sea level, which are not as useful for evaluating development applications as maps showing elevations from ground level. The GIS Department has generated new maps based on elevation data that are now available at www.skagitcounty.net/aeo. This is not a substantive change.

**C-29 Revise the table in SCC 14.16.210(3)(b) (Airport Environs Overlay, or AEO) to delete the maximum building size column.**

The Department has determined the building size limitation is a vestigial element of the AEO that has no basis in the Washington State Department of Transportation's airport compatibility guidelines and potentially interferes with beneficial industrial development at Bayview Ridge.

**C-30 Modification or elimination of some title notice requirements.**

The Department has identified that the need to obtain applicant signatures and notarizations on various title notices required by code is a significant obstacle to timely processing of permits, which is a high priority for the Board of County Commissioners. The Department is currently reviewing each title notice requirement and will propose to modify or eliminate those that have limited utility.

# Adoption Process

The Department will draft proposed code changes in the next few months and release them as part of the Comprehensive Plan 2016 Update package, which will be made available for written comment and public hearing consistent with the process for legislative land use proposals described in Skagit County Code Chapter 14.08. Our current estimate is that the 2016 Update package will be made available for public comment sometime in first quarter of 2016.

## For More Information

Please visit the project website at www.skagitcounty.net/2016Update to track the progress of the Comprehensive Plan Update.