



Planning & Development Services

1800 Continental Place ▪ Mount Vernon, Washington 98273
office 360-416-1320 ▪ pds@co.skagit.wa.us ▪ www.skagitcounty.net/planning

Staff Report: 2026 Planning Docket

To: Planning Commission
From: Robby Eckroth, Senior Planner
Date: July 07, 2024
Re: 2026 Docket of Proposed Comprehensive Plan, Map, and Development Code Amendments

Summary

Planning and Development Services (PDS) is providing this memorandum and staff report in advance of the July 14, 2026, Planning Commission work session. This report describes the regulatory background for the yearly amendments; provides a synopsis of the public review process; analyzes the proposed changes pursuant to local and State requirements; and describes the Department's (PDS) recommendations to the Planning Commission for deliberation. The previous staff reports, draft maps, citizen comments, public noticing documents, and other supporting materials concerning the 2026 docket are available at the following project webpage: www.skagitcounty.net/2026cpa.

Introduction and Background

The Growth Management Act (GMA) provides that “each comprehensive land use plan and development regulations shall be subject to continuing review and evaluation”¹ and requires Skagit County to periodically accept petitions for amendments or revisions to the Comprehensive Plan policies or land use map. Skagit County implements this requirement through Skagit County Code Chapter 14.08, which describes the process for annual amendments.

Skagit County received two timely petitions for consideration through the annual Comprehensive Plan, Map, and Development Regulation Docket, which were placed on the established on the docket. Another petition was proposed by the County to allow for general code language cleanup. Following a public comment period, petitioner presentations, a public hearing, and consideration of public comments, the Board of County Commissioners established a docket.

The docket was approved by resolution #[R20260102](#), on May 19, 2026, to include three petitions for review. Public comments can be located on our project webpage listed by petition number and name. A timeline of the previous and upcoming meetings can be found on the project webpage: www.skagitcounty.net/2026cpa.

This staff report includes an analysis of the proposals for consistency with county and state requirements, and the Department's recommendations, as required by SCC 14.08.080. The Department's recommendations are based on the proposals' application materials, additional research, and evaluation of the proposals' consistency with relevant policies and criteria in the Skagit County Comprehensive Plan and provisions in Skagit County Code.

Following the procedures described in SCC 14.08.070 through 14.08.090, the Planning Commission will deliberate and make recommendations on the various amendment proposals and transmit its

¹ RCW 36.70A.130(1)(a).

recommendations to the Board in the form of a recorded motion. The Board will then meet to consider and take formal action in the form of an ordinance approving or denying the proposed amendments to the comprehensive plan, land-use/zoning map and development regulation.

The remainder of this memo summarizes the amendment proposals; and includes the Department’s recommendations as required by SCC 14.08.080(1).

2026 Citizen Petitions and Department Recommendations

Skagit County received the following petitions and suggestions to amend the Comprehensive Plan policies, map, or development regulations for this docket cycle. For each proposal, the Department has provided a summary of the proposal, analysis of the docketing criteria, and a recommendation.

LRPLN-2025-0001 ABAWA II LLC Old Day Creek Small Scale Business (SSB) Rezone Petition (Quasi-Judicial: 14.08.060 Petitions—Approval criteria for map amendments and rezones.)

Summary

This proposal seeks to rezone 0.3 acres at 23528 Old Day Creek Road (P23311) in Clear Lake from Rural Village Residential (RVR) to Small-Scale Business (SSB). The property is located adjacent to the southeast corner of the roundabout where State Route 9 intersects Old Day Creek Road and Francis Road, and is located approximately 2 miles south of Sedro-Woolley and 2.75 miles east of Mount Vernon.

