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# Alger Community Plan

## A Subarea Plan of the Skagit County Comprehensive Plan

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## Introduction

This plan is intended to guide the physical development of the Alger community for the twenty-year planning period from 2007-2027. It serves as an official Subarea Plan to the Skagit County Comprehensive Plan originally adopted in 1997. The Skagit County Comprehensive Plan (CP) recommends subarea planning for Alger under the Community Plans Development Element. The intention of a subarea plan is to develop an “approach to addressing homogenous natural features and communities in Skagit County.” Subarea planning will further define the requirements and intentions of the GMA for the community of Alger under the overall Skagit County Comprehensive Plan.

Alger is a pastoral rural community located in northern Skagit County. The “Subarea” totals more than 22 square miles and is home to more than 2,400 residents. It extends from the Skagit County border with Whatcom County south to Bow Hill Road and is roughly bordered by the Blanchard Mountain highlands to the west and Alger Mountain to the east. The area is transected north to south by Interstate-5. It includes a wide range of existing land uses and activities, including the historic Alger village. See Figure 1.

Originally founded as a logging camp in the late 19<sup>th</sup> century, Alger is an unincorporated rural community in a county which is largely rural but contains several small but growing cities. Its location offers opportunities for rural lifestyles within a short commute to the major urban areas of the region, Bellingham and Burlington/Mt. Vernon. It is subject to increasing growth pressure as new residents seek the tranquility of rural living within a short and efficient commute to the major employment, shopping and service centers of the North Puget Sound region. Alger is the kind of place where change, historically, occurred slowly but where modern growth—even if not considered *significant* compared to other areas—gets noticed. That concern led to the call for a new plan to better deal simultaneously with the community’s ability to accommodate more growth and residents’ concern over the growth-related loss of open space and rural character.

The plan discusses the context for growth and its related impacts, identifies potential strategies and techniques to preserve the rural character and mitigate the impacts of growth. It concludes by laying out clear directives to guide the implementation steps necessary to achieve the vision outlined by the community.

## The Planning Process & Opportunities for Public Involvement

### 1997 Alger Subarea Plan Proposal

Some local residents and property owners—concerned about downzoning of certain areas due to the requirements of the GMA—put together a citizen-initiated Subarea Plan proposal for the Alger area in 1997, with a revision in 1998. The proposed plan was resubmitted to the county in July 2001 with no changes, for consideration in the countywide 2005 GMA update. The 1997 Subarea Plan proposal, though never adopted, recommends rezoning portions of the Alger area to higher densities to allow for more potential subdivision of lots with the assumption of creating more “affordable housing” opportunities. The 1997 Subarea Plan proposal intended to create more rural affordable housing while providing the opportunity for economic development in Alger. That plan proposed to reinstate a portion of the Rural Intermediate (RI) zoning (allowing 1 unit/2.5 acres) in the Alger area originally adopted in 1973 (prior to GMA) that was rezoned by the county to Rural Reserve (RRv) zoning (allowing 1 unit/10 acres or 2 units/10 acres with clustering) in 1997 based on GMA requirements.

The Skagit County Comprehensive Plan, however, did include provisions noting the specific need for and authorizing further detailed community planning in certain areas of the County, including Alger. Policy 4A-7.15(g) of the Plan states that *“the community plan for Alger shall include an assessment of logical boundaries for more intensive rural development based on existing parcel densities and the built environment. Provisions for maintaining rural character and lifestyles shall also be addressed. Consideration should be given to the community’s previously drafted Subarea plan”*.

### Skagit County Resolution No. 20050418

Following adoption of the Skagit County Comprehensive Plan, several long-time members of the Alger community who had been active in the 1997 Alger Subarea Plan Proposal and subsequent GMA planning process voiced their continued concerns to the county about rural densities in the Alger area. Their most significant concern was that large areas of the community were rezoned during the GMA planning process, and subsequent compliance process, resulting in the adoption of lower allowable densities in large parts of Alger compared to the “pre-GMA” plan. That concern prompted the Board of County Commissioners (Board) to adopt *Resolution No. 20050418* in 2005, specifically authorizing preparation of a Subarea plan for Alger to address those issues, including consideration of the 1997 citizen-initiated Alger Subarea Plan Proposal, as well as provisions to maintain rural character. The Board also appointed a citizens advisory committee to help prepare the new Subarea plan.

## Alger Citizen Advisory Committee

The Alger Citizen Advisory Committee (CAC) comprises eight members appointed by the Board. It was specifically selected from a wide range and number of applicants to represent the broad range of residents and interests in the community.

The CAC met on a bi-monthly basis for the past year to discuss issues, coordinate public involvement and participate in the plan process. The committee meetings were advertised, open to the public, and contain several public comment periods to encourage public involvement.

## Public Involvement

In addition to the Alger CAC meetings, public outreach activities included interviews with selected residents, business owners, and property owners outside of the committee to inform and gather as broad and complete a picture of stakeholder interests and concerns about growth and the planning process as possible. Three community public workshops (town meetings) that coincided with major milestones during the planning process were also held to inform the public about the process and gather public input.

INSERT FIGURE 1, Alger Subarea Map

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# The Vision

## Visioning

Early on in the planning process the CAC developed a shared “vision statement”. The Vision Statement is intended to look forward into the future, to describe a vision of what residents would like to see the community look like in the next 20 years. The vision helps to provide a clear picture of how the community sees itself and therefore provides guidance during the community planning process to achieve the desired outcomes. The vision statement was also presented to the public during community meetings. The CAC believes that by following this vision, Alger can maintain its rural character for future generations.

## The Vision

*Alger is...a place with “elbow room”...*

*A quiet, independent, rural community valued for its friendly caring people, convenient affordable location, and natural landscape of hills, creeks, pastures and woods. A good place to call home and rear a family in comfortable balance with the natural environment. A place where low densities and the rustic charms and quirks of rural life help create a sanctuary from the hectic pace of nearby cities. A place where neighbors respect each others privacy but value responsibility. A community with a distinct village commercial center. A place where history of the land and its people is important. A community where people can live, work and play and never feel out-of-place. A place where change happens but it happens slowly, at a pace consistent with its rural character.*

## Major Planning Issues

Some residents and property owners would like the ability to intensify land uses by subdividing their properties, while others wish to retain the open space and rural character of the area. Based on both CAC and community-wide meetings, the most significant issues related to future growth in Alger can be summarized into several broad themes.

- Preservation of Rural Character (e.g., density of development, protection of open space, building size and appearance, etc.)

- Natural Resource Sustainability (e.g., protection of water supply, water quality and environmentally sensitive areas)
- Protection of Property Rights (e.g., fairness in applying new rules that impact the ability of property owners to achieve economic gain from their property and their investment in land)
- Community Identity (from wanting a post office to enhancing the identity of downtown Alger)

To be sure, there are other issues of concern to Alger residents—but they are, in most cases, derivatives of these broader thematic issues.

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# Existing Conditions

## Location and Land Use

Alger is an unincorporated rural area of Skagit County centrally located between Bellingham (12 miles to the north) and Burlington (10 miles to the south). The Alger area sits between two ranges of the Cascade Foothills—the Chuckanut Mountains and Blanchard Forest to the west and Alger Mountain to the east—which enclose the Friday Creek valley. Friday Creek drains from Lake Samish and is a major tributary of the Samish River. The area includes land both east and west of Interstate 5, with the mountains forming the east and west boundaries. The north boundary is Whatcom County and the south is Bow Hill Road near the Skagit Casino at the I-5/Bow Hill interchange, following Bow Hill Road west to Hobson Road and east to Prairie Road. The area lies within the Samish River watershed and includes several significant tributaries, namely Friday Creek, Silver Creek, Butler Creek, Bear Creek and Wildes Creek.

The Alger village was the original settlement in the area. It was founded as a logging camp in the late 19<sup>th</sup> century. Today, at the crossroads of Old Highway 99 and Samish Lake/Cain Lake Road, “downtown Alger” is home to approximately 80 residents and a cluster of commercial uses and activities.

Logging has played an historical economic and social role in the Alger area. Logging was the foundation of the early local economy. Much of the area and surrounding slopes were logged in the 19<sup>th</sup> and early 20<sup>th</sup> centuries. Still today, the surrounding mountains are logged by private timber companies and by DNR. There are many old logging roads and a few railroad grades throughout the Alger area. The fire station and community center currently sit in an historic site for an old logging camp. Nevertheless, much of the area retains extensive second-growth (and some original growth) forest cover. Agricultural uses, namely grazing and limited crop production gradually developed during the 20<sup>th</sup> century. The area experienced increased residential development beginning in the 1980s as residents who desired a rural lifestyle but also needed to commute to close-by urban jobs found Alger the perfect place to satisfy both desires.

Alger retains a scenic and somewhat remote rural character. Overall, it is relatively lightly populated. Its current estimated population is approximately 2,402, scattered over more than 14,000 acres. Population growth has increased in the past several decades as the regional economy diversified and nearby communities of Burlington, Mt. Vernon, Sedro-Woolley, Anacortes and Bellingham became increasingly urbanized. The settlement pattern is relatively dispersed throughout the planning area. Home sites dot the countryside.

Several subdivision developments immediately north of Alger in Whatcom County associated with Lake Samish and Cain Lake contain a significant concentration of single-family dwellings, occupied by full-time residents or by those who use these properties for weekend and/or recreational purposes. Though not a part of the Subarea, these developments contribute a significant share of “pass-through” traffic to the local roads and highways in Alger.

Today Alger looks and feels rural, though in a modern sense. Streams, open meadows and pastures mix with heavily forested woods. There are scattered homes and small farms throughout the area. There is a strong sense of open space. Though some areas have more concentrated development patterns owing to their smaller lot sizes, most notably in downtown Alger as well as some areas along Old Highway 99, Friday Creek Road, Parsons Creek Road and Butler Creek. Economic activities have also made their presence known in the community. Two of the most significant (and perhaps least traditionally rural) are the Skagit Speedway (Old Highway 99) and the Skagit Casino (I-5 and Bow Hill Road). Other economic activities are more traditionally rural, including small-scale farming, animal husbandry, orchards, tree farms, small-scale home-based rural businesses and isolated rural businesses and cottage industries that focus on recreational activities and wood craft production that serve the local rural population.

#### Existing Comprehensive Plan Designations

The current Skagit County Comprehensive Plan (CP) designates all of the Alger Subarea as either Rural or Natural Resource Lands (NRLs). There are no urban land use designations in the Subarea. See Table 1 and Figure 2. The vast majority (72 %) of the Subarea is zoned Rural Reserve (RRv). This is the primary rural land designation for most of the county. It allows a base density of 1 unit/10 acres. Although property owners are eligible for a bonus density (or a total of 2 units/10 acres) if they utilize the Conservation and Reserve Development (or CaRD) clustering provisions of the Skagit County Code (SCC 14.18.300).

**Table 1**  
**Alger Subarea**  
**Existing Comprehensive Plan Land Use Designations**

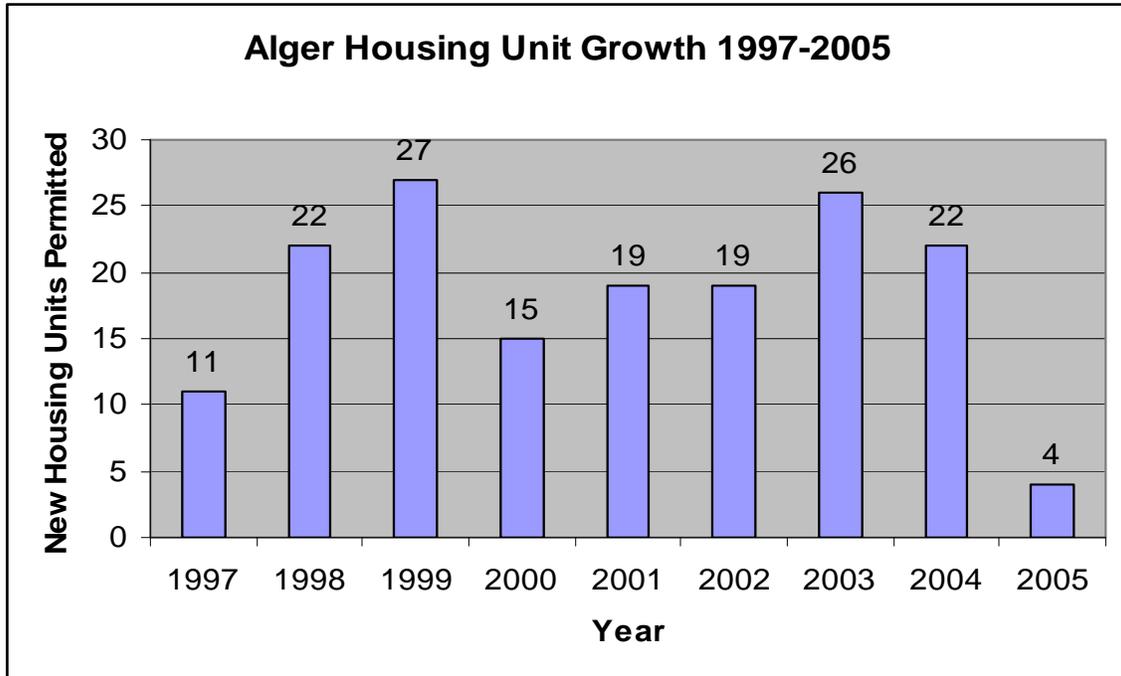
Comprehensive Plan Designation	Acres	Percent of Total Subarea	Allowable Base Density
Industrial Forest NRL	407.37	3%	1 du/80 acres
Secondary Forest NRL	734.08	5%	1 du/40 acres
Agriculture NRL	658.22	5%	1 du/40 acres
Rural Resource NRL	1,570.01	11%	1 du/20 acres
Rural Reserve	10,323.96	72%	1 du/10 acres
Rural Intermediate	356.61	3%	1 du/2.5 acres
Rural Village Residential	92.85	1%	1 du/acre
Rural Freeway Service	7.75	<1%	na
Rural Business	6.54	<1%	na
Rural Village Commercial	4.23	<1%	na
<b>TOTAL</b>	<b>14,161.61</b>	<b>100%</b>	

Note: as of 2005

### Built Environment

Residential development is the most prevalent characteristic of the built environment in the area. Based on the 2000 U.S. Census, there are 855 homes in the Alger Subarea. Of the 811 occupied homes, 85% are owner-occupied. Alger has generally lower median household incomes and home values compared to the county as a whole.

