



# Planning & Development Services

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## Memorandum

To: **Planning Commission**

From: Michael Cerbone, AICP  
Andrew Graminski, Planning Intern

Date: June 18, 2019

Re: **Planning Commission Workshop – Docket Item C-8**

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### Summary:

Planning and Development Services (PDS) is providing this staff report in advance of the June 18, 2019 Planning Commission workshop on docket item C-8 Airport Environs Overlay edits to SCC 14.16.210. Revisions include edits to reflect collaboration between the Port of Skagit and the County in determining height restrictions in the Airport Environs Overlay (AEO), and the review of Boundary Line Adjustments (BLAs) within the AEO.

### Action Requested of the Planning Commission:

Action requested from the Planning Commission is a recorded motion approving docket item C-6 to be accepted as a 2019 Comprehensive Plan amendment.

### Background/Discussion:

RCW 36.70A.130 – Comprehensive Plans – Review procedures and schedules – Amendments (GMA), authorizes the County to make revisions to the Comprehensive Plan no more than once per year through the Docket. On March 19, 2019 the 2019 Docket for amendments to the Comprehensive Plan, Zoning Map, and/or Development Regulations was voted into action by Skagit County's Board of County Commissioners (BoCC's) via approval of Resolution R20190052. SCC 14.08.080(6) and (7) requires code revisions to be reviewed by the Planning Commission.

This docket item came out of the 2018 County-Initiated Amendments (items C-5 and C-10). Those items have been deferred to the 2019 Comprehensive Plan Amendments as docket item C-8. This item considers amendments to the Airport Environs Overlay code to address the need to consult with the Port as part of the development review process. Code edits include the following:

1. The Port requests the following sentence be inserted to SCC 14.16.210(3)(d)(ii)(A):  
The Administrative Official shall consult with the Port of Skagit prior to making such a determination."

2. The Port requests the County notify and provide an opportunity for the Port to review and comment on any application for a BLA in addition to the other types of applications listed on Skagit County Code 14.16.210(4).

### **Next Steps:**

After the Planning Commission Workshop on June 18, 2019:

- Planning Commission may task PDS with next steps such as research and development
- Planning Commission will host a public hearing prior to deliberating and deciding on a recommendation
- The recommendation will then be passed onto the BOCC's who will host a public hearing and consider the recommendation
- If approved, PDS staff will implement the code amendment as part of the development review process

### **Applicable County Policies:**

County Wide Planning Policies (CPPs)

- *Policy 12.3 A process shall be developed for identifying and siting essential public facilities. The Comprehensive Plan may not preclude the siting of essential public facilities. (The GMA defines essential public facilities as those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities, state and local corrections facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities and group homes.)*

County Comprehensive Plan Goals and Policies:

- *Goal 8A-7: Support economic development goals by providing adequate air, rail and surface freight handling routes and facilities throughout the County transportation system.*
  - *Policy 8A-7.4 Encourage improvements to air transportation facilities consistent with the ports of Skagit County and the state Aviation System Plan. Improve road and transit linkages to airport facilities.*
- *Goal 8A-13: Incorporate transportation goals, policies, and strategies into all County land use decisions.*
  - *Policy 8A-13.4 **Airport Expansion:** In the vicinity of the Skagit Regional Airport, review development proposals to avoid future conflicts and the foreclosure of opportunities for future airport expansion.*
- *Goal 11F-3: Support economic and job creating activities of the port districts to ensure their long-term viability.*
  - *Policy 11F-3.2 Support the Port of Skagit in its economic development activities across the County, particularly at the Skagit Regional Airport and North Cascades Gateway Center (the former Northern State Hospital campus) areas, and the Port of Anacortes in its efforts to more fully utilize its deep draft marine terminal for trade, commerce and related economic development.*

- *SCC 14.08.020(6) states that the BOCC may adopt or amend development regulations at any time.*

From the Comprehensive Plan:

**A. Skagit Regional Airport**

*The Skagit Regional Airport is operated by the Port of Skagit County and is adjacent to the Bayview Business & Industrial Park west of Burlington. The airport is used for general aviation and has runways of 5,475 feet and 3,000 feet in length which can accommodate all aircraft with 30 passenger capacity or less. It also provides a charter service, primarily for passengers in route to the San Juan Islands. In 2012, there were approximately 60,000 take-offs and landings, with Comprehensive Plan 2016-2036 12: Implementation and Monitoring ⊗ Exhibit List Preface 1 Contents 2 Land Use 3 Rural 4 Natural Resource Lands 5 Environment 6 Shoreline 7 Housing 8 Transportation 9 Utilities 10 Capital Facilities 11 Economic Development 12 Implementation Appendices 424 approximately 1,400 being air cargo operations. The vast majority of activity at the airport is general aviation. In 2012 there were 150 aircraft based at Skagit Regional Airport (Port of Skagit, 2015). The County's 2014 Bayview Subarea Plan addresses land use compatibility with the Skagit Municipal Airport.*

**List of Attachments:**

Attachment A- Proposed Amendments to Airport Environs Overlay

Attachment B – Letter from Port of Skagit

## Attachment A

Plain text = existing code with no changes
<del>Strikethrough</del> = existing code to be deleted
<u>Underlined</u> = new code to be added
<del>Double Strikethrough</del> = existing code moved to another location
<u>Double Underline</u> = existing code moved from another location
<i>Italics</i> = instructions to code reviser

## Title 14 Unified Development Code

### 14.16.210 Airport Environs Overlay (AEO)

*The following sections of 14.16.210 are proposed to be amended.*

#### **14.16.210(3)(d)(ii)(A)**

Development may not impede the imaginary plane defined by Section 77.25 of Federal Aviation Regulations and generally shown as contours on the AEO Building Heights Restriction Contours Map. The Administrative Official may make a final determination regarding the applicability of the building height restriction plane. The Administrative Official shall provide an opportunity for the Port of Skagit to review and comment prior to making such a determination. This subsection gives no authority to the Port of Skagit to require changes to the application.

#### **14.16.210(4)**

Port of Skagit Review. The Department shall provide an opportunity for the Port of Skagit to review and comment for any application for a commercial building permit, land division, special use permit, boundary line adjustment, or variance through SEPA or other public comment process. This subsection gives no authority to the Port of Skagit to require changes to the application.