



# Planning Commission Meeting

February 9, 2021



# Outline for tonight

1. Schedule review
2. Continued discussion of post-2016 amendments
  - a. Circulation Policies and Transportation Regulations
  - b. Shoreline Environment Designations
  - c. General Regulations (Part III of the SMP)
    - Environmental Protection
    - Dimensional Standards Table
    - Public Access
    - Vegetation Conservation
  - d. Uses and Modifications matrix



# 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 **Updated**

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](#)

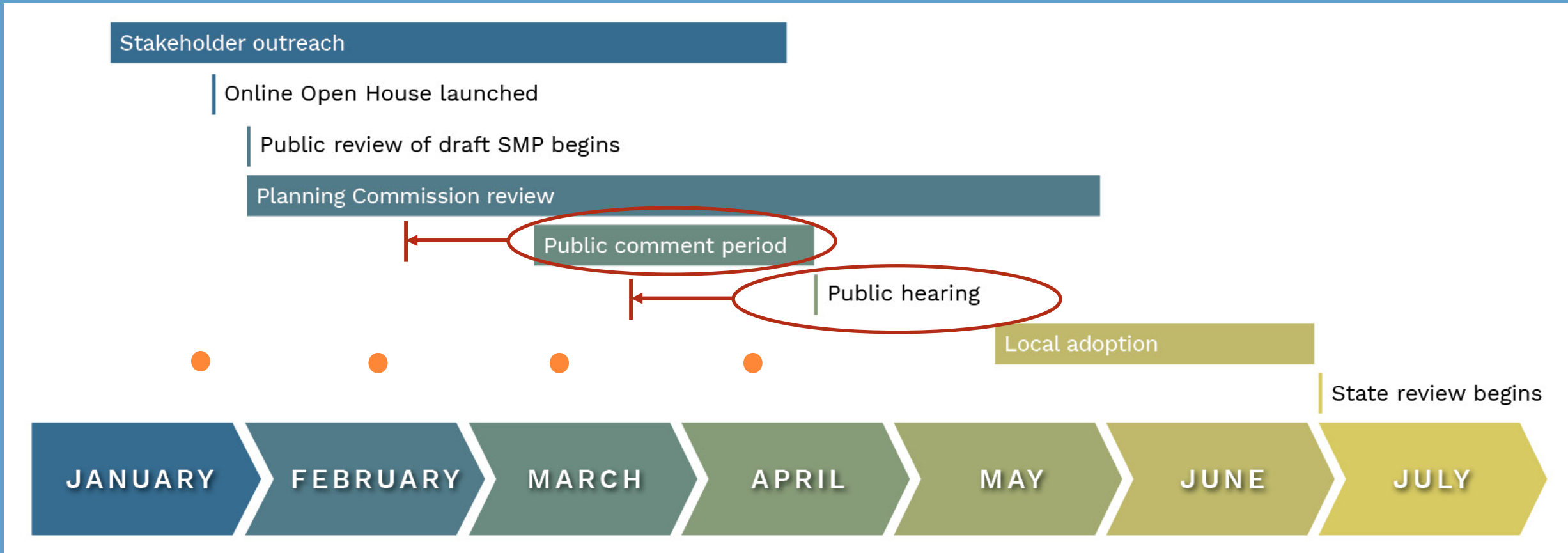
### Subscribe to receive email updates

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](#)



# Upcoming Schedule



2021 →

● Monthly public information meetings



# 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

- Possible Public Hearing





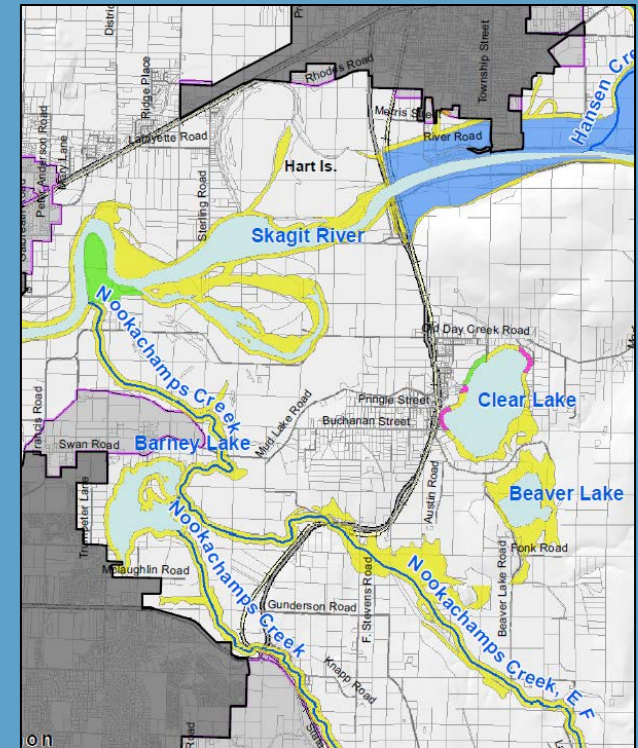
# Policies (Comprehensive Plan Chapter 6 )

