

Skagit County Code
2011 Amendment Proposals

1
2 **14.04 Definitions**
3

4 **Accessory use, residential:** an accessory use to a residence, including, but not limited to, the following:

- 5 (1) One accessory dwelling unit;
6 (2) Fallout/bomb shelters;
7 (3) Keeping household pets;
8 (4) Impoundments under 1-acre feet in volume;
9 (5) Private pools, docks, boathouses, boat launches and piers;
10 (6) Antennas for private telecommunications systems;
11 (7) Storage of on-site yard maintenance equipment;
12 (8) Agriculture which is secondary to use of property as residence, including no employees;
13 (9) Community water and septic systems and stormwater detention ponds built as part of a land
14 division;
15 (10) Private greenhouses; and
16 (11) Miscellaneous residential support buildings, such as storage sheds, workshops, garages, and barns.
17 (12) No more than 1 commercial vehicle which is 1 ton or more in size.
18 (13) Net metering system, wind. Limited to one wind turbine per parcel.

19
20 **Adult group care facility:** an establishment providing full-time care for more than 5 patients,
21 convalescents, invalids, or aged persons. Such establishment shall be duly licensed by the State of
22 Washington as a “nursing home” in accordance with current State statutes. Adult Family Homes regulated
23 pursuant to RCW 70.128 and living quarters for unrelated, handicapped individuals protected under the
24 Federal Fair Housing Amendments Act and RCW 35A.63.240 shall not be considered an adult group care
25 facility for purposes of this Title.
26

27 **Agricultural accessory use:** an agricultural accessory use shall predominantly serve the principal use of
28 the farm, but may also serve other farms. It shall be considered accessory to an agricultural use if it is
29 located on either the same lot or other lots that collectively or in singular comprise a principal use of a
30 corporate farm or farm held or leased by a farm manager or his immediate family. An accessory use to an
31 agricultural use, including, but not limited to, the following:

- 32 (1) Outdoor storage of processed and unprocessed natural materials, waste materials, or other similar
33 materials;
34 (2) Impoundments under 1-acre feet in volume;
35 (3) Farm animal or horticultural viewing by the public;
36 (4) U-pick sales to the public;
37 (5) Storage of agricultural products, ingredients, packaging and/or equipment used on-site;
38 (6) Miscellaneous agricultural support buildings, including barns, sheds, corrals, farm offices, and
39 coops, which are used for on-site soil-dependent agriculture; and
40 (7) Activities associated with tourism which promote local agriculture; provided, that adequate parking
41 and specified ingress and egresses are designated and permitted.
42 (8) Net metering system, wind. Limited to one wind turbine per parcel.

1 **Cluster:** 2 or more residential CaRD lots ~~located immediately adjacent to~~ adjoining each other and
2 grouped together in ~~4~~ one location on a parcel.

3
4 **Cluster pod:** a number of residential CaRD lots ~~located immediately adjacent to~~ adjoining each other and
5 grouped together in ~~4~~ one location on a parcel. The number of lots allowed in any ~~4~~ one cluster pod is
6 limited as outlined in SCC 14.18.330(2).

7
8 **Family:** an individual, or 2 or more persons related by genetics, adoption, marriage, or other legal means
9 ~~blood or marriage, or court-approved process~~ or a group of not more than 5 persons who are not related
10 by genetics, adoption, marriage, or other legal means ~~blood or marriage, or court-approved process~~. The
11 term “family” shall also include living arrangements of any number of handicapped individuals living
12 together in a single housekeeping unit who are protected by the provisions of the Federal Fair Housing
13 Act and the Washington Housing Policy Act. “Handicap” shall be as defined in the Federal Fair Housing
14 Act, 42 U.S.C. 3602(h). An Adult Family Home as defined and regulated pursuant to RCW 70.128 shall
15 be treated as a family for purposes of this Title.

16
17 **Family member, individual:** individual(s) who is/are related by genetics, adoption, marriage, or other
18 legal means ~~blood or marriage, or court-approved process~~.

19
20 **Group care facility:** living quarters for children or adults meeting applicable Federal and State standards
21 that function as a single housekeeping unit and provide supporting services, including but not limited to
22 counseling, rehabilitation, and medical supervision, not exceeding more than 20 residents and staff. If
23 staffed by nonresident staff, each 24 staff hours per day equals 1 full-time residing staff member for
24 purposes of determining number of staff. Adult Family Homes regulated pursuant to RCW 70.128 and
25 living quarters for unrelated, handicapped individuals protected under the Federal Fair Housing
26 Amendments Act and RCW 35A.63.240 shall not be considered a group care facility for purposes of this
27 Title.

28
29 **Institutional camps/retreats:** an established group camp/retreat maintained for recreation, education,
30 vacation, religious or other similar uses by organized groups that assume supervision of the camp
31 activities. Camps/retreats shall be non-residential in nature and include only temporary stays. ~~Typically~~
32 ~~involves group cooking and eating facilities and may allow overnight stays and group cooking and eating~~
33 ~~facilities.~~

34
35 **Interpretive/Information center:** building(s) or site dedicated to public education or information including
36 tourist information. Interpretive/Information centers should focus on ~~about~~ local or area ecology, natural
37 history, human history, or other similar subjects. An interpretive/information center may include a small
38 store, cafeteria, and auditorium, but does not include overnight stays.

39
40 **Lot size:** the total horizontal square footage area within property lines excluding land waterward of the
41 ordinary high water mark. ~~;~~ ~~provided, that area~~ Lot size may include the portion of the property that was
42 ~~dedicated to the~~ for public or private street right(s)-of-way.

1 **Manure digester:** a facility that generates power from the anaerobic “digestion” of primarily plant and
2 animal waste from agricultural activities and meets the requirements in RCW 70.95.330.

3
4 **Meteorological tower:** temporary towers which are primarily designed to measure wind speed and
5 directions plus other data relevant to siting wind energy systems and which are erected for a period of 24
6 months or less. Meteorological towers do not include towers and equipment used by airports, the
7 Washington Department of Transportation, or other similar entities to monitor weather conditions.

8
9 **Net metering system:** As defined in RCW 80.60.010, a facility for the production of electrical energy that
10 generates renewable energy, and that: (a) has an electrical generating capacity of not more than one
11 hundred kilowatts; (b) is located on the customer-generator's premises; (c) operates in parallel with the
12 electric utility's transmission and distribution facilities; and (d) is intended primarily to offset part or all of
13 the customer-generator's requirements for electricity. For purposes of this Title, net metering systems are
14 of two types:

15 (a) Net metering system, solar: a net metering system that uses solar energy to generate
16 electrical power.

17 (b) Net metering system, wind: a net metering system that uses wind energy to generate power.

18
19 **Recycling drop box facility:** a facility used for receiving residential-generated and consumer source-
20 separated, non-putrescible recyclables such as the following: cardboard, paper, tin and/or aluminum
21 cans, glass containers, and recyclable plastics. Recyclables shall be immediately deposited into covered
22 container(s) that together do not exceed a total volume of 50 cubic yards. Recycling drop box facilities
23 shall not be used for outdoor storage, long-term storage, stockpiling, processing, or final disposal of
24 waste; generate dust, fumes, odors, leachate, or similar nuisances; or attract pests. Drop box facilities
25 shall operate unmanned or manned by an attendant whose duties are limited to directing the deposit of
26 waste, clean-up, and the removal of solid waste containers; and be designed to serve a small, local
27 community. Waste or recycling containers with a combined total volume of 10 cubic yards or less are not
28 considered a land use regulated under this Title.

