

**SEPA THRESHOLD DETERMINATION
A DETERMINATION OF NON-SIGNIFICANCE (DNS)
AND ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENT**

1. **DESCRIPTION OF PROPOSAL:** Development on Lots/Innocent Purchaser. A non-project legislative action to consider amendments to SCC 14.16.850(4), Development on Lots; SCC 14.18.000(9), Innocent Purchaser; and adding a new proposed section SCC 14.44.065, Enforcement to address the Western Washington Growth Management Hearings Board (WWGMHB), in Evergreen Islands 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 the development of substandard lots/lot aggregation. The Hearings Board found that in the absence of lot aggregation, the County must adopt measures to prevent incompatible development and uses from encroaching on resource lands and their long term viability. In addition, the County was directed to adopt appropriate regulations that would insure that development on substandard lots of record would not cumulatively require urban services or promote low density sprawl. Amendments are a result of settlement discussions between the parties of record in the above-referenced Superior Court case. Principal planner: Linda Kuller.

PROPONENT: Skagit County

APPLICABILITY: The proposed action affects development on substandard lots of record located within Skagit County, WA.

TITLE OF DOCUMENT: Proposed Ordinance Amending Skagit County Code, Chapter 14.16, Zoning Ordinance, to Address Development on Substandard Lots of Record and Related Issues.

DATE AND TITLE OF ADOPTED DOCUMENTS: The adopted environmental documents are:

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: Linda Kuller, Senior Planner, Skagit County Planning and Permit Center.

SEPA RESPONSIBLE OFFICIAL: Gary R. Christensen, AICP, Interim Planning Director

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Issued March 18, 2003.

Signature _____
Gary R. Christensen, AICP
Interim Planning Director

Transmitted to the Skagit Valley Herald on March 18, 2003

To be published on March 20, 2003

