

## Chapter 14.28

### CONCURRENCY

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#### **14.28.010 Purpose.**

- (1) Pursuant to the State Growth Management Act, Chapter 36.70A RCW, after the adoption of its Comprehensive Plan, Skagit County is required by RCW 36.70A.070(6)(e) to ensure that transportation improvements or transportation systems management strategies to accommodate the impacts of development are in place at the time a project is first occupied, or that a financial commitment is in place to complete the improvements or transportation systems management strategies within 6 years. The County is also bound by the planning goals of RCW 36.70A.020 to ensure that public facilities and services necessary to support development are adequate to serve the development at project occupancy.
- (2) Concurrency for certain urban and rural public facilities and services is assured by the implementation of the Capital Facilities Plan, the County's monitoring and annual review of that plan and the County's response in the absence of concurrency. Certain public facilities and services also need to be analyzed before the County can issue a project permit for a specific development. This Chapter addresses both the annual concurrency review process and the system whereby individual development projects are examined for concurrency and development permits are issued only after it is demonstrated that the levels of service will not be degraded below the adopted level of service standards for these facilities and services. (Ord. 17938 Atch. F (part), 2000)

#### **14.28.020 Development exempt from project concurrency review.**

All development shall undergo project concurrency review unless specifically exempt as follows:

- (1) Exempt Development Permits. The following development permits are exempt from project concurrency review:
  - (a) Boundary line adjustment.
  - (b) Final subdivision (if a concurrency test was conducted for the corresponding preliminary subdivision).
  - (c) Rezone (but not including a contract rezone which establishes a specific timeline for constructing the specific use and a deadline for such construction after which the contract rezone expires).
  - (d) Shoreline substantial development variance.
  - (e) Street vacation.
  - (f) Temporary use permit.
  - (g) Variance.

- (2) Exempt Types or Levels of Development. Permits for the following types or levels of development are exempt from project concurrency review:
  - (a) Single-family home.
  - (b) Duplex.
  - (c) Accessory dwelling unit.
  - (d) Any addition to, renovation or replacement of a structure with no change in use and no more than 1 additional dwelling unit added, such as reroofing.
  - (e) Any accessory structure with no change in use and no more than 1 additional dwelling unit added.
  - (f) Interior completion of a structure for a use with the same or less intensity as the existing use or a previously approved use.
  - (g) Temporary construction trailers.
  - (h) Driveway, resurfacing or parking lot paving.
  - (i) Demolition.
  - (j) Any other permit or approval that the Administrative Official determines has no impact on a concurrency facility or service.
- (3) Exemption from Obtaining Concurrency Determination for Roads. Any development generating a total of 4 or less peak-hour trips from the total project shall be exempt from obtaining a concurrency determination for roads, but shall not be exempt from obtaining a concurrency determination for non-transportation facilities and services and shall also not be exempt from providing appropriate transportation improvements or mitigation for traffic impacts in the immediate vicinity of the project as may be required by Chapter 14.16, 14.18, or 14.36 SCC.
- (4) Projects in Municipal Urban Growth Areas. Any proposed project within a municipal urban growth area that is permitted without an urban reserve development permit under SCC 14.16.910 shall be subject to the concurrency review requirements of this Chapter. Any project within the municipal urban growth area that may only be permitted with an urban reserve development permit under those same code sections shall not be subject to concurrency review under this Chapter, but instead shall be subject to any concurrency requirements for the city in whose UGA the property is located.
- (5) Tracking Exempt Development. Concurrency facility and service providers shall establish a tracking system to account for exempt development in the same manner as certificates of capacity are used to maintain an accounting of traffic impacts on County roads and capacity for non-transportation concurrency facilities and services that has been reserved. (Ord. O2005007 § 13; Ord. 17938 Attch. F (part), 2000)

**14.28.030 Concurrency facilities and services.**

The following concurrency facilities and services, if used by the proposed development, must be evaluated during project concurrency review:

- (1) In rural areas and Municipal UGAs where an urban reserve development permit under SCC 14.16.910 is not required: County roads, public water systems, police, fire.
- (2) In Big Lake Rural Village and Swinomish UGA: County roads, public water systems, police, fire, sanitary sewer.
- (3) In Bayview Ridge and Swinomish UGA: County roads, public water systems, ~~sanitary sewer~~, police, ~~and fire~~, sanitary sewer, and stormwater.
- (4) In ~~municipal urban growth areas~~ Municipal UGAs where an urban reserve development permit under SCC 14.16.910 is required: County ordinances. See Chapter 14.02 SCC. (Ord. 17938 Attch. F (part), 2000)

**14.28.040 Project concurrency review.**

- (1) Timing. All applicants for development permits, except those exempt, shall apply for project concurrency review at the time applications for development project permits are submitted. Inquiries about availability

of capacity on concurrency facilities and services may be made prior to development permit applications, but responses to such inquires are advisory only and available capacity can only be reserved through a certificate of capacity as set forth in this Chapter.

