



# Planning Commission Meeting

February 23, 2021



# Outline for tonight

1. Continued discussion of post-2016 amendments
  - a. Uses and Modifications
    - 1) Aquaculture
    - 2) Boating facilities and related structures
    - 3) Fill, excavation, and grading
    - 4) Shoreline habitat and natural systems
    - 5) Shoreline stabilization
    - 6) Transportation facilities



# Public involvement

- Public comment period/hearing coming soon

- Email questions/comments to:

[SMPPDS@co.skagit.wa.us](mailto:SMPPDS@co.skagit.wa.us)

- Visit SMP Online Open House

[www.SkagitSMPopenhouse.com](http://www.SkagitSMPopenhouse.com)

- Attend monthly public info meetings
- Subscribe to email listserv for notifications
- Visit the County's project website



SKAGIT COUNTY SHORELINE MASTER PROGRAM  
UFDALE

Overview Frequently Asked Questions Next Steps Get More Involved

## Skagit County Shoreline Master Program Online Open House

Skagit County is updating its Shoreline Master Program (SMP). The updated SMP will represent a major overhaul of the County's existing SMP. This Online Open House will provide you with easy-to-digest information and ways to get involved, and will continue to be updated until approval of the SMP. Visit [Skagit County's official SMP website](#) to learn more.

### Overview

Skagit County is in the process of completing both the **Comprehensive Update** and **Periodic Review** of its SMP.

Both the Comprehensive Update and the Periodic Review are required for compliance with the state's Shoreline Management Act.

## Get More Involved

### Attend monthly virtual public info meetings

The County will be hosting monthly meetings that will feature a presentation followed by a question-and-answer period. Each meeting will be progressive and include the latest updates, so feel free to attend more than one.

[MEETING SCHEDULE](#)

### Subscribe to receive email updates

The County will be sending out emails at key points during the SMP update process. If you'd like to receive these emails, please subscribe!

[SUBSCRIBE NOW](#)

# PC SMP Meeting Schedule

1. January 26, 2021
  - Legislative updates for consistency with State law (periodic update)
  - CAO integration
2. February 9, 2021
  - General Regulations
  - Uses and Modifications
3. February 23, 2021
  - Uses and Modifications, cont.
4. March 9, 2021
  - Legally Established Pre-Existing Uses and Structures
  - Administration
  - Definitions
  - Shoreline environment designation mapping
5. March 23, 2021
  - As needed



# SMP Outline

Part I: Authority, Purpose, and Jurisdiction

Part II: Shoreline Environment Designations

Part III: General Regulations

Part IV: Shoreline Uses and Modifications

Part V: Critical Areas

Part VI: Legally Established Pre-Existing Uses and Structures

Part VII: Administration

Part VIII: Definitions





# Uses and Modifications (Part IV of the SMP)

- Aquaculture (SCC 14.26.415) [page 88 of the PC review draft]
  - Subsection (2)(b): When shoreline review is required for existing aquaculture

- (ii): Ongoing maintenance, harvest, replanting, changing culture techniques or species does not require shoreline review unless cultivating a new species or using a new culture technique that has significant adverse environmental impacts (if not allowed by an existing shoreline permit.)

- 2016 PC recommended specifying that a permit only be required in this case if the new species or culture technique has significant adverse environmental impacts

County staff would prefer to keep the original proposed language, as shown in the text box above, to reduce confusion



# Uses and Modifications (Part IV of the SMP)

- Aquaculture (SCC 14.26.415) [page 88 of the PC review draft]
- Subsection (2)(b): When shoreline review is required for existing aquaculture
  - (iii) For aquaculture without an existing shoreline permit, a shoreline permit is required for any expansion.
    - 2016 PC recommended changing to only requiring “shoreline review,” not necessarily a “shoreline permit.”



County staff would prefer to keep the original proposed language. This situation depends on what is considered expansion. The 2016 PC recommended language would allow a lot of leeway and discretion on staff for operations that have not been permitted to date.



