



Skagit County Planning & Development Services

DALE PERNULA, AICP *Director*

JACK MOORE, CBCO *Building Official*

Memorandum

To: Planning Commission
From: Betsy Stevenson
Date: March 25, 2014
Re: Updates to draft for review on April 1

Staff has made the following changes to the portions of the SMP Update that you are scheduled to review next week. We have copied the notes from the last memo into this memo, so this memo should guide you through everything you need to review for next week. We recommend postponing aquaculture to the following meeting on April 15.

- Part VII: Administration (the PC specified it wanted to start with Part VII, not VI)
- Part VI: Legally-Established Pre-Existing Uses and Structures
- SCC 14.26.400 Shoreline Uses and Modifications Matrix
- SCC 14.26.405 Dimensional Standards
- SCC 14.26.410 Agricultural Activities and CP 6C-1
- ~~SCC 14.26.415 Aquaculture and CP 6C-2~~

Part VII: Administration

1. Add to 14.26.700:

(3) Pursuant to the Shoreline Management Act at RCW 90.58.080 and the Growth Management Act at RCW 36.70A.130, local governments must periodically review, and where appropriate, amend their Shoreline Master Program. Consistent with state law, Skagit County has established a process to evaluate and consider amendments to this Master Program.

2. Insert into 14.26.725:

(3) An application for a limited utility extension, or the construction of a bulkhead or other measure to protect a single-family residence and its appurtenant structures from shoreline erosion must be processed consistent with the special time periods and procedures in WAC 173-27-120.

3. Change all "letter of exemption" to "written statement of exemption"

4. Change 14.26.720(3)(b)(i):

"the specific exemption provision from the WAC or RCW that is being applied to the development;"

5. Insert 14.26.730(5):

Notice. Pursuant to WAC 173-27-200, upon receipt of Ecology's decision, the Administrative Official must notify those interested persons who requested notification of such decision.

6. Revise 14.26.735

Delete "or unique" as encompassed within "extraordinary"

7. Delete 14.26.735(a) as duplicative of 14.26.735.

8. Revise 14.26.735(3)(a)(ii):

Change “unique” to “extraordinary”

9. Move 14.26.770 to insert as new section (5) in 14.26.200

Rename to “Boundary Line Determination”

10. Insert into 14.26.795:

(2) Types of Amendments

(a) Limited Master Program Amendment. An amendment to this SMP that addresses specific procedural and/or substantive topics and that is not intended to meet the complete requirements of a comprehensive master program update.

(b) Comprehensive Master Program Update. A periodic update to this SMP that fully achieves the procedural and substantive requirements of Ecology’s shoreline master program guidelines.

11. Renumber existing section 14.26.795(2) to (3)

Rename as “Limited Master Program Amendment Process and Criteria”

12. Additional changes to harmonize permit processes

We also plan to propose changes to SCC 14.06 to reflect the WAC-required comment periods for each application types as noted .

Part VI: Legally-Established Pre-Existing Uses and Structures

13. Revise 14.26.600(2) to read as follows:

Applicability. The provisions of this Part apply to structures and uses that were legally established prior to the effective date of this SMP but that do not conform to the regulations of this SMP. Pre-existing nonconforming lots in shoreline jurisdiction are regulated by SCC 14.16.850.

14. Insert new paragraph 14.26.620(2)(a):

A pre-existing residential or appurtenant structure that is nonconforming with respect to dimensional standards, may be enlarged provided that such enlargement does not increase the extent of the nonconformity.]

15. Insert new paragraph 14.26.630(2)(c):

Enlargement or expansion of a nonconforming structure in a way that would increase the nonconformity requires a Variance.

Part IV: Shoreline Uses and Modifications Matrix

16. Use and Modification Matrix

We anticipate many further changes to the Use and Modification Matrix as we continue to refine the document, so we recommend not studying it too carefully at this time. We plan to simplify the table to avoid having to use all the footnotes.

17. Add new definition of “Hard Surface” to Part VIII

Impervious surface, permeable pavement, or vegetated roof.

18. Fill in the last rows of Table 14.26.405-1:

Hard Surface Limits						
for all commercial and industrial upland uses	n/a	30%	70%	n/a	70%	n/a
recreational uses	5%	25%	30%	30%	40%	n/a
for all other upland uses	5%	30%	30%	30%	40%	n/a

19. Move special Guemes well chlorides limits to Part V, Critical Areas