- (2) Procedures.
  - (a) Applications for project concurrency review shall be submitted on forms provided by Planning and Development Services.
  - (b) Project concurrency review shall be performed for the specific property, uses, densities and intensities based on the information provided by the applicant. The applicant shall specify densities and intensities that are consistent with the uses allowed or to be vested for the property. If the project concurrency review is being requested in conjunction with a contract rezone, the applicant shall specify the densities and intensities consistent with the proposed contract zoning for the property.
  - (c) Upon receipt of a complete application for a development permit, there shall be a tentative reservation of traffic impacts on County roads and a tentative reservation of capacity for non-transportation concurrency facilities and services that will serve that development in order to account for the potential future traffic impacts and future use of capacity by that development. That tentative reservation shall convert to a final reservation of traffic impacts/capacity upon issuance of a certificate of capacity or shall become void in the event that project permits for the development are not issued.
  - (d) Planning and Development Services shall notify the concurrency facility and services providers of all applications received requiring project concurrency review and request a concurrency determination.
  - (e) The concurrency facility and services providers shall notify the applicant and Planning and Development Services of the results of the concurrency determination within 30 days. If additional information is needed to determine concurrency, such additional information may be requested by the concurrency facility and service provider, but such request shall not make the original application to be deemed incomplete.
  - (f) The decision maker for the project permit(s) shall make a final concurrency decision as part of the development permit decision(s) based on the concurrency determination and all relevant evidence presented in the public record on the project permit. The development permit may be conditioned as necessary to ensure that an improvement relied upon to demonstrate concurrency will be completed or a transportation systems management strategy will be implemented in the required time frame. The final concurrency decision shall be a part of the permit decision which is appealable pursuant to Chapter 14.06 SCC.
  - (g) If the decision maker concludes that there is no concurrency and the project permit cannot be conditioned to accomplish concurrency, the project permits shall be denied.
  - (h) If the decision maker concludes that there is concurrency and issues project permits, Planning and Development Services shall issue a certificate of capacity to the applicant with a copy sent to each concurrency facility and service provider. The certificate of capacity shall be used to maintain an accounting of traffic impacts on County roads and capacity for non-transportation concurrency facilities and services that has been reserved.
  - (i) If the development permit for a project is withdrawn, expires or is otherwise cancelled, the certificate of capacity for that development shall automatically be voided. Planning and Development Services shall send notice of all voided certificates of capacity to each concurrency facility and service provider.
- (3) Administrative Rules. The Administrative Official may, by administrative order, establish administrative rules to manage project concurrency review.
- (4) Relation to Other Requirements. Compliance with or exemption from the requirements of this Chapter shall not exempt a development project from compliance with all other requirements of the Unified Development Code including, but not limited to, compliance with Chapters 14.12 (SEPA), 14.30 (Impact

Fees), 14.32 (Drainage), and 14.36 (Public Works Standards) SCC. (Ord. O20070009 (part); Ord. 17938 Attch. F (part), 2000)

**14.28.050 Phased development.**

When a development is proposed in phases or construction is expected to extend over some period of time, the applicant may offer a schedule of occupancy that limits the occupancy during any given period of time. When there is such an offer, the schedule of occupancy shall be used in identifying the improvements or transportation systems management strategies that will be required to be implemented with each phase or time period of the development to comply with project concurrency review. All permits based upon a schedule of occupancy shall be conditioned so that the improvements or transportation systems management strategies identified as being necessary to comply with project concurrency review are completed prior to each identified development phase (e.g., final plat approval, phased building permit). When an applicant is relying on funded projects to demonstrate transportation concurrency, the funded projects necessary for concurrency with the level of service standards must be identified at the time of the final concurrency decision. (Ord. 17938 Attch. F (part), 2000)

**14.28.060 Transportation concurrency.**

A project concurrency determination for roads must demonstrate concurrency with the County road segment and road intersection level of service standards.

- (1) The Highway Capacity Manual type methods selected by the County Engineer shall be used to assess individual road segments and intersections capacity.
- (2) The annual concurrency report for County roads (see SCC 14.28.110) will provide the basic starting information for this assessment.
- (3) Traffic information used for the annual report shall be updated as necessary to account for traffic levels from the following development projects if these projects were not considered in the last annual report:
  - (a) Traffic from newly constructed development projects;
  - (b) Projects for which traffic impacts have been tentatively reserved; and
  - (c) Projects for which a final concurrency decision has been made.
- (4) The traffic information used for the annual report shall also be updated and reserved traffic impacts removed as necessary as a result of any discontinued certificates of concurrency and any funded projects after the last annual report.
- (5) Each affected County road segment and affected County intersection shall be reviewed and if necessary analyzed. The applicant may be required to provide a traffic analysis if existing information does not provide adequate information for this assessment.
- (6) There is concurrency with the individual road segment and intersection level of service standards if, taking into account funded projects:
  - (a) The level of service on each affected County road segment and each affected County intersection will meet or exceed the standards adopted in the Comprehensive Plan and, if applicable, the Bayview Ridge Subarea Plan; or
  - (b) The applicant agrees to modify the project or provide transportation improvements or transportation systems management strategies and/or other binding financial commitments that will result in the level of service on each affected County road segment and each affected County intersection meeting or exceeding the standards adopted in the Comprehensive Plan, and, if applicable, the Bayview Ridge Subarea Plan. (Ord. O20030033 (part); Ord. 17938 Attch. F (part), 2000)