29
30 **Short-term visitor accommodations:** the following accommodation units shall be considered as short-
31 term master planned resort (MPR) visitor accommodations:

32 (1) Hotel, motel, lodge or inn units;

33 (2) Time-share and fractionally owned units;

34 (3) Recreational vehicle sites;

35 (4) Tent camping sites within an established campground;

36 (5) Cabins and cottages;

37 (6) Yurts; and

38 ~~(7) Vacation and second homes, unless its/their occupant(s) are either (a) registered to vote at such~~
39 ~~unit's resort address, or (b) receive its/their Skagit County annual property tax assessment for such unit at~~
40 ~~such unit's address, in which case such unit shall be considered a permanent residence for all purposes~~
41 ~~under this Title.~~

1 **Solid waste handling facility:** means a facility that manages, stores, collects, transports, treats, uses,
2 processes or disposes of solid waste, including the recovery and recycling of materials from solid wastes,
3 the recovery of energy resources from such wastes or the conversion of the energy in such wastes to
4 more useful forms or combinations thereof.
5

6 **Unclassified use:** major, regional facilities with potentially significant built and natural environmental
7 impacts on the surrounding area. Unclassified uses are typically major facilities with a presence which
8 may impact or alter the character of the community. Unless specifically allowed as a permitted, special, or
9 accessory use, unclassified uses include the uses identified in SCC 14.16.600(2). They include most of
10 the more intensive uses considered to be essential public facilities in RCW 36.70A.200.
11

12 **Utility development:** includes, but is not limited to, facilities and services that generate, transport,
13 process, or store water, sewage, solid waste, electrical energy, communications and pipelines for fuel, oil,
14 natural gas, and petroleum products. A utility development is one of the following types:

- 15 (1) Minor utility development: an unmanned utility development designed to serve a small local
16 community that would be considered a normal utility service for the area.
17 (2) Major utility development: a utility development that does not meet the definition of minor utility
18 development or major regional utility development.
19 (3) Major regional utility development: a utility development that is designated as an unclassified
20 use. Unless allowed as a permitted, accessory, or special use, major regional utility developments
21 require unclassified use permits. meets the definition of an essential public facility, including, but not
22 limited to, power generation facilities, solid waste handling facilities, and regional wastewater
23 treatment facilities. Major regional utility developments require unclassified use permits.
24

25 **14.06 Permit Procedures**

26 **14.06.050 Application level.**

27 (1) Applications for development permits shall be categorized as 1 of 4 levels as follows; provided, that
28 shoreline applications shall be processed as described in the Skagit County Shoreline Management
29 Master Program:

- 30 (a) (i) No change.
31 (ii) Preliminary and final sShort subdivisions approvals and extensions pursuant to Chapter
32 14.18 SCC.
33 (iii)-(xv) No change.
34 (xvi) Preliminary subdivision approval extensions pursuant to SCC 14.18.100(e).
35 (xvii) Development permit application denials pursuant to SCC 14.06.105.
36 (b) - (d) No change.
37

38 **14.06.080 Pre-development and pre-application review.**

- 39 (1) No change.
40 (2) Pre-Application. Applicants must participate in a pre-application meeting, unless a waiver is
41 requested by the applicant and approved by the Administrative Official. No pre-application meeting is
42 required for administrative interpretations, administrative decisions, administrative variances, boundary
43

1 line adjustments, and flood area development permits. ~~A preapplication verification form~~ Staff comment
2 notes shall be given to the applicant upon the conclusion of the meeting. The purpose of the meeting is to
3 conduct a review of the development application prior to submittal to the Department. Pre-application
4 review will include discussion of requirements for application completeness, permit or approval
5 requirements, fees, review process and schedule, and responding to questions from the applicant. In
6 order to expedite development review, the County may invite all affected jurisdictions, agencies and/or
7 special purpose districts to the pre-application meeting. If a project is proposed to be located within a
8 municipal urban growth area, ~~a representative from that municipality may be invited to the pre-application~~
9 ~~meeting with a minimum of a 7-day notice~~ notice of the pre-application meeting may be sent to the
10 respective municipality requesting comments and/or participation at the meeting. To schedule the
11 required pre-application meeting, the applicant shall submit the information required on the pre-
12 application ~~conference~~ meeting form provided by the County. The meeting shall be held within ~~44~~ 21 days
13 ~~of the request by the applicant,~~ after a complete submittal of the request by the applicant. (Ord. 17938
14 Attech. F (part), 2000)

15
16 **14.06.100 Letter of Completeness Determination of Completeness.**

- 17 (1) No change.
- 18 (2) Within 28 days of receiving a date stamped application, the Administrative Official or designee shall
19 review the application as set forth below and provide the applicant with a written determination that
20 the application is complete or incomplete.
- 21 (3) For applications determined to be incomplete, the Administrative Official or designee shall identify, in
22 writing, the specific requirements or information necessary to constitute a complete application~~#~~
23 ~~additional information is required, and inform the applicant that the applicant~~ the required information
24 must be submitted to the Department within ~~shall have 180 days. to submit the required information to~~
25 ~~the Department. The Department shall notify the applicant as to when the 180-day period will end.~~ If
26 the applicant does not submit all of the required information within the 180-day period, the application
27 shall lapse. ~~Prior to the expiration date,~~ The applicant may request in writing an extension of time if
28 the request is made at least fourteen days prior to the expiration of the 180-day period. The
29 Administrative Official or designee may grant ~~one~~ or more ~~(although not exceeding three)~~ three
30 month extensions if the required studies or information warrants additional time. Upon submittal of
31 the additional information, the Administrative Official or designee shall, within 14 days, issue a letter
32 determination of completeness or identify what additional information is required. An application will
33 not be deemed complete for purposes of vesting until all information requested for a complete
34 application is received by the Department, unless subsection (4) applies.
- 35 (4) An application ~~may be~~ is deemed complete if the County does not provide a written determination to
36 the applicant that the application is incomplete within the time required in this Section.
- 37 (5) The determination of completeness shall not preclude the Administrative Official from requesting, in
38 writing, additional information or studies either at the time of the notice of completeness or,
39 subsequently, if new information is required or substantial changes in the proposed action occur,
40 consistent with section .105 of this Chapter.
- 41 (6) No change.

1 **14.06.105 Requests for Additional Information/Expiration of Application**

2 (1) If additional information is requested pursuant to section .100(5), an applicant has 120 days to submit
3 the required information. If all of the requested information is not received within 120 days, the
4 Administrative Official or designee shall deny the application for failure to timely submit requested
5 information consistent with subsection (3) below, unless the following exception applies:

6 (a) The department may grant one or more (although not exceeding three) three-month extensions to this
7 timeframe if the following criteria are met:

8 (i) A written request for extension is submitted at least 21 days prior to the expiration date; and

9 (ii) The applicant demonstrates that circumstances beyond the control of the applicant prevent
10 timely submittal of the requested information; and

11 (iii) The applicant provides a reasonable schedule for submittal of the requested information.

12 (2) For complete applications where the Department requested additional information more than 120
13 days prior to the effective date of this ordinance and has not yet received all required information, the
14 Administrative Official or designee shall deny the application for failure to timely submit requested
15 information consistent with subsection (3) below.

16 (3) A denial of an application for failure to timely submit requested information is a Level I decision
17 pursuant to SCC 14.06, regardless of the application level of the original application. A denial for failure
18 to timely submit requested information shall be sent via certified mail to the applicant at the address given
19 on the application or the mailing address on record with the Assessor's Office as appropriate. The failure
20 of an applicant to receive the denial letter shall not affect the validity of the denial. The decision is
21 appealable as a Level 1 decision.

22 (4) If an application is denied for failure to timely submit requested information, an applicant may only
23 reinitiate review by submitting a new application consistent with all current requirements. The application
24 is no longer vested.

