



# Planning & Development Services

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## Supplemental Staff Report 2021 Docket

To: Skagit County Planning Commissioners  
From: Peter Gill, Long Range Planning Manager  
Date: January 19, 2022  
Re: 2021 Docket of Proposed Policy, Code, and Map Amendments

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### Summary

Planning and Development Services (PDS) is providing this staff report in advance of the January 25, 2022 Planning Commission work session. This report supplements the December 25, 2021 Staff Report by providing a record of activities, additional information regarding the petitions, and a summary of the public comments from the formal comment period. A compilation of public comments is included as Appendix 1.

### Public Notice and Participation

On December 23, 2021 the Staff Report for the 2021 Docket of Proposed Policy, Code, and Map Amendments was published to the County website. The public notice opened the comment period on the petitions noticed the public Hearing and the environmental (SEPA) determinations. Notice was published to the Skagit Valley Herald, the PDS email distribution list, SEPA distribution list, and posted to the PDS and legal notice webpage. Notice was also sent to landowners within 300 feet of the proposed rezone (PL19-0419).

On January 11, 2022 the Planning Commission held a public hearing (virtual) on the 2021 Docket as authorized by Skagit County Code (SCC) 14.08.080. The hearing was attended by the full Planning Commission and testimony was provided by petition applicants as well as the public. A total of nine participants spoke on the docket. A full transcript of the meeting can be found on the [Planning Commission Agenda and Archive page](#)<sup>1</sup>.

No comments were received in regards to the SEPA determinations. Comments on the petitions were sent by email to [pdscomments@co.skagit.wa.us](mailto:pdscomments@co.skagit.wa.us) and sent as hard copy. A total of 53 comments were submitted during the comment period, December 23, 2021 to January 13, 2022. These and the verbal comments can be found as Appendix 1 (under a separate cover). The remainder of this report summarizes the comments and provides a department response.

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<sup>1</sup> <https://www.skagitcounty.net/Departments/PlanningCommission/PCminutes.htm>

Pursuant to SCC 14.08.080(4) and (5), the Planning Commission shall consider public comments and deliberate on any proposed plan, plan amendment, or development regulation. At the completion of its deliberations, the Planning Commission shall vote to recommend adopting, not adopting, or amending the proposed amendments. Recommendations shall be by a recorded motion which shall incorporate findings of fact and the reasons for the recommendations.

## **Public Comment Summary**

***Planning Commission Comment Period: December 23, 2021 to January 13, 2022***

### **PL19-0419 Nielsen Brothers Comprehensive Plan & Zoning Map Amendment (14.08.060 Petitions—Approval criteria for map amendments and rezones.)**

#### Comments Summary

4 – Written Comments: Citizens, Skagit County Agricultural Advisory Board

1 – Hearing Testimony

The written comments were all supportive of the Nielson Brothers rezone request. The citizens agreed that the expansion of the logging business would be beneficial to other businesses in the area. One letter also noted the company’s commitment to healthy forests and sustainable forest practices as a reason for supporting the rezone request. The Agricultural Advisory Board did not contest the rezone, but advised against allowing businesses to rezone in order to be brought back into land use compliance.

### **LR20-02 Small Scale Business Zone Use Amendment**

#### Comments Summary

45 – Written Comments: Citizens, Friends of Skagit County, EDASC, Edison Skagit Clean Water District, Puget Sound Food Hub Cooperative

5 – Hearing Testimony

A majority of comments in opposition to the addition of restaurants to the zone are concerned about the potential impacts of large and noisy outdoor events on local character, public infrastructure and services. Located next to the slough there is concern over septic waste and impacts to Shoreline areas. Several comments also noted the lack of environmental review for the application because of the vicinity of the property to the Edison Slough.

The comments in support of the Small Scale Business Zone change to include restaurants highlighted to importance of small businesses to the community in Edison. Terramar has worked collaboratively with several businesses in Skagit County to provide locally sourced grain and ingredients in its products and has been supportive of local events and needs in the Edison downtown area, such as allowing shoppers to park in the Terramar lot for the farmers market. Commenters noted the importance of outdoor seating during a pandemic.

