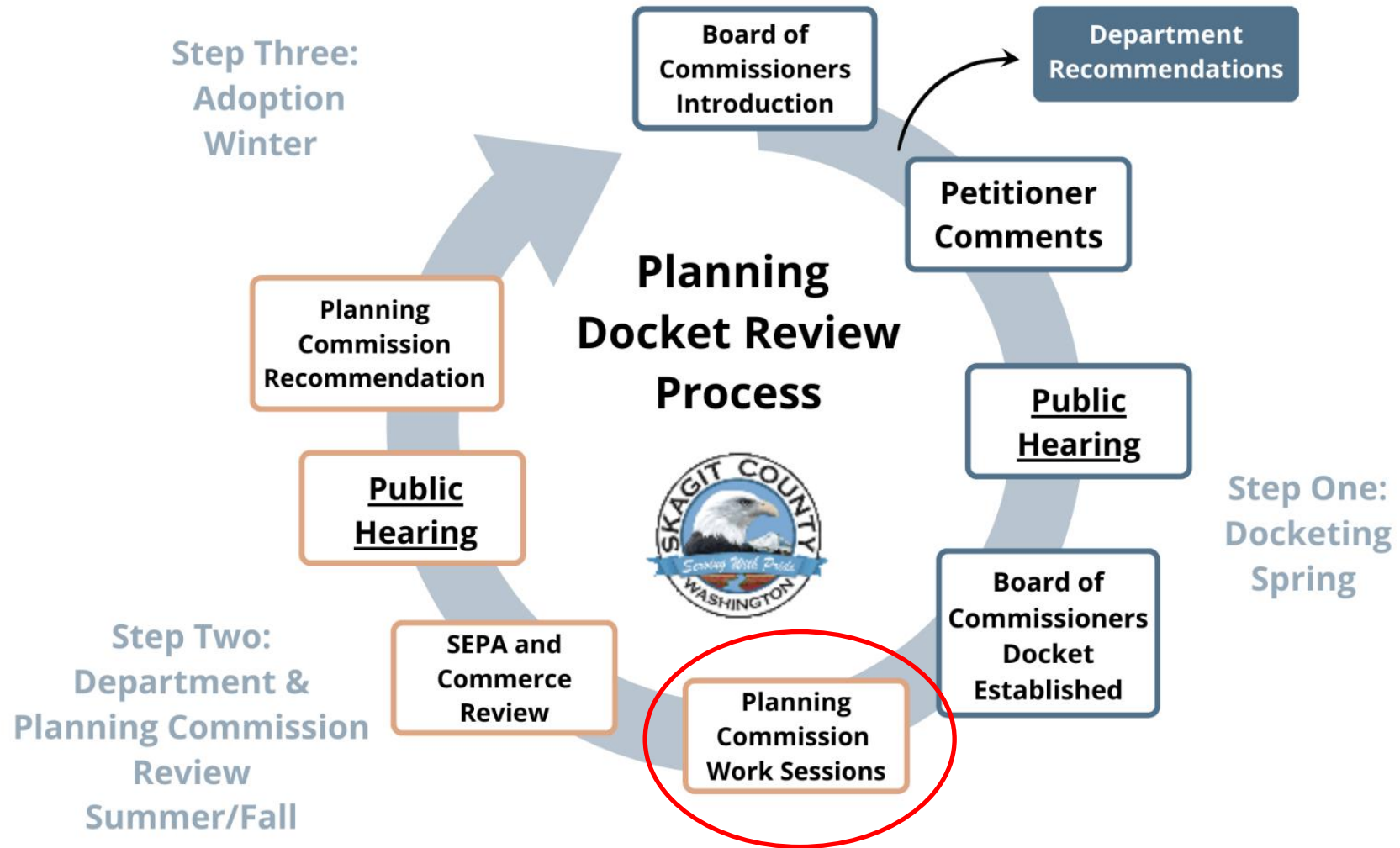


Work Session

2024 Docket

Robby Eckroth
Long Range Senior Planner
September 10, 2024





2024 Petitions and Supporting Documents can be found at:

www.skagitcounty.net/2024CPA



LR24-01 Deception Pass State Park Rezone

Number	Title & Petitioner	Description
Rezoning/Map Amendments		
<u>LR24-01</u>	Deception Pass State Park Rezone , (Washington State Parks and Recreation Commission)	Rezone 77.85 acres from Rural Reserve (RRv) to <u>Public Open Space of Regional/Statewide Importance (OSRSI)</u> . The parcel is now held by Washington State Parks and Recreation Commission (WSPRC) and has been incorporated into the boundary of Deception Pass State Park.



