#### LISSER & ASSOCIATES, PLLC

320 Milwaukee Street / P.O. Box 1109 Mount Vernon, Washington 98273-5461

> Phone: (360) 419 - 7442 Fax: (360) 419 - 0581 bruce@lisser.com

DATE

July 9, 2019

**FACSIMILE** 

### TRANSMITTAL

To: **Skagit County Planning**  Via: Hand Delivered Fax: (360) 419-0581

From: Bruce G. Lisser

**Buchanan Acres Comp Plan Amendment/Rezone)** Re:

AS REQUESTED

**URGENT** 

FOR REVIEW

PLEASE COMMENT

PLEASE REPLY

To whom it may concern:

Attached please find the following in support of a complete application for the above referenced project as follows:

- 1) Signed and completed application packet responses to questions are on the attachment
- 2) Check in the amount of \$5920.00 to Skagit County Planning Base application fee \$5040 + SEPA Checklist fee \$600 + 2 publication fees \$280 = \$5920.00
- 3) Assessor's print out sheet for parcel P-125691
- 4) Aerial photo of the subject property
- 5) Imap of the subject property
- 6) Current zoning map of the subject property
- 7) Expected area of Rezone if the county utilizes the anticipated LAMIDS process and a county initiated rezone, the applicant can only request a change to their ownership.
- 8) Reduced copy of the Assessor's map of Section 2, T. 34 N., R., 4 E., W.M.
- 9) Reduced copy of Buchanan Acres Long CaRD AF No. 200611200082
- 10) Copy of Firmette of the subject area showing the limits of the flood plane
- 11) SEPA Environmental Checklist dated July 9, 2019

I am hopeful that the attached information will be sufficient to process the rezone request, if additional information is needed please do not hesitate in giving me a call.

Sinc

Job # 18-120 E/Forms/Transmittal-bgl

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□ Administrative Decision □ Agricultural Variance □ Binding Site Plan □ Boundary Line Adjustment □ Final Plat □ Long CaRD □ Lot Certification □ Modification □ Open Space □ Pre-application Review	☐ Preliminary F☐ Shoreline Ex☐ Shoreline Su☐ Short CaRD☐ Short Plat☐ Special Use☐ Special Use☐ Variance Lev☐ Variance Lev☐ Other Zoning	emption bstantial Use Per Permit Level I Permit Level II rel I	mit 	
Brief project description: Rezone Property	/			
Applicant Name: Buchanan Acres, LLC				· · · · · · · · · · · · · · · · · · ·
Other Related Permits or Approvals:				/
P-125691 Assessor Ta	× #:	000	009	000
Parcel ID#: Assessor Ta	x #:			
Comprehensive Plan/Zoning Designation:	RRv	Section <sup>2</sup>	_Township	Range_4
Site Address: 22734 Mud Lake Road Mou	ınt Vernon, WA	98273		
Lot of Record: ⊠ Yes □ No Urban Grow		0.50 (0) (0)	3000	
Comp Plan/Zoning within 200 feet: RvR, R	Rv and AG-NRL			
Mineral Resource Overlay within 1/4 mile: D	⊐ Yes ⊠ No C	Critical Area/Water	within 200 fe	et: □ Yes 🏻 No
Pre-application meeting required? ☐ Yes	⊠ No Meeti	ng verification forr	n enclosed? [	□ Yes 🖾 No
Acreage / Lot Dimensions: See attached n	nap: 32.5 Acres		,	
Flood Zone: N/A FIRM Map P	anel #:		Map Date:	
Road access:   Private   County – Permit	#:		Permit #:	
Water Source:   Drilled well - Permit #:	□ Co	mmunity Well □ Pu	blic 🗷 PUD	#1   Anacortes
Sewage Disposal: 🛮 Septic – Permit #:		_ □ Public Se	wer:	
Legal Description: See Attached maps, Lot	t 9 of Long CaRI	D PL-05-0014, A.F	. No. 200611	200082
		(Attach	additional she	et if necessary.)

Phone	Fax	e-mail address
Address 360-419-7442	360-419-0581	bruce@lisser.com
P.O. Box 1109 Mount	Vernon, WA 98273	
Name		
Bruce G. Lisser c/o Lis	sser & Associates, PLLC	
<u>Contact</u>		
£		
Phone	Fax	e-mail address
360-333-0711		geoffdevries@gmail.com
Address		2
-	Mount Vernon, WA 98273	
Buchanan Acres, LLC		
<u>Owner</u>		
1		
	Min n	
Signature //		e-mail address
Phone /	(Hav	e-mail address
360-333-0711		geoffdevries@gmail.com
Address	Mount Vernon, WA 98273	
Name		
Buchanan Acres, LLC	>	
<u>Applicant</u>		

### **OWNERSHIP CERTIFICATION**

I,, hereby certify that I am the major property owner or officer of
the corporation owning property described in the attached application, and I have familiarized myself with the rules and regulations of Skagit County with respect to filing this application for a
Comp. Plan/Zoning Map Amendment and that the statements, answers and information submitted
presents the argument on behalf of this application and are in all respects true and correct to the best of my knowledge and belief.
Street Address:
City, State, Zip: Mount Vernon, WA 98273
Phone: (360 )333-0711
BRUCE G. LISSER STATE OF WASHINGTON
NOTARY• PUBLIC  for:
ACKNOWLEDGMENT
STATE OF WASHINGTON ) ss. )
COUNTY OF SKAGIT ) SOZADNE L. PAGELES
On this day personally appeared before me Geoffrey M. Devries, Manager, known to be the ndividual(s) described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purpose therein mentioned.
GIVEN under my grand and official seal the day of
South .
NOTARY PUBLIC in and for the State of Washington residing at Word Vision
My Commission Expires: 7-14-2e



### Comprehensive Plan/Zoning Map Amendment Request

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273 voice 360-416-1320 · inspections 360-416-1330 · www.skagitcounty.net/planning

Per RCW 36.70A.470(2), this form is intended for use by any interested person, including applicants, citizens, hearing examiners, and staff of other agencies, to request amendments to the Skagit County Comprehensive Plan/Zoning Map. Please do not combine multiple unrelated map amendments on a single form. This form is for changes to the map; use the Policy or Development Regulation Suggestion form for changes to those regulations.

