



PLANNING & DEVELOPMENT SERVICES

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MEMORANDUM

To: Skagit County Planning Commission
From: Carly Ruacho, Senior Planner
Date: July 30, 2009
Re: Miscellaneous Code Amendments

As you are aware, amendments to the Skagit County Code were released for public review and comment on June 12, 2009. A public hearing was held on the matter on June 30, 2009. The written comment period on the proposal was extended at the public hearing for an additional three weeks through July 21, 2009. The proposal includes a series of code amendments on various topics for your consideration and possible adoption by the Board of Skagit County Commissioners. Most amendments are minor in nature and can be classified as 'house-keeping' addressing such things as typographical errors, inadvertent additions or omissions, and providing clarity or consistency. The proposal also includes several more substantive proposed changes which have been highlighted in previous memos and presentations.

Based on initial review of the public comments received, the Department recommends bifurcation of the proposed code changes for ease of Planning Commission review, deliberation, and action. There seems to be a clear distinction that can be made regarding those amendments which are generally non-controversial in nature and those that may take more development and/or discussion. The Department recommends that, at this time, the Planning Commission focus its review and deliberation on only a portion of the code changes currently proposed. Attached you will find all the code changes listed by section, most printed in black ink and the remainder in red. The Department recommends that for your scheduled deliberations on September 1, 2009, only those items printed in **BLACK** be considered.

We believe that this action plan will allow the majority of the amendments to move forward in a timely fashion while also giving deserved attention to those causing more concern. Staff understands how cumbersome and complex these code updates can be and we hope that our suggestion regarding a strategy for deliberations is useful and agreeable to you.

Please feel free to contact me at extension 5582 with any questions you may have.

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#	Code Section	Effect of Change
	14.04.020 Definitions	
0	Approving Authority	Modify definition to delete conflicting language inadvertently included during the CAO update.
1	Biologist	Delete obsolete definition.
2	Critical area designation	Delete obsolete definition.
3	Critical area indicators	Delete obsolete definition.
4	Delineation	Delete obsolete definition.
5	Development	Modify definition to delete erroneous addition of 'not'.
6	Dwelling unit, efficiency	New definition for term used in SCC 14.16.850.
7	Family	Modify definition for consistency with governing statutes.
8	Geologist	Delete obsolete definition.
9	Group care facility	Modify definition for consistency with governing statutes.
10	Major utility development	Consolidate definition under modified utilities definition.
11	Minor utility development	Consolidate definition under modified utilities definition.
12	Misinformation	Modify definition for clarity.
13	Remodel	New definition for term used throughout Title 14.
14	Repair	New definition for term used throughout Title 14.
15	Replacement	New definition for term used throughout Title 14.
16	Riparian area	Amend definition to clarify applicability only to streams and rivers.
17	Riparian vegetation	Delete obsolete definition.
18	Seasonal roadside stand	Modify definition to clarify limits for Ag promotional items.
19	Setback	Modify definition to apply to planned streets.
20	Species of local importance	Delete obsolete definition.
21	Substantial improvement	Modify definition to clarify cumulative nature of improvement calculations.
22	Temporary	Modify definition to clarify application to RVs.
23	Threatened species	Delete obsolete definition.
24	Upland	Delete obsolete definition.
25	Utilities	Rename to Utility Developments, consolidate classifications of utilities, and include new classification of major regional utility.
26	Wetland functions	Delete obsolete definition.
27	Wetland professional	Delete obsolete definition.
28	Wetland reconnaissance	Delete obsolete definition.
29	Wetland and/or stream specialist	Delete obsolete definition.
30	Wildlife habitat specialist	Delete obsolete definition.