Project Area



LR24-02 BR-LI

Buffering & Landscaping Amendments

- Reduces the industrial loading area buffer to residential zones from 250 feet to 100 feet (SCC 14.16.180(7)).
- Clarifies that residential zones include the Bayview Ridge Residential (BR-R) zone and Rural Reserve (RRv) zones.
- Increases the amount of landscaping required for industrial development in Bayview Ridge (SCC 14.16.830(f)).

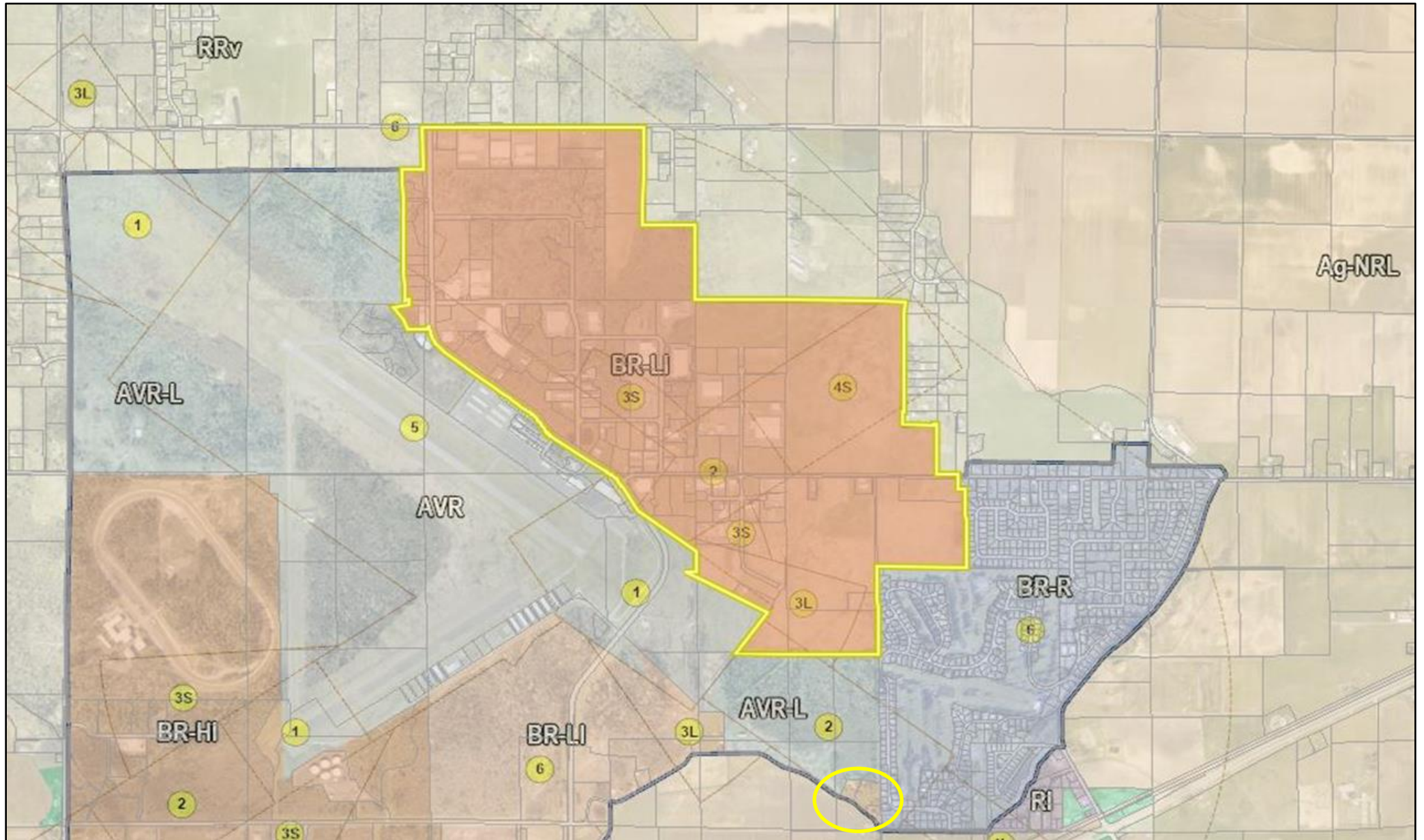


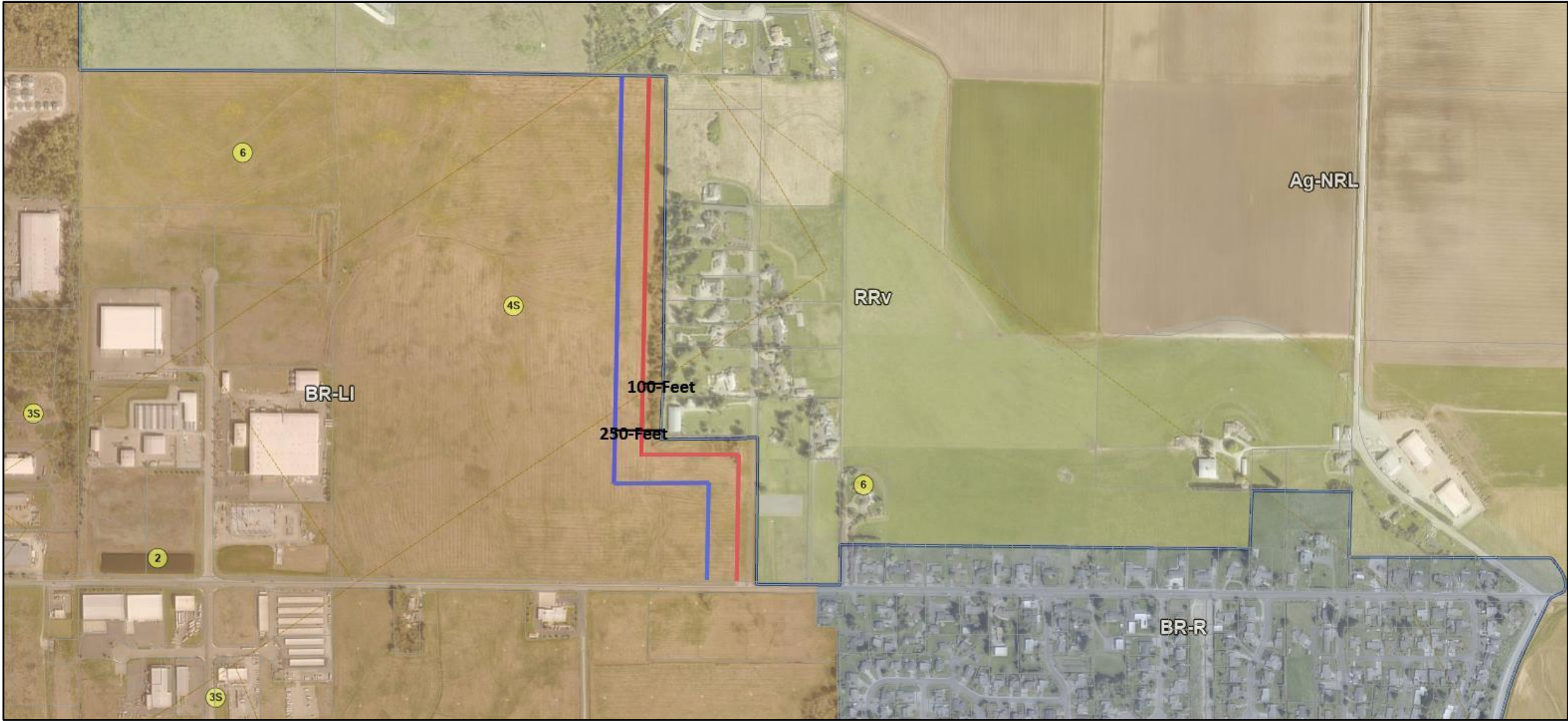
Department Recommends Approval

LR24-02 BR-LI

Comparison to other Counties

County	Industrial Setback from Residential Zones
Skagit	<p>SCC 14.16.180 (6)(a)(ii)-(iii) – Side & rear setbacks are 50 feet if adjacent to other residential zoning designations.</p> <p>SCC 14.16.180(7)(a) - Loading Areas. Truck loading operations and maneuvering areas may not be located within 250 feet of areas zoned for residential use, unless the loading and maneuvering area is located on the opposite side of a building from a residential zone.</p>
Snohomish	SCC 30.23.030 – 50-foot setback from industrial to residential zones (see table).
Whatcom	<p>WCC 20.66.551 - When a parcel situated within [the Light Impact Industrial district] adjoins an Urban Residential, Urban Residential Medium Density, Urban Residential-Mixed, Rural, or Residential Rural District, setbacks shall be increased to 50 feet.</p> <p>WCC 20.80.254(a) - All setbacks shall be increased by one foot for each foot of building height which exceeds 35 feet.</p>
Kitsap	KCC 17.320.030.2 - Lot Setback. Minimum lot setback shall be one hundred feet for any yard abutting a residential zone, unless berming and landscaping approved by the director is provided which will effectively screen and buffer the industrial activities from the residential zone which it abuts; in which case, the minimum setback shall be fifty feet .
Pierce	PCC 18A.15.040.B.1 - The minimum setback for an industrial building, associated loading/unloading areas, and outdoor storage from an MSF, SF, RR, HRD, R5, R10, R20, and R40 zone classification, or a conforming residential use, shall be 100 feet .







LR24-02 BR-LI