Growth of the housing stock has been relatively steady over the past decade. From 1997-2005 the Subarea accommodated 165 new permitted housing units. The area averaged 18 new housing units per year over that period.



Rural-based public facilities and economic activities in the Alger area include:

- Fire Station
- Food Bank
- Community Center
- Pomona Grange County Park
- Donovan County Park
- State Fish Hatchery on Friday Creek
- Skagit Speedway
- Skagit Casino
- Gas Station
- Bow Lake Watersports
- 1000 Trails RV Park & Campground
- Mini Storage
- Video Store
- Archery Arena & Sales
- Bar & Grill
- Motel
- Auto Repair
- Grocery Store
- Gun Repair Store
- Woodworking Shop
- Espresso Stands

The Skagit Speedway provides some economic activity in Alger during race season, from April to September. The Speedway brings in many RVers and spectators on race days and weekends. The Casino is operated by the Upper Skagit Tribe. The Tribe also operates a recently platted small commercial area on Pulley Ridge adjacent to the casino, including a new motel and convenience store/gas station and space for additional commercial development. As well as a proposed golf course and condominium development on the west side of I-5. The Tribe's commercial operations are located on both tribally owned "trust" land as well as fee simple lands. An RV resort, Thousand Trails, is located

INSERT FIGURE 2, Existing Comprehensive Plan Land Use Map

immediately to the north of the Casino. Thousand Trails has proposed a major master planned resort (MPR) for their site, including several hundred new residential units as well as supporting recreational and commercial activities.

Issues of concern regarding development in Alger include:

- The Rural Intermediate (RI) zoned area along Old Highway 99, south of the Alger village, should be carefully reviewed to determine if additional adjacent areas warrant similar designation based on their logical outer boundary and presence of the built environment consistent with the provisions of RCW 36.70A.070 (5)(d). This review should include consideration of the area included in the privately-initiated 1997 Alger Subarea Plan proposal.
- There are currently no remaining vacant undeveloped parcels in Alger's existing rural commercial zones (i.e., rural business [RB], rural village commercial [RVC] and rural freeway service [RFS]). This situation places significant constraints on future rural-compatible economic development opportunities, notwithstanding the rural home-based business and isolated cottage industry provisions of the Skagit County Code. The CAC considered expanding opportunities for new commercial activities in the area—while maintaining the rural character—by focusing on allowing for limited, but expanded, RVC zoning in downtown Alger and limited, but expanded RFS zoning at the I-5/Alger-Lake Samish Road interchange, consistent with the provisions of RCW 36.70A.070 (5)(d).
- Improving the “identity” of the Alger downtown crossroads. The CAC indicated a desire to implement civic improvements to help facilitate future development around the crossroads of Old Highway 99 and Alger-Cain Lake Road. These include consideration of rural village design guidelines to foster improved building and site design, parking, signage, pedestrian and vehicle access, and landscaping. The CAC wants to ensure that the historic crossroads remains a viable commercial and residential community.
- Growth adjacent to the Skagit Casino and associated developments of the Upper Skagit Tribe. The CAC and the public expressed concern that the scale and intensity of some of the existing and proposed commercial/residential and associated recreational activities proposed around the I-5/Bow Hill Road interchange could cause significantly adverse impacts to the rural character of the Alger Subarea. The County should work closely with the Tribe to ensure that future development on trust lands adequately mitigates adverse impacts to the area's rural character.

- Several significant non-residential developments in the area, including the Skagit Speedway, 1000 Trails RV Park, and the Bow Lake Water Ski B & B, pre-date the GMA and were authorized by the county by special use permits. The public voiced concern that impacts (such as traffic, noise and land clearing) from these developments should be closely monitored by the county and urged strict enforcement of the respective special use permits for these activities.
- The master planned resort proposal put forward in 2005 by the 1000 Trails RV Park was considered out-of-scale for the Alger Subarea and a serious threat to the rural character of the area.
- Clustering new development through the CaRD ordinance provisions and the allowance of accessory dwelling units has, in some instances, resulted in developments that visually challenge the rural character of the area. The CAC expressed concern that, without thoughtful review and revision to these provisions of the Skagit County Code, clustered development in the future could pose a threat to the area's rural character.

## Transportation

Major highways in the area include I-5 and Old Highway 99—both of which run north-south through Alger. Major rural roadways include Alger-Cain Lake Road/Lake Samish Road, Friday Creek Road, Barrell Springs Road, Colony Road, Parsons Creek Road and Butler Creek Road. Smaller dead-end roads also serve developed portions of the area.

The Washington Department of Transportation (WSDOT) estimated in 2005 that more than 40,000 vehicles travel along I-5 through the Alger Subarea on an average day. There are two access points to I-5 in the Subarea:

- I-5/Bow Hill Road Interchange at the southern boundary of the Subarea
- I-5/Alger-Lake Samish Road Interchange near the northern boundary of the Subarea

The I-5/Bow Hill Road interchange at the southern boundary of the Subarea accommodates the greatest amount of traffic. It provides direct access to the Skagit Casino, 1000 Trails RV Park and Campground and supporting commercial activities. It also provides freeway access to residents and commuters of the Alger Subarea as well as the neighboring communities of Bow and Edison.

The I-5/Alger-Lake Samish Road interchange provides access to local Alger residents, "downtown Alger" and to Whatcom County residents who live in the

Lake Samish, Cain Lake and Lake Whatcom areas. There is a small commercial area located on the immediate eastern boundary of the interchange, including a gas station, park and ride lot and mini-storage facilities. The area is zoned Rural Freeway Service (RFS).

Old Highway 99 is a county-owned thoroughfare that served as the principal north-south highway between Seattle and Bellingham before I-5 was constructed<sup>1</sup>. In the past, it was the first and main traffic route into and out of the Alger area. Today it accommodates more than 4,000 vehicles a day traversing the spine of the Subarea. Its peak traffic flow is at the Old 99/Alger-Cain Lake Road interchange in downtown Alger. Interestingly, however, the traffic pattern at this interchange has shifted over time with the construction of I-5 and development in southern Whatcom County. Today, as much traffic flows east-west through the Subarea on Alger-Cain Lake Road (2005 maximum average daily traffic count was 4,574) as up and down Old 99 (2005 maximum average daily traffic count was 4,706). Alger Cain Lake Road provides the primary access between I-5 and the residential developments along Cain Lake and Lake Whatcom in Whatcom County.

Other significant rural roads in the Subarea and their most recent 2005 traffic counts from the Skagit County Department of Public Works include:

- Bow Hill Road (between 5000-6500 average daily vehicles near the casino and I-5)
- Lake Samish Road (approx. 4,500 average daily vehicles at the I-5 interchange)
- Prairie Road (approx. 2,900 average daily vehicles at the Old 99 intersection)
- Parson Creek Road (approx. 1,300 average daily vehicles at the Old 99 intersection)
- Colony Road (between 500-1,000 average daily vehicles)
- Barrell Springs Road (approx. 500 average daily vehicles)
- Butler Creek Road (approx. 300 average daily vehicles)
- Hobson Road (approx. 100-300 average daily vehicles)
- Friday Creek Road (approx. 100-125 average daily vehicles)

The Department of Public Works indicates that there are no significant improvements planned at the present time for roadways in the Subarea, except for their annual and on-going maintenance programs.

Public transit in the Subarea is provided by SKAT. SKAT provides "County Connector" bus service between Burlington and Bellingham with daily

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<sup>1</sup> Old Highway 99 is also the only county roadway in the Alger Subarea with paved shoulders offering good access for bicyclists.

scheduled stops at the Alger Shell station (Alger/I-5 Interchange). Dial-A-Ride serviced is also provided throughout the Subarea.

Local concern regarding traffic issues in Alger include:

- Improving the Alger-Cain Lake Road/Old Highway 99 intersection in downtown Alger. This intersection is key to accessing the commercial crossroads and residential core. Today the lack of traffic controls (except for a yellow flashing light) and wide 100' right-of-way on Old 99 encourages speeding and does nothing to encourage motorists to slow down through the village. The roadway design simply encourages motorists to pass through as quickly as possible. The CAC favors a design that does the opposite. Currently stop signs on Alger-Cain Lake Road are the only traffic controls at the intersection. So through traffic on Old 99 is not required to stop. Given that the growing east-west traffic through the village along Alger Cain Lake Road now rivals that of the north-south flow on Old 99, the current intersection design is becoming obsolete and needs improvement. The existing intersection is also out-of-alignment. Meaning that the east and west ends of the Alger-Cain Lake Road right-of-way—on either side of Old 99—do not align with one another. This situation should be addressed by the Department of Public Works in reviewing and assessing intersection improvement alternatives that would benefit traffic flow and public safety.
- Speeding remains an on-going issue on some roads. The CAC recommends working with the Sheriffs Office and the Department of Public Works on potential remedies to this issue.
- Bicycle/vehicular/pedestrian conflicts on rural roads without shoulders are likely to increase in the future as bicycling use is increasing in the area. Also some residents use the roads for walking and jogging. Given that rural road standards mean no shoulders, consideration should be given to signage or other design improvements that foster compatible and safe joint use of the area's rural roads.
- Increasing linkage of non-motorized walking and hiking trails in the area, including connections to the Pacific Northwest Trail in the Alger/Cain Lake Road vicinity are also being examined by a county non-motorized transportation committee.

## Capital Facilities & Utilities

### Water

The vast majority of residents in Alger rely upon individual private groundwater wells for their water supply. Water quality and quantity are generally good. However, well depths and water quality can vary widely based on local topographic and geologic features in the area.

The Skagit PUD also operates a small public water system in and around “downtown Alger”, originally established in 1960 and an extension in 1998 that serves the commercial activities around the I-5 Alger interchange and properties along Lake Samish Road west of I-5. The PUD system utilizes a groundwater well near Silver Creek just east of downtown Alger along Cain Lake Road. See Figure 3, Skagit PUD Alger Water System. The PUD envisions that the Alger system will eventually be connected to and served by the PUD’s Judy Reservoir water supply system, rather than the current groundwater source. PUD has indicated that connection to its regional water system would occur as the need warrants and “if funding became available”. Connection to the Judy Reservoir system would require construction of a water main south along Old Highway 99 approximately four miles to the PUD’s Bow Hill pump station. A public water supply is also provided by the PUD to the Skagit Casino and 1000 Trails RV Park area and associated developments on Bow Hill through separate agreement.

The Alger water system has a Washington Department of Health (DOH) approved capacity for 138 equivalent residential unit (ERU) connections. Currently there are 97 connections plus 13 new connections anticipated from the new Alger Acres CaRD subdivision in Alger village. Remaining capacity is approximately 28 ERUs. The current well produces approximately 46 gallons per minute (gpm). The PUD holds a 100 gpm water right on the well. Expansion of the system beyond its DOH-approved capacity for 138 connections would require either drilling a second well or construction of a water line south along Old 99 to connect to the PUD’s Judy Reservoir system via the Bow Hill pump station.