Submitted By							
Name Buchar	nan Acres, LLC	C	Organization				- C 3-2000-008
Address 22750	Chestnut Place		City, State	Mount Vernon, W	A	Zip	98273
Email geoffde	evries@gmail.com		Phone	360-333-0711			Marketta , at , and the
Request Type							
Choose one of the foll	owing:						
Site-sp	pecific map amendment, as defined in SCC 1	4.08	3.020(6), but	NOT to a commerci	ial/industrial o	desig	nation.
Site-sp	pecific map amendment to a commercial/inc	lusti	rial designat	on per SCC 14.08.02	20(7)(c)(iii).		
Required Submitta	als						
All ma	p amendments and rezones:	Cor	mmercial-Inc	ustrial map amendi	ments and rez	ones	:
<b>■</b> Fe	es		Site Plan				
<b>■</b> La	nd Use Map			ial/Industrial Phasing Plan; see SCC 14.08.020(7)(c)(iii)			
<b>■</b> Lo	t of Record Certification		optional, se				
■ Ov	wnership Certification (if required below)						
Subject Property							
Site Address 22734 N	Mud Lake Road		City, State	Mount Vernon, WA	Α	Zip _	98273
Parcel No(s) P-12569	91	Ex	isting Zone	RRv Rural Reseve	9		
Acreage Gross a	rea=1,415,478 SQ. FT 32.49 Acres		Requested Zone	RvR Rural Village F	Reserve		
Property Interest							
Are you the owner of t	the subject property?						
	the subject property? attach Ownership Certification						
Yes Please	0000 to 1000 \$000 \$000 \$000 000 \$000 \$						
Yes Please	attach Ownership Certification  ne your interest in the subject property:						

1. Describe your proposed amendment.

See Attached

2.	See Attached
3.	they no longer apply.
	See Attached
4.	policy directives.
	See Attached
5.	Describe the impacts anticipated to be caused by the change, including geographic area affected and issues presented.  See Attached
6.	Describe how adopted functional plans and Capital Facilities Plans support the change.  See Attached
7.	Describe any public review of the request that has already occurred.  See Attached
8.	Describe how the map amendment/rezone complies with Comprehensive Plan land use designation criteria in Chapter 2, the Urban, Open Space & Land Use Element; Chapter 3, the Rural Element; or Chapter 4, the Natural Resource Lands Element.  See Attached

9. Population forecasts and distributions.

If you are proposing **an urban growth area boundary change**, describe how it is supported by and dependent on population forecasts and allocated urban population distributions, existing urban densities and infill opportunities, phasing and availability of adequate services, proximity to designated natural resource lands, and the presence of critical areas.

If you are proposing a **rural areas or natural resource land map designation change**, describe how it is supported by and dependent on population forecasts and allocated non-urban population distributions, existing rural area and natural resource land densities and infill opportunities.

See Attached

- 10. If you are proposing a **natural resource land map designation change**, describe how the change is necessary based on one or more of the following:
  - (A) A change in circumstances pertaining to the Comprehensive Plan or public policy.
  - (B) A change in circumstances beyond the control of the landowner pertaining to the subject property.
  - (C) An error in initial designation.
  - (D) New information on natural resource land or critical area status.

See Attached

#### **Notices**

Fees. For review that requires more than 80 hours of staff time, the applicant will be billed at the hourly rate as shown on the fee schedule.

**Refunds.** If an application is not approved for further review under SCC 14.08.030(2), or when an application is withdrawn or returned before such a preliminary decision is made, a refund of not more than 80% may be authorized by the Planning and Development Services Director. Refunds must be requested in writing within 180 days of the date the fee is collected.

**SEPA.** The SEPA checklist and fee, if required, are due upon request from the Department if the Board of County Commissioners dockets this application for further consideration. This application may be considered complete without payment of the SEPA fee.

**Docketing.** SCC Chapter 14.08 governs the process for docketing of Comprehensive Plan amendments. Docketing is procedural only and does not constitute a decision by the Board of County Commissioners as to whether the amendment will ultimately be approved. Amendments are usually concluded by the end of the year following the request. State law generally prohibits the County from amending its Comprehensive Plan more than once per year.

**Submission deadline.** A complete application for a map amendment must be received by the last business day of July for docketing. Requests received after that date will not be considered until the following year's docket.

**How to Submit.** Submit your requests via email (preferred) to pdscomments@co.skagit.wa.us or to Planning & Development Services at the address above.

### Buchanan Acres, LLC Rezone Request Skagit County Auditor's File No. P-125691

#### 1. Describe your proposed amendment.

This request is for a change in zoning from Rural Reserve (RRv) to Rural Village Residential (RvR). This property is identified as Lot 9, Buchanan Acres Long CaRD, recorded under Skagit County Auditor's File No. 200611200082. Said Lot 9 is designated as Open Space Urban Reserve (OS-UR). "The OS-UR designation is to retain areas of open space until such time that urban development is deemed appropriate for the area and then to continue to require a portion of that original space to be preserved."

Based upon the zoning to the south and the east, which is currently RvR, and the fact that most of the parcels along both Buchanan Road and Mud Lake Road are at the proposed lot size of the RvR zone, it seems logical to rezone the property to the requested RvR zone.

At the present time specific development plans have not been prepared, but the vision is to have similar 1-acre parcels along the northern and western side of Chestnut Place, infill the one parcel along Buchanan Street and have several more parcels along Mud Lake Road. The central and eastern portion would be retained in open space.

2. Describe the reasons your proposed amendment is needed or important. Skagit County is currently under served with respect to available residential building lots. The site is well situated to serve both Sedro-Woolley and Mount Vernon and provide future homeowners a parcel of land to build on that is larger than what is found within city limits as well as an opportunity to live in a rural setting.

3. Describe why existing Comprehensive Plan Map designations should not continue to be in effect or why they no longer apply.

The existing comprehensive Plan Designation of Rural Reserve (RRv) does not reflect the existing area. As previously mentioned, the north side of Buchanan Street adjacent to Skagit County Assessor's Parcel No. P-125691 is mostly developed with lots that are the same size of the requested zoning of RvR. Furthermore, there are properties within the requested rezone area that were developed using the CaRD process that created lots that will be consistent with the requested Rural Village Residential zone.

All necessary utilities are already available to the site and minimal extensions of services will be required.

The land no longer reflects a rural setting of a 10-acre zone, it is more reflective of the RvR zone to the south and east of the subject property. By utilizing an infill approach and making the area all RvR it would be consistent with what was previously envisioned for the area. I believe that since the site was originally an undeveloped parcel of

approximately 43 acres the Rural Reserve (RRv) designation was probably appropriate. With the 9 lot Short CaRD, the developments of a road and infrastructure to support a higher density it is now more reflective of the higher density zone of Rural Village Residential (RvR).

This is consistent with the Growth Management Act allowance of "limited areas of more intensive rural development" or LAMIRDS. By utilizing the CaRD development the site has naturally progressed to a more intensive development of the rural area, which was anticipated and expected.

By continuing to develop at the RvR density, it allows for the opportunity to fully utilize an existing developed area prior to impacting an area that is not as well situated. Being adjacent to RvR zones to the east and south makes this a very logical progression to infilling the area.

4. Describe how the amendment complies with the Comprehensive Plan's community vision statements, goals, objectives, and policy directives.

This request is consistent with the stated comprehensive plans vision, goals and objectives. A major goal was to increase housing choices, this request meets that goal. A second goal was to provide for efficient land-use practices, this request will use existing roadways that have capacity to serve more properties without the need to build more infrastructure. Any future development will be required to utilize the CaRD development process which will require additional open space to be set aside. The required open space will help in maintaining a rural landscape in the area and will provide some level of transition to the agriculture zone to the northwest.

The development is on a hillside, out of the floodplain, away from impact to agricultural and natural resource lands as well as on a site with no critical areas.

