

Attachment 1: Proposed 2024 Amendments to Title 14 – Unified Development Code

Key to changes:

Plain text = existing writing with no changes

~~Strikethrough~~ = existing writing to be deleted

Underlined = new writing to be added

~~Double-Strikethrough~~ = existing writing moved to another location

Double Underline = existing writing moved from another location

Italics = instructions to writing reviser

LR24-2 – Bayview Ridge Light Industrial Buffering and Landscaping Amendments

14.16.180 Bayview Ridge Light Industrial (BR-LI).

(1) – (6) No change

(7) Buffering between ~~Industrial~~ the BR-LI zone and ~~Residential Zoned Land~~ the BR-R or RRv zone. The following measures are intended to minimize impacts from noise, vibration, dust, other industrial impacts, and to maintain privacy and aesthetic compatibility:

(a) Loading Areas. Truck loading operations and maneuvering areas may not be located within 100 250 feet of areas zoned ~~for residential use~~ BR-R or RRv, unless the loading and maneuvering area is located on the opposite side of a building from ~~a residential zone.~~ the zoning boundary.

(b) Building Height. Building height may not exceed 35 feet for those portions of a building located within 100 feet ~~from a residential zone~~ of the BR-R or RRv zones.

(c) Within 250 feet of ~~a residential~~ the BR-R or RRv zones, all outdoor lighting must be full cut off to minimize glare onto neighboring properties.

(d) Within 100 feet of ~~a~~ the residential BR-R or RRv zones, mechanical equipment located on the roof, facade, or external portion of a building shall be architecturally screened by incorporating the equipment in the building and/or site design. ~~so as not to be visible from adjacent residential zones or public streets.~~

(e) Equipment or vents that generate noise or air emissions shall be located to minimize impacts on adjoining ~~residentially~~ BR-R or RRv zoned properties.

(f) Landscaping. Type V landscaping per SCC 14.16.830 is required between BR-LI and ~~residential~~ BR-R and RRv zoned ~~s~~ properties.

(8) – (10) *No change*

14.16.830 Landscaping requirements.

(1) – (3) *No change*

(4) Types, Amounts, and Locations of Landscaping Required.

(a) – (e) *No change*

(f) Type V, Industrial Adjoining Residential in Bayview Ridge.

(i) – (ii) *No change*

(iii) Requirements.

(A) Width. Plantings and screening must total 30 feet in width with vegetation (existing and/or new) at 50% site obscuring at planting and 80% site obscuring at five years.

(B) Plantings.

(I) *No change*.

(II) At least three alternating rows of evergreen trees (existing or new). ~~New vegetation must be, with a minimum of two-and-one-half-inch caliper and~~ planted at intervals of 20 feet or less on center. New trees shall be a minimum height of six feet above the planting bed.

(III) ~~New s~~ Shrubs must be planted no more than five feet apart using plants that are at least three and one-half feet in height ~~at the time of planting~~. A combination of existing and new plants and landscape materials must be existing and/or placed so that the ground surrounding the shrubs will be covered within three years.

(V) Landscaping must be located within the first 50 feet of the property boundary.

(VI) In the Airport Environs Overlay (AEO), tree height at maturity shall be no greater than the FAA Part 77 allowable structure height for the specific site and must comply with all applicable AEO compatibility requirements.

(C) Screening.

(I) A minimum six feet tall masonry, block, or textured concrete wall, ~~or fully obscuring~~ site obscuring wood fence, or black vinyl chain link fence with neutral-colored slats is required within the first 50 feet of the property

~~boundary. and must be architecturally integrated with colors and textures of the surrounding development.~~

(II) ~~Where existing vegetation exceeds 150 percent of the required landscaping width, no~~ No wall or fence is required if the width of the planting area is increased by 10 feet and an additional row of trees is planted or if a landscaped berm with a minimum height of six feet meeting the width and planting requirements of (A) and (B) of this section is used.

(D) Existing vegetation and landscaping. Applicants are encouraged to retain existing vegetation as appropriate. Additional plantings may be required to augment existing vegetation if above requirements are not met by existing vegetation above.

LR24-4 – Airport Environs Overlay Amendments

14.16.210 Airport Environs Overlay (AEO).

(1) – (2) *No change*

(3) Compatibility Requirements.