# Uses and Modifications (Part IV of the SMP)

- Aquaculture (SCC 14.26.415) [page 90 of the PC review draft]
  - Subsection (4): General Requirements
  - 2016 Planning Commission recommended adding invasive species control along with predator control (underlined below)
- (h) Predator control measures used in aquaculture may not include those intended to kill or injure wildlife . Invasive species control and predator control methods must comply with federal and state regulations, as determined by applicable federal and state agencies





# Uses and Modifications (Part IV of the SMP)

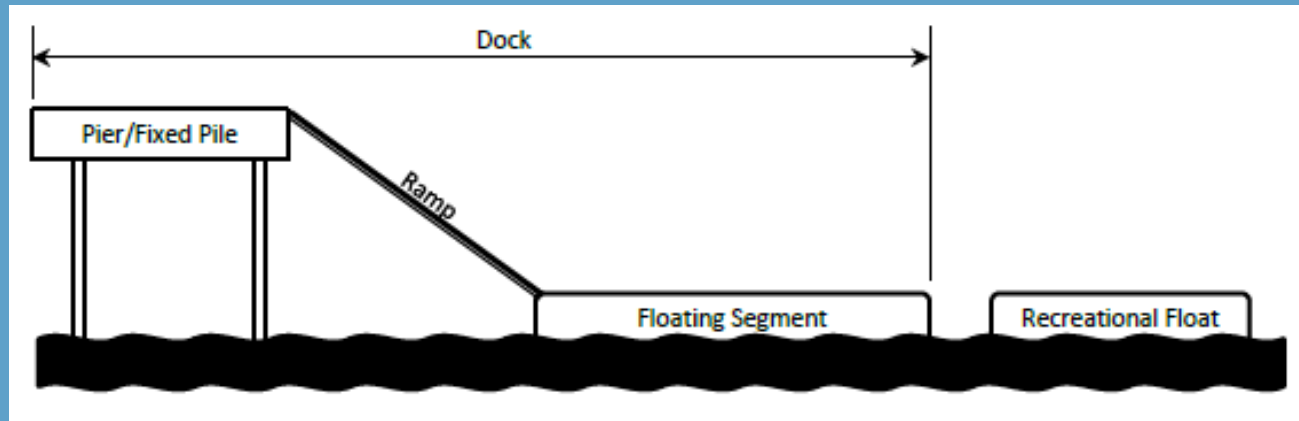
- Aquaculture (SCC 14.26.415) [page 92 of the PC review draft]
  - Subsection (8)(d): Geoduck aquaculture applications must include:
    - (vi) specific periods when limits on activities are necessary to protect priority habitats and associated species and avoid conflicts with neighboring uses.
    - 2016 PC recommended removing “and avoid conflicts with neighboring uses”

This has not been deleted so as to maintain consistency with state guidelines.



# Uses and Modifications (Part IV of the SMP)

- Boating Facilities and Related Structures (SCC 14.26.420) [page 93 of the PC review draft]
  - Subsection (1)(a): Applicability
    - In 2016, the Planning Commission recommended adding definitions for pier, ramp, and float from WAC 220-660-140(1)
    - County staff would prefer to use the diagram provided in Figure 14.26.420-1 to provide this level of detail



# Uses and Modifications (Part IV of the SMP)

- Boating Facilities and Related Structures (SCC 14.26.420) [page 97 of the PC review draft]
  - Subsection (4)(b)(iv): Additional standards for community docks associated with subdivisions
    - Per County staff recommendation, revised (B) to adjust the maximum number of slips per residential units on community docks from 0.75 to 1.0



# Uses and Modifications (Part IV of the SMP)

- Boating Facilities and Related Structures (SCC 14.26.420) [page 97 of the PC review draft]
  - Subsection (4)(d): Development Standards, Marinas
    - Per County staff recommendation, added subsections (i), (ii), and (iii) to be consistent with WAC 173-26-241(3)(c) to minimize aesthetic impacts, site suitability, navigability, extended mooring, etc.



# Uses and Modifications (Part IV of the SMP)

- Boating Facilities and Related Structures (SCC 14.26.420) [page 98 of the PC review draft]
  - Table SCC 14.26.420-1: Standards for Docks
  - The 2016 Planning Commission recommended replacing this table and related dimensional standards in the narrative, with a requirement to comply with WAC 220-660-380 and WAC 220-660-140 or the conditions of HPA.
  - However, tables like these are extremely useful for both applicants and implementing County staff. The table has not been removed per County staff recommendation.