Friday Creek, which drains Lake Samish, is a major tributary to the Samish River and the most significant surface water stream in the area. It flows south between I-5 and Old Highway 99 for most of its course through the Subarea. It has been designated as “low flow” stream by the Washington Department of Ecology (DOE). This designation means that the stream suffers from such low flows or volumes of water at certain times of the year that it endangers the ability of the stream to provide sufficient habitat to protect fish. Under RCW 90.22, this designation requires the DOE to undertake a rule making process to establish minimum in-stream flows and regulate the withdrawal of water from

the stream or associated aquifer. Until that process is complete, local governments must implement interim measures to ensure that stream conditions do not worsen based on the impacts from new development. Skagit County adopted interim development mitigation measures in its critical areas ordinance (CAO), the most significant of which is the prohibition of the density bonus provision of the CaRD subdivision process for projects located within one-half mile of Friday Creek that rely on groundwater as their water source. This “low-flow buffer” is shown in Figure 4. Projects within the “low flow buffer” that connect to a public water supply system—located outside of the low flow basin—may still utilize the full density bonus CaRD provisions. However, until the Alger water system is connected to the PUD’s main Judy Reservoir, there is no public alternative water supply located outside the Friday Creek basin.

Until such time as a new water resource management rule is adopted by DOE for the Samish River Basin (including Friday Creek), the interim mitigation measures, including the CaRD density bonus prohibition and limits on impervious surfaces, will remain in effect within the low flow buffer.

INSERT FIGURE 3, Skagit PUD Alger Water System Map

INSERT FIGURE 4, Friday Creek Low Flow Buffer Map

## Sanitary Sewer

The vast majority of Alger residents rely on individual on-site septic systems and drainfields to provide wastewater treatment and disposal. On-site treatment requirements are governed by state and county public health code requirements. There are no known significant on-site septic system failures in the Subarea.

The Samish Water District (SWD) operates a public sanitary sewerage system that serves the Lake Samish and Glenhaven areas in Whatcom County and a portion of the Alger area in Skagit County. That system includes a 12" force main in Skagit County that runs along Old Highway 99 south and connects to the City of Burlington wastewater treatment system. Wastewater collected in the Samish Water District service area, including Lake Samish and Glenhaven in Whatcom County and the Alger area in Skagit County, is transported to, then treated and disposed of by the City of Burlington's wastewater treatment system. See Figure 5.

The SWD system serves 86 connections in Skagit County—most of which are in the Alger Subarea. Significant uses connected to the SWD sewer system in Alger include some commercial activities in downtown Alger, commercial uses at the I-5/Alger interchange, multiple residential and commercial properties along Old Highway 99 (both north and south of the village), the Skagit Speedway, Skagit Casino and supporting commercial activities on Pulley Ridge, 1000 Trails RV Park and the WSDOT I-5 rest area.

Almost the entire Alger Subarea is within the SWD "potential sewer service area." Sewer service, however, is not mandated. It is a discretionary decision based upon: 1) the property owner's willingness to connect as well as pay applicable connection and user fees to the SWD; 2) Skagit County's authorization that the land use remains "rural" on the properties subject to sewer connection; and 3) the SWD's agreement to provide service. SWD has a separate sewer service agreement with the Upper Skagit Tribe regarding service to the Skagit Casino and associated adjacent tribal development. Sewer service for the remaining portion of the service area in Skagit County is regulated by an interlocal agreement between the SWD and Skagit County. According to the Interlocal Agreement<sup>2</sup>, the County must approve all development connections to the system:

*"Approval by Skagit County shall be granted where it is determined...that hook-up to [the 'Alger to Burlington'] force main [along Old Highway 99] by adjacent property owners would*

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<sup>2</sup> Interlocal Cooperative Agreement No. 8003180022, between the Whatcom County Water District No. 12 (Now Samish Water District) and Skagit County Board of Commissioners, dated February 25, 1980.

*not constitute, sanction, authorize or approve a change of land use for the adjacent property.”*

The clear reading of this language means that properties adjacent to the force main along Old Highway 99 may choose to connect to the sewer system provided that they agree to the design specifications, fees and conditions of the Samish Water District AND that no land use designation changes may occur on the property as a result of the proposed connection. Simply put, rural properties must remain in rural uses, regardless of whether or not they are connected to the sewer system.

Local concern regarding capital facility issues in Alger include:

- Water supply and water quality are growing concerns in Alger. The fact that the PUD does not have an adopted “plan” to guide water system improvements necessary when the current system capacity is reached makes future planning somewhat more problematic. The general *belief* of most residents is that the PUD will ultimately construct a new pipeline to connect to the Judy Reservoir water system—thus transferring the public water supply source outside of the Friday Creek watershed and the Samish River basin. The question is when? Until that time, the CaRD density restrictions along Friday Creek and other “low flow” basin mitigation requirements (imposed by the Critical Areas Ordinance) will remain in effect.
- Sewer service in rural areas is a particularly thorny issue of interest in the GMA. It can provide an environmental benefit in areas where failing (or the *potential* for failing) on-site septic systems pose a threat to ground or surface waters, but at the same time it can contribute to or encourage low density sprawl that threatens “rural character”. The language in the Interlocal Agreement—that requires no change in land use upon connection to the sewer system—appears, according to Skagit County, to satisfy the GMA requirements that encourage the former and discourage the latter.

INSERT FIGURE 5, Samish Water District, Sanitary Sewer System Map

## Public Services

Alger is surrounded by a number of park and recreational activities. Donovan County Park is located in Alger and provides a summer park for children and picnickers, situated on Friday Creek. Pomona Grange Park is a county-operated park along Friday Creek adjacent to the state fish hatchery. The popular Squires Lake Trail Head, located in Skagit County, provides hikers access to Squires Lake located between Skagit and Whatcom County. Past railroad grades, such as those by the Bloedel Donovan Railroad Company also provide access into the nearby woodlands.

Blanchard Forest<sup>3</sup> is a large state trust land area managed for multi-purpose uses by the state Department of Natural Resources (DNR). Blanchard Forest includes a number of popular hiking trails and small lakes and is also subject to logging in selected areas. The DNR prepared a master plan for Blanchard Forest some years ago to identify compatible use areas for both long-term recreational and timber management purposes. As part of an update to that plan, a coalition of stakeholders—the Blanchard Strategies Group—recently released its recommendations on future management of the forest.

There is no post office in Alger. This is a source of some frustration in the area. In fact residents of the Subarea are served by four different post offices—Bellingham, Sedro Woolley, Burlington and Bow. Meaning that all addresses within the Subarea are associated with one of those communities. In some cases neighbors across the road from each other have addresses in different communities—but no one has an “Alger” address. Discussion with local postal officials indicate that unless Alger incorporates, no new Alger post office is likely. However, the US Postal Service may contract with a privately operated postal station—a commercial activity likely to require rural commercial zoning.

There are no public schools in the Alger Subarea. Most of the Subarea is within the Burlington-Edison School District. Children in the area attend Edison and Allen elementary schools and Burlington-Edison High School. The Sedro-Woolley School District serves the very eastern part of the Subarea.

Public safety services are provided by the Skagit County Sheriff’s Office. Fire, rescue and emergency medical services are provided by the Alger Fire District, located in the Alger village.

Local concern regarding public services in Alger include:

- Creating open space connections between some of the area’s remaining large undeveloped forested areas. There is considerable interest in

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<sup>3</sup> Also known as Blanchard Mountain

promoting hiking trail connections between Alger Mountain, Squires Lake, and Blanchard Mountain. The Pacific Northwest Trail already connects Squires Lake and Blanchard Forest and further enhanced connections could provide for significant new recreational opportunities in the area. This would require further coordination with the state DNR, timber companies and other property owners in the area.

- There is strong local support for the preservation of the Blanchard Forest. It is an important and significant source of open space and recreation for local residents. Vehicular access to the Blanchard Forest is from within the Alger Subarea even though the DNR-owned Forest itself is located outside of the Subarea. However, some residents along the west side of the Subarea (especially along Barrell Springs Road) have experienced adverse impacts associated with public access to the DNR-managed area through their neighborhood, including trespassing, vandalism, littering, and property crimes.
- There is strong interest in having a privately operated postal station in downtown Alger. Such a business could provide safe and convenient mail pick-up/drop-off and shipping services as well as other supporting activities. However, lacking any available commercial zoned parcels for such use within downtown Alger is a challenge.

## Natural Environment

The major environmental issue in the Alger community planning area is water quality and quantity of the streams that flow to Samish Bay. While water quality is better here than further downstream, the area performs an important role in keeping the water clean and cold enough for healthy salmon populations.

Education and outreach have been identified as important factors in addressing the problems, along with increased enforcement of existing rules. Education and outreach are conducted by multiple agencies such as the Conservation District, Ecology, DNR, and the County. Enforcement responsibilities are further identified in the action lists below.

### Water Quality

The Samish River Basin, including the Samish River, Samish Bay, *Friday Creek*, Thomas Creek, Edison Slough, and an unnamed slough to Samish Bay have been listed by the state of Washington under Section 303(d) of the Clean Water Act for non-attainment of Washington State fecal coliform bacteria criteria. The listings are based on sampling done since 1993 by the Washington State Department of Ecology (Ecology), Washington State Department of Health, and

Skagit Stream Team<sup>4</sup>. Therefore, there is a need to lower the Total Maximum Daily Loads (TMDL) of point-source and non-point source pollution for the entire basin. The technical data report was completed in March 2006 and the final implementation plan is scheduled for publication in May 2008.

A separate effort, the Implementation Review Committee, is underway to follow up on measures to improve water quality recommended in the 1995 Samish Bay Watershed Nonpoint Action Plan and Final Closure Response Strategy. This committee is prioritizing the actions in the plan and reporting on those that have been completed. It is staffed by the Skagit Conservation District.

Examples of DRAFT ongoing high-priority actions are:

- ✓ Farm technical assistance, educational outreach, and funding
- ✓ Purchase of conservation easements
- ✓ Enforcement and follow-up of violations of water quality, zoning, critical area regulations
- ✓ Manure application - best management practices
- ✓ Landfill clean-up
- ✓ Enforcement of forest practices and clearing and grading
- ✓ Stewardship education for small-parcel forest owners
- ✓ Promote voluntary conservation easements on forest land

Completed and in-progress projects are:

- ✓ Planted buffers through the CREP program (Conservation Reserve Education Program).
- ✓ Allow clustering in exchange for protecting rural forest lands
- ✓ Improved forest practice information for small landowners
- ✓ Some cost-sharing available for fish passage structures for forest owners
- ✓ Septic systems: funding assistance for repair; inspections required

Monitoring of Silver Creek water quality is underway for potential leaching from the old (and now closed) County landfill site near Alger-Cain Lake Road.

Friday Creek is the largest tributary to the Samish River. It flows out of Samish Lake and its flow is influenced by the Samish Water District's flow control structure at the head of the stream.

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<sup>4</sup> Swanson, T., Quality Assurance Project Plan, Samish Bay Fecal Coliform Bacteria Total maximum Daily Load Study, Washington State Department of Ecology, Publication #06-03-102, March 2006.

## Water Quantity

The DOE monitors water quantity flows on both Friday Creek and Silver Creek. Friday Creek is a low-flow stream (or “closed” in DOE terminology) that requires additional protection measures to protect minimum “in-stream” base flows for fish habitat. The DOE is currently working on an “in-stream flow rule” to designate the minimum base flow needed to protect fish. A previous “negotiated” rule-making process between the County, Tribes and stakeholders broke-down. The DOE’s recommended in stream flow rule for the Samish basin (including Friday Creek) is expected in 2009-2010. Until that new rule is put into effect, the County’s critical areas ordinance (CAO) has put in place impervious surface limitations and other mitigation requirements for new development within the Samish basin. Most relevant to the Alger Subarea is the prohibition on the CaRD density bonus within one-half mile of a low-flow stream (in this case Friday Creek), unless served by a public water district.

## Wildlife Habitat

The Cascades to Chuckanut Conservation Strategy study contains the most comprehensive information about wildlife found in the northern part of the planning area. The study scope is 350,000 acres stretching from the Sound on the west to the Cascades on the east. This report was sponsored by the Whatcom and Skagit Land Trusts and the North Cascades Corridor Project with funding from the Paul G. Allen Forest Protection Foundation.

Whatcom County has adopted a Habitat Conservation Area called the Chuckanut Corridor immediately to the north and adjacent to the Alger area extending in a band from Puget Sound to the Cascades. It represents a wildlife corridor comprising the last remaining area in the Puget Sound where natural land cover extends all the way from the marine waters of the Sound to the Cascade Mountains.

Areas in Alger that connect with this area include Blanchard Forest (Chuckanut Range), Lookout Range, including Lookout Mountain and Little Baldy and Anderson Mountain.