Landscaping Amendments

Petition also amends the following landscaping requirements (SCC 14.16.830(f)):

- 30-foot wide landscaping area is required to be planted at 50% site obscuring at planting and 80% site obscuring five years after planting.
- Evergreen trees be planted a minimum of six feet above the planting bed rather than a minimum of a 2.5-inch caliper.
- Landscaping and fences/walls must be located within the first 50 feet of the property boundary.
- 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.
- Walls and fences required to be a minimum of six feet in height.
- Option for the developer to increase the landscape buffer by 10-feet and plant an additional row of tree or install a landscaped berm with a minimum height of six feet in place of constructing a wall or fence.
- Retention of existing vegetation encourage but may still be required to add vegetation if the landscaping requirements are not met.



Department Recommends Approval

LR24-04 Airport Environs Overlay (AEO) Amendments

- Petition would add an Avigation Disclosure Notice requirement upon transfer of property within the AEO.
- Disclosure would increase awareness and transparency of AEO.
- Adoption of the amendment will result in recording one additional document with Auditor.



Department Recommends Approval

LR24-04 Airport Environs Overlay (AEO) Amendments

- Petition would also amend AEO compatibility requirements.
- Amendment would update exhaust plumes and electrical interference standards in AEO to be consistent with Federal and State guidance.



Department Recommends Approval

C24-1 Countywide Planning Policies Update

- Petition remanded from 2023 docket.
- Board of County Commissioners asked for more information on effects on Special Purpose Districts.
- Petition to adopt recommended changes to the Countywide Planning Policies by Skagit Council of Governments GMA Steering Committee.
- New language would direct the Board of County Commissioners to disband the Boundary Review Board by June 30, 2025



Department Recommends Approval

C24-1 Countywide Planning Policies Update

The Boundary Review Board can disband when:

- Special purpose districts that serve UGAs have adopted urban levels of service standards appropriate for their service area;
- ALL cities and County have an adopted capital facility plan for urban levels of service;
- ALL cities and special purpose districts have in place adopted “interlocal agreements” to address transfer or assets, annexation of the services areas meeting the requirements of applicable RCWS.
- **GMA Steering Committee Determined all these requirements have been met.**



Department Recommends Approval

C24-1 Countywide Planning Policies Update – Special Purpose Districts

- Role of the BOCC, if any, depends on the kind of Special Purpose District and the nature of the boundary change (e.g., formation, annexation, dissolution, merger, etc.).
- For some Special Purpose Districts—such as metropolitan park districts—boundary changes would require little to no involvement by the BOCC.
- Other statutes require more of the BOCC.
 - Example: Water-sewer district can annex only after the BOCC hold a hearing and determines the annexation was in the “conducive to the public health, welfare and convenience and will be of special benefit to the land included within the boundaries of the territory proposed to be annexed to the district.” RCW 57.24.020



Department Recommends Approval

C24-2 Fences Section

- Petition would create a new section in SCC 14.16 – Zoning to consolidate and reference all fencing regulations.
- The new section will also add restrictions to razor wire and barbed wire fencing.



Department Recommends Approval

C24-2 Fences 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.



Department Recommends Approval

C24-3 Storage of Unlicensed and/or Inoperable Vehicles Amendment

- This petition would remove storage of unlicensed and/or inoperable vehicles as a use from every zoning district in Skagit County.
- Creates a Vehicle Storage Facility use to accommodate storage of a licensed and operable vehicles in addition to unlicensed and/or inoperable vehicles.
- Vehicle storage facilities would be an allowed use in the Rural Freeway Service (RFS) and Urban Reserve Commercial-Industrial (URC-I) zones.