5. Describe the impacts anticipated to be caused by the change, including geographic area affected and issues presented.

The impacts to this request would mostly be from traffic on the rural roads. The current road previously constructed, Chestnut Place, is under-utilized and can handle the additional traffic without any impact, Buchanan Street and Mud Lake Road meet County Road Standards and any development impact should be negligible.

With development comes an increase in surface water runoff, any future development will be required to meet storm drainage criteria as part of any future project.

The number of homes within the geographic area would increase, but the nature of the neighborhood will be similar to the current use.

Since the property is on a hillside, the territorial views that are enjoyed by the current residents would still be enjoyed as a roadway separates the homes and the property is lower on the north side of Chestnut than on the south side where the existing homes are.

The requested rezone will fit the current land uses very well and no major impacts are anticipated with respect to developing the site.

# 6. Describe how adopted functional plans and Capital Facilities Plans support the change.

The RvR zoning request supports the functional plans and Capital Facilities Plans on the site in several ways. Policy 8A-136 support for existing development, as previously mentioned the existing roadway is under-utilized. Additionally, all utilities are available to the site, soils are also shown to support on-site septic.

Finally, the comprehensive plan stresses the need to have available and affordable housing stock. By maximizing an area with the RvR zone makes sense as there will be a reduction in necessary infrastructure extension thereby reducing the development cost and sales price for new lots.

- 7. Describe any public review of the request that has already occurred. None known.
- 8. Describe how the map amendment/rezone complies with Comprehensive Plan land use designation criteria in Chapter 2, the Urban, Open Space & Land Use Element; Chapter 3 the Rural Element; or Chapter 4, the Natural Resource Lands Element.

This map amendment complies with Chapter 3, the Rural Element. The RvR is a natural progressive of the Rural Reserve zone that has utilized the CaRD development process. Since the subject property already is bordered to the south and east by the RvR zone, the progression from RRv (Rural Reserve) is appropriate and anticipated within the Comprehensive Plan.

The request specifically meets Goal 3A-b providing for a variety of rural densities and housing opportunities. Goal 3A-d allowing land uses which are compatible and in keeping with the protection of important rural landscape features, resources and values (utilizing the CaRD process and retaining open space fits this goal). 3A-c encouraging economic prosperity for rural areas (although it is short term, new home construction provide family wage jobs and homes can be built by all sizes of construction companies and there is currently not enough inventory of undeveloped lots in rural Skagit County). 3A-f ensures that appropriate and adequate rural levels of services are provide (the site is served by public water, power, and telephone and the site is near Clearlake, which may be able to increase its level of service to the new home sites).

As previously mentioned, the request falls within the goals mentioned in 3B, especially with respect to Policies 3B1.2, 3B1.3, 3B1.(a,b) and 3B1-5.

- 9. Population forecasts and distributions.  $\ensuremath{\mathrm{N/A}}$
- 10. If you are proposing a natural resource land map designation change, describe how the change is necessary based on one or more of the following:  $\rm N\!/\!A$

Details for Parcel: P125691



Jurisdiction: SKAGIT COUNTY

Zoning Designation: Skagit County - Rural Reserve

Recorded Documents Documents scanned and recorded by the Auditor's office

Parcel Number P125691

**Taxable Value** 

**XrefID** 

Quarter Section Township Range

4908-000-009-0000

02 34

Owner Information

**BUCHANAN ACRES LLC** 

Site Address(es) 22734 MUD LAKE ROAD

Map Links Open in iMap

PDF | DWF

SE

22750 CHESTNUT PL

[Old Address: 2060 MUD LAKE ROAD]

Assessor's Parcel Map:

MOUNT VERNON, WA 98273 Skagit County, WA (Jurisdiction, State)

Zip Code Lookup | Site Address Information Current Legal Description Abbreviation Definitions

(2.5000 ac) PORTION OF LOT 9, BUCHANAN ACRES LONG CARD, LONG CARD NO. PL05-0014, AF#200611200082, SECTION 2, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M. EXCEPT P134611 CU OS #15-2018 AF#201904160001 TRANSFER FROM CU F&A #243A, 243B AND 243C AF#763792 CONTAINING 25.3 ACRES

2018 Values for 2019 Taxes\* Current Use Sale Information 2019 Property Tax Summary Deed Type Building Market Value \$89,400.00 No Tax Data was returned Land Market Value +\$229,700.00 Sale Date Total Market Value Sale Price \$319,100.00 \$.00 Please call the Treasurer's office for Sale requires NRL disclosure (more info) related tax information (360) 416-1750. Current Use Adj -\$117,300.00 Assessed Value \$201,800.00

\$201,800.00

Legal Description at time of Assessment

		(2010)		Legal Description at time of Assessment
*Land Use	(830) CURRENT	USE FARM AN AG		WAC 458-53-030
Neighborhood	(21SWLAKE) SEI	DRO WOOLLEY LAKE DISTRICT VIE	EW RESIDENTIAL	10.0000000
Levy Code		3352	Fire District	F04
HAUSE -		Exemptions		
		Acres	27.87	
		Improvement	1 Attributes Summary	
<b>Building Style</b>		SINGLE FAMILY RESIDENCE		
Year Built		1960	Foundation	
Above Grade Living Area 720 Square Feet		Exterior Walls		
Finished Basen	nent		Roof Covering	
*Total Living Ar	ea	720 Square Feet	Heat/Air Conditioning	
Unfinished Base	ement		Fireplace	
*Total Garage A	rea		Bedrooms	
Bathrooms				
For additional i	nformation on in	dividual segments see Improvem	ents tab	
			\$1 THE SECOND SECOND STORE SECOND SEC	

<sup>\*</sup> Land Use codes are for assessment administration purposes and do not represent jurisdictional zoning. Please contact the appropriate planning department in your jurisdiction for land use questions.

Assessment data for improvements is based on exterior inspections. Please contact the Assessor's office if the information does not accurately reflect the interior characteristics.

<sup>\*</sup> Effective date of value is January 1 of the assessment year (2018)

<sup>\*</sup> Total living area includes above grade living area and finished basement area.

<sup>\*</sup> Garage square footage includes all garage areas; basement garages, attached garages, detached garages, etc.