25
26 **14.06.150 Public notice requirements.**

27 (1) No change.

28 (2) Notice of Development Application Requirements.

29 (a) No change.

30 (b) Within 14 days of issuing a letter of completeness under SCC 14.06.100, the County shall
31 issue a Notice of Development Application for Level I, II, III and IV Applications not exempt under
32 Subsection (2)(a) of this Section. The notice shall be dated and shall include, but not be limited to,
33 the following information:

34 (i) - (xii) No change.

35 (xiii) A statement that the decision on the application will be made within 120 days of the
36 date of the letter of completeness unless such time period is extended consistent with ~~RCW~~
37 ~~36.70B.090~~ and SCC 14.06.210.

38 (c) - (e) No change.

39 (3) - (4) No change.

40
41 **14.06.210 Timing of decisions.**

42 (1) No change.

1 (2) If the County is unable to issue its final decision on a development permit within the time limits
2 provided for in this Subsection, it shall provide written notice of this fact to the applicant. The notice shall
3 include a statement of reasons why the time limits have not been met and an estimated date for issuance
4 of the Notice of Decision.

5 (3) Exceptions to the time limits for a final decision include:

6 (a) ~~The parties agree to a reasonable extension of time for processing; or~~

7 (ba) Development permit decisions that are dependent upon amendments to the Comprehensive
8 Plan or development regulations, in which case the amendment shall be processed pursuant to
9 Chapter 14.08 SCC, Legislative Actions, first; or

10 (cb) Any time required to correct plans, perform studies or provide additional required information
11 consistent with sections .100 and .105; ~~provided, that within 14 days of receiving the requested~~
12 ~~additional information, the Administrative Official shall determine whether the information is adequate~~
13 ~~to resume the project review; and provided further, that the applicant shall be required to submit~~
14 ~~corrected plans, studies, or additional required information within 120 days of the written request or~~
15 ~~said application may be returned without prejudice; or~~

16 ***[note to code publisher: Please renumber remainder of section appropriately]***

17 (c) - (g) No change.

18 (4) No change.

19 **14.08 Legislative Actions**

20 **14.08.020 Petition for amendments to the Comprehensive Plan/rezones.**

21 (1) – (2) No change.

22 (3) Petitions for Comprehensive Plan amendments and/or rezones, excluding UGA modification
23 proposals, must be submitted on or before the last business day of July (see Subsection (5) of this
24 Section for UGA modification proposal timing requirements). County-initiated rezone and/or
25 Comprehensive Plan amendment proposals shall not be subject to the July submittal deadline. Proposed
26 rezones and amendments to the Comprehensive Plan shall be considered no more frequently than once
27 per year, according to the schedule provided in this Chapter, so that the cumulative effect of all proposals
28 may be considered; provided, however, the County may adopt amendments more frequently than once
29 per year if the proposal is related to current use taxation, if the proposal is the initial adoption of a subarea
30 plan or functional plan ~~(provided, that no modifications of the Comprehensive Plan policies or zoning~~
31 ~~designations are proposed),~~ if the amendment is to the County's Shoreline Master Program under the
32 procedures set forth in Chapter 90.58 RCW, if the amendment is to the capital facilities element that
33 occurs concurrently with the adoption or amendment of the County budget, if an emergency exists, or to
34 resolve an appeal of a Comprehensive Plan filed with a growth management hearings board or with the
35 court. An emergency amendment may only be adopted if the Board finds that the amendment is
36 necessary to address an immediate situation of Federal, State, subarea, or County-wide concern as
37 opposed to a personal emergency on the part of the applicant or property owner and the situation cannot
38 adequately be addressed by waiting until the annual Comprehensive Plan amendment process.
39 Comprehensive Plan amendments and/or rezones will only be considered once in every 7-year period for
40 any given property. The 7-year review period shall begin the year immediately following the County's
41 completion of its GMA-mandated 7-year update of its Comprehensive Plan. If a change in circumstance
42
43

1 exists, which has been deemed sufficient by the Board, the County may elect to re-review a prior or
2 revised proposal. In no case, even in separate 7-year periods, shall a proposal on the same property be
3 reviewed in consecutive years.

4 (4) - (7) No change.

5
6 **14.08.090 Review and decisions by Board.**

7 (1) Upon receipt of a recommendation on all or any part of a plan, plan amendment or development
8 regulation from the Planning Commission, the Board shall, ~~at its next regular public meeting, set the date~~
9 ~~for a public meeting where it will~~ consider and take action on the recommendation at a public meeting.

10 (2) - (3) No change.

11 (4) If the Board does not agree, either in whole or in part, with the recommendation of the Planning
12 Commission or if the Planning Commission forwards an action without an official recommendation, on a
13 proposed plan, plan amendment, or development regulation, the Board shall proceed as follows:

14 (a) - (c) No change.

15 (5) - (6) No change.

16
17 **14.16 Zoning**

18
19 Amend the "Height Exemptions" provision in all zoning districts to include the following:

20 Meteorological towers.

21 Net metering system, wind.

22
23 Add the following new uses to all zoning districts as a Permitted Use:

24 Maintenance, Drainage.

25 Net metering system, solar.

26 Repair and maintenance of water lines with an inside diameter of 8 inches or less.

27
28 Add the following new uses to the listed zones at the designated permit level: .400 Ag-NRL (HE), (PP)
29 when accessory to an agricultural use, .430 RRc-NRL (HE), .320 RRv (HE), .160 NRI (AD), .190 BR-HI
30 (PP), and .175 H-I (AD).

31 Manure digester.

32
33 Add to the following zones as an Accessory Use: .130, SSRT; .140, SSB; .160, NRI; .170, RMI; .175, H-I;
34 .330, R.

35 Net metering system, wind; limited to one wind turbine per parcel.

36
37 Add to the following zones as a permitted use: .100, RVC; .110, RC; .120, RFS; .150, RB; .300, RI; .320,
38 RRv; .400, Ag-NRL; IF-NRL, .410; SF-NRL, .420; .430, RRc-NRL; .500, OSRSI.

39 Net metering system, wind, when accessory to a permitted public, institutional, commercial, or
40 industrial use; limited to one wind turbine per parcel.

41 Add to the following zones as a permitted use: RVC, RC, RFS, SSB, NRI, H-I, BR-LI, BR-HI, BR-CC,
42 URC-I.

43 Recycling drop box facility.

1 Add to the following zones as a permitted use: RVR, RI, RRv, R, BRR, BR-URv, HR, H-URv, RB, SRT,
2 RMI, OSRSI.
3 Recycling drop box facility, accessory to a permitted public, institutional, commercial or industrial
4 use.
5

6 **14.16.100 Rural Village Commercial (RVC).**

7 (1) No change.
8 (2) Permitted Uses. The following uses that primarily serve the needs of the surrounding rural
9 population, visitors to the rural area, or natural resource industrial uses in the rural area:

10 (a) No change.

11 ~~(b) Church;~~

12 ***[note to code publisher: please renumber remainder of section as appropriate]***

13 (c) - (n) No change.

14 (o) Business/Professional offices;

15 ~~(p) Retail and wholesale nurseries/greenhouses;~~

16 (q) - (t) No change.

17 ~~(t) Wholesale nurseries/greenhouses;~~

18 (u) No change.

19 (3) Administrative Special Uses.

20 (a) – (h) No change.

21 (i) Retail nurseries/greenhouses

22 (j) Small-scale production or manufacture of products and goods, including food products, furniture,
23 apparel, artwork, metal products, and wood products.

24 ***[note to code publisher: please renumber remainder of section as appropriate]***

25 (4) Hearing Examiner Special Uses.

26 (a) - (e) No change.