Department Recommends Approval

C24-3 Storage of Unlicensed and/or Inoperable Vehicles Amendment

List of Zoning Districts that Allow Storage of Unlicensed and/or Inoperable Vehicles

Zoning District	Permit Type Required	Code Section
Rural Village Commercial (RVC)	Hearing Examiner Special Use	SCC 14.16.100(4)(h)
Rural Center (RC)	Hearing Examiner Special Use	SCC 14.16.110(4)(f)
Rural Freeway Service (RFS)	Hearing Examiner Special Use	SCC 14.16.120(4)(d)
Small Scale Recreation and Tourism (SRT)	Hearing Examiner Special Use	SCC 14.16.130(5)(i)
Small Scale Business (SSB)	Hearing Examiner Special Use	SCC 14.16.140(5)(e)
Rural Business (RB)	Hearing Examiner Special Use	SCC 14.16.150(4)(c)
Natural Resource Industrial (NRI)	Administrative Special Use	SCC 14.16.160(4)(f)
Urban Reserve Commercial-Industrial (URC-I)	Hearing Examiner Special Use	SCC 14.16.195(4)(e)
Aviation Related (AVR)	Hearing Examiner Special Use	SCC 14.16.200(4)(f)
Rural Intermediate (RI)	Hearing Examiner Special Use	SCC 14.16.300(4)(x)



Department Recommends Approval

C24-3 Storage of Unlicensed and/or Inoperable Vehicles Amendment

Purpose of each Zoning District:

- Rural Intermediate zone is intended to protect land for residential living in a rural atmosphere.
- Rural Village Commercial, Rural Center, Small Scale Business, and Rural Business zones are primarily intended to provide goods and services to the rural population and traveling public.
- The Small Scale Recreation and Tourism zone provides tourist uses by utilizing the County's recreational opportunities and scenic and natural amenities and the Natural Resource Industrial zone supports natural resource-related industrial uses.
- The Aviation Related district is intended to provide a place for regional airfields and uses which require proximity and access to an established airfield.



Department Recommends Approval

C24-3 Storage of Unlicensed and/or Inoperable Vehicles Amendment

Purpose of each Zoning District:

- Rural Intermediate zone is intended to protect land for residential living in a rural atmosphere.
 - High potential for impacts to neighboring residences that can also detract from the rural character of the area.
- Rural Village Commercial, Rural Center, Small Scale Business, and Rural Business zones are primarily intended to provide goods and services to the rural population and traveling public.
 - Commercial land in rural areas is very limited.



Department Recommends Approval

C24-3 Storage of Unlicensed and/or Inoperable Vehicles Amendment

Purpose of each Zoning District:

- The Small Scale Recreation and Tourism zone provides tourist uses by utilizing the County's recreational opportunities and scenic and natural amenities.
 - Vehicle storage does not relate to tourism uses.
- Natural Resource Industrial zone supports natural resource-related industrial uses.
 - Vehicle storage does not relate to natural resource industries.
- The Aviation Related district is intended to provide a place for regional airfields and uses which require proximity and access to an established airfield.
 - The Port of Skagit has provided comments to the Department stating that there is not a need for storage of unlicensed and/or inoperative vehicles as a primary use.



Department Recommends Approval

C24-3 Storage of Unlicensed and/or Inoperable Vehicles Amendment

- The Department recommends eliminating the storage of unlicensed and/or inoperative vehicles as a use allowed with a special use permit, and instead recommend creating a vehicle storage facility use.
- Use accommodates commercial enterprises and not personal storage, which would still be allowed, but limited to 500 square feet. The vehicle storage facility would also allow for storage of all vehicles, not exclusively unlicensed and/or inoperable vehicles.