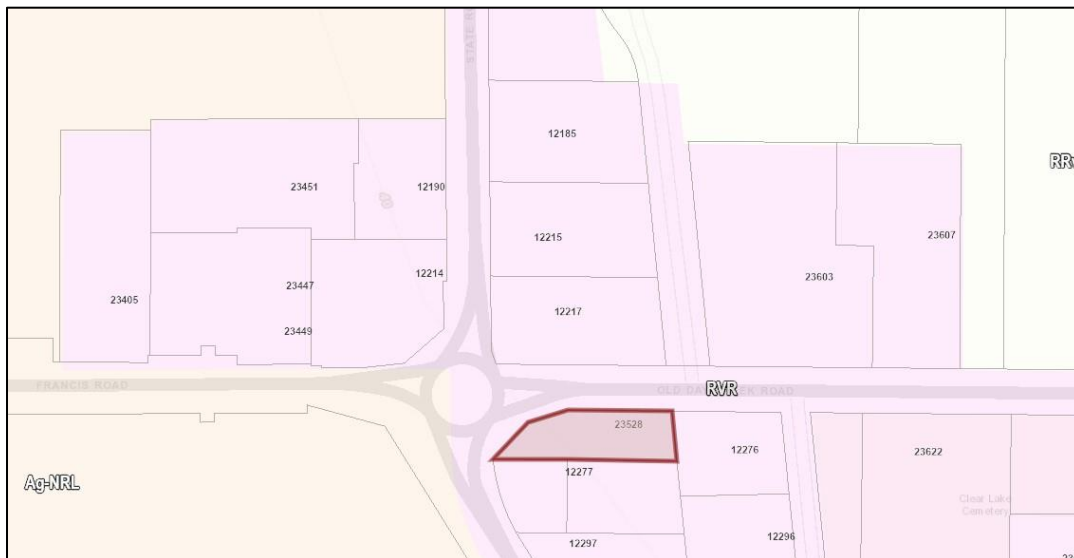


Figure 1 Parcel & Zoning Map of P23311

Historically this property has been the site of a home, and a detached shop that was historically used as a hydraulic repair business since the 1960s. In 2017, the property was purchased by the Washington State Department of Transportation for the purpose of constructing a roundabout at the corner of State Route 9 and Old Day Creek Road. WSDOT demolished the house which occupied the west half of the property, leaving only the shop standing on the east side of the property. Once the roundabout was constructed, WSDOT sold the property.

The current owner and applicant, Jasmine Wilson-Diedrich (ABAWA II LLC), purchased the property in 2022 and rented the shop to a moving and junk removal service business, to house their business. The business stores vehicles associated with the business at the site. Junk that is removed from its place of origin is brought directly to a waste transfer station and is never stored on the property. The existing business on site only stores trucks during non-business hours, and does not have customers that visit the site.

The applicant is requesting this rezone to bring the property into compliance with the zoning code. The purpose of the Rural Village Residential (RVR) zone is to primarily preserve portions of Rural Villages designated for residential uses and allows limited non-residential uses such as home-based businesses. Since the business is not secondary to a residential use, a home-based business use is not an option to accommodate the junk removal business. Therefore, the applicant is requesting a rezone to Small Scale Business (SSB) which would allow the existing use to continue as a “Small Retail and Service Business” use which is allowed as a permitted use in the SSB zone per Table 14.12.020-1 in Skagit County Code.

History

This is a new petition that has not been docketed in the recent past.

Recommendation

The Department recommends **approval** of this petition.

Analysis

The SSB designation is a Type 3 Limited Area of More Intense Rural Development (LAMIRD), as authorized under Revised Code of Washington 36.70A.070 (RCW 36.70A.070(5)(d)(iii)). Type 3 LAMIRDs allow for the intensification of development on lots containing isolated nonresidential uses, as well as new development of isolated cottage industries and small-scale businesses. These uses are not principally designed to serve the existing or projected rural population, but they do provide employment opportunities for rural residents.

The subject property is already zoned Rural Village Residential (RVR), which is considered a Type 1 LAMIRD. Type 1 LAMIRDs are established around areas of existing concentrated development. Accordingly, the existing Clear Lake LAMIRD boundary would remain unchanged, and this proposal would not create a new LAMIRD and would be contained within the existing LAMIRD boundary.

Per the Skagit County Comprehensive Plan, the SSB zone allows small-scale commercial or industrial activities involving the provision of services or fabrication or production of goods, primarily for clients and markets outside of the immediate rural area. The SSB designation may be applied to existing or new businesses. Typical uses within the SSB zone include the small-scale production or manufacture of goods; the production, repair and servicing of specialized tools and equipment; and the provision of services, including professional, management, consulting, construction, and repair services.

The junk removal business would fall under a “Small Retail and Service Business” use which is allowed as a permitted use in the SSB zone per Table 14.12.020-1 in Skagit County Code. The subject property has historically supported a hydraulic repair business dating back to the 1960s, and the existing structure, constructed in 1985, serves a small commercial use. The current junk-removal business only stores trucks only during non-business hours, generating no customer traffic, and does not store the junk removed from properties at the subject site. Its adjacency to State Route 9 further reduces the likelihood of adverse impacts on nearby residential uses. Due to site constraints, including limited access and space for additional parking, septic capacity, or stormwater facilities, the property has

minimal potential for additional development. The proposed rezone will not require urban services, will not generate sprawl as it is within an existing LAMIRD boundary, and will be consistent with the rural character of the area.

Consistency Review with Skagit County Code 14.08

- 1. A rezone or amendment of the Comprehensive Plan map must be consistent with the requirements of the Skagit County Comprehensive Plan, including any applicable designation criteria.**

Policy 3C-9.6 requires review for consistency of Rural policy 3C-2.1 regarding priority consideration to siting of new uses in areas of existing development, shall be applied when considering new SSB designations.

Policy 3C-2.1 states that rural commercial and industrial uses should be located principally within designated commercial areas to avoid the proliferation of commercial businesses throughout the rural area. However, certain limited commercial uses, resource related uses, Home-Based Businesses, and other non-residential uses may be permitted if carefully reviewed, conditioned and found to be compatible with rural areas.