Marie Marie		
Retu	rn Name & Address:	
		(
74		
1		— MMMMMMMMMMMMMMMMMMMMMMMMMMMMMMMMMMMM
		Skagit County Auditor
	YSCA	11/20/2006 Page 1 of 16.20
	C D	0.75
	SKAGIT COUNTY PLANT	ning & Development Services
	PLATIOTOER	ECORD CERTIFICATION
	I BITT BOT OF IX	LCORD CERTIFICATION
mu v		
File N	Jumber: PL05-0014	
Appli	cant Name: Geoff & Suzanne DeVries	S
	rty Owner Name: Geoff & Suzanne D	
r rope.	ity Owner Name. Geon & Suzanne D	evries
The D	enartment hereby finds that I of(a)1.0	of Plat of Paul
11/2	2 06, 200 under AF	of Plat of Buchanan Acres (PL05-0014) recorded on
		30041100 3032
	Number(s): P116953 & P118194	
Portion	n of the South half of SE ¼ of Sec 2 T	wn 34N Rge 4E.WM
1. CO	NVEYANCE	The state of the s
X	ARE Lots of Record as defined in ARE eligible for conveyance.	Skagit County Code (SCC) 14.04.020 and therefore
2 DE	VELOPMENT	
	IS/ARE, the minimum lot size requ	tired for the zoning district in which
	permits.	re IS/ARE eligible to be considered for development
X		equired for the Rural Reserve zoning district in
	which the lots are located, but does	meet an exemption listed in SCC
	14.16.850(4)(c)_(i) and therefore A	RE eligible to be considered for development
	permits. Lot 9 is open space only w	with no residential development rights at the time of
	this recording.	Land In the
	~~	
	ma an	
uthori	zed Signature: Mary Deu	ust Date: 11/20/04
	<b>u</b> ,	



Data Accuracy Warming: All GIS data was created from available public records and existing map sources. Map features have been adjusted to achieve a best-fit registration. While great care was taken in this process, maps from different sources rarely agree as to the precise location of geographic features. Map discrepancies can be as great as 300 feet.

