

**NOTICE OF PUBLIC HEARING AND DOCUMENT AVAILABILITY
SKAGIT COUNTY PLANNING COMMISSION**

Notice is hereby given that on Thursday, April 10, 2003, the Skagit County Planning Commission will hold a series of public hearings to receive public comment on Skagit County proposals to address the below listed Growth Management Act compliance issues.

AGENDA

1. 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.
2. Proposed Amendments to SCC 14.16.850(4), Development on Lots; SCC 14.18.000(9), Innocent Purchaser; and adoption of a new Section 14.44.065, relating to Enforcement.
3. Proposed Amendments to Skagit County Comprehensive Plan, Land Use Element (Chapter 4), the Big Lake Rural Village Comprehensive Plan and Zoning Map and Skagit County Code 14.16 to Address Development Standards on Property Commonly Referred to as Overlook Golf Course, in the Big Lake area near Mount Vernon, WA.
4. Proposed Amendments to SCC 14.16.170, Rural Marine Industrial (RMI).
5. Proposed Amendments to Skagit County Comprehensive Plan, Chapters 3 and 4, Addressing 410 Acres of Reserved Rural Commercial/Industrial Allocations.

The hearings will be held in Hearing Room C, Skagit County Administration Building, Mount Vernon, Washington, beginning at 7:00 p.m. or as soon thereafter as possible and continuing until no further comment is forthcoming. The Planning Commission is tentatively scheduled to deliberate on these matters on April 15 and 17, 2003.

The Western Washington Growth Management Hearings Board (Hearings Board) found Skagit County out of compliance or invalid on the above issues in orders issued in February 2001 and January 2002 in Case Nos. 00-2-0046c and 00-2-0049c. Skagit County appealed those rulings to Skagit County Superior Court in Cause Nos. 01-2-00423-1 and 02-2-00560-1 (-0046c case), and 01-2-00424-0 and 02-2-00561-9 (-0049c case). Most recently, the County has engaged in settlement negotiations with parties of record on the above issues. Some of the proposals to be considered before the Planning Commission reflect discussions and/or signed agreements among the affected parties relating to proposed settlement of the above cases.

The proposals are described as follows:

Hearings Board Case No. 00-2-0046c

1. Conservation and Reserve Development (CaRD): 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) ~~and~~ 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. Principal Planner: Kendra Smith.

2. 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.

3. Overlook Golf Course, in the Big Lake area near Mount Vernon, WA. A non-project legislative action to consider amendments to the Skagit County Comprehensive Plan, Land Use Element (Chapter 4), the Big Lake Rural Village Comprehensive Plan and Zoning map, and Skagit County Code 14.16 to address Big Lake Rural Village development standards on property commonly referred to as Overlook Golf Course. The subject property is located within a portion of the SE ¼ of Section 36, T34N, R4E, and also within a portion of the SW ¼ of Section 31, T34N, R5E, W.M, situated in Skagit County, WA. The proposed action is in response to Growth Management Act compliance issues from the Western Washington Growth Management Hearings Board (WWGMHB), in Evergreen Islands v. Skagit County, Case No. 00-2-0046c and on subsequent appeal to Skagit County Superior Court, in Skagit County v. WWGMHB, Cause No. 01-2-00423-1 and 02-2-00560-1. The proposed amendments are the result of settlement discussions and agreement between the parties of record in the above referenced Superior Court cases and an order by the presiding judge. Principal Planner: Gary Christensen.

Hearings Board Case No. 00-2-0049c

1. Rural Marine Industrial (RMI). A non-project legislative action to consider amendments to SCC 14.16.170, Rural Marine Industrial (RMI), addressing issues from the Western Washington Growth Management Hearings Board (WWGMHB), in City of Anacortes, et al. v. Skagit County, Case No. 00-2-0049c and subsequent appeal to Snohomish County Superior Court, in Skagit County v. WWGMHB, Cause No. 01-2-00424-0 and 02-2-00561-9. The proposed amendments are a result, at least in part, of settlement discussions between the parties of record in the above referenced Superior Court case. Principal Planner: Kendra Smith.
2. 410 Acres of Reserved Rural Commercial/Industrial Allocations: A non-project legislative action to consider amendments to the Skagit County Comprehensive Plan, Skagit County Profile (Chapter 3), and Land Use Element (Chapter 4), to repeal 410 acres of unallocated commercial and industrial acreage in rural (unincorporated) Skagit County. The proposed action is in response to Growth Management Act Compliance issues from the WWGMHB, in City of Anacortes, et al. v. Skagit County, et al., WWGMHB No. 00-2-0049 and on subsequent appeal to Skagit County Superior Court, in Skagit County V. WWGMHB, Cause no. 01-2-00424-0 and 02-2-00561-9. The proposed amendments are the result of settlement discussions and agreement between the parties of record in the above referenced Superior Court cases. Principal Planner: Kirk Johnson.

The Skagit County Planning and Permit Center has determined, in separate consideration, that none of proposals has a probable adverse impact on the environment. An environmental impact statement (EIS) is not required for any of the proposals under RCW 43.21C.030(2)(c). Furthermore, for each proposal, 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 for each proposal and other information on file with the lead agency. The DNS's are issued under the provisions of WAC 197-11-630. There is no comment period associated with these threshold determinations.

Your views for or against the proposals are invited by attendance, representation, or letter. Written correspondence, including facsimile transmittal, may be submitted to: Skagit County Planning and Permit Center, 200 West Washington Street, Mount Vernon, Washington 98273, (360) 336-9410 or FAX (360) 336-9416. Written comments (faxed, mailed, or delivered) will be received until the close of business, 4:30 p.m., on Tuesday, April 8, 2003. Comments after this date must be submitted into the record during the April 10 public hearings. E-mails will not be accepted.

For citizens with special needs, Hearing Room C is accessible. Persons with special needs or disabilities are asked to call the Commissioner's Office at (360) 336-9300 at least 72 hours before the hearing to discuss and arrange any needed accommodations.

Further information and/or copies of the proposals are available at the Planning and Permit Center at the above address between 8:00 a.m. and 4:30 p.m., Monday through Friday.

Depending on their availability in electronic format, copies of part or all of the proposal are also available for viewing at the Planning and Permit Center's home page on the Skagit County website at www.skagitcounty.net.

Written correspondence submittal requirements. Comments on the Proposals must be submitted on 8 1/2" x 11" paper. Maps must be in black and white and also reduced to 8 1/2" x 11" size for reproduction purposes. Submittals not meeting these requirements will, unfortunately, not be considered.

Please address written comments or questions to:

The principal planner listed for each proposal above, at Skagit County Planning and Permit Center, 200 W. Washington, Mount Vernon, Washington 98273, 336-9410, FAX (360) 336-9416.

Transmitted to the Skagit Valley Herald on March 18, 2003
To be published on March 20, 2003