Existing protective measures for wildlife habitat include:

- DNR management of Blanchard Forest and the Blanchard Strategies Group ( a nine member stakeholder group that made recommendations to DNR on the multi-use management priorities for the area)
- DNR management of Anderson Mountain

- The middle portion adjacent to the Lookout Range has some risk of losing habitat values because the zoning allows clustered residential development at a density of one unit per 10 acres.

Additional actions could include:

- Acquisition of fee simple ownership by expanding the Squires Lake Park.
- Additional purchases with DNR's forest legacy program.
- Identifying open space linkage through Lookout Mountain via the county open space plan and the Alger Community Plan
- Voluntary incentive programs to encourage retention of forested areas on private land.
- Regulatory requirements to preserve native vegetation when land is subdivided or developed.

The County's proposed new critical areas ordinance (CAO) would allow the county to require corridor protection where habitat is identified, however, the proposed CAO does not identify habitat conservation areas. The CAO identifies riparian stream buffers (setbacks) required for new development along all of the named streams in the area, including Friday Creek, Silver Creek, Butler Creek, Colony Creek, Bear Creek and Wildes Creek. The Alger critical areas map is shown in Figure 6. It identifies environmentally sensitive areas including floodplains, groundwater aquifer recharge areas, steep slopes, wetlands and streams.

Local concern regarding environmental issues in Alger include:

- Water quality and quantity protection for Friday Creek and Silver Creek. Both of these streams are salmon-bearing waters. They represent significant cultural and historical, as well as natural resources for Alger. Finding a balance between the needs of fish and humans will be key to implementing a successful program to both save the creeks and allow for compatible rural development. The community looks forward to the continued discussion with DOE and other stakeholders about developing and implementing an "in stream flow rule" for the Samish basin that works for both fish and humans.
- Fish and wildlife, streams, wetlands, ponds and lakes, native vegetation and native forests are important components of the natural environment. And they help to define, to a significant degree, the rural character in the Alger Subarea. Protecting those aspects of the natural environment remain an important goal of residents.

- The CAC discussed and recommended expanding Squires Lake Park by acquisition of fee simple ownership.

INSERT FIGURE 6, Critical Areas Map

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## Alternative Futures

### Buildout Scenario

Buildout analysis is a tool to help understand what might happen if everyone developed their property to the maximum density allowed under current zoning. Early on in the planning process, a population growth and buildout scenario was developed to assess how Alger might look at some point in the future if every property owner were to maximize the development potential on their property under current zoning. The buildout analysis indicated a total capacity for 1,782 dwelling units or about 4,500 persons at buildout in the Subarea.

As of 2000, there were 2,402 persons and 868 housing units in the Subarea. The buildout scenario, therefore, represents a net gain of more than 900 new homes and 2,300 new persons—about double the current population. Both the existing development pattern and a theoretical buildout pattern are illustrated in Figure's 7 and 8, respectively.

Based on an average growth rate of 18 new homes per year over the past decade, it would take approximately 50 years for Alger to double its population. However likely or unlikely that scenario is—if it were to happen—50 years from now with double the housing units and population it has today—Alger would still be “rural” according to the Skagit County Comprehensive Plan and the GMA. Many community members—when given that information—challenged the notion that Alger would remain “rural” if it doubled its current population. Most residents felt that the “rural character” of the area would be significantly altered by a doubling of the population. In other words, if we did nothing—did not adopt a new Subarea plan or change any zoning densities—and current growth trends continued at a constant rate, most *existing* residents would not be satisfied with conditions in Alger 50 years from now. But as much as we plan for the future, we live in the present. And our *present* needs for living space and living wages often battles with—and usually wins over—our *future* perceptions of need for open space, or as the CAC put it in their vision statement, “elbow room”.

INSERT FIGURE 7, Existing Development Map

INSERT FIGURE 8, Buildout Development Map

So a variety of “tools and techniques” to help accommodate development and still preserve the “rural character” of Alger were presented during the planning process. These included such techniques as:

- clustering new development closer together to preserve larger areas for open space;
- transfer of development rights to encourage development in more suitable areas and discourage development in less suitable areas;
- decreasing allowable densities to provide for less development potential and more open space; and
- implementing native vegetation protection and tree canopy retention measures to help “hide” the visual impacts of new development.

Of course, the thing about human behavior that makes future land use planning so problematic, is the fact that we can’t predict human behavior.

- We don’t know how many people will decide to maximize their development potential and how many will not. For example, property owners in Alger have voluntarily enrolled more than 3,000 acres in an “Open Space” current use tax classification—indicating at least some intent on the part of the property owner to diminish or delay maximum development expectations. See Figure 9.
- We don’t know how many people will continue to move to Alger in the future—it could be more or less as in the past.
- We don’t know how many people will decide to leave Alger and move elsewhere for whatever reasons.
- We don’t know what impact the Upper Skagit Tribe’s future development plans for the Skagit Casino area may bring to the larger Alger area.

INSERT FIGURE 9, Open Space Tax Map

## Community Input

The Alger CAC met for more than a year from 2006-2007 to generate this plan. As part of that process, several community-wide public meetings were held to inform the community about the planning process, gather input on issues important to local residents and property owners and to receive feedback on the draft plan recommendations.

Small group discussions and a visioning exercise asked three main questions during the process:

1. What Do You Value Most About Alger?
2. What Changes Would You Like to See Take Place?
3. What Do You Think are the Top Priorities That Should be Considered in the New Community Plan?

### What Do You Value Most About Alger?

Participants and respondents answers to this question are summarized below:

- Rural character, landscape, farms and open space
- Friendly neighbors
- Natural landscape, streams, trees, remaining forested hills
- Convenient location, rural but close to the cities, just far enough from town
- Peace and quiet
- Open space
- Privacy

### What Changes Would You Like to See?

Participants and respondents answers to this question are summarized below:

- *Slow growth that maintains the existing rural character*—most everyone understood that growth will continue in Alger, but most folks felt that the pace of growth should not be allowed to significantly change Alger’s rural character; for most people this meant that they wanted no change in current zoning—they wanted to leave things just the way they are; for others it meant not letting growth overtake the rural character of the area by encouraging more growth only in certain areas where the roads, water and sewer systems could best accommodate them, such as the Alger village and along Old Highway 99 south of the village.

- *Limit commercial development*—most people seemed to have a similar viewpoint—that significant new commercial development is not preferred; and that while some new commercial activities may be desirable, such as a new grocery store, such uses would be best located within the existing “downtown” Alger village or at the Alger/I-5 interchange, but not in the outlying rural residential areas. There was also strong desire for a post office in Alger.
- *Traffic*—improve the intersection at Old 99 and Alger Cain Lake Road, deter speeding by more traffic law enforcement or lowering speed limits on some rural roads.
- *Visual character*—some people suggested improving the community’s visual character by cleaning up some of the old debris and junk vehicles on some properties; and improving the look of downtown Alger to make it a more desirable place for folks to stop and shop or visit.
- *Environmental protection*—protect and improve the water quality and quantity of the local watershed, including Friday Creek and Silver Creek; provide more recreational use of some areas such as hiking trails and new parks.
- *Utilities*—given the “low flow” situation on Friday Creek and the resulting restrictions on development potential based on water availability, residents were divided on this issue: some residents were concerned that taxes and fees for sewer and an expanded PUD water system could be harmful to lower income residents while, at the same time, encouraging even more growth; other residents encouraged the PUD to expand the Alger water system south along Old 99 and to connect the water system to the PUD’s Judy Reservoir line to lessen the groundwater withdrawal impact of future growth on the Friday Creek watershed.
- *Clustering new housing*—residents generally liked the concept of clustering new housing closer together in order to preserve larger surrounding open space areas but were concerned about how that concept was implemented through the CaRD ordinance. There was concern that clustering houses too closely together did not visually result in a rural setting—especially in areas where the development could not be hidden from public view by trees or topography. Also there was concern about preserving the remaining open space tracts in perpetuity.

### Priorities for the Plan ?

Participants and respondents answers to this question are summarized below:

- Environmental protection should be given a greater priority than encouraging more development

- Don't let new growth significantly change the existing rural character or *feel* of Alger
- Re-evaluate cluster housing development regulations to ensure that they adequately protect rural character
- Don't let water and sewer utility systems be a "driver" for growth
- New development should be concentrated along existing major roads and away from sensitive environmental areas such as wetlands and creeks
- New commercial development should only be allowed in downtown Alger and at the Alger/I-5 interchange.
- Traffic safety improvements (stop light, stop signs, etc.) needed at the Old 99/Alger-Cain Lake Road intersection.
- Improve public transportation service

### Context for Growth

Public input and visioning are key ingredients to long range land use planning. But another important component is understanding the regulatory landscape and legal boundaries to land use planning in Washington state. The Growth Management Act (GMA) was adopted by the Washington state legislature in 1990 and it has significantly changed the ways and means we now go about planning for future growth. The GMA imposed strict new definitions and requirements for land use planning in the state. Its primary intent is to restrain low density sprawl in rural areas and accommodate the majority of future growth within cities and associated urban growth areas. Rural areas—like Alger—are now subject to more stringent planning requirements. Today there is significantly less discretion on the part of counties when making choices about accommodating growth in rural areas than there was before 1990.

There are three major and distinct classes of land under the Growth Management Act (GMA)

1. Urban Lands
  - Urban Growth Areas (UGAs) include cities and urbanized unincorporated areas
  - Intended to accommodate majority of future population and employment growth
2. Rural Lands
  - Defined in the GMA as "*lands that are not designated for urban growth, agriculture, forest or mineral resources.*" In effect, rural is defined not by what it is, but by what it isn't.

- Counties must protect their “*rural character*” and “*reduce the inappropriate conversion of undeveloped land into sprawling, low-density development*”
- Limited Areas of More Intense Rural Development (LAMIRDs) are, in essence, existing rural areas of higher densities and intensities of use. In the eyes of the GMA, LAMIRDs are areas of low density sprawl that are to be “limited and contained”.

### 3. Natural Resource Lands

- Natural resource lands include three types: 1) Agricultural; 2) Forest; and 3) Mineral.
- Natural resource lands are lands that are capable of producing significant economic activity based on their natural resource attributes.

The Alger Subarea contains predominantly rural lands as well as agricultural and forest resource lands. There are no urban lands designated within the Subarea. Skagit County Board of Commissioners Resolution No. 20050418 specifically directed the Alger Community Plan to analyze the existing LAMIRD designations in the Subarea. The GMA provides guidance to counties in planning for rural areas by defining some of the important characteristics about rural areas. Following are brief summaries of the most relevant GMA statutes and Growth Management Hearings Board guidance regarding rural areas, including LAMIRDs.

RCW 36.70A.030(14):

*“Rural Character” refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan:*

- (a) In which open space, the natural landscape, and vegetation predominate over the built environment;*
- (b) That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;*
- (c) That provide visual landscapes that are traditionally found in rural areas and communities;*
- (d) That are compatible with the use of land by wildlife and for fish and wildlife habitat;*
- (e) That reduce the inappropriate conversion of undeveloped land into sprawling low-density development;*
- (f) That generally do not require the extension of urban governmental services; and*

- (g) *That are consistent with the protection of natural surface water flows and ground water and surface water recharge and discharge areas.*

RCW 36.70A.030(15):

*“Rural Development” refers to development outside the urban growth area and outside agricultural, forest and mineral resource lands...Rural development can consist of a variety of uses and residential densities, including clustered residential development, at levels that are consistent with the preservation of rural character [see above] and the requirements of the rural element [see below]. Rural development does not refer to agriculture or forestry activities that may be conducted in rural areas.*

RCW 36.70A.030(16):

*“Rural governmental services” or “rural services” include those public services and public facilities historically and typically delivered at an intensity usually found in rural areas, and may include domestic water systems, fire and police protection services, transportation and public transit services, and other public utilities associated with rural development and normally not associated with urban areas. Rural services do not include storm or sanitary sewers, except...[in those limited circumstances shown to be necessary to protect basic public health and safety and the environment and when such services are financially supportable at rural densities and do not permit urban development].*

RCW 36.70A.070(5)(b) excerpt:

*The rural element shall permit rural development [see definition above], forestry, and agriculture in rural areas...[and] shall provide for a variety of rural densities, uses, essential public facilities, and rural governmental services [see definition above] needed to serve the permitted densities and uses. To achieve a variety of rural densities and uses, counties may provide for clustering [e.g., CaRDs in Skagit County], density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate appropriate rural densities and uses that are not characterized by urban growth and that are consistent with rural character [see definition above].*

RCW 36.70A.070(5)(c) excerpt:

...the rural element [or comprehensive plan] “shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by:

- (i) *Containing or otherwise controlling rural development;*
- (ii) *Assuring visual compatibility of rural development with the surrounding rural area [Type 1 LAMIRDs are exempt from this requirement];*
- (iii) *Reducing the inappropriate conversion of undeveloped land into sprawling, low density development in the rural area [Type 1 LAMIRDs are exempt from this requirement] ;*
- (iv) *Protecting critical areas...and surface water and ground water resources; and*
- (v) *Protecting against conflicts with the use of agricultural, forest, and mineral resource lands...*