**Table 14.26.420-1 Standards for docks.**

Element/ Sub-Element	Water Type			
	Marine Waters	Lakes With Anadromous Fish	Lakes Without Anadromous Fish	Rivers
<b>Max Height from Surface of Water</b>				
Individual dock		3 ft	3 ft	3 ft
Joint-use dock		3 ft	3 ft	3 ft
Commercial/Industrial Docks	as demonstrated by needs analysis			
<b>Max Width for Individual and Joint-Use Docks</b>				
Pier/Fixed-Piling	6 ft	4 ft for single user; 6 ft for joint use	6 ft	NA
Ramp	4 ft	4 ft	4 ft	4 ft
Floating section	8 ft	8 ft	8 ft	8 ft
<b>Max Width for Community Docks</b>				
All segments	8 ft			
<b>Max Width for Commercial/Industrial Docks</b>				
All segments	as demonstrated by needs analysis			
<b>Max Length as measured from OHWM</b>				
Individual docks	50 ft, except if existing docks within 300 ft of side property lines, maximum is average length of existing docks			
Joint-use docks	50 ft, except if there are existing docks within 300 ft of side property lines, maximum is average length of existing docks + 15 ft			
Community docks and docks associated with marinas	minimum capable of accommodating the intended use, up to 250 ft, or up to 300 ft only if necessary to reach adequate moorage depth; in no case may the length exceed one-third of the width of the water body or interfere with navigation or other public uses of the water			
Commercial/Industrial docks	as demonstrated by needs analysis			
<b>Decking</b>				
Pier/Fixed-piling	Grating not required if ≤ 4 ft wide; otherwise minimum 30% functional grating	Minimum 40% functional grating	Grating not required if ≤ 4 ft wide; otherwise minimum 40% functional grating	
Ramps	Fully grated			





# Uses and Modifications (Part IV of the SMP)

- Filling, Excavation, and Grading (SCC 14.26.440)  
[page 112 of the PC review draft]
  - Subsection (1): Applicability
    - (b) The 2016 Planning Commission recommended explicitly exempting aquaculture from this section.
    - However, this may be inconsistent with the permit/review provisions in the aquaculture section of the SMP, as well as with the WAC. Per County staff, no revision was made to this subsection.



# Uses and Modifications (Part IV of the SMP)

- Shoreline Habitat and Natural Systems (SCC 14.26.475) [page 129 of the PC review draft]
  - Subsection (3): Application Requirements
    - The 2016 Planning Commission recommended adding a requirement to hold a pre-application neighborhood meeting.
    - The County notes that a neighborhood meeting can be added as a requirement when SCC 14.06 is updated with details about timing and notifications, and a requirement that projects may not have negative effects on neighboring properties.
    - The County has recommended different language for the time being.



# Uses and Modifications (Part IV of the SMP)

- Shoreline Habitat and Natural Systems (SCC 14.26.475) [page 130 of the PC review draft]
  - Subsection (4): Development Standards
    - (b) The County added language stating that monitoring of more than three years may be added at the Administrative Official's discretion.
    - (g) Per the 2016 Planning Commission recommendation, clarity was added that shoreline restoration and enhancement projects must be designed and implemented to avoid adverse impacts to neighboring properties.





# Uses and Modifications (Part IV of the SMP)

- Shoreline Stabilization (SCC 14.26.480) [page 131 of the PC review draft]
  - Subsection (1): Applicability
    - Per the 2016 Planning Commission, the shoreline stabilization rules do not apply to flood hazard reduction, as defined in SCC 14.26.350.
  - Subsection (2): When Allowed
    - The 2016 Planning Commission clarified that new hard shoreline stabilization may be allowed if a primary structure is shown to be at risk of damage within three years.



# Uses and Modifications (Part IV of the SMP)

- Transportation (SCC 14.26.485) [page 140 of the PC review draft]
  - Subsection (1): Applicability
    - For clarity, ferry terminals added to the list of transportation facilities. Note, ferry terminals are also listed in the Uses and Modifications table (SCC 14.26.405, page 81) as a Conditional Use in most all designations.
  - Subsection (4): Development Standards
    - Inserted modified portions of policies 6F – 1.2 and 1.3, per County recommendation. This includes emphasis on water quality, water flow impediment, stormwater management consistency, and impact avoidance.





# Upcoming Discussions

March 9, 2021

- Legally Established Pre-Existing Uses and Structures
- Administration
- Definitions
- Shoreline environment designation mapping



# Ways to provide public comment

- Visit SMP Online Open House during the public comment period

[www.SkagitSMPOpenhouse.com](http://www.SkagitSMPOpenhouse.com)

- Email comments to:

[SMPPDS@co.skagit.wa.us](mailto:SMPPDS@co.skagit.wa.us)

- Attend public hearing



COMMENT