27 (f) Marinas with no more than 20 slips. ~~Mortuary.~~

28 (g) Mortuary. ~~Public marinas with no more than 20 slips.~~

29 ~~(h) Retail nurseries/greenhouses.~~

30 ***[note to code publisher: please renumber remainder of section as appropriate]***

31 (i) – (j) No change.

32 (5) - (8) No change.
33

34 **14.16.120 Rural Freeway Service (RFS).**

35 (1) No change.

36 (2) Permitted Uses. The following uses that primarily serve the local rural population and the traveling
37 public with freeway-oriented goods and services limited to:

38 (a) - (d) No change.

39 ~~(e) Museum;~~

40 (f) - (i) No change.

41 (j) Interpretive/Tourist-Information centers and Museums; and

42 (k) No change.

43 (3) Administrative Special Uses.

- 1 (a) – (h) No change.
- 2 ~~(i) Outdoor recreation facility.~~
- 3 **[note to code publisher: please renumber remainder of section as appropriate]**
- 4 (j) Personal wireless services towers, subject to SCC 14.16.720.
- 5 ~~(k) Retail nurseries and accessory greenhouse.~~
- 6 (l) - (m) No change.
- 7 (4) Hearing Examiner Special Uses.
- 8 (a) Hotel/Motels. Hotel/motel buildings shall be no closer than 200 feet from agricultural zoned
- 9 lands.
- 10 (b) Major public uses and expansions of existing major public uses, 3,000 square feet and
- 11 greater.
- 12 (c) Major utility developments.
- 13 ~~(d) Off-road vehicle use areas and trails.~~
- 14 **[note to code publisher: please renumber remainder of section as appropriate]**
- 15 (e) Storage of unlicensed/inoperable vehicles.
- 16 (5) - (6) No change.

18 **14.16.130 Small Scale Recreation and Tourism (SRT).**

- 19 (1) No change.
- 20 (2) Permitted Uses.
- 21 (a) - (f) No change.
- 22 (g) Commercial facilities, such as restaurants and small retail and service businesses ~~shops~~, if
- 23 they serve the primary recreational or tourist use.
- 24 (h) - (k) No change.
- 25 (l) Institutional camps/retreats.
- 26 (m) - (s) No change.
- 27 ~~(t) Recreational, cultural or religious retreats (nonresidential).~~
- 28 **[note to code publisher: please renumber remainder of section as appropriate]**
- 29 (u) - (v) No change.
- 30 (3) - (7) No change.

32 **14.16.140 Small Scale Business (SSB).**

- 33 (1) No change.
- 34 (2) Permitted Uses. The following small scale commercial or industrial uses that provide job
- 35 opportunities for rural residents, but are not principally designed to serve the existing and projected rural
- 36 population, limited to:
- 37 (a) Business/Professional offices
- 38 (b)~~(a)~~ Historic sites open to the public;
- 39 ~~(b) Production, repair and servicing of specialized tools and equipment;~~
- 40 ~~(c) Provision of services, including professional, management, consulting, construction, and~~
- 41 ~~repair services;~~
- 42 (c)~~(d)~~ Small retail and service businesses sales, provided that retail sales are limited to products
- 43 produced primarily on site or which are accessory to products produced on site; and

1 (d)(e) Small-scale production or manufacture of products and goods, including food products,
2 furniture, apparel, artwork, metal products, and wood products.

3 (e) Wholesale nurseries/greenhouses

4 (3) - (8) No change.

6 **14.16.155 Bayview Ridge Community Center (BR-CC).**

7 (1) No change.

8 (2) Permitted Uses.

9 ***[note to code publisher: please renumber section as appropriate]***

10 ~~(a) Fire stations.~~

11 ~~(b) Police precinct office.~~

12 (c) Community parks and recreation playfields.

13 (d) Community club/grange halls.

14 (e) Parks, specialized recreation area.

15 ~~(e) Post office.~~

16 ~~(f) Libraries.~~

17 (d) Major Public Uses

18 (f) Minor Public Uses

19 (g) Minor utility developments.

20 (3) No change.

21 (4) Hearing Examiner Special Uses.

22 (a) No change.

23 (b) Master site plan (SCC 14.16.XXX [Reserved]) and binding site plan per SCC 14.18.500.

24 ***[note to code publisher: please alphabetize the uses and renumber the section as***
25 ***appropriate]***

26 (i) No change.

27 (ii) ~~Business/ and professional offices.~~

28 (iii) No change.

29 (iv) ~~Retail and service business, including restaurants.~~

30 (v) Restaurants.

31 (v) - (ix) No change.

32 (c) Schools (public and private) subject to consistency with the following criteria:

33 (i) - (ii) No change.

34 (iii) The proposed facility is appropriately sited with respect to the air traffic pattern at the
35 Skagit Regional Airport as determined by ~~Skagit County in consultation with~~ the Port of Skagit
36 County;

37 (iv) No change.

38 (v) The location of the proposed facility shall be compatible with the goals and policies of the
39 Bayview Ridge Subarea Plan ~~and the applicant has investigated other potential sites within~~
40 ~~the Bayview Ridge UGA;~~ and

41 ~~(vi) The site is accessed by a major collector.~~

42 (5) Dimensional Standards.

43 (a) No change.

1 (b) Maximum Size Limits. Commercial and public buildings, with the exception of schools, shall
2 not ~~to~~ exceed 15,000 square feet of gross building area.

3 (c) Maximum height: 50 feet or shall conform to the applicable Federal Aviation Administration
4 regulations concerning height restrictions pursuant to the Airport Environs Overlay, SCC 14.16.210,
5 whichever is less. Schools may exceed the 50 foot height restriction provided a statement from the
6 Port of Skagit County in support of the increased height is submitted and the proposed height
7 conforms to the applicable Federal Aviation Administration regulations.

8 (i) No change.

9 (d) No change.

10 (6) - (8) No change.

11
12 **14.16.160 Natural Resource Industrial (NRI).**

13 (1) No change.

14 (2) Permitted Uses.

15 (a) Uses related to agriculture including, but not limited to:

16 (i) – (iv) No change.

17 (v) Business/Professional Offices related to natural resource industries

18 ***[note to code publisher: please renumber remainder of section as appropriate]***

19 (vi) No change.

20 ~~(vii) Farm management services.~~

21 (viii) – (ix) No change.

22 (x) Natural resource support services

23 (xi) - (xiii) No change.

24 (b) - (e) No change.

25 (3) – (5) No change.

26 (6) Dimensional Standards.

27 (a) - (b) No change.

28 (c) Maximum Size Limits. The maximum size for a contiguous NRI district is 40 acres unless
29 adjacent to a UGA. The maximum gross floor area for all buildings, except greenhouses, in an NRI
30 District is 15% of total lot area for NRI Districts adjacent to UGAs, Rural Villages, or Rural Centers
31 and 10% of total lot area if not adjacent to a UGA, Rural Village, or Rural Center. Maximum gross
32 floor area for greenhouses shall be 70%, so long as all other requirements of the Skagit County
33 Code are met.

34 (d) - (e) No change.

35 (7) - (8) No change.

36
37 **14.16.170 Rural Marine Industrial (RMI).**

38 (1)(a) No change.

39 (b) RMI Parcel. If multiple adjacent parcels have common ownership at the time they are all first
40 zoned RMI, then these multiple parcels shall be considered in their entirety as a single RMI parcel. If
41 multiple adjacent parcels are under separate ownership at the time they are all first zoned RMI, then
42 each parcel under separate ownership shall be considered a separate RMI parcel. If an RMI parcel is
43 subdivided or a portion is sold to a different owner, the dimensional standards applied to the parcel

1 before subdivision or sale stay in effect on the parent parcel except as provided for in Subsection
2 (6)(e) of this Section. Changes to an RMI parcel resulting from a rezone are as noted in Subsections
3 (6)(f)(i) through (iv) of this Section.