Findings: The junk-removal business operating on the subject property is unlikely to generate adverse impacts on surrounding uses. The subject property has historically supported a hydraulic repair business dating back to the 1960s, and the existing structure, constructed in 1985, serves a small commercial use. The current junk-removal business only stores trucks only during non-business hours, generating no customer traffic, and does not store the junk removed from properties at the subject site. Its adjacency to State Route 9 further reduces the likelihood of adverse impacts on nearby residential uses. Due to site constraints, including limited access and space for additional parking, septic capacity, or stormwater facilities, the property has minimal potential for additional development. The proposed rezone will not require urban services, will not generate sprawl as it is within an existing LAMIRD boundary, and will be consistent with the rural character of the area. Furthermore, the subject property is within the existing Clear Lake LAMIRD which includes other commercial zoning.

Accordingly, the proposed SSB designation is compatible with the surrounding area and aligns with Comprehensive Plan policies that guide commercial development in rural communities.

- 2. A change to a rural or natural resource land map designation must also be supported by and dependent on population forecasts and allocated non-urban population distributions, existing rural area and natural resource land densities and infill opportunities.**

The land map designation change to Small Scale Business will not affect the population forecasts or the non-urban population distributions nor will it change the existing rural areas and natural resource land densities as the property is below the minimum lot size and therefore is not eligible for subdivision and as site constraints would make present challenges for residential development of the property.

- 3. Is the amendment consistent with the vision statements, goals, objectives, and policy directives of the Comprehensive Plan? Does the proposal preserve the integrity of the Comprehensive Plan and assure its systematic execution?**

The Skagit County Comprehensive Plan includes the following goals, objectives, and policies supporting the proposed rezone:

- **Goal 3B.** Allow Limited Areas of More Intensive Rural Development, consistent with the GMA, to recognize historic rural residential, commercial, and industrial development patterns, rural recreational and tourism uses, and provide employment opportunities for rural residents.
 - **Policy 3B-1.1.** Designate various rural land uses in the following LAMIRD categories authorized by RCW 36.70A.070(5)(d): 1. Existing commercial, industrial, residential, or mixed-use areas; 2. Small scale recreation and tourism use areas; 3. Intensification of development on lots containing nonresidential uses.
 - **Policy 3B-1.6.** The County’s SSB and RB designations are based on a third type of LAMIRD allowed under GMA. There are distinctions between the two designations: SSB may be applied to a new use in the rural area, whereas an RB must have existed on June 1, 1997. Both designations are consistent with RCW 36.70(A).070(5)(d)(iii) which permits:
(a) The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated SSBs that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents.
(b) Rural counties may allow the expansion of SSBs as long as those SSBs conform with the rural character of the area as defined by the local government according to RCW 36.70A.030(14).
 - **Goal 3C-9.** Recognize the land use needs of existing and new SSBs that are beyond the size and scale of Home-Based Businesses (HBBs).
 - **Policy 3C-9.1.** The SSB designation is intended to provide for commercial or industrial uses involving the provision of services or the fabrication or production of goods, primarily for clients and markets outside of the rural area. The SSB designation may be applied to existing or new businesses, whereas the RB designation applies only to businesses that were established as of June 1, 1997.
 - **Policy 3C-9.2.** Typical uses within the SSB zone include the small-scale production or manufacture of goods; the production, repair and servicing of specialized tools and equipment; and the provision of services, including professional, management, consulting, construction, and repair services. The business may have customers visit the site, but retail sales are limited to products primarily produced on site. The scale of activities within an SSB is typically greater than can be accommodated through a HBB. Nothing in these policies is intended to create a presumption that the property on which a HBB is located should be re-designated to SSB if that business outgrows its home-based status. There is no automatic progression from HBB to SSB.
 - **Policy 3C-9.5.** The SSB designation is consistent with the GMA’s allowance for the “intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and non-residential uses, but do provide job opportunities for rural residents.” (RCW 36.70A.070(5)(d)(iii)).
 - **Policy 3C-9.6.** Rural policy 3C-2.1 regarding priority consideration to siting of new uses in areas of existing development, shall be applied when considering new SSB designations. A HBB shall not be considered as an already developed site for the purposes of this policy.
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- **Policy 3C-9.7.** An SSB designation should not be located on designated NRLs, nor create the potential for conflicts with the use of agricultural, forest, and Mineral Resource lands of long-term commercial significance.

Based on the analysis above, the Department finds that the proposed rezone is consistent with the vision, goals, objectives, and policy directives of the Comprehensive Plan.

4. Is the proposal supported by the Capital Facilities Plan (CFP) and other functional Plans?

The proposal is supported by the Capital Facilities Plan and other functional plans. The rezone will not have a major impact on the current services needed in the CFP.

5. Is the proposal consistent with the Growth Management Act (GMA), the Countywide Planning Policies (CPPs), and applicable provisions of the Comprehensive Plan?