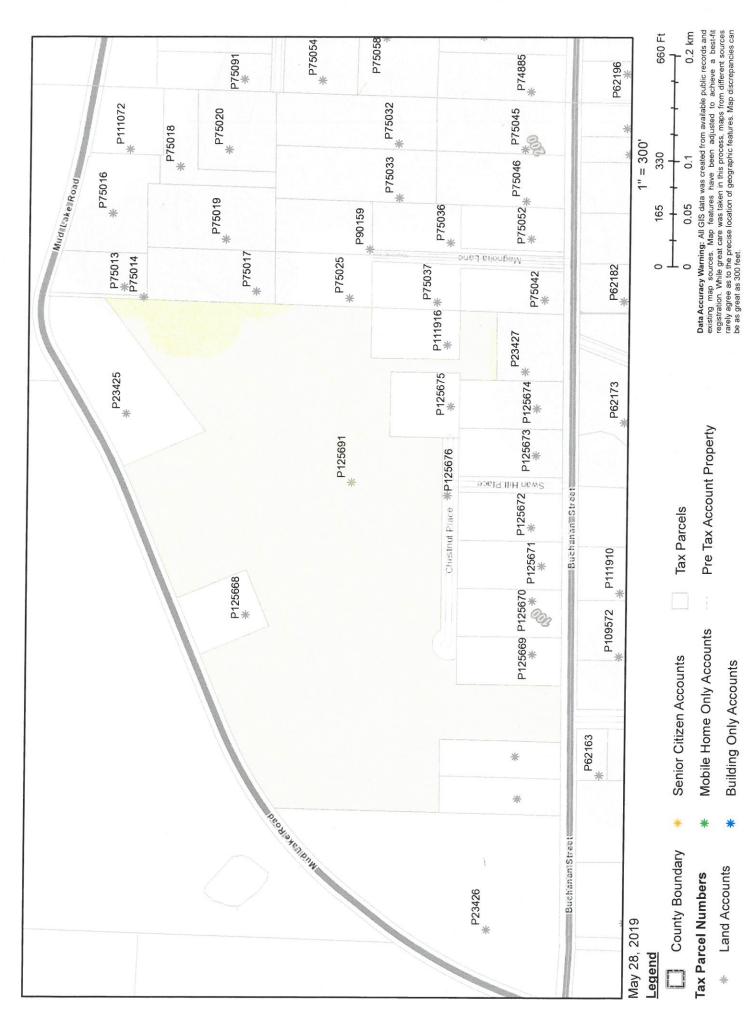
Regional Labels

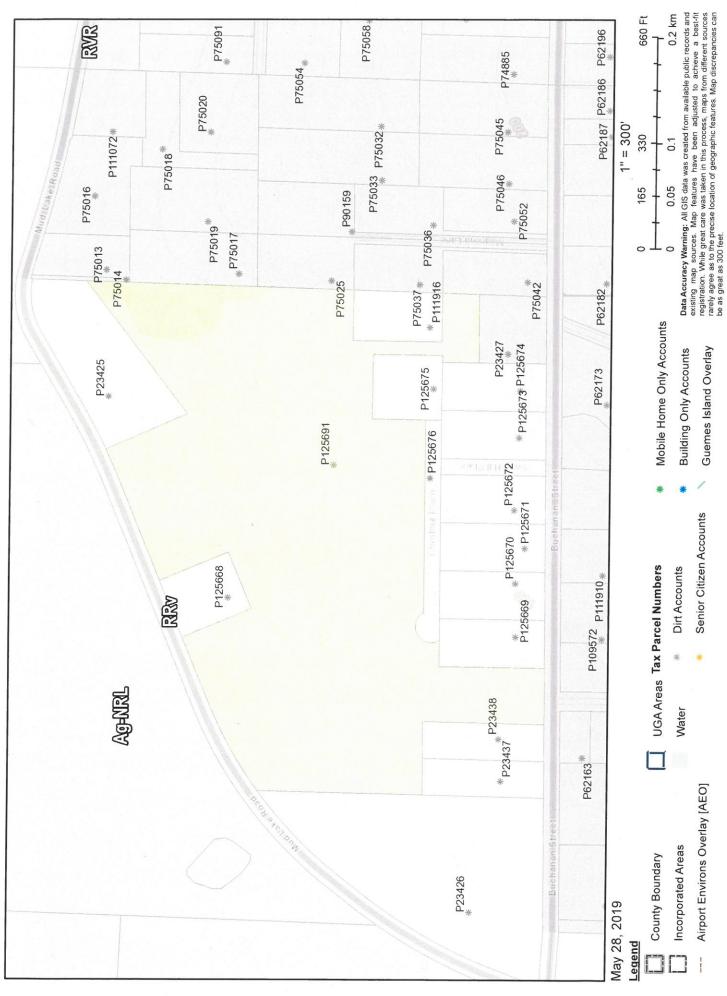
Road Labels

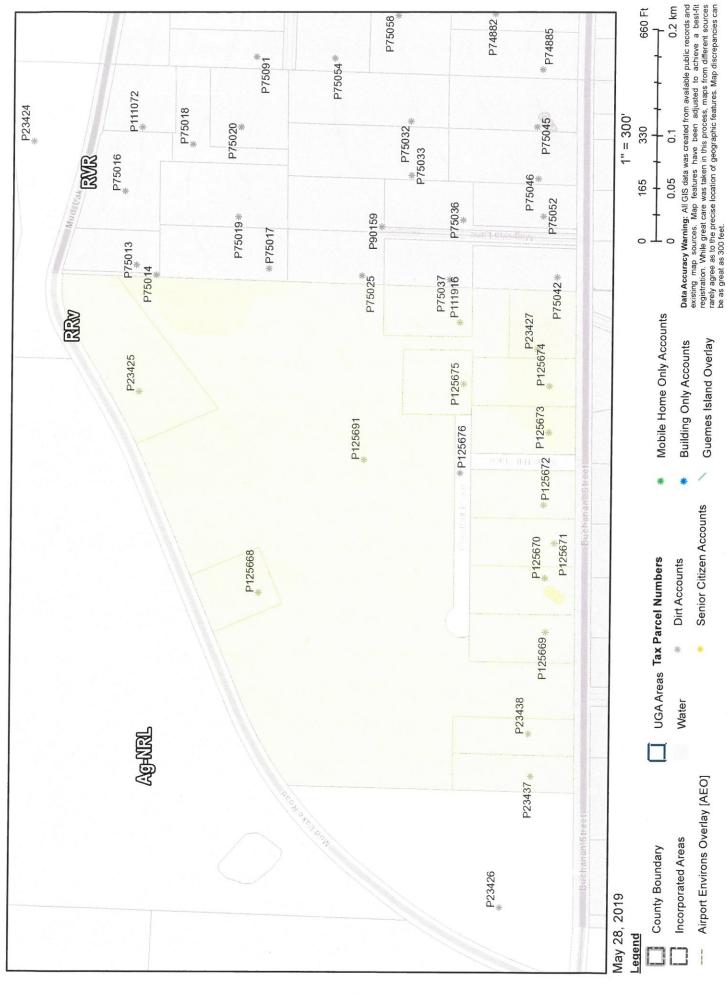
City Names

0.2 km

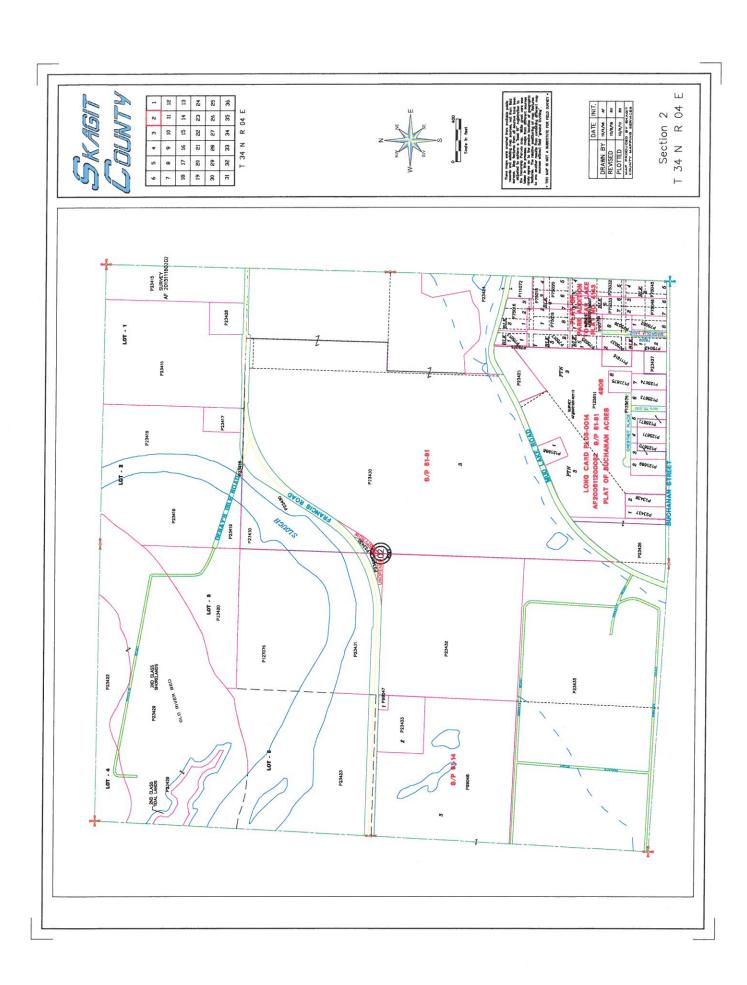
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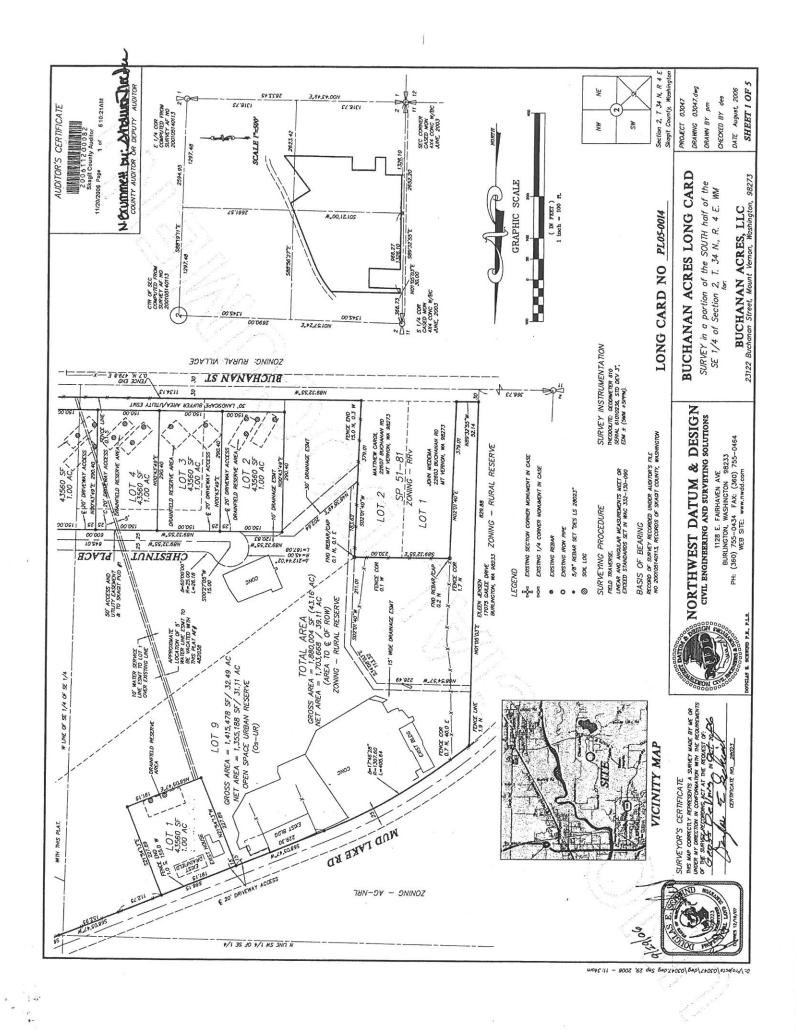