4 (2) Permitted Uses.

5 (a) Historic sites open to the public.

6 ~~(b) Personal wireless services towers, subject to SCC 14.16.720.~~

7 ***[note to code publisher: please renumber remainder of section as appropriate]***

8 (c) - (d) No changes.

9 (3) Accessory Uses.

10 (a) No change.

11 (b) On parcels with a marina use permitted under Subsections (2)(d) or (5) of this Section:

12 (i) No change.

13 (ii) ~~Restaurants and/or clubhouse facilities.~~

14 (iii) No change.

15 (4) Administrative Special Uses.

16 (a) No change.

17 (b) Personal wireless services towers, subject to SCC 14.16.720.

18 (5) - (8) No change.

19
20 **14.16.175 Hamilton Industrial (H-I).**

21 (1) No change.

22 (2) Permitted Uses.

23 (a) Uses related to agriculture including, but not limited to:

24 ***[note to code publisher: please renumber section as appropriate]***

25 ~~(i) Agricultural implement sales.~~

26 (i) Agricultural support services

27 (ii) - (vi) No change.

28 ~~(vii) Farm management services.~~

29 (viii) - (xiii) No change.

30 (b) Uses related to forestry including, but not limited to:

31 (i) - (ii) No change.

32 ~~(iii) Forestry management services and forest industry support services;~~

33 (iv) - (viii) No change.

34 (c) - (e) No change.

35 (3) - (8) No change.

36
37 **14.16.180 Bayview Ridge Light Industrial (BR-LI).**

38 (1) No change.

39 (2) Permitted Uses.

40 (a) - (k) No change.

41 (l) Mini-storage centers.

42 ~~(m) Personal wireless services towers, subject to SCC 14.16.720.~~

43 ***[note to code publisher: please renumber remainder of section as appropriate]***

- 1 (n) - (w) No change.
- 2 (3) Accessory Uses. Accessory uses are intended to provide goods and services primarily to
3 complement and support permitted, administrative, and special uses in the BR-LI zone.
- 4 (a) - (c) No change.
- 5 (d) Outdoor storage of materials in quantities less than 50 cubic yards that may have a potential
6 health hazard. Does not include storage of hazardous materials.
- 7 ***[note to code publisher: please renumber remainder of section as appropriate]***
- 8 (d) - (f) No change.
- 9 (4) Administrative Special Uses.
- 10 (a) - (d) No change.
- 11 (e) Personal wireless services towers, subject to SCC 14.16.720.
- 12 ***[note to code publisher: please renumber remainder of section as appropriate]***
- 13 (e) - (g) No change.
- 14 (5) - (10) No change.
- 15
- 16 **14.16.190 Bayview Ridge Heavy Industrial (BR-HI).**
- 17 (1) No change.
- 18 (2) Permitted Uses.
- 19 Fabrication of resource related items.
- 20 Fertilizer manufacturing.
- 21 Manufacturing wood containers and products.
- 22 Production , repair and servicing of specialized tools and equipment.
- 23 ***[note to code publisher: please renumber section as appropriate]***
- 24 (a) - (j) No change.
- 25 ~~(k) Personal wireless services towers, subject to SCC 14.16.720.~~
- 26 (l) - (t) No change.
- 27 (3) Accessory Uses.
- 28 (a) - (c) No change.
- 29 (d) Outdoor storage of materials in quantities less than 50 cubic yards that may have a potential
30 health hazard. Does not include storage of hazardous materials.
- 31 ***[note to code publisher: please renumber remainder of section as appropriate]***
- 32 (d) - (f) No change.
- 33 (4) Administrative Special Uses.
- 34 (a) - (d) No change.
- 35 (e) Personal wireless services towers, subject to SCC 14.16.720.
- 36 ***[note to code publisher: please renumber remainder of section as appropriate]***
- 37 (e) - (f) No change.
- 38 (5) - (10) No change.
- 39
- 40 **14.16.195 Urban Reserve Commercial-Industrial (URC-I).**
- 41 (1) No change.
- 42 (2) Permitted Uses.
- 43 (a) No change.

- 1 (b) Business/Professional offices.
- 2 (c) - (o) No change.
- 3 ~~(p) Professional offices.~~
- 4 **[note to code publisher: please renumber remainder of section as appropriate]**
- 5 (q) No change.
- 6 (r) Retail and service businesses~~Provision of services, including professional, management,~~
- 7 ~~consulting, construction, and repair services.~~
- 8 (s) - (x) No change.
- 9 (3) - (8) No change.

10

11 **14.16.200 Aviation Related (AVR).**

- 12 (1) - (2) No change.
- 13 (3) Administrative Special Uses.
- 14 (a) - (c) No change.
- 15 (d) Outdoor storage of materials in quantities less than 50 cubic yards that may have a potential
- 16 health hazard. Does not include storage of hazardous materials.
- 17 (e) Outdoor storage of processed and unprocessed natural materials in quantities less than 500
- 18 cubic yards that do not have a potential health hazard.

19 **[note to code publisher: please renumber remainder of section as appropriate]**

- 20 (d) - (e) No change.
- 21 (4) – (6) No change.
- 22 ~~(7)(3)~~ Additional requirements related to this zone are found in SCC 14.16.210, 14.16.600 through
- 23 14.16.900 and the rest of the Skagit County Code. (Ord. O20070009 (part); Ord. O20060007 Exh. D § 5:
- 24 Ord. 17938 Attch. F (part), 2000)

25

26 **14.16.320 Rural Reserve (RRv).**

- 27 (1) No change.
- 28 (2) Permitted Uses.
- 29 (a) - (j) No change.
- 30 ~~(k) Wine tasting room.~~
- 31 (3) Administrative Special Uses.
- 32 (a) - (b) No change
- 33 (c) Expansion of existing major public uses up to 3,000 square feet.
- 34 ~~(d)~~ Home Based Business 2.
- 35 ~~(e)~~(e) Kennel, day-use.
- 36 (f) Minor public uses.
- 37 ~~(g)~~ Minor utility developments.
- 38 (h) Outdoor storage of processed and unprocessed natural materials in quantities less than 500
- 39 cubic yards that do not have a potential health hazard.
- 40 (i) Outdoor storage of processed and unprocessed natural materials in quantities less than 50
- 41 cubic yards that may have a potential health hazard. Does not include storage of hazardous
- 42 materials.
- 43 ~~(f)~~(j) Parks, specialized recreational facility.

- 1 ~~(g)~~(k) Temporary manufactured home.
- 2 ~~(h)~~(l) Temporary events.
- 3 ~~(i)~~(m) Trails and primary and secondary trailheads.
- 4 ~~(j) Expansion of existing major public uses up to 3,000 square feet.~~
- 5 ~~(k) Minor public uses.~~
- 6 (4) - (6) No change.

7

8 **14.16.330 Residential District (R).**

- 9 (1) - (3) No change.
- 10 (4) Administrative Special Uses.
 - 11 (a) Adult day care
 - 12 ***[note to code publisher: please renumber remainder of section as appropriate]***
 - 13 (a) - (c) No change.
 - 14 (d) Minor utility
 - 15 (5) Hearing Examiner Special Uses.
 - 16 (a) - (e) No change.
 - 17 (f) Marina, primitive
 - 18 (g) Parks, community
 - 19 ***[note to code publisher: please renumber remainder of section as appropriate]***
 - 20 (f) - (g) No change.
- 21 (6) - (7) No change.

