

**NOTICE OF AVAILABILITY, PUBLIC COMMENT and PUBLIC HEARINGS
on Skagit County's Legislative Response to the Final Decision and
Order issued by the Western Washington Growth Management
Hearings Board (WWGMHB) in Case No. 07-2-0025c, Friends of Skagit
County, June Kite and Evergreen Islands v. Skagit County**

Notice is hereby given that on that on Friday, September 26, 2008, Skagit County will make available its proposed legislative response to the Final Decision and Order issued by the WWGMHB in Case No. 07-2-0025c, Friends of Skagit County, June Kite and Evergreen Islands v. Skagit County. The amendments involve the following:

- Revisions intended to place appropriate restrictions on the size and scope of owner operator / caretaker quarters through amendments to SCC 14.04.020;
- Clarifications to Plan Policies 3C-1.4 and 3C-2.1, and revisions to the list of Permitted Uses, Administrative Special Uses and Hearing Examiner Special Uses in the Rural Village Commercial (RVC), Small Scale Recreation and Tourism (SRT), Rural Intermediate (RI), Rural Village Residential (RVR), and Rural Reserve (RRv) zones to be consistent with the revised policies and to more clearly differentiate rural commercial zones from rural residential zones;
- Amendments to Comprehensive Plan Policy 3C-2.18(b) to eliminate the potential to expand LAMIRDs to include areas developed after July 1, 1990;
- The elimination of Comprehensive Plan Policy 3C-2.2(b) in its entirety; and
- Amendments to Comprehensive Plan Policy 3A-2.2 to clearly indicate that resource areas are part of the non-urban area.

The website address where these proposed legislative changes may be on or after September 26, 2008, is: www.skagitcounty.net.

September 26, 2008, will also mark the beginning of a 15-day public and agency review and comment period. Following the written comment period there will be an open record public hearing conducted by the Skagit County Planning Commission. The Planning Commission will subsequently hold a closed record meeting to deliberate upon the public testimony received and prepare a report and recommendation on the proposal for the Board of County Commissioners (BCC). After the close of the 15-day comment period, the BCC will take final legislative action on the proposed amendments.

The proposal to be released on the website on September 26, 2008, consists of the following documents:

- 1. A staff memorandum that sets forth the following:**
 - a. The specific findings of noncompliance from the final decision and order (FDO) of the Western Washington Growth Management Hearings Board (WWGMHB);
 - b. The specific provisions of the Growth Management Act (GMA) found to have been violated by the WWGMHB;
 - c. A brief discussion of the implications of each specific finding of noncompliance; and
 - d. A recommended course of action to be implemented by the County to achieve compliance with the FDO and the GMA.

- 2. Amendments to the Skagit County Comprehensive Plan to comply with the FDO, including the following:**
 - a. Clarifications to Plan Policies 3C-1.4 and 3C-2.1 to provide greater flexibility to permit limited non-residential uses within RI, RVR and RRv zones, while preserving the chiefly residential character of each;
 - b. Changes to Plan Policy 3C-2.18(b) to eliminate the potential to expand LAMIRDs to include areas developed after July 1, 1990;
 - c. Revisions to Plan Policy 3A-2.2 to clarify that resource areas are not part of the urban area of the County; and
 - d. Deletion of policy 3C-6.4, which impermissibly permits the establishment of new Rural Marine Industrial (RMI) designations on lands contiguous to existing areas of RMI zoning.

- 3. Amendments to Skagit County Code, Title 14, Unified Development Code to ensure consistency with the Comprehensive Plan policy revisions highlighted above, and to comply with the FDO, including the following:**
 - a. Amendments to Chapter 14.04.020, Definitions, including revisions to the definitions of the terms “active recreational facilities”, “home based businesses”, “outdoor outfitters enterprises (OOE)” and “outdoor recreation facility”; deletion of the definitions of the term “festival site”; and the addition of definitions for the terms “owner operator/caretaker quarters” and “natural resources training/research facility”;
 - b. Amendments to the Permitted Uses, Administrative Special Uses and Hearing Examiner Special Uses within the Rural Village Commercial (RVC) zone, SCC 14.16.100;
 - c. Amendments to the Permitted Uses, Administrative Special Uses and Hearing Examiner Special Uses within the Small Scale Recreation and Tourism (SRT) zone, SCC 14.16.130;

- d. Amendments to the Permitted Uses, Administrative Special Uses and Hearing Examiner Special Uses within the Rural Intermediate (RI) zone, SCC 14.16.300;
- e. Amendments to the Permitted Uses, Administrative Special Uses and Hearing Examiner Special Uses within the Rural Village Residential (RVR) zone, SCC 14.16.310;
- f. Amendments to the Permitted Uses, Administrative Special Uses and Hearing Examiner Special Uses within the Rural Reserve (RRv) zone, SCC 14.16.320;
- g. Amendments to SCC 14.16.730, Home Based Business 1, to more clearly differentiate between the three types of home based businesses permitted within the County, and where they may be located; and
- h. Amendments to SCC 14.16.900, Special Use Permit Requirements to clearly differentiate between the three permissible types of home based businesses and establish approval criteria for Type 3 home based businesses.

Environmental Documentation: Additional information related to the proposal will be made available on the website and in hard copy on Friday, September 26, 2008. These additional materials include the following:

- The State Environmental Policy Act (SEPA) checklist, including supplemental sheet for non-project actions; and
- The SEPA threshold determination of non-significance.

Copies of the Proposal: Beginning on Friday, September 26, 2008, copies of the entire Proposal may be viewed on the Skagit County website at www.skagitcounty.net; or may be reviewed at Skagit County Planning and Development Services, 1700 College Way, Mount Vernon, WA.

Copies of the proposal may be ordered, for a fee, through the Skagit County Planning and Development Services at 360-336-9410, ext. 3497. Due to the time required for reproduction, ordered copies may not be immediately available.

Public Review and Comment Schedule: The public are invited and encouraged to comment upon this proposal. A 15-day public review and comment period on the proposal will commence on September 26, 2008. Comments may be submitted in writing to the Skagit County Planning and Development Services Department, at the address listed below, through 4:30 p.m. on Friday, October 10, 2008.

Comments on the proposed Plan and Code amendments may also be made at a public hearing before the Skagit County Planning Commission. **This public hearing will commence at 6:00 p.m. on Tuesday, October 14, 2008**, in the

Hearing Room of the Skagit County Commissioners Administrative Building, 1800 Continental Place, Mount Vernon, WA. Two weeks following the hearing, on Tuesday, October 28, 2008, the Planning Commission will meet again to deliberate upon the public testimony received, and formulate a report and recommendation to be forwarded to the Skagit County Board of County Commissioners (BCC).

Citizens who plan to attend the public hearing that have special needs or disabilities are asked to call the office of the BCC at (360) 336-9300 at least 96 hours before the hearing to discuss and arrange special accommodation.

Submittal Requirements for Correspondence: Comments on the Proposal must be submitted on 8 ½" x 11" paper. Maps must be in black and white and also reduced to 8 ½" x 11" size for purposes of reproduction. Submittals not meeting these requirements will not be considered. Comments may not be submitted via email.

Please address all comments to:

Carly Ruacho, AICP, Senior Planner
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273

(360) 336-9410, ext. 5582
FAX (360) 336-9416

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