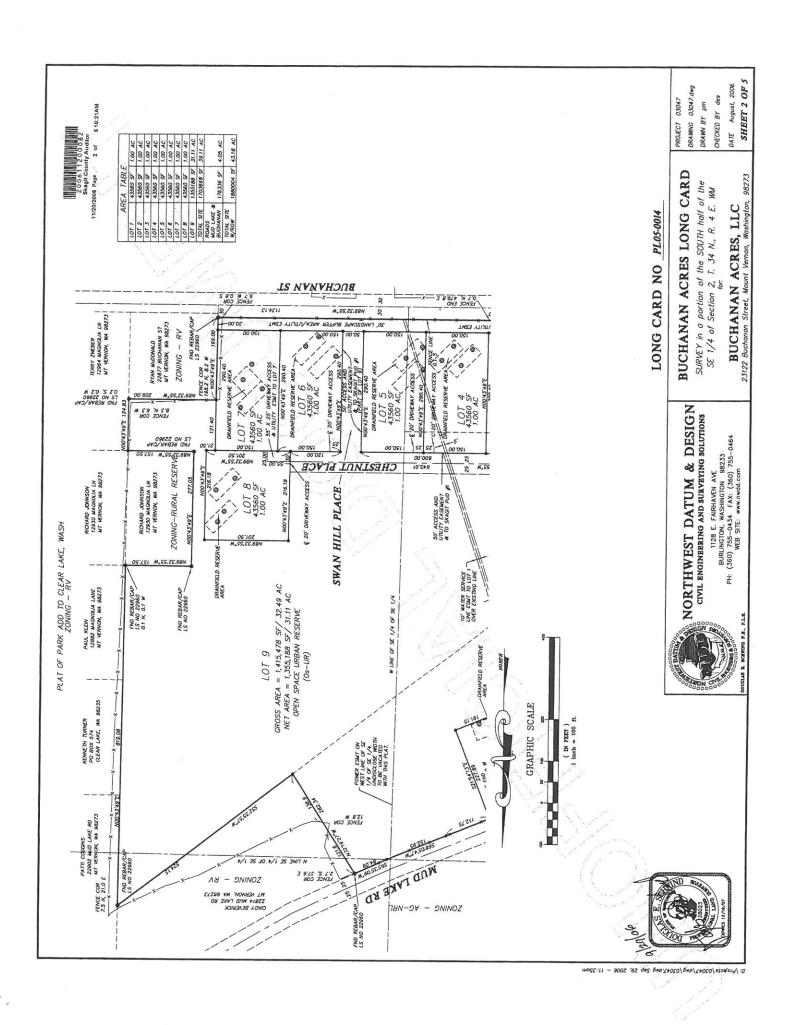




Copyright 2016







THAT PORTION OF SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 2: THENCE MBS-1019F ALONG THE SOUTH 1/4 CORNER OF SAID SECTION 2. DESTINANCE OF 823 SETTED TO THE STATE ADDRESS OF SAID SETTED THE SAID SETTED SAID SETTED THE SAID SETTED THE SAID SETTED SAID SETTED SAID SETT

EXCEPT THE FOLLOWING DESCRIBED TRACT.

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STUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

PARCEL "B"

THAT PORTION OF THE SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 34 NORTH, RANGE 4 EAST, M.M., DESCRIBED AS

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EKCEPT THAT PORTION, IF ANY, LTNIG NORTHWESTERLY OF THE SOUTHEASTERLY LINE OF PARCEL "C" AS DESCRIBED IN WORTGACE RECORDED OCTORER 24, 1981, UNDER AUDITOR'S FILE NO 8110280027,

AND EXCEPT THE FOLLOWING DESCRIBED TRACT:

SITUATE IN THE COUNTY OF SKACIT, STATE OF WASHINGTON.

FROW A PUBLIC ROLL A MINIBUL OF 20'; FOR LOTS DESIGNATED AG-MRI, IF-NRL AND SE-WR. LOTS SHALL BE CONTINUED SO WHICH THE ADDRESS AND MADER THAN 20'S PROJ. MAJESTIF FURBLIC ROLDS. A 20'S SERVICY BACKEST FROM JOJACHY RM, ESSONATED PARCELS. PARCELS FROM O PIRES SERVICES AND RESIDENCE TO THE THAN THE SERVINED BACKED ON THE UBC. MITEMAL SETLACES AND THE CASHASHED BY PRIVITE COPENALT.

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WITE, SYACIT COUNTY PAY D
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POWER PAYOR TO ANY PILOS
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NORTHWEST DATUM & DESIGN CIVIL ENGINEERING AND SURVEYING SOLUTIONS

1128 E. FAIRHAVEN AVE BURLINGTON, WASHINGTON 98233 (360) 755-0434 FAX: (360) 755-0464 WEB SITE: www.nwdd.com

11/20/2006 Page . PLAT NAME AND NUMBER AND DATE OF APPROVAL SHALL BE INCLUDED IN DEEDS AND CONTRACTS.

5 10:21AM

3 of

A. ALL PRIMITE ROLOS, EASTHONY, COMUNINT UTUTES AND PROPERTIES SHULL BE OWNED AND MAINTANED BY THE OWNES OF THE PROPERTIES AND REPORTED SHULL BE MADE AND ADDIANT PRODUCTIES AND REPORTED SHULL BE MADE AND ADDIANT PROPERTIES THE PROPERTY PROPERTY OF SICH MAINTENANCE BY ANY FUTURE LAND DIVISIONS THAT MALL ALSO USE THE SAME PRIMITE ROLO, PER SCC 14.18-200 (6)(A).

J. NO BUIDNO PERUIT SYALL BE ISSUED FOR ANY RESDENTIAL AND/OR COMMERCIAL STRUCTURES WHICH ARE NOT AT DISTING OF APPLICATION, DETERMINED TO BE WITHIN AS OPTION. DESIGNATED BOUNDARY OF SOAGIT COMMYY FIRE STRUCT.

4. CHANGE IN LOCATION OF ACCESS, MAY NECESSITATE CHANGE OF ADDRESS, CONTACT SKAGT COUNTY PLANNING AND DEVELOPMENT SERVICES.

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BEGINNING RANGE MUD LAKE ROAD BUCHANAN STREET SWAN HILL PLACE CHESTNUT PLACE ROAD NAME

LONG CARD NO PLOS-0014

PROJECT 03047

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SURVEY in a portion of the SOUTH half of the SE 1/4 of Section 2, T. 34 N., R. 4 E. WM.

BUCHANAN ACRES LONG CARD

CHECKED BY des BUCHANAN ACRES, LLC

DATE August, 2006

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98273

23122 Buchanan Street, Mount Vernon, Washington,

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OWNER'S CERTIFICATION

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DRAWNG 03047.dwg

PROJECT 03047 DRAWN BY pm

23122 Buchanan Street, Mount Vernon, Washington, 98273

NORTHWEST DATUM & DESIGN CIVIL ENGINEERING AND SURVEYING SOLUTIONS 1128 E. FAIRHAVEN AVE BURLINGTON, WASHINGTON 98233 PH: (360) 755-0434 FAX: (360) 755-0464 WEB SITE: www.nwdd.com

LONG CARD NO PLOS-0014

BUCHANAN ACRES, LLC

SHEET 4 OF 5 DATE August, 2006 CHECKED BY des

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COUNTY TREASURER'S CERTIFICATE

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PLANNING DEPARTMENT APPROVAL