#### Limited Areas of More Intensive Rural Development (LAMIRDs)

Following are some of the prerequisites for LAMIRD planning and analysis based on the requirements of RCW 36.70A.070(5)(d) and from relevant Growth Management Hearings Board decisions:

- LAMIRDs are existing areas of “*more intensive rural*” (but not urban) development that may be on smaller lots and/or contain more intensive uses or densities than otherwise considered or defined as “rural” by the GMA. The growth management hearings boards have generally ruled that LAMIRDs constitute rural zoning designations allowing residential densities greater than one unit per five acres. Residential densities less than that are considered rural densities but not LAMIRDs.
- Essentially the GMA recognizes that LAMIRDs are areas of pre-existing “*low-density sprawl*” and allows for “*limited*” development and redevelopment within those areas
- There are three types of LAMIRDs identified in the GMA:
  1. *Residential or Mixed Use LAMIRDs* (unincorporated commercial, residential, and mixed use areas such as villages, crossroads, activity centers, etc.). Type 1 LAMIRDs in Alger include:
    - Rural Village Residential (RVR)
    - Rural Village Commercial (RVC)
    - Rural Freeway Services (RFS)
    - Rural Intermediate (RI)

2. *Small-Scale Recreational/Tourist LAMIRDs* (small resorts, lodges, motels, cabins, etc. with limited supporting commercial uses such as a restaurant, gas station, small store, etc., but no new residential development is allowed). There are no Type 2 LAMIRDs in the Alger Subarea.
  3. *Small-Scale Business and Cottage Industry LAMIRDs* (intended for *isolated* pre-existing commercial or small-scale industrial activities in rural areas). Type 3 LAMIRDs in Alger include:
    - Rural Business (RB) designations that apply to isolated rural businesses in existence on July 1990, including the Alger Food Mart, Kesserlings Gun Shop, etc.
- Type 1 LAMIRDs must be principally designed to serve the "*existing and projected rural population*". The same is not required for Type 2 and Type 3 LAMIRDs
  - LAMIRD uses must have been in existence on July 1, 1990 (the effective date of the GMA) to qualify as an existing use under the statute
  - New development (including redevelopment) within LAMIRDs in terms of building size, scale, use or intensity shall be consistent with the character of the existing areas
  - LAMIRDs may include "*necessary public facilities and services to serve the limited area*" including sanitary sewers and public water systems...so long as they are provided "*in a manner that does not permit low-density sprawl*"
  - Counties must adopt measures to "*minimize and contain*" LAMIRDs
  - LAMIRDs must be defined by a "*logical outer boundary*" (LOB)
  - The logical outer boundary (LOB) should be delineated "*predominantly by the built environment but...may also include undeveloped lands if limited*" ...[to prevent a new pattern of low-density sprawl]. Undeveloped land within LAMIRDs should primarily allow for "infill" development contained by a LOB [as opposed to "outfill" or expansion...*of the existing pattern of low-density sprawl...*]

- The “*built environment*” typically constitutes man-made structures but may also include underground utilities such as water lines and sewer lines (in place on July 1, 1990) but does not include “vested” development permits
- Pre-GMA zoning cannot be used *solely* to justify a LAMIRD boundary
- In establishing the LOB the county shall address:
  - A. The need to preserve the character of existing natural neighborhoods and communities,
  - B. Physical boundaries such as bodies of water, streets and highways, and land forms and contours,
  - C. The prevention of abnormally irregular boundaries, and
  - D. The ability to provide public facilities and public services in a manner that does not permit low-density sprawl.

### Land Use Change Alternatives

Policy 4A-7.15(g) of the Skagit County Comprehensive Plan specifically directs the Alger community planning process to assess the existing (Type 1) LAMIRDs in the Subarea. These include:

- Rural Freeway Service (RFS) LAMIRD at the Alger/I-5 interchange
- Alger Rural Village, including Rural Village Residential (RVR) and Rural Village Commercial (RVC) land use designations; and
- Rural Intermediate (RI) LAMIRD along Old Highway 99, south of Alger Village

The CAC also invited and received a wide range of public input during the community planning process. The CAC specifically invited proposals for changes to the land use designation map. ALL the requests for changes in the official land use designations brought forward by residents and property owners during the process are highlighted in this section. The CAC reviewed these requests, invited the proponents to make public presentation of their proposals, discussed the proposals, analyzed the proposals for compliance with GMA criteria, as applicable, and made preliminary recommendations on those proposals. This analysis included the three Type 1 LAMIRD designations as well as proposals for land use changes outside of existing LAMIRDs.

The proposals, analyses and outcomes of this process are described in the following section and shown on the accompanying map (Figure 10, Public-Initiated Zone Change Requests).

INSERT FIGURE 10, Public-Initiated Zone Change Requests Map

## Limited Areas of More Intense Rural Development (LAMIRDs)

The statutory requirements of RCW 36.70A.070(5)(d) regarding LAMIRDs are the criteria by which *all* LAMIRD designation must be determined. Those, again, are intended to “*minimize and contain*” areas of low density sprawl and include establishment of a “logical outer boundary”. The logical outer boundary (LOB) should be delineated “*predominantly by the built environment but...may also include undeveloped lands if limited*” ...to prevent a new pattern of low-density sprawl. Undeveloped land within LAMIRDs should primarily allow for “infill” development contained by a LOB (as opposed to “outfill” or expansion...*of the existing pattern of low-density sprawl*). The “*built environment*” typically constitutes man-made structures but may also include underground utilities such as water lines and sewer lines (in place on July 1, 1990) but does not include “vested” development permits. All LAMIRD designations must meet these requirements.

### Rural Freeway Service (RFS) LAMIRD at the Alger/I-5 interchange

A site-specific application for RFS designation was made by Mr. Robert Jarvis for two parcels totaling 7 acres located at the I-5/Alger interchange. The parcels in question are currently zoned Rural Reserve and are located adjacent to and immediately across Lake Samish Road from the existing RFS designation adopted in 2000<sup>5</sup>. The request includes two parcels: 1) a 5.5 acre parcel currently vacant but the site of an old home now demolished; and 2) a 1.5 acre parcel with a home built in the 1970’s. The site is completely bordered by existing roads in place prior to 1990—Lake Samish Road to the south, I-5 to the west and Barleen Road to the east and north. There are both public water and sewer lines in place along Lake Samish Road that access the property. The water line was constructed by the PUD in 2000 and service to the Jarvis property began in April 2000. The sewer line extension to the Alger/I-5 interchange was constructed in 1995 and sewer service to the property (the existing home) began in May 2003.

There are no vested development permits for the site. However, there is evidence in the record indicating that the previous property owner initiated correspondence with the County in 1984 regarding a special use permit application for a 50 unit RV park on the 5.5 acre parcel as well as correspondence with Whatcom Water District No. 12 (now Samish Water District) requesting water service. There is no indication in the record that a special use permit application was ever made nor such a permit issued by the County.

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<sup>5</sup> For a comprehensive discussion of the RFS designation history refer to “Memorandum from Kirk Johnson, Skagit County Planning & Development Services, to Planning Commission, February 6, 2007, Re: Deliberations on the 2005 GMA Update—RFS and other I-5 corridor map amendment proposals”

The CAC believes the site meets both the “logical outer boundary” and “built environment” requirements of the GMA since the site is completely surrounded by improved public roads in existence in 1990 and the presence of the existing home built in the 1970’s. The parcel sizes in the Jarvis proposal are consistent with those in the existing RFS designated area around the Alger/I-5 interchange. The existing RFS area at the I-5 interchange is already almost completely developed (i.e., gas station, convenience store, park & ride lot and mini-storage) and has little or no meaningful development potential remaining. Potential designation of the Jarvis site for RFS constitutes less area than the existing RFS designation and would not constitute “outfill” or contribute to expansion of low density sprawl. Its isolated nature also precludes further potential for any future expansion or adverse impact to the area’s rural character. No extension of governmental services would be required since the site is already served by public water and sewer.

Existing comprehensive plan land use designations in Alger significantly restrict new rural economic development opportunities intended to serve the rural population. In and of itself, the 5.5 acre Jarvis parcel is too close to I-5 to be suitable for residential development. There is significant noise impact from vehicle travel on the interstate. The 1.5 acre parcel with the existing home is situated further away from the highway and not as impacted by vehicle noise. For this reason, as well as concerns over the potential traffic impacts from potential expansion of commercial uses east to the intersection of Colony Road and Lake Samish Road, *the CAC recommends that only the 5.5 acre parcel be designated RFS and that the 1.5 acre parcel should remain in Rural Reserve.* Based on analysis of the *logical outer boundary* and *built environment* characteristics of the existing I-5/Alger interchange RFS designation no other expansion of this LAMIRD is recommended.

#### Alger Rural Village Limited Area of More Intense Rural Development (LAMIRD)

One of the key findings of the Alger community planning process was the lack of any significant remaining vacant land zoned for rural commercial use in the Subarea. One of the key focuses of the planning process was also to improve the identity of the Alger village. The village’s predominant land use is residential and there is limited commercial development—most of which is concentrated around the Old Highway 99/Alger Cain Lake Road intersection. Residents seeking most commercial services are forced to travel to Burlington or Bellingham to find them. There are currently no vacant undeveloped parcels remaining in the village designated Rural Village Commercial (RVC).

The CAC reviewed the existing development pattern in the village and recommended five parcels for re-designation from Rural Village Residential (RVR) to Rural Village Commercial (RVC) to help promote more economic development opportunities within the existing village boundaries. These include the following parcels:

- **P70380**—a largely undeveloped parcel comprising 0.67 acres located adjacent to Old 99. There is currently one manufactured/mobile home on the property. Owner: Donald Pulver.
- **P70381**—a vacant lot comprising 0.15 acres located adjacent to Old Highway 99. Owner: Donald Pulver.
- **P70370**—a lot containing the WSDOT Alger maintenance yard and shop. This parcel is 0.32 acres in size. WSDOT indicated by correspondence through the planning process that it intended to cease operations at the site within the next five years. Owner: WSDOT, Real Estate Services Division.
- **P70361**—a 0.21 acre lot with an abandoned 1,230 square foot home originally built in 1912. The lot is located at the southwest corner of the Old 99/Alger Cain Lake Road intersection. It is bordered on the south by Silver Creek. Owner: Larry Skaarup.
- **P70362**—a 0.81 acre lot with an 852 square foot home originally built in 1912. The lot is located adjacent to Alger Cain Lake Road, just west of its intersection with Old 99. It is bordered on the south by Silver Creek. Owner: Larry Skaarup.

These recommended rezones from RVR to RVC are intended to be accompanied by adoption of rural village design guidelines as part of this community plan to help promote new commercial development within the existing village boundaries as well as improve the parking and pedestrian access and associated building and site design improvements.

Recently the Alger Acres CaRD plat was approved to allow a 13 one-acre lot “clustered” subdivision within the westernmost RVR-zoned portion of the village. This area was also the last significant remaining vacant portion of the village designated RVR. Given no significant remaining residential development capacity or potential for infill within the existing village boundaries, the CAC examined opportunities for limited expansion of the RVR boundaries:

- Expansion of the RVR village boundaries to the west was rejected owing to presence of critical areas and agricultural resource lands in the Friday Creek valley.
- Expansion to the east was rejected owing to the relatively large undeveloped properties that would not likely meet the *logical outer boundary* and *built environment* requirements for LAMIRD designation.
- Expansion of the RVR boundaries to the north encompassed two proposals—both of which were rejected by the CAC:
  1. **P49058**—To rezone the Alger Grange Hall parcel from Rural Resource-NRL to RVR. This 3.14 acre parcel contains the

historic Grange Hall building (built in the early 1900's) and is currently owned by the Alger Christian Reformed Church. *The CAC discussed and ultimately decided not to recommend a rezone to RVR owing to the historic nature of the Grange Hall.* The Church appeared to be satisfied with the existing Rural Resource designation. The CAC also did not want a rezone to inadvertently encourage redevelopment of the historic structure.

2. **P49053,P49054,P49066**—This area comprises 43 undeveloped acres immediately north and east of the existing Grange Hall. Although designated as Rural Resource-NRL (with an allowable density of one unit/20 acres), it is subject to a vested approved subdivision (Long Plat No. PL 96-0403) creating eight (8) five acre lots. The approved plat is called the Silver Mountain Heights Ranch Community. Its owner is Geoffrey Newman. The owner requested inclusion in the Alger Rural Village at either a 1.25 acre minimum RVR density or an alternative re-designation to Rural Intermediate (RI) at 2.5 acre minimum RI density. *The CAC discussed and ultimately decided not to recommend a rezone to either RVR or RI owing to the fact that the proposals did not appear to meet the logical outer boundary and built environment requirements of the GMA.* The large and undeveloped area could not meet the built environment test, since the area in question is almost as large as the existing village boundary and contains no pre-1990 existing built environment. The proposal would have clearly constituted “outfill” and not “infill” development within the village. In addition, the parcel sizes of the proposed expansion area were significantly larger than the average parcel size found in the existing RVR zone. Furthermore, the CAC felt that, if the proposal were approved, the steep slopes of the development area were likely to cause downslope drainage problems for such a relatively high density development.