Department Recommends Approval

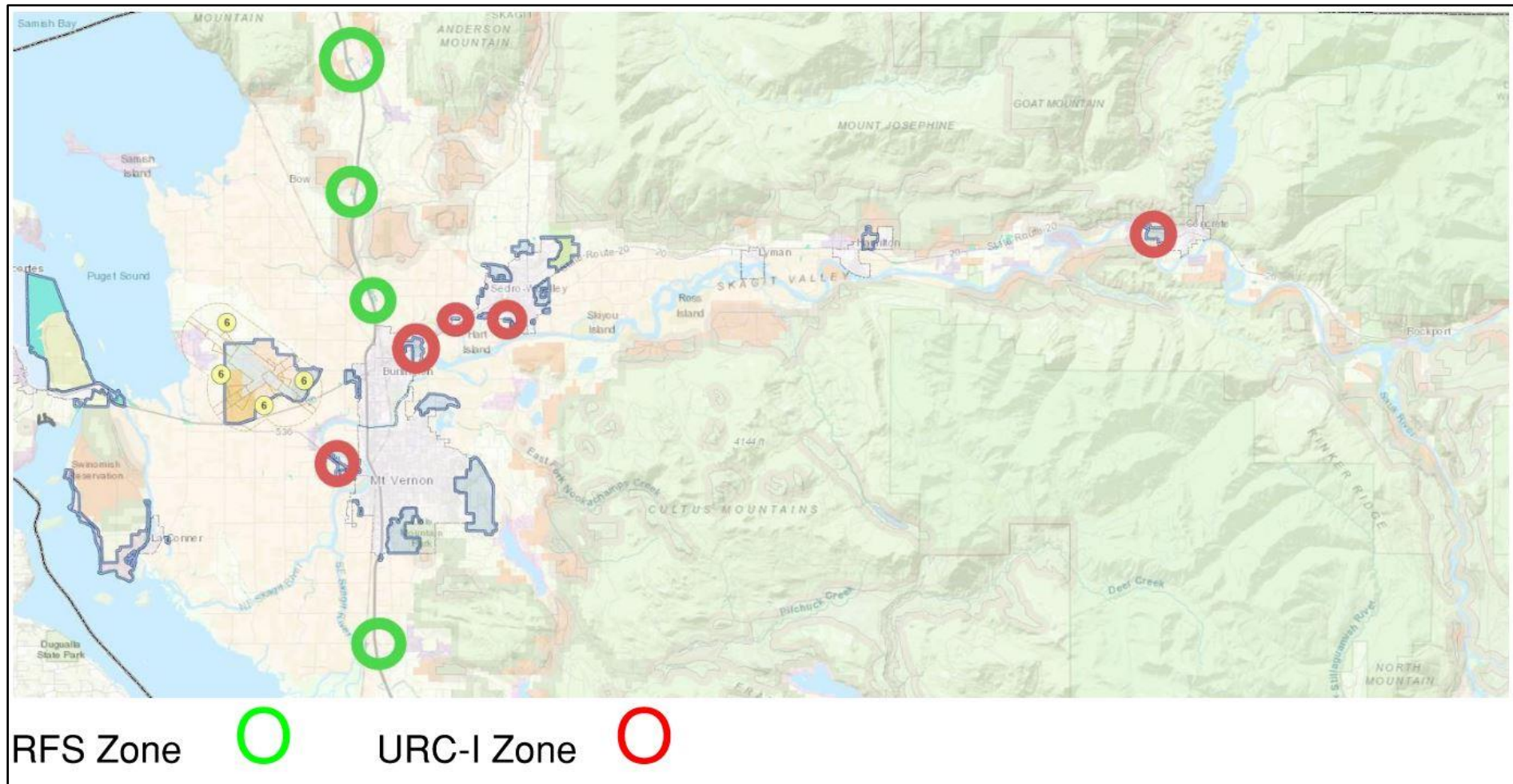
C24-3 Storage of Unlicensed and/or Inoperable Vehicles Amendment

- The Department recommends locating vehicle storage use in Urban Reserve Commercial-Industrial and Rural Freeway Service zones.
 - Would avoid potential impacts to neighboring property owners as there are limited locations of each zoning district.
 - Locations of each zone are also primarily along the Interstate 5 and Highway 20 corridor, which would accommodate truck towing and hulk hauler uses.
 - As both zones allow automobile repair garages, the vehicle storage use could also be permitted as a secondary use to the automobile repair use.



Department Recommends Approval

C24-3 Storage of Unlicensed and/or Inoperable Vehicles Amendment



C24-4 General Code Language Clean-Up

- Correct the height limit restriction of the Guemes Island Overlay in SCC 14.16.360(7)(b)(i) to only apply to proposed development in flood hazard areas.
- Eliminate duplicate language in SCC 14.18.300(1)-(4) which pertains to CaRD land divisions.



Department Recommends Approval

Next Steps

- **October 8th** – 2nd Work Session
- **October 17th** - **November 7th** – Comment Period
- **November 5th** – Public Hearing
- **November 19th** – Deliberations

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