

**A DETERMINATION OF NON-SIGNIFICANCE
AND ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENT**

DESCRIPTION OF PROPOSAL: A non-project legislative action to consider amendments to SCC 14.18.300(1), Purpose, 14.18.310(2), Allowable density, 14.18.310(5) Designation, allowed uses and preservation of open space, Open Space Preservation Areas (Os-PA), Open Space Natural Resource Lands (Os-NRL), new section Open Space Rural open (Os-RO), Open Space Reserve (Os-RSV), Open Space Recreational/Amenities (Os-RA) and Open Space Pre-existing Plats (Os-PEP) and 14.18.310(7), Lot Size requirements, addressing issues from the Western Washington Growth Management Hearings Board (WWGMHB), in Evergreen Islands, et al. v. Skagit County, Case No. 00-2-0046c and subsequent appeal to Skagit County Superior Court, in Skagit County v. WWGMHB, Cause No. 01-2-00423-1 and 02-2-00560-1. This proposal addresses and clarifies how lands may be utilized under the Open Space Reserve (Os-RSV) and Open Space Recreational/Amenities (Os-RA) designations as addressed by the WWGMHB and other open space designation as a result of the Final decision and when proposed as part of Conservation and Reserve Development (CaRD) land division.

PROPONENT: Skagit County

APPLICABILITY: This ordinance applies to land divisions seeking to implement a Conservation and Reserve Development (CaRD) on all lands in Skagit County except incorporated areas. This Ordinance applies to every person, individual, firm, partnership, corporation, governmental agency or other entity, which owns, leases or administers land within Skagit County. This Ordinance provides regulations for land division activities.

TITLE OF DOCUMENT: Proposed Amendments to Skagit County Code (SCC) 14.18.300(1), Purpose, 14.18.310(2), Allowable density, 14.18.310(5) Designation, allowed uses and preservation of open space, Open Space Preservation Areas (Os-PA), Open Space Natural Resource Lands (Os-NRL), new section Open Space Rural Open (Os-RO), Open Space Reserve (Os-RSV) Open Space Recreational/Amenities (Os-RA) and Open Space Pre-existing Plats (Os-PEP) and 14.18.310(7), Lot Size requirements.

DATE AND DESCRIPTION OF ADOPTED DOCUMENT:

1. Draft Environmental Impact Statement for the Land Use Designation Element, Skagit County Comprehensive Plan, Skagit County Department of Planning and Community Development, January 13, 1994.
2. Final Environmental Impact Statement for the Land Use Element, Skagit County Comprehensive Plan, Volume I: FEIS Text and Appendices H-L, Skagit County Department of Planning and Community Development, June 30, 1994.
3. Final Environmental Impact Statement for the Land Use Element, Skagit County Comprehensive Plan, Volume II: Appendices H-L, Skagit County Department of Planning and Community Development, June 30, 1994.

4. Addendum to the Final Environmental Impact Statement for the Land Use Element, Skagit County Comprehensive Plan, Skagit County Department of Planning and Community Development, May 24, 1995.
5. Addendum to the Environmental Impact Statement for the Land Use Element, Skagit County Comprehensive Plan, Skagit County Classification and Designation of Natural Resource Lands, Skagit County Planning and Permit Center, May 23, 1996.
6. Draft Supplemental Environmental Impact Statement for the Skagit County Comprehensive Plan, Skagit County Planning and Permit Center, November 13, 1996.
7. Final Supplemental Environmental Impact Statement for the Skagit County Comprehensive Plan, Skagit County Planning and Permit Center, May 2, 1997.
8. Addendum (Proposed Comprehensive Plan Amendments and Development Regulations Intended to Satisfy Skagit County's Outstanding GMA Obligations, Including Resolution of Issues Connected to Pending Appeals before the Western Washington Growth Management Hearings Board) to the Draft Environmental Impact Statement, Final Environmental Impact Statement, Supplemental Draft Environmental Impact Statement, and Supplement Final Environmental Impact Statement for the Skagit County Comprehensive Plan, February 3, 2000.

DOCUMENTS ARE AVAILABLE AT: Skagit County Planning and Permit Center. 200 W Washington Street Mount Vernon, WA 98273

LEAD AGENCY: Skagit County Planning and Permit Center

FINDINGS: The lead agency for this proposal has determined that it does not have a probable adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). Furthermore, the proposed amendments do not substantially change the analysis of probable significant adverse environmental impacts and the range of alternatives and impacts previously discussed in the adopting environmental documents. This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This DNS is issued under the provisions of WAC 197-11-630.

COMMENT PERIOD: There is no comment period associated with this threshold determination.

CONTACT PERSON: Kendra Smith, ASLA, Assistant Director, Skagit County Planning and Permit Center.

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Issued March 18, 2003

Signature _____

Gary R. Christensen, AICP
Interim Planning Director

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