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SALAT COUNTY COLE 14.18 ON THIS SERVIN OF THE PARTY OF THE

COUNTY ENGINEERS APPROVAL

2006 EXAMINED AND APPROVED THIS 4 DAY OF OCT.

P.E. Edun't ENONER COUNTY HEALTH OFFICER

THE WITHIN AND FORECOMS PLAT IS APPROVED IN ACCORDANCE WITH THE PROVISONS OF SKART COUNTY CODE 12.05 (OH. 5)P. SEMICE), AND 12.46 (MATER) ON THIS 12-DAT OF OCT. 2006

COUNTY HEALTH

CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS EXAMINED AND APPROVED THIS 30 DAY OF NOW. Kenneth

LONG CARD NO PLOS-0014



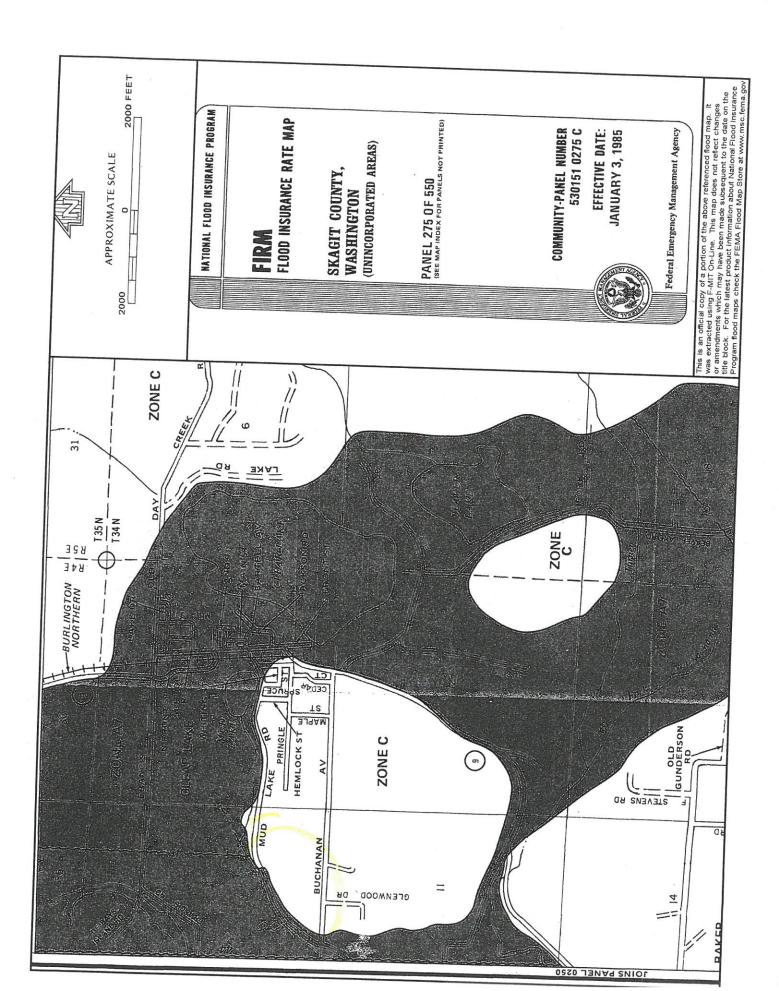
BUCHANAN ACRES LONG CARD

PROJECT 03047

SURVEY in a portion of the SOUTH half of the SE 1/4 of Section 2, T. 34 N., R. 4 E. WA

23122 Buchanan Street, Mount Vernon, Washington, 98273 BUCHANAN ACRES, LLC

SHEET 5 OF 5 DRAMING 03047.dwg DATE August, 2006 CHECKED BY des DRAWN BY pm



### **SEPA** ENVIRONMENTAL CHECKLIST

#### Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

#### Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to <u>all parts of your proposal</u>, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

#### Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

### Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the <u>SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D)</u>. Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements —that do not contribute meaningfully to the analysis of the proposal.

### A. Background

1. Name of proposed project, if applicable:

Buchanan Acres, LLC Comprehensive Plan Amendment/Re-zone

Name of applicant:

Buchanan Acres, LLC

3. Address and phone number of applicant and contact person:

Geoff DeVries, Applicant 22750 Chestnut Place

Mount Vernon WA 98273

Phone: (360) 333-0711

#### Contact:

Bruce G. Lisser, P.L.S. Lisser & Associates, PLLC

PO Box 1109

Mount Vernon WA 98273

Phone: (360) 419-7442

Date checklist prepared:

July 5, 2019

5. Agency requesting checklist:

Skagit County Planning & Development Services

6. Proposed timing or schedule (including phasing, if applicable):

This is a Skagit County Planning process which will run from August 2019 through July 2020.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

If the land is re-zoned as requested from Rural Reserve (RRv) to Rural Village Residential (RvR) a Preliminary Plat (Long CaRD) will be prepared for County review and approval. No plans have been prepared at this time.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

None required for the land-use designation.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

None known.

- 10. List any government approvals or permits that will be needed for your proposal, if known.
  - Skagit County approval for Comprehensive Plan Amendment and associated zoning change.
- 11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

This request is for a change in zoning from Rural Reserve (RRv) to Rural Village Residential (RvR). This property is identified as Lot 9, Buchanan Acres Long CaRD, recorded under Skagit County Auditor's File No. 200611200082. At the present time specific development plans have not been prepared, but the vision is to have similar 1-acre parels along the northern and western side of Chestnut Place, infill the one parcel along Buchanan Street and have serveral more parcels along Mud Lake Road. The central and eastern portion would likely be retained in open space.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and

range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The property is decribed as Lot 9, Buchanan Acres Long CaRD recorded under Skagit County Auditor's File No. 200611200082 and is identified by Skagit County Assessor's Parcel No. P-125691 and is located at 22734 Mud Lake Road, Mount Vernon WA.

#### B. Environmental Elements

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a. General	description	of the	site:
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(circle one): Flat, rolling, hilly, steep slopes, mountainous, other

- b. What is the steepest slope on the site (approximate percent slope)? 10%
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

USDA Soils Survey of Skagit County shows the following soil types within the subject property (11) Bellingham Mucky Silt Loam and (124) Skipopa Silt Loam 0-3% slopes

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

None noticed.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

None with this application.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Yes, this application is limited to a change in land-use designation, no work will be performed in conjunction with the approval.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not known at this time, no development plans have been prepared for this site.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

None with this land-use application.

#### 2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

None, this application is only for a change in land-use designation.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

None known.

c. Proposed measures to reduce or control emissions or other impacts to air, if any: None proposed.

#### 3. Water

#### a. Surface Water:

- Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. None observed.
- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Not with this land-use application.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None proposed with this land-use application.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.
  No
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. Yes, a very small sliver along the east side of Mud Lake Road is within Zone A7 Panel No. 530151/0275/C dated 01/03/85. There will be virtually no impact with respect to future development on the hillside.
- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

#### b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . .; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None with this land-use application.

- c. Water runoff (including stormwater):
  - Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Source of runoff is from precipitation which is collected and dispersed through a drainage system installed with the Long CaRD Plat of Buchanan Acres.

2) Could waste materials enter ground or surface waters? If so, generally describe.