Below is a list of Growth Management Act provisions and policies from the [Countywide Planning Policies](#) that support the proposed rezone:

- **RCW 36.70A.070(5)(c)(iii).** The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents. Rural counties may allow the expansion of small-scale businesses as long as those small-scale businesses conform with the rural character of the area as defined by the local government according to *RCW 36.70A.030(35). Rural counties may also allow new small-scale businesses to utilize a site previously occupied by an existing business as long as the new small-scale business conforms to the rural character of the area as defined by the local government according to *RCW 36.70A.030(35). Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl.
- **CWPP 2.3.** Rural development shall be allowed in areas outside of the urban growth boundaries having limited resource production values (e.g. agriculture, timber, mineral) and having access to public services. Rural development shall have access through suitable county roads, have limited impact on agricultural, timber, mineral lands, critical areas, shorelands, historic landscapes or cultural resources and must address their drainage and ground water impacts.
- **CWPP 2.4.** Rural commercial and industrial development shall be consistent with that permitted by the Growth Management Act, specifically including RCW 36.70A.070(5)(d) and related provisions and the 1997 ESB 6094 amendments thereto. This development shall not be urban in scale or character or require the extension of urban services outside of urban growth areas, except where necessary to address an existing public health, safety or environmental problem.
- **CWPP 2.5.** Rural commercial and industrial development shall be of a scale and nature consistent and compatible with rural character and rural services, or as otherwise allowed under RCW 36.70A.070(5)(d), and may include commercial services to serve the rural population, natural resource-related industries, small scale businesses and cottage industries that provide job opportunities for rural residents, and recreation, tourism and resort development that relies on the natural environment unique to the rural area.

6. Does the proposal bear a substantial relationship to the public general health, safety, morals, or welfare?

The proposal does bear a substantial relationship to the public general health, safety, morals, or welfare by providing additional open space and recreational opportunities in the county.

LRPLN-2025-0003 Rasar Mineral Resource Overlay Designation Petition (Quasi-Judicial: 14.08.060 Petitions—Approval criteria for map amendments and rezones.)

Summary

The petition seeks to designate five parcels—P109100, P109099, P109098, P34222, and P34223—within the Mineral Resource Overlay (MRO). The parcels are all owned by John Rasar except for P34223 which is owned by Miles Sand and Gravel. Collectively, the parcels encompass approximately 13.93 acres and are zoned Rural Resource – Natural Resource Lands (RRc-NRL). The subject properties are located roughly 3,000 feet west of Interstate 5 and approximately 2.5 miles northwest of the Burlington city limits. They lie directly west of an existing Miles Sand and Gravel mineral extraction site and the current Mineral Resource Overlay boundary and are accessed by Allen Road, the route currently used for mineral hauling. The parcels are also directly north of the BNSF rail line.

The petitioner is requesting to designate the subject parcels within the Mineral Resource Overlay for future potential mineral extraction opportunities. Mining operations require approval of a Hearing Examiner Special Use Permit and are subject to the requirements of SCC 14.52 – Special Use Permits for Mining. If the MRO designation request is approved, the applicant would be required to obtain approval of a Hearing Examiner Special Use Permit and would be subject to environmental review under the State Environmental Policy Act (SEPA).

