



Skagit County Planning Commission

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Chair Tim Raschko **Vice Chair** Tammy Candler
Members Vincent Henley, Amy Hughes, Mark Knutzen, Kathy Mitchell, Martha Rose,
Joe Woodmansee

Tuesday, February 22, 2022

Skagit County Planning Commission's Recorded Motion regarding 2021 Docket of Comprehensive Plan, Map, and Development Code Amendments

Proposal publication date:	December 23, 2021
Proposal name:	2021 Docket of Comprehensive Plan, Map, and Development Code Amendments
Documents available at:	www.skagitcounty.net/2021CPA
Public hearing body:	Skagit County Planning Commission
Public hearing date:	Tuesday, January 11, 2022 at 6:00 p.m.
Written comment deadline:	Thursday, January 13, 2022 at 4:30 p.m.
PC deliberations:	February 8, 2022, February 22, 2022

On May 11, 2021, the Skagit County Board of Commissioners deliberated on the proposals for the 2021 docket, including public comments received, and passed Resolution R20210084 including twelve petitions in the 2021 Docket.

Petition LR20-04, Fully Contained Communities was subsequently deferred by the Board of Commissioners with Resolution R20220010 on January 20, 2022.

The Planning Commission held work sessions on the docket June 15, 2021, July 13, 2021, November 30, 2021, and December 14, 2021, prior to the public hearing.

On December 23, 2021, the Planning and Development Services Department published a Notice of Availability (including SEPA determination of non-significance and notice of written comment period and public hearing) and staff report, and transmitted a 60-day Notice of Intent to Adopt to the Department of Commerce.

The Staff Report published on December 23, 2021, and supplemental staff reports contain additional findings related to process, public notice, and department recommendations.

The public comment period was open from December 23, 2021 until January 13, 2022, in which the County received 53 comments.

All the written comments and hearing testimony were provided to the Planning Commission in a supplemental staff report dated January 19, 2022.

On January 25, 2022, a work session with the Planning Commission was held to discuss the public comments.

Planning Commission deliberated on the docket on February 8, 2022, and February 22, 2022.

After considering the written and spoken comments and considering the record before it, the Planning Commission enters the following findings of fact, reasons for action, and recommendations to the Board of County Commissioners.

Recommendations, Findings of Fact and Reasons for Action

Item PL19-0419: Nielsen Brothers Comprehensive Plan & Zoning Map Amendment

1. The Planning Commission recommends that the Board of County Commissioners **approve** the comprehensive plan and zoning map amendment to rezone the Nielsen Brothers property from Ag-NRL to Natural Resource Industrial.

Findings of fact and reasons for action:

- a. There is no opposition from the Agricultural Advisory Board.
- b. The business has operated successfully, and this change allows it to continue.
- c. The changes allow for improvements to the business and improvements to the protection of the environment.
- d. The location is close to other businesses and the highway needed for this type of work.

Commission Vote	Support	Oppose	Absent	Abstain
Tim Raschko, Chair	■			
Tammy Candler, Vice Chair	■			
Kathy Mitchell	■			
Vincent Henley	■			
Mark Knutzen	■			
Amy Hughes	■			
Martha Rose	■			
Joe Woodmansee	■			
Total	8	0	0	0

Item LR20-02 Small Scale Business Zone Use Amendment

1. The Planning Commission recommends that the Board of County Commissioners **approve** the Small Scale Business zone use amendment.

Findings of fact and reasons for action:

- a. The amendment allows for these businesses to have this accessory use, appropriate for this zone.
- b. Skagit County has the necessary standards and codes and constraints to allow this activity.
- c. The proposal follows the Comprehensive Plan vision for economic development in rural areas.
- d. Important to be supportive of appropriate business activities complementary to surrounding communities.

Commission Vote	Support	Oppose	Absent	Abstain
Tim Raschko, Chair	■			
Tammy Candler, Vice Chair	■			
Kathy Mitchell	■			
Vincent Henley	■			
Mark Knutzen	■			
Amy Hughes	■			
Martha Rose	■			
Joe Woodmansee	■			
Total	8	0	0	0

Item LR20-05 Public Notice Amendment for Mineral Resource Extraction Area

1. The Planning Commission recommends to the Board of County Commissioners to **deny** the public notice amendment for mineral resource extraction areas.

