



Skagit County Planning Commission

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Chair Tim Raschko **Vice Chair** Tammy Candler
Members Vincent Henley, Amy Hughes, Jennifer Hutchison, Angela Day, Kathy Mitchell,
Kiera Wright, Joe Woodmansee

Tuesday, October 8, 2024

Skagit County Planning Commission's Recorded Motion Regarding SCC 14.16.400(4)(h); Major Electrical Utility Developments on Ag-NRL Zone Land Amendment

Proposal publication date:	September 12, 2024
Proposal name:	SCC 14.16.400(4)(h); Major Electrical Utility Developments on Ag-NRL Zone Land Amendment
Documents available at:	https://www.skagitcounty.net/Departments/PlanningAndPermit/2024AgNRLZone.htm
Public hearing body:	Skagit County Planning Commission
Public hearing date:	Tuesday, October 8, 2024, at 6:00 p.m.
Written comment deadline:	Friday, October 4, 2024 at 4:30 p.m.
PC deliberations:	Tuesday, October 8, 2024,

On October 8, 2024, the Skagit County Board of Commissioners deliberated on SCC 14.16.400(4)(h); Regarding Major Electrical Utility Developments on Ag-NRL Zone Land Amendment.

The Planning Commission held a work session on the amendment on September 10, 2024, prior to the public hearing.

On September 12, 2024, the Planning and Development Services Department published a Notice of Availability (including notice of written comment period and public hearing) and staff report and transmitted a 60-day Notice of Intent to Adopt to the Department of Commerce. On September 12, 2024, Skagit County issued a SEPA Determination of Non-

Significance for this proposal as part of the SCC 14.16.400(4)(h); Major Electrical Utility Developments on Ag-NRL Zone Land Amendment

The staff report published on September 10, 2024, contains additional findings related to process, public notice, and department recommendations.

The public comment period was open from September 10, 2024, until October 4, 2024, in which the County received seven (7) comments. A public hearing was held on October 8, 2024, and the Planning Commission received testimony from **Number (x)** community members.

All written comments were provided to the Planning Commission in a supplemental staff report dated October 7, 2024.

Planning Commission deliberated on the proposed amendment on October 8, 2024.

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.

Recommendations, Findings of Fact and Reasons for Action

Proposed Code Amendment to SCC 14.16.400(4)(h); Regarding Major Electrical Utility Developments

The Planning Commission recommends to the Board of County Commissioners to **approve** the Amendment to SCC 14.16.400(4)(h); Regarding Major Electrical Utility Developments on Ag-NRL Zone Land, to exclude on Ag-NRL zoned land electrical generation and/or storage facilities from the major utility developments permitted with a hearing examiner special use permit.

Commission Vote	Support	Oppose	Absent	Abstain
Tim Raschko, Chair				
Tammy Candler, Vice Chair				
Kathy Mitchell				
Vince Henley				
Angela Day				
Amy Hughes				
Kiera Wright				
Joe Woodmansee				
Jennifer Hutchison				
Total				

Findings of fact and reasons for action:

1. The clear policy of Skagit County is to preserve lands zoned Agricultural-Natural Resource Lands (Ag-NRL) for agricultural uses by prohibiting and otherwise discouraging non-agricultural uses on Ag-NRL lands.

2. Skagit County's natural resource lands, including agricultural lands, are a cornerstone of the community's economy, culture, and history, and as such, farmland protection and enhancement is of paramount importance to Skagit County and its citizens.

3. Skagit County's prime agricultural soil is a critical and irreplaceable natural resource that we are duty-bound to protect for future generations, and protecting the Skagit for commercially viable agriculture is squarely in the public interest.

4. Protection of Skagit County farmland from competing uses is also required by state law, see RCW 36.70A.020(8) and RCW 36.70A.177, and the seriousness of the law in protecting agricultural land was recently articulated by the Washington Supreme Court in *King County v. Friends of Sammamish Valley* (2024).

5. This value the community places on our agricultural land and its long-term conservation is reflected in the Skagit County Comprehensive Plan's goals and policies (see, e.g., Comprehensive Plan Goal 4A; Countywide Planning Policy 5.8, 5.11, 8, and 8.9), and is also reflected in the strict zoning regulations contained in SCC 14.16.400.

6. The protection of Skagit County's agricultural land base has required generations of sacrifice by which Skagit landowners have intentionally forgone the business opportunity and wealth that intensive development has produced in other Puget Sound counties. This has kept Skagit farmland prices relatively low compared to the market price of lands zoned for industrial, commercial and residential use. Consequently, a broad range of industrial, commercial, and residential developers and business interests have even greater incentive to use Skagit farmland for project proposals.

7. Recently, there has been a significant interest in utilizing Ag-NRL land for major utility developments for the generation and/or storage of energy.

8. The use of utilizing Ag-NRL land for major utility developments for the generation and/or storage of energy is contrary to long standing County policy and the GMA, which are reflected in the County's comprehensive plan and development regulations.

9. Skagit County has reasonable fear that the use of Skagit County Ag-NRL lands for industrial electrical energy generation and storage activity will interfere with and jeopardize our long-term protection of Skagit County's farmland and farming economy; and

SKAGIT COUNTY PLANNING COMMISSION
SKAGIT COUNTY, WASHINGTON

Tim Raschko, Chair

Date

Jack Moore, Secretary

Date