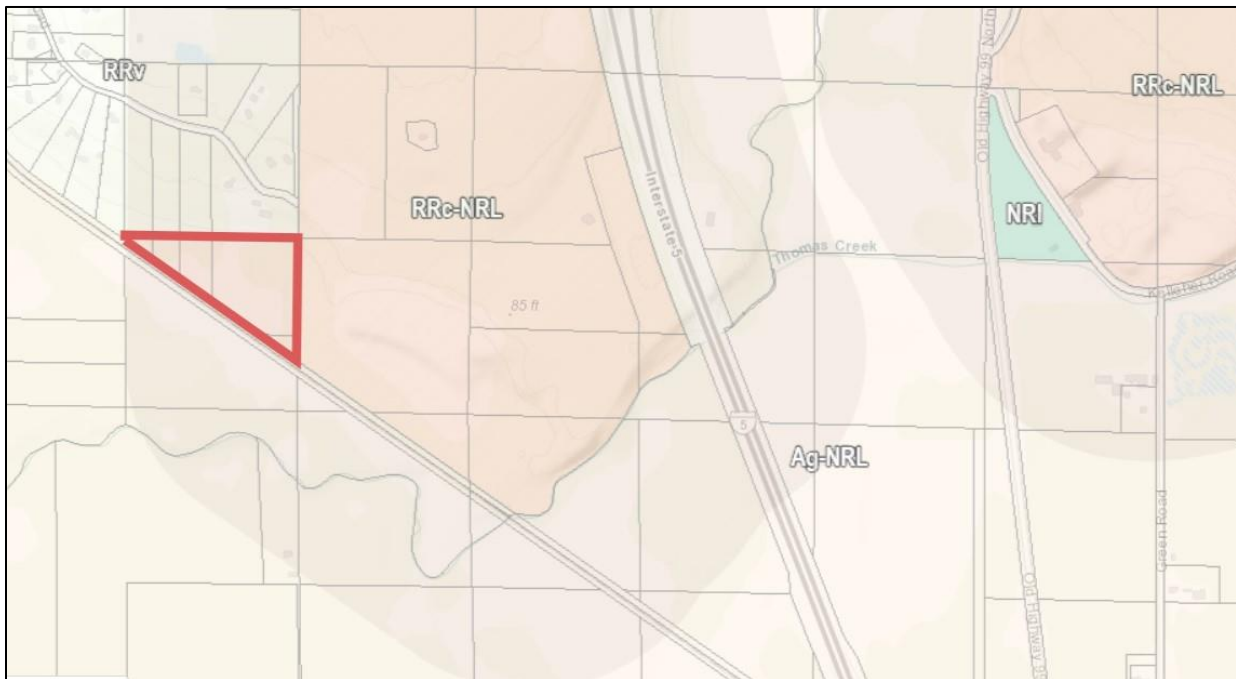


Figure 2 Parcel & Zoning Map of P109100, P109099, P109098, P34222, and P34223



Figure 3 Aerial Image of P109100, P109099, P109098, P34222, and P34233

Recommendation

The Department recommends **approval** of this petition.

History

This is a new petition that has not been docketed in the recent past. However, two of the subject parcels were included in the Mineral Resources Overlay in the past and were removed from the overlay with the adoption of the 2005-2007 Periodic Comprehensive Plan update.

Analysis

The MRO is an overlay to Forest and Rural Resource lands, where geologic deposits and land use characteristics have long-term commercial significance for mineral extraction. The County has designated an estimated 61,682 acres as MRO.

During the 2005–2007 periodic update to the Comprehensive Plan, the County conducted an in-depth review of geologic formations and potential mineral resource deposits and revised the Mineral Resource Overlay mapping. Parcels P109100 and P34223 were included within the MRO prior to the updated Comprehensive Plan taking effect on October 16, 2007. However, during the update process, the two parcels were removed from the Mineral Resource Overlay. In researching this docket petition, staff were unable to locate documentation explaining the rationale for their removal.

Site-specific drilling submitted by the applicant indicates the presence of a significant aggregate resource on the property. The Washington Department of Natural Resource (DNR) Aggregate Resource Inventory of Skagit County further identifies the site as being within 10 miles of areas with high aggregate demand, placing it within a favorable transportation distance.

The nearest single-family residence not owned by the applicant is located approximately 530 feet from the subject property boundary. In accordance with SCC 14.52.050(3)(c), a minimum 100-foot buffer is required for sites where operations are limited to mineral extraction and transportation. As a result, active operations would occur no closer than approximately 630 feet from the nearest single-family residence. Neighboring properties within 300 feet of the subject properties, as well as all neighboring properties within 300-feet of the contiguous properties owned by the applicants, will be mailed public notice of the mineral resource overlay designation request and the SEPA Determination of Non-Significance.

Mining operations require approval of a Hearing Examiner Special Use Permit and are subject to the requirements of SCC 14.52 – Special Use Permits for Mining. If the MRO designation request is approved, the applicant would be required to obtain approval of a Hearing Examiner Special Use Permit and would be subject to environmental review under the State Environmental Policy Act (SEPA). The neighboring properties will also receive a Notice of Development Application, a Notice of Public Hearing, and a notice of the SEPA Determination during the Special Use Permit review process.

Skagit County Comprehensive Plan goals and policies related to the Mineral Resource Overlay are contained in the Natural Resource Lands Element, beginning on page 125. Designation criteria for mineral resource lands are set forth in Policy 4D-1.1 – 4D-1.3 which has been reviewed for consistency in the next section below.

Consistency Review with Skagit County Code 14.08

- 1. A rezone or amendment of the Comprehensive Plan map must be consistent with the requirements of the Skagit County Comprehensive Plan, including any applicable designation criteria.**

Policy 4D-1.1 Mineral Resource Designation Criteria: Designate MRO based on geologic, environmental and economic factors, existing land uses, land ownership, surrounding parcel sizes, and additional criteria specified in this Element and in the Minimum Guidelines to Classify Mineral Lands in WAC 365-190-070. Designating mineral resources of long-term commercial significance is not limited by a projection of need. Like Agricultural and Forest lands, mineral resources are protected for the long-term. The following first tier of criteria relies primarily on geologic information to identify commercially significant Mineral Resource lands and shall be considered when designating MRO areas.

(a) Marketability. Lands containing minerals that are minable, recoverable, and are historically, and therefore anticipated to be, commercially traded are considered marketable.

Findings: The applicant has submitted geologic information demonstrating that the site contains mineral resources of sufficient quality and quantity to be commercially significant. Miles Sand and Gravel operates an adjacent sand and gravel mine, and the applicant states that the existing mineral processing and transportation facilities at the Miles operation can efficiently and cost-effectively support extraction and processing of material from the subject property. In addition, DNR’s Aggregate Resource Inventory of Skagit County identifies the site as being within 10 miles of areas with high aggregate demand, placing it within a favorable haul distance. Based on these findings, the proposal appears consistent with criterion (a) of Policy 4D-1.1.

(b) Minimum Threshold Volume. Construction materials (sand and gravel) and quarry rock are considered for mining when the estimated volume is such that establishing, maintaining, and reclaiming the mine would be practical. For the minerals below, minimum threshold volumes are relatively constant compared to market values and are used in the mining industry as predictors of commercial significance. The application of these criteria is approximate using the estimated area and depth of the identified resource.