The department has reviewed the petition and finds that an accessory restaurant use as subordinate to a permitted use in this zone is consistent with of a scale and nature of rural character in Skagit County. The addition of restaurants in Small Scale Business does not change or affect the ability to have outdoor events. Outdoor events as described in public comments would require a Temporary Event permit (SCC

14.16.900(2)(h)). This is an Administrative Special Use (SCC 14.16.900(1)) requiring public comment prior to permitting.

Additionally, building modifications or addition of an event/assembly space within the building would require building permitting and review of infrastructure, parking, landscaping, shorelines, and fire and safety review. Measures to mitigate impacts to the community come into play with additional permitting as indicated below:

SCC 14.16.140 (7)(a) All proposed Small Scale Business uses shall comply with the following:

- (i) All structures and outside activities shall be so located or screened from adjacent properties to avoid disturbance through glare, shading, noise, dirt or other nuisances or hazards.
- (ii) No petroleum pumps or above ground petroleum storage shall be closer than 30 feet from any street right-of-way.
- (iii) All development proposals within the SSB district shall include a plan, which shall be reviewed by and acceptable to Planning and Development Services. This plan shall diagram and explain how open areas shall be maintained during and after construction to avoid sewage, drainage and dust nuisances to adjacent properties, uses, and critical areas. The plan shall also demonstrate how existing easement rights or other property ownership interests in the property are protected.

## **LR20-05 Public Notice Amendment for Mineral Resource Extraction Area**

Comments Summary

1 – Written Comments

1 – Hearing Testimony

The petition applicant provided both written comments and hearing testimony to increase the public notice requirement for a mineral resource extraction area. The petitioner stated in his testimony that the noise and disruption from mineral resource extraction should require the larger notice distance than other activities such as marijuana stores.

## **LR20-07 Accessory Dwelling Unit Code Amendment**

Comments Summary

2 – Written Comments: Petitioner, Skagit County Agricultural Advisory Board

1 – Hearing Testimony

The petition applicant provided both written comments and hearing testimony to increase the size allowance for accessory dwelling units and remove the familial tenant requirements. The petitioner believes increasing the size and removing the familial requirement would add to the housing stock available in Skagit County. The Agricultural Advisory Board opposes this amendment as it will fuel growth and allow for increased development in Ag-NRL zones.

## **LR21-04 Agricultural Processing Facilities in BR-Light Industrial**

Comments Summary

1 – Written Comments: Skagit County Agricultural Advisory Board

## 1 – Hearing Testimony

The petition applicant gave testimony at the Planning Commission public hearing for the 2021 docket. The ability to have a small on-site slaughter facility would allow for Island Grown Cooperative to grow their business and process more animals each year. The Agricultural Advisory Board is supportive of this amendment as it will allow for increased value-added opportunities for cattle and livestock growers in the community.

### **C21-1 2020 Comprehensive Parks & Recreation Plan**

#### Comments Summary

0 – Written Comments

1 – Hearing Testimony

The chair of the Skagit County Parks and Recreation Board provided testimony for C21-1. Of the 34 parks in Skagit County, most were here prior to the growth management act. Fifteen parks are in zones that allow parks to continue but not expand. This limits the ability for parks staff to manage or expand the facilities in those parks for the community. Parks are well managed and maintained, the zoning inconsistencies need to be corrected.

### **Next Steps**

The next Planning Commission work session is scheduled for January 25, 2022. Pursuant to SCC 14.08.080(4) and (5), the Planning Commission shall consider public comments and deliberate on any proposed plan, plan amendment, or development regulation. At the completion of its deliberations, the Planning Commission shall vote to recommend adopting, not adopting, or amending the proposed amendments. Recommendations shall be by a recorded motion which shall incorporate findings of fact and the reasons for the recommendations.

**Appendix 1**, 2021 Docket Public Comments and Testimony Compiled (under a separate cover)