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	14.06 Permit Procedures	
31	14.06.030(1) and (2)	Correct typographical error relations vs. regulations.
32	14.06.045(1)(b)	Include language addressing lots previously restricted from development.
33	14.06.050(1)(a)	Add Notice and Order to Abate.
34	14.06.050(1)(a)(iv)	Correct permit level reference.
35	14.06.050(1)(a)(xi)	Clarify applicability to desired permit types.
36	14.06.050(1)(b)(iv)	Clarify County ability to request Admin. Interpretations.
37	14.06.050(1)(c)(i)-(ii)	Transfer project-level review from PC to HE.
38	14.06.050(1)(d)	Correct erroneous reference to HE for Level IV applications.
39	14.06.060	Correct erroneous reference to highest permit level.
40	14.06.110(15)(f)	Correct timelines and process when hearing requested.
41	14.06.150(2)(a)	Remove exemptions to public notice requirements for forest practice applications.
42	14.06.150(2)(d)(iii)	Include requirement to notify physical addresses for 500' consistent with requirements for 300'.
43	14.06.160(8)	Correct erroneous citations.
44	14.06.230(1)	Except SEPA [DNS or all?] thresholds from Stay of Proceeding provisions.
	14.08 Legislative	
45	14.08 (except 14.08.010, 14.08.100, 14.08.110)	General revisions including but not limited to: Inclusion of all rezone criteria within CPA requirements, Amend SRT CPA requirements to require business plan, Modify redesignation language/timeframes for commercial and industrial zoning, Amend exception to once per year CPA language to reflect RCW36.70A.013(2)(b), Clarify 'except rezones in UGAs' language – rezone only, Include UGA modification criteria.
45a	14.08.060	Clarify process timelines/correct erroneous citations.
	14.10 Variances	
46	14.10.010	Clarify purpose of variances as generally to dimensional standards.
47	14.10.020(1)(f)	Add new section to address CAO variances 25-50%.
48	14.10.020(3)	Clarify that only certain sections are eligible for variances.
	14.12 SEPA	
49	14.12.210(1)	Modify language to clarify no admin appeals for 'non-project' actions and only 1 admin. appeal.

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50	14.12.220(2)	Correct typographical error 'bc' to 'be'.
	14.14 Development Agreements	
51	14.14.020(1)	Clarify County discretion for entering into agreements.
52	14.14.040(3), (6)	Correct permit level citations for consistency w/ 14.06.
	14.16 Zoning	
53	14.16 (throughout)	Amend building height requirements.
54	14.16.020(3)	Add code construction section clarifying use hierarchy.
55	14.16.100	Amend to include specific standards for Alger.
56	14.16.110(2)(h)	Remove redundant use (laundromat), remove 'and' on (n).
57	14.16.120(5)(a)(ii)	Correct erroneous reference to front parking.
58	14.16.120(5)(b)(iii)	Reorganize storage provisions to separate subsection.
59	14.16.150(2)(b)	Clarify examples of change of use allowances.
60	14.16.150(2)(c)	Clarify RB expansions relation to gross floor area.
61	14.16.150(4)(d)	Clarify RB expansions relation to gross floor area.
62	14.16.155(1)	Clarify purpose to allow public and private services.
63	14.16.155(7)	Add new (7) to include BVR infrastructure standards.
64	14.16.155(8)	Include appropriate citations within former (7).
65	14.16.160(3)	Add uses with lower thresholds than (4)(c) and (d). Also add 'usual accessory storage'.
66	14.16.160(5)(f)	Lower permit level to (4) for consistency with 14.16.720.
67	14.16.160(6)(a)	Eliminate unnecessary and redundant setback language.
68	14.16.170(6)(a)	Amend confusing language – clarify setback requirements.
69	14.16.175(3)-(4)	Add uses with lower thresholds than (4)(c) and (d).
70	14.16.175(5)(f)	Lower permit level to (4) for consistency with 14.16.720.
71	14.16.175 (6)(a)	Eliminate unnecessary and redundant setback language.
72	14.16.180(9)	Add new (9) to include BVR infrastructure standards.
73	14.16.180(10)	Include appropriate citations within former (9).
74	14.16.190(9)	Add new (9) to include BVR infrastructure standards.
75	14.16.190(10)	Include appropriate citations within former (9).
76	14.16.210(8)	Amend table to remove the prohibition on new structures.
77	14.16.215(3)(c)	Correct lang. to ensure correct interpretation 'in the UGA'.
78	14.16.340(8)	Add new (8) to include BVR infrastructure standards.
79	14.16.340(9)	Add new (9) to include additional requirements provision.
80	14.16.350(7)	Add new (7) to include BVR infrastructure standards.
81	14.16.350(8)	Include appropriate citations within former (7).
82	14.16.385(3)(f)	Increase permit level to (4) for consistency with 14.16.720.
83	14.16.400(5)(a)(i)(A)	Clarify 200' setback provision included entire structure.