(i) Construction materials: A minimum threshold volume of 1,000,000 cubic yards shall be used to identify commercially significant deposits of sand, gravel, and pit run rock, capable of being used in construction, that normally require minimal processing (commonly washing and grading).

Findings: The applicant estimates that the site contains between 674,000 and 899,000 cubic yards of aggregate resource, equivalent to approximately 1,011,000 to 1,348,000 tons (assuming 1.5 tons per cubic yard). Although the estimated volume is below the 1,000,000-cubic-yard threshold for establishing a new Mineral Resource Overlay (MRO), the request involves expanding an existing MRO and an existing gravel mining operation rather than designating a new standalone area. The combined MRO area would therefore exceed 1,000,000 cubic yards of resource and is consistent with criterion (b) of Policy 4D-1.1.

Policy 4D-1.2 Standards for Geologic Information: Adequate information for the purpose of designating areas within the MRO shall consist of, but not be limited to, site-specific information prepared by a licensed geologist, U.S. Geological Survey maps, and/or information on file with the WA DNR.

Findings: The applicant has provided site-specific information, including results from multiple test borings, confirming the presence of aggregate resources on the property.

Policy 4D-1.3 Mineral Resource Designation Considerations: All lands meeting the criteria in Policy 4D-1.1 shall be further reviewed considering the following additional criteria. Certain limited pre-existing designated MRO lands that may not meet the criteria below may retain their MRO status to address unique economic circumstances or access-to-market.

(a) General land use patterns in the area;

- (i) Designate MRO only on lands designated as Industrial Forest, Secondary Forest, or Rural Resource.
- (ii) Designate MRO lands outside National Park Service lands, National Forest Service lands, Wild and Scenic corridors, Agricultural Resource lands, and OSRSI.
- (iii) Residential gross densities for land designated as MRO shall be no greater than one residential dwelling unit per 10 acres.
- (iv) The preferred land uses adjacent to designated mining sites are open space, forestry, or industrial uses.

Findings: The proposed MRO designation is within the Rural Resource zone and is outside of National Park Service lands, National Forest Service lands, Wild and Scenic corridors, Agricultural Resource lands, and OSRSI.

(b) Surrounding parcel sizes and surrounding land uses. Designate MRO lands in areas with surrounding land uses that have a maximum designated density of one residence per 10 acres. Appropriate surrounding land use zoning for MRO lands include: Industrial Forest, Secondary Forest, Rural Resource, Rural Reserve, Natural Resource Industrial, and other industrial uses;

Findings: The surrounding zoning designations include Rural Resource–Natural Resource Lands, Rural Reserve, and Agricultural–Natural Resource Lands. The Rural Reserve zone allows the highest residential density at one dwelling unit per acre. The adjacent Agriculture–Natural Resource Lands property, which is currently in active agricultural use, is separated from the subject properties by a railroad corridor with a 100-foot right-of-way. In addition, SCC 14.52.050(3)(c) prohibits mining activities within 100 feet of that property line or any other property line. The existing gravel mine and current MRO boundary are also adjacent to properties zoned Agricultural–Natural Resource Lands.

(c) Availability of public roads and other public services. Although mining within one to two miles of public roads is preferred, designation of mineral resources beyond this range may be necessary to preserve resources for future use;

Findings: The parcels proposed for inclusion in the MRO are adjacent to an existing gravel mine that has access to a public road less than one mile away.

(d) Division or zoning for urban or small lots. Designate MRO areas ¼-mile away from Rural Villages, RI, and, UGAs, except in limited cases where pre-existing mineral extraction areas may be retained to address unique economic circumstances or proximity-to-market. Conservation and Reserve Developments are acceptable on and within ¼-mile of MROs, provided that the allowed density (with or without a density bonus) does not exceed one dwelling unit per 10 acres.

Findings: The parcels proposed to be in the MRO are not within ¼-mile of Rural Villages, the Rural Intermediate (RI) zone, or any Urban Growth Area (UGA).

(e) Accessibility and/or distance from point of use. Although mining is preferred within two hours driving distance from incorporated cities or other points of use, designation of mineral resources beyond this range may be necessary to preserve resources for future use;

Findings: The proposed MRO is within 10-minutes of the City of Burlington and within two hours of all incorporated cities and towns in Skagit County.

(f) Physical and topographic characteristics of the site or area do not preclude mining;

Findings: The site is adjacent to an existing gravel mine. There are no known physical or topographic characteristics that would preclude mining.

(g) Depth of the resource or its overburden does not preclude mining;

Findings: The depth of the aggregate resource is

(h) Physical properties (such as strength or durability) and quality of resource (such as the percentage of fines in the resource) is sufficient to be marketable;

Findings: Borings on the subject site found less than 2 feet of surficial top soil and organic material and continuous sand and gravel units extending to depths of 60 to 80 feet.