Any time there is an open ditch system waste materials from surface flows can enter the storm system. This project is a land-use designation change, any future development will address any impacts.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No, as previously mentioned there is no development taking place as a part of this land-use designation change request.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

None proposed with this land-use designation change request.

4.	Plants
a.	Check the types of vegetation found on the site:
	X_deciduous tree: alder, maple, aspen, other
	evergreen tree: fir, cedar, pine, otherX shrubs
	X grass
	pasture
	crop or grain
	Orchards, vineyards or other permanent crops.
	wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
	water plants: water lily, eelgrass, milfoil, other
	other types of vegetation
D.	What kind and amount of vegetation will be removed or altered?  None with this land-use application
C.	List threatened and endangered species known to be on or near the site.
-	None known
d.	Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:
	None proposed
e.	List all noxious weeds and invasive species known to be on or near the site.  None known or researched as a part of this land-use application
5.	Animals
a.	<u>List</u> any birds and <u>other</u> animals which have been observed on or near the site or are known to be on or near the site.
	Examples include:
D. L	birds: hawk, heron, eagle, songbirds, other: mammals: deer, bear, elk, beaver, other: fish: bass, salmon, trout, herring, shellfish, other  List any threatened and endangered species known to be on or near the site.  None know, the Skagit River system has several listed salmon species that are threatened
). Is	s the site part of a migration route? If so, explain.

Entire property is within the Pacific Flyway, no migratory waterfowl have been observed on this site.

d. Proposed measures to preserve or enhance wildlife, if any:

None proposed with this land-use designation change request.

e. List any invasive animal species known to be on or near the site.

None known or observed

#### 6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

None with this land-use application

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

None proposed with this land-use application change request

#### 7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

No

- 1) Describe any known or possible contamination at the site from present or past uses. None known
- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

There are no known hazardous chemicals or transmission lines in the vicinity of this project.

 Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

No development is proposed with this land-use change request, this item will be addressed with any future site development

4) Describe special emergency services that might be required.

None known as a part of this land-use change request, a higher density will impact the need for emergency services, typical with any rural residential development

5) Proposed measures to reduce or control environmental health hazards, if any:
None proposed, if land-use application is approved, any measures will be presented with a
development plan.

#### b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Typical rural area noise, traffic, dogs, coyotes and children

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

No project is associated with this land-use change request

3) Proposed measures to reduce or control noise impacts, if any:

None proposed with this land-use change request

#### 8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Rural open space associated with the Plat of Buchanan Acres. The site is mainly pasture grass with a storm drainage ditch system.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Yes, the site was part of a working dairy farm in the past.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No, the proposed land-use change will not affect any on-going farming activities and the higher density requested is more consistent with the surrounding land use in the area.

c. Describe any structures on the site.

There are two old barns on the property.

d. Will any structures be demolished? If so, what?

No structures will be demolished with this land-use change request. The site development impacts will be addressed with any future development application.

e. What is the current zoning classification of the site?

RRv Rural Reserve

f. What is the current comprehensive plan designation of the site?

Rural Reserve

g. If applicable, what is the current shoreline master program designation of the site? Not applicable

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

i. Approximately how many people would reside or work in the completed project?

Not applicable to this land-use change request, however, if the site were re-zoned, the 27.9 acres could yield 18-24 lots (no specific density has been computed at this time).

j. Approximately how many people would the completed project displace?

None as it is an undeveloped site.

k. Proposed measures to avoid or reduce displacement impacts, if any:

There should be no displacement, this item will be specifically addressed with any future development application.

L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

None proposed with this land-use change request.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

This land-use change request will have no impact on agricultural or forest lands of long term commercial significance. The original dairy operation that is no longer in operation on site is good indication of the lack of viability of the site for agricultural use.

#### 9. Housing

 Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

No units are being proposed or provided with this land-use request. If the site is re-zoned the increase as previously mentioned will be in the range of 18-24 lots.

 Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

No units will be eliminated.

c. Proposed measures to reduce or control housing impacts, if any:

None with this application, if the zoning change is approved there will be a positive increase in available building lots. Skagit County is underserved with respect to available housing lots.

#### 10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

None proposed at this time.

b. What views in the immediate vicinity would be altered or obstructed?

c. Proposed measures to reduce or control aesthetic impacts, if any: None at this time.

### 11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

This application will not produce any light or glare.

- b. Could light or glare from the finished project be a safety hazard or interfere with views? Not applicable.
- c. What existing off-site sources of light or glare may affect your proposal? None observed.
- d. Proposed measures to reduce or control light and glare impacts, if any: None.

#### 12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity? Clear Lake County Park (swimming and fishing)

b. Would the proposed project displace any existing recreational uses? If so, describe. None proposed with this land-use designation change application.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None proposed with this land-use designation change application.

### 13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

The old barns are not of historic significance, no plans are in place at this time with respect to future plans for the buildings.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

None known or observed, this item will be addressed with any future development plans. There is no impact at this time with the land-use change request.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

None proposed with this land-use change request, this item will be addressed with any future development plans, there is no impact at this time.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

None proposed with this land-use change request.

#### 14. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Property is accessed via Mud Lake Road, Buchanan Street and Chestnut Place

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

No, not known, but would either be Sedro-Woolley or Mount Vernon

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

Not applicable to this land-use request. This item will be specifically addressed with any future development application.

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No improvements will take place as a part of this land-use change request.

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No use will occur as a part of this land-use change request.

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Not applicable to the land-use change request, but if 18-24 lots are added it could create 30-50 trips per day, this will be addressed with any future development application.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.  $N_0$
- h. Proposed measures to reduce or control transportation impacts, if any:

None proposed with this land-use application, any future development will be required to construction road improvements to meet County design standards.

#### 15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.
Not at this time

Not at this time.
<ul> <li>Proposed measures to reduce or control direct impacts on public services, if any.</li> <li>None proposed, any project mitigations will take place with a development application.</li> </ul>
16. Utilities
a. Circle utilities currently available at the site:  electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other  b. Describe the utilities that are refused as the same and for the same and for the service.
<ul> <li>Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.</li> <li>None known</li> </ul>
C. Signature
The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.
Signature:
Name of signee Back 6. 43256
Position and Agency/Organization Mandral Lisage Associates, Ruce
Date Submitted: Jose 9, Zurg
D. Supplemental about 6

### D. Supplemental sheet for nonproject actions

## (IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Not applicable to this land-use application

Proposed measures to avoid or reduce such increases are:

None proposed

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Not applicable to the land-use application

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

None proposed

3. How would the proposal be likely to deplete energy or natural resources?

Not applicable to the land-use application

Proposed measures to protect or conserve energy and natural resources are:

None proposed

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Not applicable to the land-use application

Proposed measures to protect such resources or to avoid or reduce impacts are: None proposed

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Not applicable to the land-use application

Proposed measures to avoid or reduce shoreline and land use impacts are:

None proposed

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Not applicable to the land-use application

Proposed measures to reduce or respond to such demand(s) are:

None proposed

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

Not applicable to the land-use application

