

**An Ordinance Adopting Amendments to Skagit County Code (SCC)
14.16.410: Industrial Forest – Natural Resource Lands to Outright
Permit the Construction of Non-Motorized Trails**

Whereas the County processes amendments to development regulations pursuant to Skagit County Code (SCC) Chapter 14.08;

Whereas, on July 11, 2017, the Board of County Commissioners per SCC 14.08.020(6) authorized Planning and Development Services (PDS) to initiate a code amendment to allow the construction of non-motorized trails in the Industrial Forest – Natural Resource Lands (IF-NRL) zoning designation without a County development permit;

Whereas, the construction of non-motorized trails is not defined as an act of forest conversion by the Washington State Department of Natural Resources pursuant to the Washington Administrative Code (WAC) 222-16-050;

Whereas, the County issued a SEPA threshold determination of non-significance (DNS) on July 17, 2017 in accordance with the WAC 97-11 and SCC Title 16.12;

Whereas, the County received approval for expedited review from the Washington State Department of Commerce on August 1, 2017 in accordance with the Revised Code of Washington (RCW) 36.70A.106;

Whereas the County advertised a public comment period in accordance with SCC 14.08.080, and the Planning Commission held a public hearing and deliberations on August 1, 2017;

Whereas the Planning Commission held a special meeting on August 17, 2017 to allow additional time for review of public comments;

Whereas the Planning Commission made a Recorded Motion concerning the proposed code amendments to SCC 14.16.410 (**Exhibits A and B**); and

Whereas the Board of Commissioners has reviewed the public comments and the Planning Commission’s Recorded Motion for the subject code amendments.

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

Section 1. The Board of County Commissioners adopts the amendments to SCC 14.16.410 as stated in the Planning Commission’s Recorded Motion (**Exhibits A and B**).

Witness Our Hands and the Official Seal of Our Office this 22nd day of August, 2017.

**BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ron Wesen, Chair

Kenneth A. Dahlstedt, Commissioner

Attest:

Lisa Janicki, Commissioner

Clerk of the Board

Recommended:

Department Head

Approved as to form:

Civil Deputy Prosecuting Attorney

EXHIBIT A

Skagit County Planning Commission's Recorded Motion Regarding the Proposed Code Amendments to Skagit County Code Chapter 14.16.410: Industrial Forest – Natural Resource Lands (IF-NRL non-motorized trails)

Proposal publish date:	July 17, 2017
Proposal name:	Proposed Code Amendments to Skagit County Code Chapter 14.16.410: Industrial Forest – Natural Resource Lands (IF-NRL non-motorized trails)
Documents available at:	www.skagitcounty.net/foresttrails
Public hearing body:	Skagit County Planning Commission
Public hearing date:	Tuesday, August 1, 2017, at 6 p.m.
Written comment deadline:	Tuesday, August 1, 2017, at conclusion of public hearing
PC deliberations:	Tuesday, August 1, 2017
PC special meeting:	Thursday, August 17, 2017

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. The Planning Commission has concerns about informal trails and associated forest management.
2. The Planning Commission has concerns regarding financial impacts of subject trails on State trust lands.
3. Pursuant to the WAC's and SCC Title 14, the construction of a trail is not defined as a conversion activity.
4. The consensus of the land owner representatives on the FAB is that they would prefer to police the building of trails on their land without the County permit requirement.
5. On State Trust lands, trail facilities should be signed appropriately to educate the users about the working forests, the Trust obligations, and the importance of timber harvest.
6. The subject code amendment is limited to non-motorized trail construction in the Industrial Forest-Natural Resource Land (IF-NRL) zone.

Recommendation

1. The Planning Commission recommends that the County encourage and support education and signage for working forests.
2. The Planning Commission recommends that the Board of County Commissioners approach the FAB concerning a requirement that non-motorized trails be built to the United States Forest Service Trails Construction and Maintenance Notebook and the United States Forest Service Standard Specifications for Construction and Maintenance of Trails.

The Planning Commission recommends that the Board of County Commissioners **approve** the proposal.

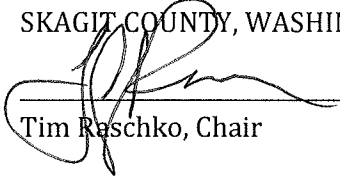
Additional Recommendations

1. The Planning Commission proposes that the County begin to inventory the amount of County lands that have converted to non-resource land use since the beginning of GMA.
2. The Planning Commission proposes that a definition of various trail types be added to SCC Chapter 14.04.

This recorded motion approved August 17, 2017:

Commission Vote	Support	Oppose	Absent	Abstain
Tim Raschko, Chair	✓			
Kathy Mitchell, Vice Chair	✓			
Josh Axthelm			✓	
Tammy Candler			✓	
Hollie Del Vecchio			✓	
Amy Hughes	✓			
Kathi Jett	✓			
Annie Lohman	✓			
Martha Rose	✓			
Total	6	0	3	0

SKAGIT COUNTY PLANNING COMMISSION
SKAGIT COUNTY, WASHINGTON



Tim Raschko, Chair

8/17/17
Date



Dale Pernula, Secretary

8/17/17
Date

EXHIBIT B

Public Comment DRAFT 07/14/2017 Proposed Development Regulations

Plain text = existing code with no changes
Strikethrough = existing code to be deleted
<u>Underlined</u> = new code to be added
Double Strikethrough = existing code moved to another location
<u>Double Underline</u> = existing code moved from another location
<i>Italics</i> = instructions to code reviser
[Bracketed] = options for public comment

Skagit County Code Chapter 14.16: Zoning

14.16.410 Industrial Forest – Natural Resource Lands (IF-NRL)

- (1) Purpose. *No change.*
- (2) Applicability. *No change.*
- (3) Permitted Uses. *No change.*
 - (a) through (q). *No change.*
 - (r) Non-motorized trails.
- (4) Administrative Special Uses. *No change.*
 - (a) through (f). *No change.*
 - (g) Trails (except non-motorized trails) and primary and secondary trailheads.
- (5) Hearing Examiner Special Uses. *No change.*
- (6) Dimensional Standards. *No change.*
- (7) *No change.*