22

23 **14.16.340 Bayview Ridge Residential (BR-R).**

- 24 (1) - (2) No change.
- 25 (3) Administrative Special Uses.
 - 26 (a) Family day care provider.
 - 27 (b) - (f) No change.
- 28 (4) Hearing Examiner Special Uses.
 - 29 (a) – (e) No change.
 - 30 (f) Schools (public and private) and churches subject to consistency with the following criteria:
 - 31 (i) - (ii) No change.
 - 32 (iii) The proposed facility is appropriately sited with respect to the air traffic pattern at the
 - 33 Bayview Ridge Airport as determined by the Port of Skagit County;
 - 34 (iv) The proposed site includes, or abuts, permanent open space;
 - 35 (v) The location of the proposed facility shall be compatible with the goals and policies of
 - 36 the Bayview Ridge Subarea Plan. The applicant has investigated other potential sites and
 - 37 found that no other site is reasonably available; and
 - 38 ~~(vi) The site is accessed by a major collector.~~
- 39 (5) Density and Dimensional Standards.
 - 40 (a) – (b) No change.
 - 41 (c) Setbacks.
 - 42 (i) No change.
 - 43 (ii) Accessory Structures.

- 1 (A) No change.
- 2 (B) Side: 45 feet, 3-foot setback is permitted from the side and rear lot lines when the
- 3 accessory building is a minimum of 75 feet from the front property line or when there is
- 4 an alley along the rear property line providing that the structure is 1,000 square feet or
- 5 less in size and 16 feet or less in height. A side yard setback of 20 feet is required for all
- 6 accessory buildings when the side property line is adjacent to a street right-of-way.
- 7 (C) - (D) No change.

- 8 (d) - (e) No change.
- 9 (6) - (9) No change.

10

11 **14.16.400 Agricultural—Natural Resource Lands (Ag-NRL).**

- 12 (1) – (2) No change.
- 13 (3) Administrative Special Uses.
 - 14 (g) Minor utility developments including those that are a necessary part of a salmon recovery or
 - 15 enhancement project pursuant to SCC 14.24.130, including stormwater management projects,
 - 16 where there is no other viable parcel of non-agricultural land to locate the project.
 - 17 (h) - (l) No change.

18 (4) Hearing Examiner Special Uses.

- 19 (a) – (b) No change.

20 (c) Expansion of existing Natural Resource Industrial zoned agricultural support service businesses,

21 provided the expansion is limited to only the area necessary for the business, and also provided that

22 any conversion of agricultural land is minimized to the greatest extent possible.

23 ***[note to code publisher: please renumber remainder of section as appropriate]***

- 24 (d) – (j) No change.

25 (k) Seasonal roadside stands not exceeding 5,000 square feet, except as allowed in Subsections

26 (2)(n) and (3)(~~h~~)-(i) of this Section.

- 27 (l) – (m) No change.

28 (5) No change.

29 (6) Siting Criteria. In addition to the dimensional standards described in Subsection (5) of this Section,

30 new, non-agricultural structures shall be required to comply with the following provisions:

- 31 (a) No change.

32 (b) When no structures or no compatible structures exist on the subject property or adjacent

33 properties, new structures shall be located in a corner of the property and all development including

34 but not limited to structures, parking areas, driveways, septic systems, and landscaping shall be

35 contained within an area of no more than 1 acre. Unless substantial evidence is provided indicating

36 the location is not feasible, wells shall also be located within the 1 acre area whenever possible.

37 Wells located outside of the 1 acre area shall be sited to minimize potential impacts on agricultural

38 activities.

- 39 (c) No change.

40 (7) No change.

41

42 **14.16.410 Industrial Forest—Natural Resource Lands (IF-NRL).**

- 43 (1) - (2) No change.

- 1 (3) Permitted Uses.
- 2 (a) – (c) No change.
- 3 (d) Extraction of gravel and rock for the purpose of forest road and trail construction and/or
- 4 maintenance ~~purposes~~, and the operation of rock crushers, ~~all provided~~ing the material and
- 5 equipment is used within the Industrial Forest or Secondary Forest—Natural Resource Lands zones,
- 6 or on same forest owners' property.
- 7 (e) – (k) No change.
- 8 ~~(l) Personal wireless services towers, subject to SCC 14.16.720.~~
- 9 (m) - (p) No change.

- 10 (4) Administrative Special Uses.
- 11 (a) No change.
- 12 (b) Home Based Business 2, provided no conversion of resource agricultural land is required to
- 13 accommodate the business activity.
- 14 (c) – (d) No change.
- 15 (e) Personal wireless services towers, subject to SCC 14.16.720.

16 ***[note to code publisher: please renumber remainder of section as appropriate]***

- 17 (e) - (f) No change.
- 18 (5) - (7) No change.

19

20 **14.16.420 Secondary Forest—Natural Resource Lands (SF-NRL).**

- 21 (1) No change.
- 22 (2) Permitted Uses.
- 23 (a) - (e) No change.
- 24 (f) Extraction of gravel and rock for the purpose of forest road and trail construction and/or
- 25 maintenance ~~purposes~~, and the operation of rock crushers, ~~all provided~~ing the material and
- 26 equipment is used within the Industrial Forest or Secondary Forest— Natural Resource Lands
- 27 zones, or on same forest owners' property.
- 28 (g) - (q) No change.

- 29 (3) Administrative Special Uses.
- 30 (a) – (b) No change.
- 31 (c) Home Based Business 2, provided no conversion of resource agricultural land is required to
- 32 accommodate the business activity.
- 33 (d) - (k) No change.
- 34 (4) - (6) No change.

35

36 **14.16.430 Rural Resource—Natural Resource Lands (RRc-NRL).**

- 37 (1) No change.
- 38 (2) Permitted Uses.
- 39 (a) - (j) No change.
- 40 (k) Extraction of gravel and rock on 3 acres or less for the purpose of forest road and trail
- 41 construction and/or maintenance ~~purposes~~, and the operation of rock crushers, ~~all provided~~ing the
- 42 material and equipment is used within the Rural Resource—Natural Resource Lands Zone, or on
- 43 same forest owners' property, ~~on 3 acres or less.~~

1 (l) - (o) No change.

2 ~~(p) On-site sorting, bagging, storage, and similar wholesale processing activities of agricultural~~
3 ~~products that are predominantly grown on-site or produced principally from the entire commercial~~
4 ~~farm operation. Such activities shall be limited to those which are integrally related to the agricultural~~
5 ~~production and harvesting process.~~

6 **[note to code publisher: please renumber remainder of section as appropriate]**

7 (q) - (s) No change.

8 (t) ~~Seasonal/Temporary~~ roadside stands not exceeding 300 square feet.

9 (u) No change.

10 (3) Administrative Special Uses.

11 (a) - (d) No change.

12 ~~(e) Greenhouse operations not otherwise permitted in SCC 14.16.400(2)(e). Greenhouses~~
13 ~~operating in the Ag-NRL zone as an administrative special use, should they cease operation, shall be~~
14 ~~required to return the land to its former state or otherwise place the land in agricultural production.~~

15 **[note to code publisher: please renumber remainder of section as appropriate]**

16 (f) - (j) No change.

17 (k) Retail and wholesale nurseries/greenhouses (not otherwise permitted in SCC 14.16.430(2)(f)),
18 provided there is no permanent conversion of resource lands, and also provided that upon cessation
19 of the greenhouse operation the land shall be returned to its former state or otherwise placed in
20 resource production.

21 (l) - (p) No change.

22 (4) Hearing Examiner Special Uses.

23 (a) - (c) No change.

24 (d) Extraction of gravel and rock on more than 3 acres for the purpose of forest road and trail
25 construction and/or maintenance purposes, and the operation of rock crushers, all provideding the
26 material and equipment is used within the Rural Resource—Natural Resource Lands Zone, or on
27 same forest owners' property, ~~on more than 3 acres.~~

28 (e) - (s) No change.