- Circulation Policies
  - Transportation and Parking – Policies 6F:
    - Modified portions of policies 6F – 1.2 and 1.3 and moved to transportation regs, per County recommendation
- Transportation Facilities (including Parking): SCC 14.26.485
  - Includes regulatory emphasis on:
    - Ensuring water quality is not further degraded
    - Ensuring water flow is not impeded
    - Ensuring consistency with stormwater management requirements
    - Avoiding impacts to cultural, environmental, and recreational areas



# Shoreline Environment Designations (Part II of the SMP)

- Boundary Line Determination (SCC 14.26.220):
  - This section is used where uncertainty or a conflict exists in determining the location of a jurisdiction boundary, or an environment designation boundary
  - 2016 SMP draft includes use of a road or right of way centerline as boundary separation.
  - Change is proposed to subsection (1)(a) to avoid splitting designations along road centerlines and other right of ways but rather use the nearest right of way edge.



# General Regulations (Part III of the SMP)

- Environmental Protection (SCC 14.26.305)
  - Mitigation sequencing and mitigation plan requirements were formerly referenced in the critical areas regulations contained in Appendix 2 of the SMP. The proposed change in Subsection (4) brings the mitigation sequencing and mitigation plan development requirements into the body of the SMP.
  - Subsection 14.26.305(3) was added to acknowledge that if an application meets all standard requirements within the SMP (e.g. setbacks, buffers, dimensions, etc.), then a mitigation sequencing analysis would not be required.





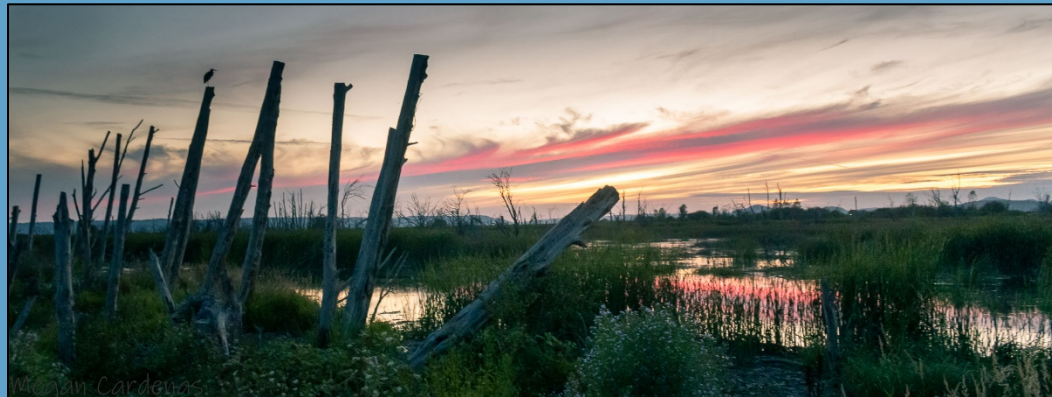
# General Regulations (Part III of the SMP)

- Dimensional standards table (SCC 14.26.310)
  - Two footnotes have been added.
    - Water dependent uses are allowed within the buffers, provided they apply mitigation sequencing per SCC 14.26.305 to avoid and minimize adverse impacts during development siting.
    - Additional height for utility facilities, bridges, and industrial uses may be approved when necessary for the functions of a permitted use, provided such structures must be designed to minimize obstruction of views