  - Expansion of the RVR boundaries to the south of downtown Alger (across Silver Creek) were rejected owing to the fact that the typical size of the existing parcels in the area were significantly larger than the allowed minimum density parcel size within the RVR zone.

*Overall, the CAC does not recommend any expansion of the current Alger Rural Village boundaries.*

## Rural Intermediate (RI) Limited Area of More Intense Rural Development (LAMIRD)

The RI LAMIRD analysis methodology for this community planning process focused on using a mathematical basis to answer two key questions regarding consideration of any additional LAMIRD designations:

- *Is the logical outer boundary (LOB) delineated predominantly by the built environment, as it existed on July 1, 1990?*
- *Would any potential new LAMIRD designation cumulatively allow for more new development than already exists within the existing designated LAMIRD? This seeks to address the requirement that LAMIRDs may also include undeveloped lands if limited to prevent a new pattern of low-density sprawl (i.e., the “infill” versus “outfill” test of the LAMIRD statutes).*

The new LAMIRD analysis methodology was based on review of assessors data to identify acreage and year of building construction—to determine built environment status—for each parcel. The logical outer boundary analysis identified gross acres of all parcels as either “built” or “unbuilt” as of 1990 based on the assessors parcel data. Potential new units were calculated by comparing the existing parcel size—and whether or not there was an existing unit on the parcel—with the maximum allowed density to determine if there was potential for further subdivision. Potential new units were calculated based on minimum whole units only since the Skagit County Code does not authorize use of partial unit calculations in determining densities. Consideration of market factor for rural lands likely to be held off the market and presence or lack of critical areas that may affect development potential were not analyzed as part of this methodology.

The methodology for determining whether the LOB is predominantly delineated by the built environment derives a “built environment ratio”. *A built environment ratio greater than 1.0 indicates an LOB predominantly delineated by the built environment. A ratio of less than 1.0 indicates the opposite.* This approach though utilizes parcel boundaries only in determining built environment. In cases where other aspects of the built environment (e.g., roads, underground utilities, etc.) in place in 1990 help delineate the built environment, they are so noted in the narrative analysis. In such cases, supporting maps, aerial photos, and utility district sources are cited.

The methodology for determining whether the proposed area represents “infill” or “outfill” is also represented by a ratio. In this case, the number of existing housing units in the LAMIRD are compared to the number of potential new units that could be allowed in an expanded LAMIRD. *An infill/outfill ratio of 1.0 or less indicates “infill” and a ratio greater than 1.0 indicates “outfill”.* This

approach adopts the premise that an amount of potential new development in an area that does not exceed the amount of existing development constitutes infill.

The LAMIRD analysis methodology in this plan was applied first to the existing RI LAMIRD to confirm its ability to meet the GMA criteria and then, in the same manner, to proposed rezone scenarios put forward by members of the public regarding designation of new or expanded RI LAMIRD areas. In each case, proposals for new or expanded LAMIRD designations are first analyzed on a “stand-alone” basis for compliance with the GMA criteria. Secondly they are analyzed for GMA compliance on a “cumulative” basis when combined with the existing RI LAMIRD along Old Highway 99 south of the village. Those proposals are identified and analyzed in the following section. The detailed list of properties and logical outer boundary and built environment analysis for each LAMIRD scenario are contained in the Appendix to this plan. Summary tables are presented here for brevity.

#### **EXISTING RI LAMIRD**

The existing RI zone LAMIRD in the Alger subarea was adopted in the 1998 Skagit County Comprehensive Plan. It establishes a maximum density of one unit per 2.5 acres. The RI LAMIRD constitutes approximately 324 acres and includes the area between Friday Creek Road and Old Highway 99 beginning south of Alger village extending south to the Parsons Creek Road area and east to include portions of Parsons Creek Road, Butler Creek Road and Echo Hill Road. The LAMIRD analysis done at that time was based on review of the existing plat maps, windshield surveys, and assessors data to determine the year of building construction. The County concluded at that time that the existing pre-1990 improved public roads (Friday Creek Road and Old 99) constituted the north-south logical outer boundary (LOB) of the RI zone. This included parcels on the west side of Old 99 but excluded parcels on the east side of Old 99. The LOB extending east was determined based on parcel size and presence of homes (built environment) constructed prior to 1990.

Results of the new LAMIRD analysis methodology for the existing RI LAMIRD are shown in Table 2. It indicates a built environment ratio of 1.27 (predominant built environment) and an infill/outfill ratio of 0.37 (infill). This indicates that the existing RI LAMIRD is very tightly drawn and clearly meets the LOB predominant built environment and infill requirements of RCW 36.70A.070(5)(d).

**Table 2  
Existing Rural Intermediate (RI) LAMIRD**

<b>Parcels</b>	<b>Total Acres</b>	<b>Existing Units</b>	<b>Potential New Units RRv (w/ CaRD)</b>	<b>Potential New Units (RI)</b>	<b>Average Existing Parcel Size (Acres)</b>	<b>1990 Built Environment Ratio (&gt;1.0=Predominant Built Environment)</b>	<b>Infill/Outfill Ratio (&lt; 1.0 = Infill)</b>
<b>148</b>	<b>324.5</b>	<b>113</b>	<b>0</b>	<b>42</b>	<b>2.19</b>	<b>1.27</b>	<b>0.37</b>

Sources: Skagit County; Mark Personius, AICP, Growth Management Consultant

**1997 “ALGER SUBAREA PLAN PROPOSAL” RI REZONE SCENARIO**

The area within the 1997 “Alger Subarea Plan Proposal” was zoned for 2.5 acre maximum density beginning in the early 1970’s—well before GMA was adopted by the Washington state legislature in 1990<sup>6</sup>. During development of the County’s first GMA-compliant comprehensive plan from 1996-1998, a group of homeowners and property owners in the area east of Old 99 developed a “grass roots” planning effort to maintain all of that pre-GMA 2.5 acre zoned area within the new GMA-compliant RI zone. Those efforts culminated in July 1997 with preparation of the “Alger Subarea Plan Proposal”. That document was submitted to the County for its consideration during development of the comprehensive plan. The document was revised and resubmitted in 1998 and again in 2001. However, the County did not adopt the “Alger Subarea Plan Proposal”. The County’s final decision to adopt the present GMA-compliant RI zone LAMIRD ultimately excluded large areas which historically had 2.5 acre pre-GMA zoning. Those remaining properties—comprising the 1997 “Alger Subarea Plan Proposal”—were given a Rural Reserve land use designation instead which establishes a base density one unit per 10 acres (with an allowed CaRD density bonus provision it allows an effective density of one unit per five acres). However, the adopted comprehensive plan and subsequent Skagit County Resolution No. 20050418 specifically directed further review and analysis of the 1997 “Alger Subarea Plan Proposal” to determine if there were any areas that warranted additional RI designation.

The 1997 “Alger Subarea Plan Proposal” proposes to expand the existing RI LAMIRD by more than one thousand acres<sup>7</sup>. See Figure 10. LAMIRD analysis of this proposal is summarized in Table 3. That analysis indicates that this RI rezone scenario, in and of itself, would have a built environment ratio of 0.53, resulting in a logical outer boundary that is *not* predominantly delineated by

<sup>6</sup> Subsequent growth management hearings board decisions since that time clarified that pre-GMA zoning cannot be used solely to justify LAMIRD designations.

<sup>7</sup> In the interest of full public disclosure, two members of the Alger CAC live and own property within this proposed RI rezone area.

the built environment. It also results in an infill/outfill ratio of 3.21, meaning that the potential for new development is more than three times greater than the level of existing development—thus clearly constituting outfill, not infill. This indicates that the 1997 “Alger Subarea Plan Proposal” RI rezone scenario clearly fails to meet the LOB predominant built environment and infill requirements of RCW 36.70A.070(5)(d).

**Table 3**  
**1997 Alger Subarea Plan Proposal**  
**Rural Intermediate (RI) LAMIRD Rezone Scenario**

Parcels	Total Acres	Existing Units	Potential New Units RRv (w/ CaRD Bonus)	Potential New Units (w/ RI Rezone)	Average Existing Parcel Size (Acres)	1990 Built Environment Ratio (>1.0=Predominant Built Environment)	Infill/Outfill Ratio (< 1.0 = Infill)
164	1,102	110	147	353	6.72	0.53	3.21

Sources: Skagit County; Mark Personius, AICP, Growth Management Consultant

When, as shown in Table 4, this proposal is viewed cumulatively—combined with the existing RI LAMIRD conditions—the 1997 “Alger Subarea Plan Proposal” rezone scenario still fails to meet both the LOB and the infill ratio requirements of the GMA.

**Table 4**  
**1997 Alger Subarea Plan Proposal + Existing RI**  
**Cumulative LAMIRD Analysis**

Parcels	Total Acres	Existing Units	Potential New Units RRv (w/ CaRD Bonus)	Potential New Units (w/ RI Rezone)	Average Existing Parcel Size (Acres)	1990 Built Environment Ratio (>1.0=Predominant Built Environment)	Infill/Outfill Ratio (< 1.0 = Infill)
312	1,426.5	223	147	395	4.57	0.65	1.77

Sources: Skagit County; Mark Personius, AICP, Growth Management Consultant

*The CAC does not recommend adoption of the 1997 “Alger Subarea Plan Proposal” RI rezone scenario. The CAC felt the area was simply too extensive and allowed too high a level of potential development to meet GMA requirements to prevent low density sprawl.*

## ALGER VILLAGE SOUTH/OLD HIGHWAY 99 LIMITED RI REZONE SCENARIO

This scenario was developed based on several premises:

- First that public input during the planning process indicated a desire for further residential development opportunities for property owners south of the village along Old Highway 99 where existing road and sewer access are already in place; and
- Secondly, that enhanced development opportunities in such a scenario should be limited to parcels that only front directly on Old 99 or that have indirect access to Old 99 via an adjoining public road that has direct access to Old 99.

The parcels that meet these two criteria are shown in Figure 10. The Alger Village South/Old 99 Limited RI rezone scenario proposes to expand the existing RI LAMIRD by approximately 24 acres. It would designate approximately 6 parcels as RI and only apply that designation to the parcels immediately fronting or having indirect public access to Old Highway 99 between the current Rural Village boundary at Silver Creek and the northern terminus of the existing RI designation. It would apply the same RI designation to both sides of Old 99 (between the village boundary and the current RI zoned area) as was applied by the county to the west side of Old 99 in the original RI LAMIRD designation.

LAMIRD analysis of this proposal is summarized in Table 5. The mathematical LOB parcel analysis methodology indicates that this RI rezone scenario, in and of itself, would have a built environment ratio of 0.88, resulting in a logical outer boundary that appears *not* to be predominantly delineated by the built environment. However, subsequent and closer examination based on the presence of public facilities and non-residential buildings and structures built before 1990 (and not shown on assessors records) indicates the contrary<sup>8</sup>. The development potential analysis results in an infill/outfill ratio of 0.60, meaning that, in and of itself, the potential for new development on the affected parcels constitute infill, not outfill. This indicates that the Alger Village South/Old 99 Limited RI LAMIRD scenario appears to meet the LOB predominant built environment and infill requirements of RCW 36.70A.070(5)(d).

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<sup>8</sup> In this scenario, all of the parcels front on public roads (either Old Highway 99, Parkview Lane, or Friday Creek Road). The Samish Water District sewer force main is also located in the right-of-way of Old Highway 99. It was constructed along Old Highway 99 in 1975. Parkview Lane and Old 99, themselves, were constructed well before that. These public facilities constitute the built environment as defined by the growth management hearings boards. Subsequent and closer examination of the outer boundary of this scenario based on the presence of the public facilities and utilities along the stretch of Old Highway 99 within this scenario, as well as homes and other buildings and structures (barns) constructed before 1990 within the affected area, re-affirms a logical outer boundary that is predominantly delineated by the built environment.