(c) Other Compatibility Requirements.

(i) *No change*

(ii) Exhaust Plumes.

~~(A)—Background. Heated exhaust plumes can originate from any number of sources, including but not limited to chimneys, elevated smoke stacks at power generating stations, boilers, smelters, combustion sources, and flares created by an instantaneous release from a pressurized gas system. When exhaust plumes have significant vertical exit velocities, they may cause damage to an aircraft airframe, or upset an aircraft when flying at low levels, such as during approach, landing, and take off operations. The FAA is currently developing guidance on the hazard of thermal plumes surrounding airports. Australian aviation authorities have studied exhaust plumes near airports and determined that gusts in excess of 4.3 m/s present a hazard to aviation.~~

(A) Background. The FAA has determined thermal exhaust plumes can disrupt flight in the vicinity of an airport. The effect can vary greatly depending on several factors: local winds, ambient temperatures, stratification of the atmosphere, size, height, and number of the stack(s) emitting the plume(s), proximity to airport and flight paths, temperature and vertical speed of the effluent, and the size and speed of aircraft. Visibility may be reduced and hinder a pilot's ability to navigate if smoke, steam or fog is produced. Heated

exhaust plumes can originate from any number of sources, including but not limited to chimneys, elevated smoke stacks at power generating stations, boilers, smelters, combustion sources, and flares created by an instantaneous release from a pressurized gas system. When exhaust plumes have significant vertical exit velocities, they may cause damage to an aircraft airframe, or upset an aircraft when flying at low levels, such as during approach, landing, and take off operations.

(B) Requirement.

(I) Any proposal that includes construction or alteration of a significant exhaust-producing element must provide to the County and Port of Skagit:

(1) an assessment of the vertical velocity of the exiting exhaust using a recognized plume rise equation or equivalent source testing; and

~~As well as~~(2) project plan details that includeing, but not limited to, stacks size, number, and height, as well as temperature so an assessment of the size and severity of the plumes may be completed using an FAA-recognized plume analyzer.

(II) When results indicate that a vertical exhaust plume has potential to interfere with safe control of aircraft, ~~will exceed 4.3 m/s velocity at the height of the corresponding height restriction contour as depicted on the AEO Building Heights Restriction map,~~ the project proponent must evaluate mitigating design measures in consultation with the County and Port of Skagit.

(iii) – (iv) *No Change*

(v) Electronic Interference.

(A) Background. Electronic interference can affect navigational aids used by pilots during takeoff and landing. Interference can be direct interference with the navigation signal (i.e. transmitting locally on a frequency that is close to the NAVAID frequency or a harmonic of that frequency) or indirect interference (through adverse reflections, blocking of the signal by structures, or some interfering activity at a location).

(B) Requirement. Any proposal that includes potential for electronic interference with aircraft communications must provide project details to the County and the Port for evaluation.

(6) Disclosure.

(a) Upon transfer of real property located within the Airport Environs Overlay district, as set forth in SCC 14.16.210—whether by sale, exchange, gift, real estate contract, lease with an option to purchase, any other option to purchase, ground lease coupled with improvements, or any other means—the buyer must record with the

County Auditor a statement containing the language set forth below in conjunction with the deed conveying the real property.

(b) The following shall constitute the disclosure required by Subsection (6)(a):

This property may be located within the Airport Environs Overlay (AEO) Zone, which is a geographic area affected by the Skagit Regional Airport. The Skagit Regional Airport is an essential public facility as designated in the Skagit County Comprehensive Plan and provides important transportation services to the region, and it is a vital asset to facilitate economic growth in Skagit County. It is the policy of Skagit County to support the continued use of Skagit Regional Airport, including its future accommodation of both increased aircraft traffic and utilization of aircraft of the class, size and category as is now or may hereafter be operationally compatible with the Skagit Regional Airport. Reduction or curtailment of services at the Skagit Regional Airport is contrary to the public interest and the requirements of the Washington State Growth Management Act, Chapter 36.70A RCW. The Skagit Regional Airport has been operated for general aviation and commercial purposes since the 1950s. The Port of Skagit has owned and operated the Skagit Regional Airport since 1965 and asserts that it has obtained avigation easements by prescription over property surrounding the Skagit Regional Airport.