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84	14.16.400(6)(c)(iii)	Include language from (6)(b) regarding restrictions.
85	14.16.440(3)(b)-(c)	Modify language regarding pre-existing, permitted mines.
86	14.16.600(1)	Clarify intent of section to process specified uses as Unclassified Special Uses.
87	14.16.720	Amend zoning districts/permit levels regarding cell towers.
88	14.16.820(3)(c)	Correct language regarding roof/wall mounted signs.
89	14.16.820(4)(b)	Include requirements specific to RVC in Alger.
90	14.16.820(8)	Include requirements specific to Alger.
91	14.16.830(2)	Clarify use types required to meet landscape provisions.
92	14.16.830(4)	Add UGA zones to landscaping regulations as applicable.
93	14.16.830(4)(d)	Insert new regulations for RCV in Alger.
94	14.16.830(5)	Include new language regarding landscape requirements for remodeled buildings.
95	14.16.850(4)(a)	Include 'not for development' provision for standard lots.
96	14.16.850(4)(c)(i)	Amend to clarify that previous restrictions for development are not circumvented by lot cert exemptions.
97	14.16.850(4)(c)(vii)(A)	Remove outdated reference to Uniform Building Code.
98	14.16.850(4)(c)(viii)(A)	Amend Fidalgo/Guemes Is. language in (A).
99	14.16.900(1)(b)(v)	Add cumulative review/rural character criteria (HBB 3).
100	14.16.900(1)(c)	Amend language regarding Special Use mapping requirements.
101	14.16.900(1)(d)	Correct erroneous code citation in last sentence.
102	14.16.900(2)(e)-(g)	Correct placement of erroneous HBB language and transfer cumulative review/rural character provisions.
103	14.16.900(2)(i)(xv)	Add 'may refuse to issue' language fro (xiv), also remove 'found'.
	14.18 Land Division	
104	14.18.000(5)(h)	Add date certain for fire district inclusion for IF, SF & RRc
105	14.18.100(3)(c)-(d)	Correct permit level citations for consistency w/ 14.06.
106	14.18.310(5)(b)	Include new language to address Forest Practice permit changes.
107	14.18.500(4)(b)-(c)	Correct permit level citations for consistency w/ 14.06.
108	14.18.700(1)-(2)	Modify language for consistency including with 14.24.
	14.24 Critical Areas Ordinance	
109	14.24.070(13)	Include new section to address Forest Practice permit changes.
110	14.24.090(1)	Included language from 14.24.090(5)(e) for consistency.
111	14.24.110(4)(b)	Modify current forest practice provisions to reflect state law i.e. no moratorium for non-conversion violation.
112	14.24.520	Reorganization for better flow and understanding.
113	14.24.530	Restoration of previously removed language to clarify intent.

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	14.28 Concurrency	
114	14.28.020(2)(a)	Correct usage of 'single family dwelling unit'.
115	14.28.020(2)(d)	Clarify exemption applies only to residential structures.
	14.34 Flood Damage Prevention	
116	14.34.190(2)	Modify (a) and (b) such that compliance with each is required – 'except for both of the following'.
117	14.34.190(2)(b)	Modify repair, reconstruction, improvement provision to calculate 50% limit cumulatively over 10 year period.
	14.44 Enforcement	
118	14.44.110(2)(a)(v)(C)	Amend timelines for consistency with 14.06.
119	14.44.120	Correct process language for better implementation.