**Table 5**  
**Alger Village South/Old 99**  
**Limited (RI) LAMIRD Rezone Scenario**

Parcels	Total Acres	Existing Units	Potential New Units RRv (w/ CaRD Bonus)	Potential New Units (w/ RI Rezone)	Average Existing Parcel Size (Acres)	1990 Built Environment Ratio (>1.0=Predominant Built Environment)	Infill/Outfill Ratio (< 1.0 = Infill)
6	24.1	5	1	3	4.01	.>1.0 Based on Site Assessment	0.60

Sources: Skagit County; Mark Personius, AICP, Growth Management Consultant

This same area was reviewed by the CAC for expansion of the Alger Rural Village designation but was rejected by the CAC owing to the fact that the average existing parcel size is 4.01 acres—significantly larger than the 1 acre minimum lot size allowed in the RVR zone. However, the CAC viewed the fact that the area could only accommodate an additional two units if rezoned to RI (at a 2.5 acre minimum lot size) as evidence that such a designation would not constitute significant expansion of low density sprawl.

*The CAC recommends adoption of the Alger Village South/Old 99 Limited RI LAMIRD scenario.* The CAC felt that the relatively compact nature of the proposal, its limited new growth potential, its relatively small existing parcel size, its location adjacent to Old 99 and the Alger Rural Village, its ability to meet both the LOB built environment and infill requirements of the GMA and the fact that it would not require extension of any rural governmental services helped ensure that the proposal would not adversely impact the community’s rural character or promote low density sprawl.

**CARRUTHERS RI REZONE SCENARIO**

This scenario was proposed by representatives of the property owners of these parcels. It includes two large undeveloped parcels totaling 23 acres. This scenario is located in the area adjoining both east and west sides of the parcels specified in the Alger Village South/Old 99 Limited RI rezone scenario. See Figure 10. Both of these parcels are presently designated as Rural Reserve (RRv).

LAMIRD analysis of this proposal is summarized in Table 6. That analysis indicates that this RI rezone scenario, in and of itself, would have a built environment ratio of 0.00, resulting in a logical outer boundary that is *not*

predominantly delineated by the built environment<sup>9</sup>. The analysis also results in an infill/outfill ratio of 8.00, meaning that, in and of itself, the potential for new development is eight times greater than the level of existing development on the affected parcels—constituting outfill, not infill. This indicates that this RI rezone scenario, in and of itself, fails to meet the LOB predominant built environment and infill requirements of RCW 36.70A.070(5)(d).

**Table 6  
Carruthers  
Limited RI Rezone Scenario**

Parcels	Total Acres	Existing Units	Potential New Units RRv (w/ CaRD Bonus)	Potential New Units (w/ RI Rezone)	Average Existing Parcel Size (Acres)	1990 Built Environment Ratio (>1.0=Predominant Built Environment)	Infill/Outfill Ratio (< 1.0 = Infill)
2	23.4	0	4	8	11.7	0.00	8.0

Sources: Skagit County; Mark Personius, AICP, Growth Management Consultant

Even when combined with the adjacent proposed Alger Village South/Old 99 Limited RI rezone scenario, as shown in Table 7, this scenario stills fails the combined LAMIRD analysis for LOB built environment and infill requirements.

**Table 7  
Carruthers  
+ Alger Village South/Old 99  
Limited RI Rezone Scenario  
Cumulative LAMIRD Analysis**

Parcels	Total Acres	Existing Units	Potential New Units RRv (w/ CaRD Bonus)	Potential New Units (w/ RI Rezone)	Average Existing Parcel Size (Acres)	1990 Built Environment Ratio (>1.0=Predominant Built Environment)	Infill/Outfill Ratio (< 1.0 = Infill)
8	47.46	5	6	11	5.93	0.31	2.20

Sources: Skagit County; Mark Personius, AICP, Growth Management Consultant

*The CAC does not recommend adoption of the Carruthers Limited RI Rezone scenario.* The parcels in question are significantly larger than the maximum

<sup>9</sup> Closer examination reaffirms this finding. Neither parcel fronts Old 99. Although one parcel fronts Alger Cain Lake Road and the other has access to it via a long drive-way, neither parcel contains an existing home. One parcel is also bisected by both Silver Creek and Friday Creek and is subject to flooding.

density allowance of one unit per 2.5 acres in the RI zone. Additionally the parcels are not accessed from Old Highway 99 where public input suggested any potential residential density increases should be concentrated. The lack of any pre-1990 buildings on the properties also suggests that the parcels are not likely to meet the GMA LAMIRD criteria. Cumulatively, even when added to the adjacent proposed Alger Village South RI rezone scenario, it would render the combined RI LAMIRD expansion proposal unable to meet either the LOB built environment or the infill requirements of the GMA.

#### OLD HIGHWAY 99 EAST LIMITED RI REZONE SCENARIO

This scenario was developed based on several premises:

- First that public input during the planning process indicated a desire for further residential development opportunities for property owners south of the village along Old Highway 99 where existing road and sewer access are already in place; and
- Secondly, that enhanced development opportunities in such a scenario should be limited to parcels that only front directly on Old 99 or that have indirect access to Old 99 via an adjoining public road that has direct access to Old 99.

The parcels that meet these two criteria are shown in Figure 10. The Old Highway 99 East Limited RI rezone scenario proposes to expand the existing RI LAMIRD by approximately 146 acres<sup>10</sup>. It would designate approximately 19 parcels as RI and only apply that designation to the parcels immediately fronting or having indirect public access to Old Highway 99. It would apply the same RI designation to the east side of Old 99 as was applied by the county to the west side of Old 99 in the original RI LAMIRD designation.

LAMIRD analysis of this proposal is summarized in Table 8. That analysis indicates that this RI rezone scenario, in and of itself, would have a built environment ratio of 1.04, resulting in a logical outer boundary that is predominantly delineated by the built environment<sup>11</sup>. The analysis, however, results in an infill/outfill ratio of 2.63, meaning that, in and of itself, the potential for new development is more than twice the level of existing

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<sup>10</sup> In the interest of full public disclosure, one Alger CAC member lives and owns property within this proposed RI rezone area.

<sup>11</sup> In this scenario, all of the parcels would front on public roads (either Old Highway 99 or Minnie Road). The Samish Water District sewer force main is also located in the right-of-way of Old Highway 99. It was constructed along Old Highway 99 in 1975 and Old 99, itself, was constructed well before that. Both of these public facilities constitute the built environment as defined by the growth management hearings boards. Subsequent and closer examination of the outer boundary of this scenario based on the presence of the public facilities and utilities along the entire length of Old Highway 99, as well as homes constructed before 1990 within the affected area, reaffirms a logical outer boundary that is predominantly delineated by the built environment.

development on the affected parcels—thus constituting outfill, not infill. This indicates that this RI rezone scenario, in and of itself, appears to meet the LOB predominant built environment requirements, but not the infill requirements of RCW 36.70A.070(5)(d).

**Table 8  
Old Highway 99 East  
Limited RI LAMIRD Rezone Scenario**

Parcels	Total Acres	Existing Units	Potential New Units RRv (w/ CaRD Bonus)	Potential New Units (w/ RI Rezone)	Average Existing Parcel Size (Acres)	1990 Built Environment Ratio (>1.0=Predominant Built Environment)	Infill/Outfill Ratio (< 1.0 = Infill)
19	146.29	16	15	42	7.70	1.04	2.63

Sources: Skagit County; Mark Personius, AICP, Growth Management Consultant

However, as shown in Table 9, when viewed cumulatively—combined with the existing RI LAMIRD conditions—the Old Highway 99 East Limited RI rezone scenario appears to meet both the LOB built environment and infill requirements of the GMA.

**Table 9  
Old Highway 99 East Limited RI Rezone Scenario + Existing RI  
Cumulative LAMIRD Analysis**

Parcels	Total Acres	Existing Units	Potential New Units RRv (w/ CaRD Bonus)	Potential New Units (w/ RI Rezone)	Average Existing Parcel Size (Acres)	1990 Built Environment Ratio (>1.0=Predominant Built Environment)	Infill/Outfill Ratio (< 1.0 = Infill)
167	470.79	129	15	84	2.82	1.19	0.65

Sources: Skagit County; Mark Personius, AICP, Growth Management Consultant

*The CAC recommends adoption of the Old Highway 99 East Limited RI rezone scenario<sup>12</sup>. The CAC, overall, felt that the relatively compact nature of the proposal, its limited new growth potential, its existing development pattern, its location adjacent to Old 99 and downtown Alger, its ability to meet both the LOB built environment and infill requirements of the GMA—when combined with the existing RI zoned area—and the fact that it would not*

<sup>12</sup> However, this recommendation was not unanimous and some members expressed concerns.

require extension of any rural governmental services helped ensure that the proposal would not adversely impact the community’s rural character or promote low density sprawl.

**ECHO HILL/BUTLER CREEK ROAD LIMITED RI REZONE SCENARIO**

This scenario was proposed by the property owners of these parcels. It includes three parcels totaling 30 acres. This scenario is located in the area adjoining both Echo Hill Road and Butler Creek Road. See Figure 10. All three parcels are presently designated as Rural Reserve (RRv).

LAMIRD analysis of this proposal is summarized in Table 10. That analysis indicates that this RI rezone scenario, in and of itself, would have a built environment ratio of 0.20, resulting in a logical outer boundary that is *not* predominantly delineated by the built environment. The analysis also results in an infill/outfill ratio of 5.00, meaning that, in and of itself, the potential for new development is five times greater than the level of existing development on the affected parcels—constituting outfill, not infill. This indicates that this RI rezone scenario, in and of itself, fails to meet the LOB predominant built environment and infill requirements of RCW 36.70A.070(5)(d).

**Table 10  
Echo Hill/Butler Creek Road  
Limited RI Rezone Scenario**

<b>Parcels</b>	<b>Total Acres</b>	<b>Existing Units</b>	<b>Potential New Units RRv (w/ CaRD Bonus)</b>	<b>Potential New Units (w/ RI Rezone)</b>	<b>Average Existing Parcel Size (Acres)</b>	<b>1990 Built Environment Ratio (&gt;1.0=Predominant Built Environment)</b>	<b>Infill/Outfill Ratio (&lt; 1.0 = Infill)</b>
<b>3</b>	<b>30.02</b>	<b>2</b>	<b>4</b>	<b>10</b>	<b>10.01</b>	<b>0.20</b>	<b>5.00</b>

Sources: Skagit County; Mark Personius, AICP, Growth Management Consultant

However, as shown in Table 11, when viewed cumulatively—combined with the existing RI LAMIRD conditions—the Echo Hill/Butler Creek Road Limited RI rezone scenario appears to meet both the LOB and the infill requirements of the GMA.

**Table 11**  
**Echo Hill/Butler Creek Road Limited RI Rezone Scenario**  
**+ Existing RI**  
**Cumulative LAMIRD Analysis**

Parcels	Total Acres	Existing Units	Potential New Units RRv (w/ CaRD Bonus)	Potential New Units (w/ RI Rezone)	Average Existing Parcel Size (Acres)	1990 Built Environment Ratio (>1.0=Predominant Built Environment)	Infill/Outfill Ratio (< 1.0 = Infill)
151	354.52	115	4	52	2.35	1.11	0.46

Sources: Skagit County; Mark Personius, AICP, Growth Management Consultant

*The CAC, however, does not recommend adoption of the Echo Hill/Butler Creek Road Limited RI rezone scenario.* The area is located away from Old Highway 99—where residents suggested any increase in residential densities should be considered, if recommended by the CAC. The large parcel sizes of the affected parcels are also significantly larger than the 2.5 acre minimum allowed by the RI zone. Furthermore, there are concerns about adequate groundwater availability in this area and the CAC felt that the potential for additional new units in this more remote rural area could be viewed as inconsistent with the GMA for promoting expansion of low density rural sprawl and requiring the possible future extension of public services, such as public water, where it is not now provided.

### Other Rural Land Use Designation Change Requests

#### 888 Alger Limited

This proposal is in an area located adjacent to and immediately west of the western side of the Alger/I-5 interchange. It comprises several parcels totaling approximately 160 acres (i.e., P47824, P47825, P47826, P47827). See Figure 10. Approximately 40 acres of the area are currently zoned Rural Reserve. The remaining 120 acres are zoned Rural Resource-NRL. The area lies between Barrell Springs Road and Interstate 5. The owner requested re-designation to allow for urban-level commercial/industrial development on the site, including “big box” retail services.

The CAC reviewed the proposal and found that it would require an urban growth area designation to allow the type of development envisioned by the property owner. The CAC felt that a UGA designation did not fit with the community’s rural vision for Alger nor that such a proposal would likely be able

to meet the strict UGA designation criteria of the GMA. *The CAC rejected the proposal and recommended maintaining the existing zoning on the site.*

#### 1000 Trails/Lifestyle Equities Master Planned Resort (MPR)

This proposal encompasses the existing 1000 Trails RV Park and Campground. The RV Park is located immediately north of and adjacent to the Skagit Casino and Interstate 5 on Bow Hill. See Figure 10. The owners of the campground proposed a major upgrade to a Master Planned Resort (MPR). As proposed, the MPR would include up to 865 units, including 180 resort cottages, 80 townhouses, 130 park models and 475 RV slips<sup>13</sup>.