This property is located in proximity to the Skagit Regional Airport and is subject to overflight effects that may be incompatible with certain uses, such as residential occupancy. These overflight effects include, without limitation: noise, exhaust fumes, illumination, glare, smoke, vibration, and loss of quiet enjoyment due to propeller-driven and jet aircraft overflights associated with aircraft landing and taking off from the Skagit Regional Airport. There is a risk that an aircraft could accidentally crash into this property causing property damage, personal injury, and/or death to persons on this property from the impact, fire, or explosion of an aircraft. Occupants of this property should be prepared to accept such incompatibilities, inconveniences, or discomfort from airport operations.

This notice conveys actual and constructive knowledge to any person or entity acquiring, obtaining, leasing, or holding real property interest or right of occupancy in or on this property. Skagit County Code may have required, or may require in the future, as part of a development permit that the owner of this property execute a Notice Acknowledgement, a Notice Acknowledgement and Waiver, and/or an Avigation Easement. More specific information regarding airport operation and its potential impact on this property can be obtained by calling the Port of Skagit County, Skagit Regional Airport, Operations Office.

C24-2 – Fencing Section

14.16.825 Fences.

(1) All fences on corner lots must meet the vision clearance requirements of SCC 14.16.810(2).

(2) Setback requirements for fences are specified in SCC 14.16.810(1)(b).

(3) Front Setback for Fences in Guemes Island Overlay are specified in SCC 14.16.360(7)(a)(i).

(4) Razor wire is only allowed in commercial, industrial, and aviation-related zones, unless permitted as part of an essential public facility or utility development.


(5) Barbed wire fencing material may not be installed more than five feet from grade. This provision does not apply:

(a) in commercial, industrial, and aviation-related zones,

(b) when permitted as part of an agricultural use, essential public facility, marijuana production/processing facility, utility development, or wireless facility; and

(c) to wildlife fencing.

C24-3 – Storage of Unlicensed/Inoperable Vehicles Amendment

 **Note to Code Publishing:** Please hyperlink vehicle storage business definition to Vehicle storage facility uses in SCC 14.16.120(4)(d) and SCC 14.16.195(4)(e).

14.04.020 Definitions

Vehicle storage facility: A commercial enterprise devoted to the storage of personal vehicles, including unlicensed/inoperable vehicles. A vehicle storage facility does not include establishments where the principal use is the rental or sale of vehicles.

14.16.100 Rural Village Commercial (RVC).

(1) – (3) *No change*

(4) Hearing Examiner Special Uses.

(a) – (g) *No change*

(h) [reserved] ~~Storage of unlicensed/inoperable vehicles.~~

(i) *No change*

(5) – (8) *No change*

14.16.110 Rural Center (RC).

(1) – (3) *No change*

(4) Hearing Examiner Special Uses.

(a) – (e) *No change*

~~(f) Storage of unlicensed/inoperable vehicles.~~

(5) – (6) *No change*

14.16.120 Rural Freeway Service (RFS).

(1) – (3) *No change*

(4) Hearing Examiner Special Uses.

(a) – (c) *No change*

(d) ~~Storage of unlicensed/inoperable vehicles.~~ [Vehicle storage facility.](#)

(5) – (6) *No change*

14.16.130 Small Scale Recreation and Tourism (SRT).

(1) – (4) *No change*

(5) Hearing Examiner Special Uses.

(a) – (h) *No change*

~~(i) Storage of unlicensed/inoperable vehicles.~~

(6) – (7) *No change*

14.16.140 Small Scale Business (SSB).

(1) – (4) *No change*

(5) Hearing Examiner Special Uses.

(a) – (d) *No change*

~~(e) Storage of unlicensed/inoperable vehicles.~~

(i) *No*

(6) – (8) *No change*

14.16.150 Rural Business (RB).

(1) – (3) *No change*

(4) Hearing Examiner Special Uses.

(a) – (b) *No change*

(c) [\[reserved\]](#) ~~Storage of unlicensed/inoperable vehicles.~~

(d) – (e) *No change*

(5) – (6) *No change*

14.16.160 Natural Resource Industrial (NRI).

(1) – (3) *No change*

(4) Hearing Examiner Special Uses.