29 (5) - (6) No change.

30
31 **14.16.440 Mineral Resource Overlay (MRO).**

32 (1) – (2)

33 3) Pre-Existing Designated and Undesignated Mining Operations.

34 (a) Except as allowed in Subsection (3)(b) of this Section, or as allowed ~~as an accessory use,~~
35 pursuant to SCC 14.16.410(3)(d), 14.16.420(2)(f), 14.16.430(2)(h) and 14.16.430(4)(f), no new
36 mining ~~special uses permits shall be issued~~ allowed outside of the designated Mineral Resource
37 Overlay.

38 (b) – (c) No change.

39 (4) – (7) No change.

40 (8) Application For Mining Special Use Permit. An applicant for a mining operations special use permit
41 shall submit:

42 (a) No change.

1 (b) A report by a qualified geologist, ~~hydrologist~~ hydrogeologist or licensed engineer
2 characterizing the area's ground water including, but not limited to, the following information:

3 (i) – (iii) No change.

4 (c) – (i) No change.

5 (9) – (11) No change.

6
7 **14.16.450 Urban Reserve Public-Open Space (URP-OS).**

8 (1) No change.

9 (2) Permitted Uses.

10 (a) - (h) No change.

11 ~~(i) Open space.~~

12 ***[note to code publisher: please renumber remainder of section as appropriate]***

13 (j) - (n) No change.

14 (3) - (8) No change.

15
16 **14.16.500 Public Open Space of Regional/Statewide Importance (OSRSI).**

17 (1) – (2) No change.

18 (3) Permitted Uses.

19 (a) No change.

20 (b) Interpretive/Information centers and Museums.

21 ~~(c)(b)~~ Parks that showcase significant historic, archaeological, scientific, cultural and/or unique
22 natural features, unusual landscape features such as cliffs and bluffs or natural processes on
23 wetlands and tidal actions.

24 ~~(d)(c)~~ Public open space areas of regional and Statewide importance including County, State and
25 Federal parks, recreational areas, and ~~interpretive centers~~, wildlife management areas, including
26 those that provide linkages between neighborhood and community parks.

27 ***[note to code publisher: please renumber remainder of section as appropriate]***

28 (d) - (e) No change.

29 (4) Administrative Special Uses.

30 (a) - (c) No change.

31 ~~(d) Docks.~~

32 ***[note to code publisher: please renumber remainder of section as appropriate]***

33 (e) - (f) No change.

34 (g) Minor public ~~use facilities~~.

35 (h) - (o) No change.

36 (5) Hearing Examiner Special Uses.

37 (a) - (d) No change.

38 (e) Major public ~~use facilities~~ and expansions of existing major public ~~use facilities~~, 3,000 square
39 feet and greater.

40 (f) - (i) No change.

41 (6) - (7) No change.

1 **14.16.600 Unclassified use permit.**

2 ~~(1) This section provides for the higher scrutiny necessary to permit certain regional uses that will have~~
3 ~~potentially significant built and natural environmental impacts that can adversely affect the rural character~~
4 ~~of the surrounding area. Purpose. The purpose of the unclassified use permit is to provide a siting and~~
5 ~~review process for major regional facilities with potential significant built and natural environmental~~
6 ~~impacts on the surrounding area. Unclassified uses are typically major facilities with a presence that may~~
7 ~~impact or alter the character of the community. They include most of the more intensive uses considered~~
8 ~~to be “essential public facilities” in RCW 36.70A.200. The intent of the unclassified use permit is to not~~
9 ~~only review potential impacts of a proposal and apply appropriate conditions, but also to evaluate on a~~
10 ~~more fundamental level whether the proposed use is appropriate at a given location, based on~~
11 ~~conformance with the applicable criteria. The listing of possible zones for unclassified uses to be located~~
12 ~~in, as in Subsection (2) of this Section, does not presume that a specific use in a given location will be~~
13 ~~determined to be appropriate through the unclassified use permit process.~~

14 ~~(2) Unclassified uses include the following uses. Included in parentheses are the zones in which an~~
15 ~~unclassified use may be considered. The listing of zoning districts in which an unclassified use may be~~
16 ~~permitted does not presume that a specific use in a given location will be determined to be appropriate.~~
17 ~~Applicability. Unclassified uses include but are not limited to the following list. Included in parentheses are~~
18 ~~the zones in which a specific unclassified use may be considered:~~

19 (a) - (c) No change.

20 (d) Solid waste handling facility (SF-NRL, RRc-NRL, BR-HI, BR-LI, H-I).

21 (e) - (m) No change.

22 ~~As authorized under SCC 14.16.020(3), a~~Additional unclassified uses may be determined by the
23 Administrative Official.

24 (3) – (6) No change.

26 **14.16.720 Personal wireless services facilities.**

27 (1) – (11) No change.

28 (12) General Requirements. The following general requirements shall apply to towers and antennas
29 construction:

30 (a) - (b) No change.

31 (c) Permits Required. Permits are required for all personal wireless service facilities as follows:

32 (i) - (ii) No change.

33 (iii) Building permits and Hearing Examiner special use permits shall be required for projects
34 located within the Aviation Related (AVR), Rural Intermediate (RI), Rural Village Residential
35 (RVR), Urban Reserve Residential (URR), Hamilton Urban Reserve (H-URv), Rural Reserve
36 (RRv), Small Scale Business (SSB), and Small Scale Recreation and Tourism (SRT) zoning
37 districts and for (g) and (h) priority locations of Subsection (10) of this Section.

38 (d) - (f) No change.

39 (13) - (20) No change.

41 **14.16.900 Special use permit requirements.**

42 (1) Special Uses.

43 (a) No change.

1 (b) Process/Authority for Special Use Permit.

2 (i) – (iv) No change.

3 (v) The burden of proof shall be on the applicant to provide evidence in support of the
4 application. The criteria for approval or denial shall include the following elements:

5 (A) - (D) No change.

6 (E) The proposed use will not cause pPotential adverse effects regarding on the
7 general public health, safety, and ~~general~~-welfare.

8 (F) - (H) No change.

9 (I) The proposed use will mMaintains the character, landscape and lifestyle of the rural
10 area. For new uses, proximity to existing businesses operating via special use permit
11 shall be reviewed and considered for cumulative impacts.

12 (c) – (d) No change.

13 (2) – (3) No change.

14 14.18 Land Divisions

15 14.18.100 Preliminary subdivisions.

16
17 The purpose of this Section is to specify requirements for the segregation of land into short
18 subdivisions (4 or fewer lots) and long subdivisions (5 or more lots) in accordance with applicable State
19 and County laws, rules and regulations, including permit processing procedures required by Chapter
20 14.06 SCC. See SCC 14.18.000(2) for exemptions.

21 (1) - (5) No Change.

22 (6) Preliminary Subdivision Approval Duration.

23 (a) - (d) No change.

24 (e) Any applicant who has received preliminary short or long subdivision approval who submits a
25 request for extension in writing to the Administrative Official at least 30 days before the
26 preliminary approval expiration date may be granted a one-year extension of the preliminary
27 approval by the Administrative Official or designee upon a showing that the applicant has
28 attempted in good faith to submit the final subdivision within the preliminary approval period set
29 forth in subsections (a) and (b). Only one such extension shall be allowed. The Administrative
30 Official's decision on a plat extension request is appealable as a Level 1 decision pursuant to
31 SCC 14.06.
32

33 (7) No change.

34 14.18.310 General approval provisions—CaRD.

35 (1) – (7) No change.

36 (8) Setbacks for All Buildings Within the Development.