Findings of fact and reasons for action:

- a. Mining has been a part of the County since the late 1800's.
- b. Since GMA came into being the County has worked on the mineral resources overlay in 1997 and again under extensive review from 2005 to the 2007 Comprehensive Plan updates.
- c. According to the State mining is a primary natural resource.
- d. Mining operations already operate under stringent regulations.
- e. The County has tried to separate rural and mining activities through the zoning and MRO overlay and buffers.
- f. Other jurisdictions notice standards should not be a reason for Skagit County to make a change.
- g. There is a need for gravel in the building industry, this is a resource that can be scarce.
- h. There is a need to support local businesses and economic activity in Skagit County.

Commission Vote	Support	Oppose	Absent	Abstain
Tim Raschko, Chair	■			
Tammy Candler, Vice Chair	■			
Kathy Mitchell	■			
Vincent Henley	■			
Mark Knutzen	■			
Amy Hughes	■			
Martha Rose	■			
Joe Woodmansee	■			
Total	8	0	0	0

Item LR20-07 Accessory Dwelling Unit Code Amendment

1. The Planning Commission recommends that the Board of County Commissioners **deny LR20-07 in order to retain the familial connection to the land. The Planning Commission also recommends that Board of County Commissioners direct the Planning department to increase the size to a maximum of 1,200 square feet and remove the condition that the dwelling unit is limited to 50% of the primary residential unit.**

Findings of fact and reasons for action:

- a. The Planning Commission finds that the maximum size of the ADU would better serve the community if it were 1,200 square feet.
- b. The familial tie to the land is critical in order to preserve and maintain the land and property. Owners typically have far more incentive to take care of the land well.
- c. We are not on track to have the population growth in the County limited to 20% of the overall growth, and we would like to be thoughtful about how and where these additional housing opportunities are in the County.
- d. Removing the familial requirement could result in an unintended consequence of encouraging speculative development looking to build rental housing.
- e. These recommendations do not change how many or where ADU’s can be built, nor how they can be used.

Commission Vote	Support	Oppose	Absent	Abstain
Tim Raschko, Chair	■			
Tammy Candler, Vice Chair	■			
Kathy Mitchell	■			
Vincent Henley	■			
Mark Knutzen	■			
Amy Hughes			■	
Martha Rose	■			
Joe Woodmansee		■		
Total	6	1	1	0

Item LR21-02 Clarify CaRD Land Divisions and the “Reserve” Function

1. The Planning Commission recommends to the Board of County Commissioners to **deny LR21-02.**

Findings of fact and reasons for action:

- a. The petition was somewhat vague to be actionable, but we would encourage the Planning Department to be generous with their time and expertise to inform customers and applicants as to the options for open space tracts in CaRD land divisions.
- b. Staff showed how the CaRDs are working as is, and that the policies and regulations are having their desired effect.
- c. This issue could be addressed by a handout specific to the OS-UR designation, when adjacent to Rural Villages.
- d. Pre-development and pre-application meetings are the right venue in order to evaluate the options for open space tracts in CaRD land divisions.

Commission Vote	Support	Oppose	Absent	Abstain
Tim Raschko, Chair	■			
Tammy Candler, Vice Chair	■			
Kathy Mitchell	■			
Vincent Henley	■			
Mark Knutzen	■			
Amy Hughes			■	
Martha Rose	■			
Joe Woodmansee	■			
Total	7	0	1	0

Item LR21-04 Agricultural Processing Facilities in BR-Light Industrial

1. The Planning Commission recommends that the Board of County Commissioners approve LR21-04, the agricultural processing facilities in BR-Light Industrial amendment.

Findings of fact and reasons for action:

- a. Bayview Ridge light industrial zone is a good area for this type of processing.
- b. There is a need for more agricultural slaughtering facilities beyond the mobile units.
- c. Recent COVID events have shown a need for local food production.
- d. A larger facility is more environmentally protective by having the slaughtering take place in a controlled facility rather than out in the field with varying conditions and protections.
- e. The transportation infrastructure makes this site advantageous for local agriculture.

Commission Vote	Support	Oppose	Absent	Abstain
Tim Raschko, Chair	■			
Tammy Candler, Vice Chair	■			
Kathy Mitchell	■			
Vincent Henley	■			
Mark Knutzen	■			
Amy Hughes	■			
Martha Rose	■			
Joe Woodmansee	■			
Total	8	0	0	0

Item C21-1 2020 Comprehensive Parks & Recreation Plan

1. The Planning Commission recommends that the Board of County Commissioners **approve** the 2020 comprehensive parks and recreation plan amendment, **consistent with Option A.**

Findings of fact and reasons for action:

- a. This change will conform present park uses where appropriate and consistent with the County Comprehensive Plan.
- b. The amendment would allow for changes and improvements to existing parks in appropriate zones, where they existed prior to GMA.
- c. The following mandated GMA Planning Goals are directly relevant to park matters addressed in this amendment:
 - *Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.*
 - *Identify and encourage the preservation of lands, sites, and structures that have historical or archeological significance.*
- d. This change will support new parks where consistent with the County Comprehensive Plan.