(a) – (e) *No change*

(f) ~~reserved~~ ~~Storage of unlicensed/inoperable vehicles.~~

(g) – (i) *No change*

(5) – (8) *No change*

14.16.195 Urban Reserve Commercial-Industrial (URC-I).

(1) *No change*

(2) Permitted Uses.

(a) – (g) *No change*

(h) Indoor or outdoor storage facilities, excluding vehicle storage facilities ~~unlicensed and inoperable vehicles.~~

(i) – (cc) *No change*

(3) *No change*

(4) Hearing Examiner Special Uses.

(a) – (d) *No change*

(e) ~~Storage of unlicensed/inoperable vehicles~~ Vehicle storage facility.

(f) *No change*

(5) – (8) *No change*

14.16.200 Aviation Related (AVR).

(1) – (3) *No change*

(4) Hearing Examiner Special Uses.

(a) – (e) *No change*

~~(f) Storage of unlicensed/inoperable vehicles.~~

(5) – (7) *No change*

14.16.300 Rural Intermediate (RI).

(1) – (3) *No change*

(4) Hearing Examiner Special Uses.

(a) – (w) *No change*

~~(x) Storage of unlicensed/inoperable vehicles.~~

(5) – (6) *No change*

14.16.945 Prohibited uses.

(1) *No change*

(2) Storage of Junk. No person may use more than 500 square feet of a lot or parcel of land for the depositing, sorting, refining, baling, dismantling, or storage of junk except when conducted entirely within an enclosed structure ~~or with a special use permit for that purpose.~~

(3) – (4) *No change*

C24-4 – General Code Language Clean Up

14.16.360 Guemes Island Overlay.

(1) – (6) *No change*


(7) Dimensional Standards.

(a) *No change.*

(b) Maximum Height.

(i) Structures Located in a Flood Hazard Area. The actual height of the structure from base flood elevation may not exceed 30 feet.

14.18.300 Conservation and Reserve Developments (CaRDs)—An alternative division of land.

 **Note to Code Publishing:** This amendment eliminates duplicate code language. SCC 14.18.300(2) is listed twice. Please remove the top subsection (2) that does not include SCC 14.18.300(3)(2).

(1) *No change*

~~(2) — Applicability.~~

~~(a) — A CaRD is an overlay permit, which must be accompanied by a land division permit (either a subdivision or a binding site plan developed as a condominium).~~

~~(b) — CaRD approvals allow variations in the underlying zoning regulations but are not intended as and do not constitute rezoning. Where land proposed to be part of a CaRD includes two or more zoning designations, development rights may not be moved from a higher density zone to a lower density zone.~~

(2) Applicability.

(a) A CaRD is an overlay permit, which must be accompanied by a land division permit (either a subdivision or a binding site plan developed as a condominium).

(b) CaRD approvals allow variations in the underlying zoning regulations but are not intended as and do not constitute rezoning. Where land proposed to be part of a CaRD includes two or more zoning designations, development rights may not be moved from a higher density zone to a lower density zone.

(c) CaRDs are permitted in the following zones:

(i) Agriculture (on parcels 80 acres or 1/8 section, or greater);

(ii) Industrial Forest (on parcels 160 acres or 1/4 section, or greater);

(iii) Secondary Forest (on parcels 40 acres or 1/16 section, or greater);

(iv) Rural Resource (on parcels 20 acres or 1/32 section, or greater, with one lot allowed for each additional 10 acres or 1/64 section);

(v) Rural Reserve (on parcels 10 acres or 1/64 section, or greater, with one lot allowed for each additional five acres or 1/128 section);

(vi) Rural Intermediate (on parcels five acres or 1/128 section, or greater); and

(vii) Rural Village Residential (on parcels two acres or 1/320 section with public water and septic or on parcels five acres or 1/128 section with private water and septic, or greater);

(viii) Repealed by Ord. O20140005.

(ix) Hamilton Urban Reserve (on parcels 20 acres or 1/32 section, or greater, with one lot allowed for each additional 10 acres or 1/64 section).

(d) CaRDs are not permitted within urban growth areas with the exception of Hamilton as specified above.

(3) *No change*