37 (a) No change.

38 (b) A 200-foot setback shall be observed from adjacent NRL designated parcels. In those
39 instances where the building lots are separated from the adjacent NRL parcel by a public road, the
40 width of the road right-of-way can be included in the 200-foot setback calculation.
41

42 (c) - (e) No change.

43 (9) No change.

1 **14.18.320 Approval provisions—CaRDs with 4 or fewer lots (short CaRDs).**

2 (1) Lots shall be located to minimize infrastructure requirements such as roadways, driveways, utilities,
3 etc. to the greatest extent possible. New building lots within short CaRDs shall share infrastructure either
4 with other new building lots or with existing uses on the property. In order to achieve a reduction of
5 necessary infrastructure, short CaRDs shall be required to meet ~~one~~ of the following provisions:

6 (a) ~~Where a short CaRD the subject property abuts is located adjacent to an existing public road,~~
7 all new building lots shall be clustered and the cluster shall adjoin ~~located immediately adjacent to~~
8 the road right of way; or

9 (b) Where an existing residence is located either on the subject or an adjacent property, all new
10 building lots shall be clustered and the cluster shall adjoin the building envelope of ~~located~~
11 ~~immediately adjacent to~~ the existing residence.

12 (2) As an alternative to Subsection (1) of this Section, for divisions resulting in more than ~~one~~ new
13 building lot, lots may be located elsewhere within the CaRD as long as all lots proposed for new
14 construction are clustered together except where prohibited by 14.18.310(9)(a).

15 (3) Alternatives in Subsections (1) and (2) of this Section may be waived if the short CaRD is processed
16 subject to a Level III-HE process and the Hearing Examiner determines that the purposes of SCC
17 14.18.300 can be met and the required right-of-way or easement area for any access roads to serve the
18 building lots/envelopes shall then be taken out of the allowable area for the building lots/envelopes. (Ord.
19 O20070009 (part): Ord. 17938 Attch. F (part), 2000)

21 **14.20 Master Planned Resorts**

22
23 **14.20.030 Allowable uses.**

24 (1) No change.

25 (2) Specific Allowable Uses. Specific allowable uses and their locations within a master planned resort
26 are determined during the development of the resort master plan and are subject to final determination as
27 a part of the master plan approval process. The following uses may generally be allowed within a Master
28 Planned Resort classification authorized in compliance with RCW 36.70A.360 through 36.70A.362:

29 (a) - (d) No change.

30 (e) Cultural and educational facilities, including, but not limited to, interpretative/information
31 centers and exhibits, indoor and outdoor theaters and entertainment facilities, festival sites and
32 museums.

33 (f) - (i) No change.

35 **14.24 Critical Areas Ordinance**

36
37 **14.24.110 County regulation Regulation of forest practices for Forest Practices the protection**
38 **Protection of critical areas Critical Areas.**

39 Forest practices governed under ~~Chapter~~ RCW 76.09 RCW are subject to the provisions of this Section
40 as follows:

41 (1) - (2) No change.

42 (3) The County shall coordinate the review of forest practice applications within the urban growth areas
43 (UGAs) of incorporated cities and towns through interlocal agreements; provided, that the County shall

1 continue to condition forest practices within all UGAs to the full extent of this ~~Chapter ordinance~~ until such
2 time ~~as~~ its jurisdictional responsibility is amended by interlocal agreements.

3 (4) The following shall be subject to a 6-year moratorium on all future activities which require a permit or
4 land use approval from the County:

5 (a) Forest practices of any class governed by ~~Chapter RCW 76.09 RCW~~ that:

6 (i) Do not fall under Subsections (1), (2) or (3) ~~of this Section above~~; and

7 (ii) - (iii) No change.

8 (b) ~~When the County receives a notice of~~ Where an undeclared conversion of forest land to
9 ~~nonforestry a specified use from DNR has occurred under RCW 76.09.460~~ a non-conversion forest
10 practice application (FPA) without an approved COHP in good standing; or

11 (c) No change.

12 (5) Waiver of the 6-Year Moratorium. The applicant may apply to the County for a waiver of the 6-year
13 moratorium.

14 (a) ~~Waiver for 1 Single-Family Residence and Outbuildings. The 6 year moratorium. The 6-year~~
15 ~~moratorium may be waived for construction of a single-family residence or outbuildings, or both, on a~~
16 ~~lot of record where such activity complies with all applicable County ordinances. Such waiver may be~~
17 ~~issued by the Administrative Official as a level I process where a finding can be made that granting~~
18 ~~the waiver meets the criteria noted in Subsection-subsection (5)(c) of this Section below. Before~~
19 ~~acting on the request for waiver of the moratorium, the Administrative Official shall issue a notice of~~
20 ~~development application (NODA) consistent with the procedures under Chapter 14.06 SCC,~~
21 ~~including a 15-day comment period and review the project for consistency with SEPA under Chapter~~
22 ~~14.12; provided further, where the initial critical areas review and site visit concludes that no critical~~
23 ~~areas have been impacted, or do not exist, the Administrative Official may waive the NODA~~
24 ~~requirement and issue the waiver. The following shall provide the criteria for considering a waiver to~~
25 ~~the moratorium:~~

26 ~~(b) For all other development approvals, including but not limited to subdivisions, short~~
27 ~~subdivisions, Comprehensive Plan amendments, rezones, special use permits, variances, and fill~~
28 ~~and grade permits (except where filling and grading is necessary to serve a single-family residence~~
29 ~~associated with a waiver request), the County shall require a public hearing before the Hearing~~
30 ~~Examiner consistent with the procedures contained in Chapter 14.06 SCC for such action.~~

31 ~~(c) For both Subsections (5)(a) and (b) of this Section, the following shall provide the criteria for~~
32 ~~considering a waiver to the 6-year moratorium:~~

33 (i) No change.

34 (ii) If, based on the prepared site assessment and comments received, the Administrative Official
35 ~~(for single-family residences) or Hearing Examiner (for waivers subject to public hearings)~~
36 determines that recovery of the critical area(s) and associated buffers can be achieved ~~within~~
37 ~~6 years~~, then a mitigation plan shall be prepared and implemented consistent with this
38 Chapter and the moratorium shall be lifted. If, however, critical areas and their buffers cannot
39 be restored ~~within a 6-year period~~ to a level of critical areas function comparable to what it
40 was prior to the logging activity during the moratorium period, the request for a waiver of the
41 moratorium shall be denied and the County shall not accept applications for development
42 permits for a duration of 6 years unless compensatory mitigation can be performed as
43 approved by the County. For purposes of this Section, "compensatory mitigation" shall mean

1 compliance with SCC 14.24.250, for wetlands; there are no compensatory mitigation options
2 for fish and wildlife habitat conservation areas (SCC 14.24.500), including riparian areas, and
3 none for geologically hazardous areas (SCC 14.24.400) — the landowner must meet the
4 mitigation standards under SCC 14.24.430 and/or 14.24.540 in order to be eligible for the
5 ~~waiver~~ the duration of the moratorium.

6 (6) In situations where a request for waiver has been denied based on the evidence provided in the site
7 assessment and public comment, restoration to the extent feasible shall occur within the critical areas and
8 their standard buffers (including reforestation), and no further land use approvals shall be issued for the
9 duration of the ~~6-year~~ moratorium. (Ord. O20090010 Attch. 1 (part); Ord. O20080014 (part))

11 **14.42 Accepting Grants of Real Property**

13 **14.42.030 Exemptions.**

14 The requirement and policy of this Chapter shall not apply to the following:

- 15 (1) No change.
- 16 (2) Acceptance of a conservation easement pursuant to RCW 64.0604.130. (Ord. 17938 Attch. F (part),
17 2000)