(i) Life of the resource is sufficient to be marketable;

Findings: Geologic information was submitted with the conclusion that there are mineral resources on the site of sufficient quality and quantity to be commercially significant, especially if the subject property is used as an expansion of an existing gravel mine.

(j) Resource availability in the region. All mineral resources of long-term commercial significance are designated. This helps to ensure that resources are available, and local industry can be responsive to future demand; and

Findings: Designating additional area with known mineral resources with MRO with help ensure access to mineral resources.

(k) Policies and regulations are in place to mitigate the potential effects of sediments and pollutants on public drinking water.

Findings: SCC 14.52.050(6) includes provisions related to vertical excavation limits and aquifer protection, and all relevant requirements of the Critical Areas Ordinance must also be met. All applicable aquifer protection criteria will be reviewed as part of the special use permit application.

2. A change to a rural or natural resource land map designation must also be supported by and dependent on population forecasts and allocated non-urban population distributions, existing rural area and natural resource land densities and infill opportunities.

The Mineral Resource Overlay designation will not affect the population forecasts or the non-urban population distributions nor will it change the existing rural areas and natural resource land densities as the property is already in the Rural Resource – Natural Resource Lands zone. (RRc-NRL). The Mineral Resource Overlay designation will not change the underlying zoning.

For the purposes of subdivision, the maximum residential densities for lands in or within one-quarter mile of a designated Mineral Resource Overlay (MRO) cannot be no greater than one dwelling unit per 10 acres per SCC 14.78.070(2)(f). The quarter mile area would be extended to include these parcels, however, most of the surrounding properties are zoned Agriculture – Natural Resource Lands, are already within the quarter mile area, or already nonconforming to the minimum lot size and therefore the MRO designation should not affect population forecasts or the potential for future housing development.

3. Is the amendment consistent with the vision statements, goals, objectives, and policy directives of the Comprehensive Plan? Does the proposal preserve the integrity of the Comprehensive Plan and assure its systematic execution?

In addition to the designation criteria analyzed in Question 1, Skagit County Comprehensive Plan includes the following goals, objectives, and policies supporting the proposed rezone:

- **Goal 4D-1.** Designate and map long-term commercially significant Mineral Resource lands as an overlay to the Comprehensive Plan Map. In classifying, designating and de-designating Mineral Resource lands, counties and cities must conduct a comprehensive countywide analysis consistent with WAC 365-190-040(10), with the exception of owner-initiated requests for designation. The County should not review Mineral Resource land designations solely on a parcel-by-parcel basis. The County may de-designate Mineral Resource lands without a comprehensive countywide analysis if mining operations have ceased and the site reclaimed.
- **Goal 4D-2.** Protect and conserve Mineral Resource lands of long-term commercial significance.
- **Policy 4D-2.1** Designate Mineral Resource Overlay: Areas meeting the criteria for mineral lands of long-term commercial significance shall be identified as Mineral Resource Overlay on the Comprehensive Plan Land Use and Zoning Map. Designations and de-designations of Mineral Resource lands are subject to WAC 365-190-070.
- **Goal 4D-3** Discourage incompatibility and reduce conflicts between mineral extraction operations and other land uses.
- **Policy 4D-3.1** Exclusive Mineral Resource Overlay: The MRO adds additional uses and related requirements to the Industrial Forest, Secondary Forest, Rural Resource, and NRI districts of the Comprehensive Plan and Zoning Map. New mining is limited to the MRO, subject to applicable permits. However, pre-existing, permitted mining operations outside the MRO may operate subject to the terms of the existing approval(s). Such operations may expand beyond the scope of the original permit but within the existing parcel provided that they receive a mining special-use permit.

Based on the analysis above, the Department finds that the proposed MRO designation is consistent with the vision, goals, objectives, and policy directives of the Comprehensive Plan.

4. Is the proposal supported by the Capital Facilities Plan (CFP) and other functional Plans?

The proposal is supported by the Capital Facilities Plan and other functional plans. The rezone will not have a major impact on the current services needed in the CFP.

5. Is the proposal consistent with the Growth Management Act (GMA), the Countywide Planning Policies (CPPs), and applicable provisions of the Comprehensive Plan?

Below is a list of Growth Management Act provisions and policies from the [Countywide Planning Policies](#) that support the proposed MRO designation

Growth Management Act (GMA) provisions

- **RCW 36.70A.050** Guidelines to classify agriculture, forest, and mineral lands and critical areas.
- **WAC 365-190-070** Mineral resource lands.

Findings: Staff reviewed the proposed MRO expansion for consistency with RCW 36.70A.050 and WAC 365-190-070, which closely mirror the Comprehensive Plan policies evaluated in Question 1 above. Based on this review, staff finds that the proposed MRO expansion is consistent with all applicable GMA criteria and Comprehensive Plan policies.

Countywide Planning Policies

- **CWPP 8.** Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.
- **CWPP 8.9.** Skagit County shall conserve agricultural, aquatic based, forest and mineral resources for productive use by designating natural resource lands and aquatic resource areas where the principal and preferred land uses will be long-term commercial resource management.

