



Planning & Development Services

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Memorandum: 2026 Miscellaneous Title 14 Code Amendments

To: Planning Commission
From: Robby Eckroth, Senior Planner
Date: February 3, 2026
Re: 2026 Miscellaneous Title 14 Code Amendments

Recommendation

The Department recommends **approval** of the proposed amendments.

Summary

Planning and Development Services (PDS) is providing this staff report in advance of the February 10, 2026, Planning Commission work session. This report summarizes and analyzes the proposed 2026 Miscellaneous Code Amendments to Skagit County Code (SCC) Title 14, the County's Unified Development Code (**Exhibit A**).

On June 23, 2025, the Board of County Commissioners adopted [Ordinance O20250005](#), which reorganized Title 14 of Skagit County's Unified Development Code. The reorganization improved the structure of Title 14 to enhance readability, streamline administration, and facilitate future updates. Since adoption, PDS staff and the public have used and implemented the reorganized code and have provided feedback identifying opportunities for further improvement, as well as errors that resulted from the reorganization.

PDS seeks to further refine Title 14 following the reorganization adopted last year with the 2026 Miscellaneous Code Amendments. These amendments further clarify code, fix inconsistencies and grammar, and make additional substantive amendments based on user feedback.

Overview of Proposed Amendments

The proposed amendments include several substantive amendments and non-substantive minor amendments, which are summarized below in separate sections.

Substantive Amendments

- **Updates to Chapter 14.09 Enforcement Procedures.** This amendment adds code language that will allow Skagit County to complete a special assessment upon completion of an abatement and gives the lien the priority available as allowed by RCW 36.32.120(11). The assessment shall constitute a lien against the property. The amendment enables the County to recover

abatement costs by attaching them directly to the property, rather than relying on fines and fees.

- **SCC 14.13.100 – Dimensional Standards for Agricultural – Natural Resource Lands zone.** The amendment to SCC 14.13.100(3)(C) provides some flexibility to flag lots or landlocked lots where it would not be possible to develop within 200-feet of the public road or front property line. This language is similar to the existing flexibility in this section which allows the maximum 200-foot setback to be waived when critical areas would prevent placement of residential structures in the 200-foot area or in cases where nonfloodplain or nonprime agricultural land is located on the lot outside of the setback area, which would provide for a more appropriate placement of residential structures.
- **SCC 14.18.102(2) – Single-family residences in Agricultural – Natural Resource Lands zone on parcels one-acre or less.** During the 2025 Title 14 reorganization, PDS intended to codify all Administrative Official Interpretations but inadvertently omitted one. The proposed amendment clarifies that single-family residences when on a legal lot eligible for development that are one acre or less are not accessory to agriculture and are a primary use. This clarification is consistent with long-standing departmental practice and an Administrative Official Interpretation issued on August 25, 2009, and revised on May 14, 2010.
- **SCC 14.18.106 – Accessory Dwelling Units (ADU).** In 2023, the State Legislature passed House Bill (HB) 1337 standardizes ADU regulations in Urban Growth Areas (UGAs) across the state to encourage housing development and increase affordability.

While the recent code reorganization amended ADU standards to better align with state law, it did not incorporate all requirements contained in RCW 36.70A.680 and .681. This omission was identified by the Washington State Department of Commerce near the end of the County’s legislative process. Although many of these requirements are unlikely to apply to development in unincorporated Skagit County, incorporating the language ensures consistency with state law.

The amendments also add flexibility to the requirement that limits accessory dwelling units outside of UGAs to within 150 feet of the primary residence. Specifically, a greater distance may be allowed when necessary to protect critical areas or natural resource lands, or when existing development prevents the ADU from being located within that distance.

- **SCC 14.28 – Setbacks.** Following last year’s updates, PDS recommends additional refinements to the setback standards, including the following changes:
 - Remove street-type distinctions from Front Setbacks and Secondary Front Setbacks to simplify code.
 - Add a secondary front setback for access (ingress/egress) easements. This would establish a 10-foot setback from access easements rather than imposing the larger front setback requirement, which is often around 35 feet.