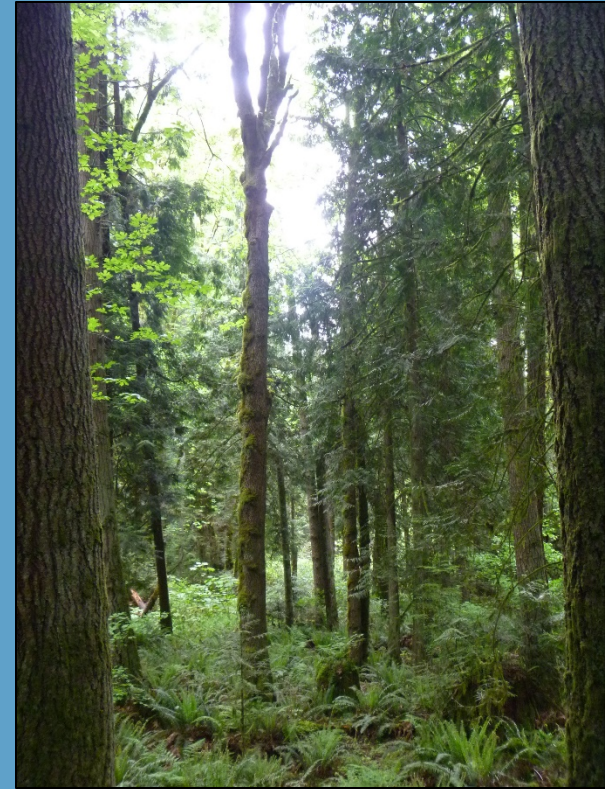
# General Regulations (Part III of the SMP)

- Public Access (SCC 14.26.370)
  - Subsection (3)(b): Incorporated 2016 Planning Commission recommendation to require legal markers at public access points to assist the sheriff and first responders.
  - The draft SMP contains reference to a Shoreline Public Access Plan in Subsection (4). In 2016, the Planning Commission recommended that this section be removed. However, upon further review, County staff are recommending it remain. Retaining it is consistent with the Guidelines (WAC 173-26-221(4)(c)). The development of a shoreline public access plan is also referenced in Policy 6E 1.2



# General Regulations (Part III of the SMP)

- Vegetation Conservation (SCC 14.26.380)
  - Incorporated 2016 Planning Commission recommendation to require replacement trees to replicate species appropriate for the site rather than what was historically present (see Subsection (3)(d)).
  - Added County recommendation to include specific reference to the preparation of a tree replacement plan when tree replacement is required and that such a plan should follow the restoration plan requirements outlined in Subsection (f)(ii)(A),(B), and (C). These include the use of a qualified professional, use of native species, and meeting or exceeding all standards





# Uses and Modifications (Part IV of the SMP)

- Uses and modifications matrix
  - Column for Aquatic designation updated per County recommendation to be consistent with upland designations where appropriate.
  - Breakwater, jetties, and groins: adjusted table for Shoreline Residential and High Intensity to be permitted, but added footnote noting that it applies to enhancement projects. All other such projects would require a conditional use permit.
  - Removed line for Residential, Accessory Uses as it was redundant since the accessory use should be permitted according to associated primary use.



# Upcoming Discussions

February 23, 2021

- Aquaculture
- Boating facilities and related structures
- Fill, excavation, and grading
- Shoreline habitat and natural systems
- Shoreline stabilization
- Transportation facilities

March 9, 2021

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





# Ways to provide public comment

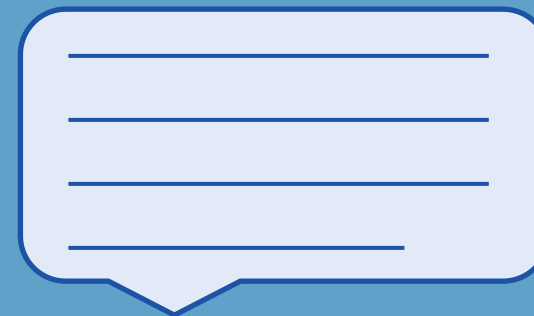
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- Email comments to:

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- Attend public hearing



COMMENT



# Uses and Modifications (Part IV of the SMP)

- Aquaculture (SCC 14.26.415)
  - 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.)
  - 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 to reduce confusion



# Uses and Modifications (Part IV of the SMP)

- Aquaculture (SCC 14.26.415)
- 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.
    - 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 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)
  - Subsection (4): General Requirements
  - 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)
  - 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.
  - PC recommended removing “and avoid conflicts with neighboring uses”

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