Commission Vote	Support	Oppose	Absent	Abstain
Tim Raschko, Chair	■			
Tammy Candler, Vice Chair	■			
Kathy Mitchell	■			
Vincent Henley	■			
Mark Knutzen	■			
Amy Hughes	■			
Martha Rose	■			
Joe Woodmansee	■			
Total	8	0	0	0

Item C21-2 SEPA Determination Review Timing

1. The Planning Commission recommends to the Board of County Commissioners to **deny** the SEPA determination review timing amendment.

Findings of fact and reasons for action:

- a. Change is not allowed under state law.

Commission Vote	Support	Oppose	Absent	Abstain
Tim Raschko, Chair	■			
Tammy Candler, Vice Chair	■			
Kathy Mitchell	■			
Vincent Henley	■			
Mark Knutzen	■			
Amy Hughes	■			
Martha Rose	■			
Joe Woodmansee	■			
Total	8	0	0	0

Item C21-3 Hamilton Zoning & Comprehensive Plan Updates

1. The Planning Commission recommends to the Board of County Commissioners to accept the Hamilton zoning and comprehensive plan updates.

Findings of fact and reasons for action:

- a. It is important to clean up outdated code references to keep the Development code current.

Commission Vote	Support	Oppose	Absent	Abstain
Tim Raschko, Chair	■			
Tammy Candler, Vice Chair	■			
Kathy Mitchell	■			
Vincent Henley	■			
Mark Knutzen	■			
Amy Hughes	■			
Martha Rose	■			
Joe Woodmansee	■			
Total	0	0	0	0

Item C21-4 Reduced Front Setback to Include Class 19 Roads

1. The Planning Commission recommends to the Board of County Commissioners to **approve** the reduced front setback on class 19 roads within the Bayview Ridge Residential zone.

Findings of fact and reasons for action:

- a. This change will make the setbacks consistent within this zone.
- b. This can lower the footprint with shorter driveways.
- c. The change provides more flexibility within the building lot.
- d. This is consistent with Skagit County Comprehensive Plan goals for safe and reasonable setbacks.
- e. Shorter setbacks are more neighbor friendly.

Commission Vote	Support	Oppose	Absent	Abstain
Tim Raschko, Chair	■			
Tammy Candler, Vice Chair	■			
Kathy Mitchell	■			
Vincent Henley	■			
Mark Knutzen	■			
Amy Hughes	■			
Martha Rose	■			
Joe Woodmansee	■			
Total	8	0	0	0

Item C21-5 Pre-application Requirement

1. The Planning Commission recommends to the Board of County Commissioners to **approve** the pre-application requirement update.

Findings of fact and reasons for action:

- a. The change makes the code consistent with current practices.
- b. Codifies the review process and eliminates a preapplication waiver
- c. Allows the applicant a choice of pre permitting review
- d. Saves staff time with a more efficient review process

Commission Vote	Support	Oppose	Absent	Abstain
Tim Raschko, Chair	■			
Tammy Candler, Vice Chair	■			
Kathy Mitchell	■			
Vincent Henley	■			
Mark Knutzen	■			
Amy Hughes	■			
Martha Rose	■			
Joe Woodmansee	■			
Total	8	0	0	0

The Planning Commission recommends that the Board of County Commissioners adopt the 2021 Docket of Comprehensive Plan, Map, and Development Code Amendments as recommended.

This recorded motion **approved** on this 22 day of February, 2022.

Commission Vote	Support	Oppose	Absent	Abstain
Tim Raschko, Chair	■			
Tammy Candler, Vice Chair	■			
Kathy Mitchell	■			
Vincent Henley	■			
Mark Knutzen	■			
Amy Hughes			■	
Martha Rose	■			
Joe Woodmansee	■			
Total	7	0	1	0

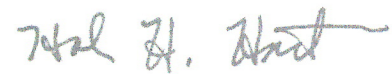
SKAGIT COUNTY PLANNING COMMISSION
SKAGIT COUNTY, WASHINGTON



Tim Raschko, Chair

2/24/2022

Date



Hal Hart, Secretary

02/24/2022

Date