The CAC heard public testimony from the project proponents and discussed the merits of the MPR proposal. The CAC felt that the existing 1000 Trails RV Park and Campground was an appropriate use for the site, given its location adjacent to I-5 and the Skagit Casino. The CAC concluded, however, that the project, as proposed, constituted too large a development for the rural scale of Alger and that its cumulative impacts represented a serious threat to the subarea's rural character. *The CAC rejected the proposal and recommended maintaining the existing zoning on the site.*

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<sup>13</sup> For a comprehensive discussion of the 1000 Trails MPR proposal refer to “Memorandum from Planning & Development Services Staff, to Skagit County Planning Commission, February 13, 2007, Re: Deliberations on the 2005 GMA Update—Proposed Master Planned Resort (MPR) Map Amendments”

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# Plan Recommendations

## Alger CAC-Recommended Comprehensive Plan Land Use Designation Changes

Alger CAC-recommended land use designation changes are described in this section and shown on Figure 11.

### Rural Freeway Service (RFS) LAMIRD at the Alger/I-5 interchange

The CAC recommends that the 5.5 acre parcel owned by Mr. Robert Jarvis (P48990) be re-designated from Rural Reserve (RRv) to Rural Freeway Service (RFS) but that the adjacent 1.5 acre parcel in the same ownership (P49070) remain Rural Reserve (RRv). Based on analysis of the *logical outer boundary* and *built environment* characteristics of the existing I-5/Alger interchange RFS designation, no other expansion of this LAMIRD is recommended.

### Alger Rural Village LAMIRD

The CAC reviewed the existing development pattern in the village and recommended five parcels for re-designation from Rural Village Residential (RVR) to Rural Village Commercial (RVC) to help promote more economic development opportunities within the existing village boundaries. These include the following parcels:

- **P70380**—a largely undeveloped parcel comprising 0.67 acres located adjacent to Old 99. There is currently one manufactured/mobile home on the property. Owner: Donald Pulver.
- **P70381**—a vacant lot comprising 0.15 acres located adjacent to Old Highway 99. Owner: Donald Pulver.
- **P70370**—a lot containing the WSDOT Alger highway maintenance shop. This parcel is 0.32 acres in size. WSDOT indicated by correspondence through the planning process that it intended to cease operations at the site within the next five years. Owner: WSDOT, Real Estate Services Division.
- **P70361**—a 0.21 acre lot with an abandoned 1,230 square foot home originally built in 1912. The lot is located at the southwest corner of the Old 99/Alger Cain Lake Road intersection. It is bordered on the south by Silver Creek. Owner: Larry Skaarup.

- **P70362**—a 0.81 acre lot with an 852 square foot home originally built in 1912. The lot is located adjacent to Alger Cain Lake Road, just west of its intersection with Old 99. It is bordered on the south by Silver Creek. Owner: Larry Skaarup.

These recommended rezones from RVR to RVC are intended to be accompanied by adoption of rural village design guidelines as part of this community plan to help promote new commercial development within the existing village boundaries as well as improve the parking and pedestrian access and associated building and site design improvements.

#### Rural Intermediate (RI) LAMIRD

*The CAC recommends adoption of the Alger Village South/Old 99 Limited RI LAMIRD scenario.* See Tables 12 and 13 for the LAMIRD analysis. See the Appendix for a detailed list of the applicable parcels. The CAC recommends that these parcels be re-designated from Rural Reserve (RRv) to Rural Intermediate (RI).

The CAC felt, overall, that the relatively compact nature of the proposal, its limited new growth potential, its relatively small existing parcel size, its location adjacent to Old 99 and downtown Alger, its ability to meet both the logical outer boundary built environment and infill requirements of the GMA and the fact that it would not require extension of any rural governmental services helped ensure that the proposal would not adversely impact the community's rural character or promote low density sprawl.

*The CAC recommends adoption of the Old Highway 99 East Limited RI rezone scenario.* See Tables 12 and 13 for the LAMIRD analysis. See the Appendix for a detailed list of the applicable parcels. The CAC recommends that these parcels be re-designated from Rural Reserve (RRv) to Rural Intermediate (RI).

The CAC felt, overall, that the relatively compact nature of the proposal, its limited new growth potential, its existing development pattern, its location adjacent to Old 99 and downtown Alger, its ability to meet both the logical outer boundary built environment and infill requirements of the GMA—when combined with the existing RI zoned area—and the fact that it would not require extension of any rural governmental services helped ensure that the proposal would not adversely impact the community's rural character or promote low density sprawl.

INSERT FIGURE 11, CAC-Recommended Zone Changes Map

**Table 12**

**Alger CAC-Recommended Rural Intermediate (RI) Land Use Designation Changes  
Individual LAMIRD Analysis**

<b>Recommended RI Rezone Scenario</b>	<b>Parcels</b>	<b>Total Acres</b>	<b>Existing Units</b>	<b>Potential New Units RRv (w/ CaRD Bonus)</b>	<b>Potential New Units (w/ RI Rezone)</b>	<b>Average Existing Parcel Size (Acres)</b>	<b>1990 Built Environment Ratio (&gt;1.0=Predominant Built Environment)</b>	<b>Infill/Outfill Ratio (&lt; 1.0 = Infill)</b>
<b>Alger Village South/Old 99</b>	<b>6</b>	<b>24.1</b>	<b>5</b>	<b>1</b>	<b>3</b>	<b>4.01</b>	<b>0.88 based on parcel area method; &gt;1.0 based on site-specific assessment</b>	<b>0.60</b>
<b>Old Highway 99 East</b>	<b>19</b>	<b>146.29</b>	<b>16</b>	<b>15</b>	<b>42</b>	<b>7.70</b>	<b>1.04</b>	<b>2.63</b>

Sources: Skagit County; Mark Personius, AICP, Growth Management Consultant

**Table 13**

**Alger CAC-Recommended Rural Intermediate (RI) Land Use Designation Changes  
Cumulative Combined LAMIRD Analysis**

<b>Recommended Combined RI LAMIRD</b>	<b>Parcels</b>	<b>Total Acres</b>	<b>Existing Units</b>	<b>Potential New Units RRv (w/ CaRD Bonus)</b>	<b>Potential New Units (w/ RI Rezone)</b>	<b>Average Existing Parcel Size (Acres)</b>	<b>1990 Built Environment Ratio (&gt;1.0=Predominant Built Environment)</b>	<b>Infill/Outfill Ratio (&lt; 1.0 = Infill)</b>
<b>--Alger Village South/Old 99 (Proposed)</b>  <b>--Old Highway 99 East (Proposed)</b>  <b>--Old Highway 99/Friday Creek Road (Existing)</b>	<b>173</b>	<b>494.9</b>	<b>134</b>	<b>18</b>	<b>87</b>	<b>2.86</b>	<b>1.17<sup>14</sup></b>	<b>0.65<sup>15</sup></b>

Sources: Skagit County; Mark Personius, AICP, Growth Management Consultant

<sup>14</sup> Cumulative 1990 existing built environment area for both proposed RI designations and the existing RI area combined = 267.27 acres; Cumulative combined area of the existing and proposed RI designations not predominantly delineated by the 1990 built environment = 227.57 acres

<sup>15</sup> Cumulative existing units for both the existing and proposed RI designations combined = 134 dwelling units; Cumulative maximum new potential units based on RI maximum density of one unit per 2.5 acres in the combined existing and proposed RI designations = 87 dwelling units.

## Recommended Alger Rural Village Commercial (RVC) Zone Design Requirements

Design Element	Existing Skagit County Code Requirements	Recommendations (in addition to current code)
Street Trees	No	Planted at intervals no greater than 30 feet on center. May be planted in groupings so as not to visually block business entrance.
Landscaping	8' type III 10' type II next to residential zone	Current code plus: Aggregate landscaping into larger landscape areas and Low Impact Development (LID) facilities are encouraged in parking areas.
Parking to side or rear	No	Encourage parking to rear and sides of buildings to eliminate or reduce parking in front of buildings and along roads.
Lighting - no glare	Performance standard, not enforced	Current code plus: All lighting shall be full cut-off, shielded and directed so that light does not migrate off a site or road.
Lighting - pedestrian scale	No	Light masts shall be 12 - 18 feet high and directed to sidewalks, paths, parking areas.
Building design: Pitched roof, finishes, facades, other	No	New structures shall be of compatible design with existing rural structures. Restoration of existing structures shall retain the character of the original. In Alger, design clues should be taken from the tavern, Grange Hall, and Community Hall.
Siting of building toward front of lot	15' front setback	Current code plus: Reduce or eliminate side setbacks to allow varied massing of buildings.

Signs: small-scale	40 sf, 2 per entrance allowed, can be located side-by-side to double size, no height limit	Current code plus: One sign per business. Sign will be attached to the front façade of a commercial structure or be mounted perpendicular to the building wall and not protrude above the roofline of the building. Signs will be a maximum 10% of the façade area of a structure. Each business is allowed a sandwich board sign 5 - 7 sq. ft. per face or if business fronts on a road with an 80 foot wide right-of-way (ROW) or greater a free standing sign may be placed at the ROW line within 10 feet of the entrance to the business. The free standing sign will be permanently placed and may not exceed 4 feet in height and 7 feet in length and have a face area of no more than 21 sq. ft.
Pathways or sidewalks	No	Zoning code defers to community plan. Provide a safe and unified pedestrian connection between commercial activities. See recommended Village Concept Plan.
Building scale - small	6,000 sf per parcel 12,000 sf per parcel for lodging and fire stations 1,500 sf - accessory	Consider scaling to size of parcel. Possibly allowing a 70% site coverage that includes building, parking, LID techniques and landscaping. Encourage smaller structures arranged in varied, clustered groupings.
Low Impact Development (LID)	No	Incorporate LID techniques as appropriate (see <i>Low Impact Development - Technical Guidance Manual for Puget Sound</i> , Puget Sound Action Team, January 2005)

The following **Village Concept Plan** highlights how some of the key RVC design elements could be implemented by future development or re-development of downtown Alger. Any excess right-of-way along Old 99 in downtown should be reserved for future public amenities such as landscaping, pedestrian safety improvements and stormwater management as suggested in the concept plan.

**INSERT VILLAGE CONCEPT PLAN GRAPHIC (by Curt Miller)**

NOTE:

Further discussion of standards for Rural Village Commercial development and additional images are included in the report on the plan from Planning and Development Services (the department report).

## Key Plan Recommendations:

1. Seek to increase economic development opportunities which can serve the local residents, within the requirements of the GMA.
2. Seek to expand the allowances for and development of cottage industries and home-based businesses in Alger through appropriate regulatory amendments.
3. Maintain and take actions which support downtown Alger as the major focal point of the community and seek to expand commercial development opportunities within the current village to the maximum extent possible under the GMA.
4. Carefully review the potential impacts on rural character from the development of Conservation Reserve Developments (CaRDs) and review the requirements for CaRDs to ensure they achieve the protection of rural character for which they are intended, including preservation of the open space parcel or tract in perpetuity and consideration of allowing CaRDs only in instances where adequate tree cover and canopy can help screen the resulting clustered developments from public view.
5. Work with the County, landowners, and associated agencies and interests to preserve important open space resources in Alger, especially seeking to link the significant natural habitats, recreational opportunities and open space associated with Blanchard Forest, Mt. Anderson, Baldy Mountain and Squires Lake.
6. Work with Skagit County Department of Public Works to seek intersection improvements at Old 99 and Alger/Cain Lake Road to slow traffic on Old 99 and accommodate the large volume of traffic now moving east-west along Alger/Cain lake Road in a manner that provides the best fit for transportation safety and efficient movement of vehicles and pedestrians.
7. Increase monitoring and enforcement of land use activities authorized by Special Use Permits in the area with particular emphasis on noise and traffic impact mitigation measures.
8. Work with the US Postal Service to deter mail theft and consolidate mail delivery in the Alger area and ensure that the zoning code allows private postal service businesses in the RVC or RFS zones.
9. Coordinate with Skagit County to identify and correct the old survey errors and update the cadastral survey to reflect current private property and public right-of-way boundary alignments.

10. Encourage Skagit County to expand recreational and open space opportunities at Squires Lake Park by acquisition of additional properties by fee simple ownership.
11. Skagit County should coordinate with Whatcom County on the review of development proposals in the northern Skagit/southern Whatcom County areas to ensure adequate consideration of traffic and environmental impact mitigation for new development which may have cross-jurisdictional impacts.
12. Amend Skagit County Code (SCC) Chapter 14.16.100 to add "Laundromats" and "Automobile Repair" as Permitted Uses in the Rural Village Commercial (RVC) Zone (Alger-specific).

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## Appendices