Findings: The proposed MRO expansion is consistent with all Countywide Planning Policies and are supported by the policies listed above.

6. Does the proposal bear a substantial relationship to the public general health, safety, morals, or welfare?

The proposal does bear a substantial relationship to the public general health, safety, morals, or welfare by providing additional open space and recreational opportunities in the county.

C26-1 General Code Language Clean Up

Summary

The proposed amendments include several substantive amendments and non-substantive minor amendments, which are summarized below in separate sections. The proposed amendments can be found in Exhibit A which includes explanations from staff above each amendment.

Substantive Amendments

- **SCC 14.04.020 – Party of Record Definition.** The amendment to the definition of “Party of Record” clarifies that an individual must submit written comments during the official public comment period or provide testimony at an open-record public hearing in order to qualify as a Party of Record, or have formally requested notifications in writing and provided a complete mailing address, consistent with RCW 36.70B.130. The revised definition also expressly includes property owners and applicants.
- **SCC 14.06.150-1 – Administrative Decision.** Administrative Decision permit pathway is proposed to be removed as a Type 1 permit, as its only application was for change-of-use requests within the Rural Business zone. Changes of use in the Rural Business zone will remain a Type 1 permit and likely requires a building permit to change the occupancy type.
- **SCC 14.18.810 – Data Centers.** The addition of SCC 14.18.810 establishes a definition for data centers and limits them to a maximum size of 2,000 square feet with an electrical load not exceeding 2 megawatts. Amendments to SCC 14.18.870(1) further clarify that data centers are not classified as utility developments. These size and electrical load limitations restrict data centers to small-scale operations, such as typical business server rooms. The proposed code allows data centers as accessory uses when used as a server room for a permitted business and allows them as a permitted use in the Bayview Ridge-Light Industrial and Bayview Ridge-Heavy Industrial zones.
- **SCC 14.28.040 – Setback Exemptions and SCC 14.29.110 Off-Premises Signs.** SCC 14.28.040 and SCC 14.29.110 are being amended to remove the setback exemption for billboards. It was previously unclear whether freestanding signs included billboards. Due to their size, staff recommends requiring billboards to meet side and rear property line setbacks.

- **SCC 14.59.020 Applicability for Wireless Facilities Chapter.** Updates to SCC 14.59.020 will allow county facilities leased from a private property owner, as well as privately owned equipment used exclusively for public safety purposes, to be exempt from the Wireless Facilities Chapter. This change is intended to streamline permitting for emergency services, including Skagit 911.

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:

- Amend Table 14.06.150-1 Types of Review to include Urban Reserve Development Permits (URDP) as a Type 3 Hearing Examiner decision which is consistent with SCC 14.57.030(e).
- The term “principal use” is proposed to be removed from the setback requirements for Rural Commercial/Industrial zones (Table 14.12.030-1) because it excludes accessory structures. Prior to the 2025 reorganization, the code did not distinguish between setbacks for principal and accessory structures, and this amendment restores that consistent approach.
- Amend hearing examiner decision timing in 14.06.380 to be consistent with RCW 36.70.970(3).
- Amendments to 14.12.100(2) clarify that an applicant with an existing building in the Rural Business zone, even if the building has not been in continuous use, may reoccupy the building and continue the use. The applicant may also replace the building and rebuild within the same footprint, provided the structure complies with the size limitations in subsection (c).
- Add RRc-NRL zone limitations to Limited Event Venues which was in code prior to 2025 code reorganization. Limited Event Venues in RRc-NRL are required to be related to natural resource use, not natural resource land can be converted, and no permanent structures can be built.
- Eliminate Car Wash use as an allowed use in the Rural Business zone which was inadvertently added to the code in 2025 code reorganization.
- Amendments to SCC 14.06.230 and 310 are being made to be consistent with updates to RCW 36.70B.070(2) which states a “project permit application is complete for purposes of this section when it meets the procedural submission requirements of the local government, as outlined on the project permit application.”
- The amendment to SCC 14.78.100(2) clarifies that uses within open space tracts designated OS-NRL for CaRD land divisions located in a Natural Resource Lands zone must directly support natural resource production, rather than simply follow the general allowed uses of that zone. This requirement is already reflected elsewhere in subsection (c) and is intended to provide additional clarity.
- Fix inconsistencies, particularly to outdated code cross-references.

History

This is a new petition that has not been docketed in the recent past.

Recommendation

The Department recommends **approval** of this petition.

Analysis

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 **July 16, 2026**. All paper comments must be submitted on 8½" x 11" paper to the address below:

Skagit County Planning & Development Services
re: Comments "Skagit County's 2026 Docket of Proposed Policy, Code, and Map
Amendments"
1800 Continental Place
Mount Vernon, WA 98273

All comments must be received by **August 20, 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 **August 18, 2026, at 6:00 p.m.** in the Skagit County Commissioners Hearing Room at 1800 Continental Place, Mount Vernon, WA 98273 and will be held via Zoom.

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:
www.skagitcounty.net/2026CPA

Exhibits

- **Exhibit A – Draft General Code Language Cleanup Amendments**