- Restrict garages using the 10-foot secondary front setback to prevent vehicles from parking in the right-of-way. Garages may use the 10-foot setback only if they face away from the right-of-way; otherwise, a 20-foot setback is required.
 - Align the rear setback requirements for corner lots with Figure 14.28.060-2.
 - Remove the rear setback provision for irregular lots described in Section 14.28.060(6)(c) and illustrated in Figure 14.28.060-6, replacing it with an interior side setback for simplicity.
 - Amend Figure 14.28.060-2 by removing the rear setback requirement for through lots and correcting it to be a secondary front setback.
- **SCC 14.30 – Land Disturbance.** Update provides clarifying language and trigger thresholds, with an exemption provision for storing material for Dike Districts and public works for repairs and maintenance of Roads and dikes. Updates also align with new permit tracking system.
 - **SCC 14.32 – Stormwater.** Update dates to match the date of the current stormwater permit. Match exemptions as to current 2024 code. Provide clarification for when a site plan is required to have an engineer’s stamp. Clarify certain stormwater requirements inside National Pollutant Discharge Elimination System (NPDES) areas and outside NPDES areas. Also simplified recording requirements for subdivisions.
 - **SCC 14.34 – Flood Damage Prevention.** Update requirements for elevation certificates. Clarify anchoring for manufacture homes. Clarification on materials and requirements for garages and other outbuildings that are not residential. Corrected language for unnumbered (A Zones) and (AO zones). Provided updates to match State flood model code as referenced to Wells and Floodways.
 - **SCC 14.58.020 – Types of Variances.** The following amendments are proposed to the types of variances:
 - Move agricultural siting criteria variances from administrative variances to a hearing examiner variances to ensure impartial, objective, and legally sound decisions.
 - Allow hearing examiner variances for SCC 14.76.200 (one-acre segregation for agricultural land preservation). Currently, no variance pathway exists for exceeding the one-acre maximum lot size in the Ag-NRL zone. This amendment provides a permitting pathway for properties with pre-existing residential development exceeding one acre while preserving remaining agricultural land.
 - Allow variances to the minimum lot size requirements, provided that no additional density or development rights may be obtained. Clarify that there is no legal pathway for variances to density limits, except as already allowed in SCC 14.58.020(1)(b)(vi). SCC 14.58.020(1)(b)(vi) only applies to the Bayview Ridge Residential area.
 - Remove Board of County Commissioner variances as a legal permit pathway. All variance permit pathway options are already covered in other types of variances.
 - Move Critical Areas variance to Hearing Examiner variance to be consistent with SCC 14.24 following CAO update.

- **SCC 14.58.040 – Variance Review Criteria.** This amendment applies all variance criteria in SCC 14.58.040(2) uniformly to all variance types. Currently, subsection (2)(d) applies only to hearing examiner and setback variances, though the criteria are relevant to other variance types as well.

Non-substantive Minor Amendments

In addition to the amendments noted above, PDS is proposing the following types of amendments that can be found throughout the track-changed document:

- Clarification of some definitions and movement of some definitions to and from main definitions chapter (SCC 14.04) and Flood Damage Prevention definitions.
- Amend Table 14.06.150-1 Types of Review to be consistent with Critical Areas Ordinance following adoption of the 2025 Critical Areas Ordinance Update.
- Correct the timing of posting notice boards in SCC 14.06.320 and remove the notice board requirement for Notices of Decision as all parties of record receive notification of the notice of decision and there is no longer an opportunity to become a party of record once the decision on a permit application has been made.
- Correct the review types for Wireless Facilities review in SCC 14.10.060 – Uses Allowed in All Zones to be consistent with SCC Chapter 14.59 – Wireless facilities.
- Notes have been added to each Dimensional Standards table in SCC 14.11-14.16 explaining the asterisk.
- Dimensional Standards for specific zoning districts in chapters SCC 14.11-14.16 have an added reference to the dimensional standards table.
- Fix inconsistencies, particularly to outdated code cross-references.
- Remove references to zones that no longer exist on the Skagit County zoning map.
- Add references to the Key to the Use Tables, uses allowed in all zones, and uses prohibited in all zones below each use table in chapters SCC 14.11-14.16.
- Remove duplications in code.
- Minor reorganizations to improve usability. Each instance is noted in the track changes draft.
- Reintroduction of code that was unintentionally omitted in the Title 14 reorganization. Each instance is noted in the track changes draft.

Consistency with Adopted Plans and Regulations

This proposal refines existing code and does not add, remove, or substantively change provisions beyond those identified above, all of which are minor in nature. The amendments are intended to remain consistent with the purpose and intent of the existing code, with limited exceptions as noted. Overall, the amendments are consistent with the goals and policies of the Comprehensive Plan.

How to Comment

The public may submit written comments via email to pdscomments@co.skagit.wa.us (preferred) or via US mail starting **February 12, 2026**. All paper comments must be submitted on 8½" x 11" paper to the address below:

Skagit County Planning & Development Services
re: Comments "2026 Miscellaneous Code Amendments to Title 14"
1800 Continental Place
Mount Vernon, WA 98273

All comments must be received by **March 12, 2026, at 4:30 p.m.** and include (1) your full name, (2) your mailing address. Comments not meeting these requirements will not be considered. You may also provide verbal comments at the Public Hearing. The public hearing is scheduled for **March 10, 2026, at 6:00 p.m.** in the Skagit County Commissioners Hearing Room at 1800 Continental Place, Mount Vernon, WA 98273.

If you wish to provide testimony via the online meeting option, please send an email to pdscomments@co.skagit.wa.us, with your name, phone number, and include a request to be added to the speakers list in the body of the email. Public hearing testimony is usually limited to three minutes, so written comments are preferred.

For more information, please visit the project website which is linked below:
<https://www.skagitcounty.net/Departments/PlanningAndPermit/2026-misc-code.htm>

Exhibits

- **Exhibit A** – Proposed 2026 Miscellaneous Title 14 Amendments