**14.28.070 Non-transportation concurrency.**

- (1) Development projects required to obtain a concurrency determination for non-transportation facilities and services shall demonstrate that there is concurrency with each non-transportation facilities and services as follows:
  - (a) For Water. If the project is within the service area for a public water system as identified in the Coordinated Water Services Plan (CWSP); the applicant has a letter of water availability from the applicable water system purveyor and the project is conditioned as appropriate to provide water system improvements necessary to meet the applicable urban or rural standards as set forth in Appendix A. If the project is within the Bayview Ridge UGA, the property owner shall connect to the PUD No. 1 water system.
  - (b) For Sewer. If the project is within an area approved for public sanitary sewer pursuant to the Skagit County Code and the applicable sewer purveyor's Comprehensive Plan, and the applicant provides a letter of sewer availability from the applicable purveyor ~~and demonstrating the project complies with all requirements of that purveyor for obtaining sewer service, including any conditions as appropriate for improvements necessary to meet the applicable standards set forth in sewer requirements adopted by that purveyor.~~ If the project is within the Bayview Ridge UGA, the owner must submit confirmation of sewer availability from the City of Burlington prior to development approval and must connect to the existing sewer line or extend the line to serve the project.
  - (c) For Police.
    - (i) In Urban Growth Areas. One officer per 1,000 population served or per 100 acres of developed commercial or industrial property, whichever is higher.
    - (ii) In Rural Areas. One officer per 2,000 population served.
  - (d) For Fire.
    - (i) In Urban Growth Areas. The project provides fire flow in accordance with the CWSP (Section 4, Minimum Design Standards) and International Fire Code; the provider has the capability for annual inspections of all commercial and industrial facilities and has an ISO grading of 5 or better, or has the ability to comply with the following 90% of the time:
      - (A) Within 5 minutes response time, delivering up to 200 gallons per minute (gpm) fire flow in an offensive (interior) attack, with a minimum of 4 firefighters for responses to structural fires, vehicle fires, other outside fires, motor vehicle accidents, activated fire alarm systems or other hazardous conditions; capable of delivering a minimum of basic life support including defibrillation with a minimum of 1 first responder or emergency medical technician for medical responses.
      - (B) Within 10 minutes response time, supporting the interior structural fire attack with teams which may include a ventilation team, a search and rescue team, a team for a backup line and standby firefighters totaling between 8 and 12 firefighters on-scene; providing heavy rescue capability, including heavy hydraulics, at motor vehicle accidents.
      - (C) Within 20 minutes response time, delivering 1,500 gpm fire flows in a sustained defensive attack mode for structural fire responses. For buildings larger than 10,000 sq. ft., delivering 2,000 gpm and have an elevated master stream capability.
    - (ii) In Non-Urban Growth Areas. The project provides fire flow in accordance with the CWSP (Section 4, Minimum Design Standards) and International Fire Code; and the provider has a Washington Surveying and Rating Bureau (WSRB) public protection classification #8 or better. The one exception to the requirements for fire flow and the WSRB classification of #8 or better is residential subdivision and construction of single-family dwellings on certain saltwater islands, as further described in SCC 14.16.850(6)(b)(iv). Within an IF-NRL designation, the project must also be within 5 road miles from a recognized Community A fire station, or within

10 road miles to a recognized Community A fire station and within 5 road miles of a fire station having an initial attack fire apparatus.

(e) For Stormwater. The property owner shall construct surface and stormwater management improvements as determined by the County to be consistent with the surface water management standards found in Chapter 14.32 SCC, Drainage Ordinance. Proposed residential subdivisions shall construct surface and storm water management improvements consistent with the adopted Bayview Watershed Stormwater Management Plan.

- (2) Non-transportation facility and services providers shall be responsible for maintaining and monitoring the available capacity for their facility for the purpose of responding to requests for project concurrency determinations and for responding to requests by the County during the annual concurrency determination. The providers shall take into account existing use of their facility, additional use from anticipated growth, new projects for which capacity has been tentatively reserved and new projects for which a final concurrency decision has been made, and additional capacity available as a result of any discontinued certificate of capacity and capacity improvements that are funded and under construction.
- (3) To demonstrate concurrency with each of the non-transportation facilities and services the applicant may:
  - (a) Demonstrate that the development will have a lower need for capacity than usual; or
  - (b) Modify the application to reduce the need for capacity; or
  - (c) Offer binding mitigation measures that will provide additional capacity necessary to maintain the level of service standard upon project occupancy. (Ord. 20040008 Attch. 3 § 4; Ord. 17938 Attch. F (part), 2000)

**14.28.080 Certificate of capacity.**

- (1) A certificate of capacity shall only be issued upon payment of any concurrency fee due and performance of any precondition established in the permit decision as a prerequisite for obtaining such certificate.
- (2) A certificate of capacity shall apply only to the specific land uses, densities, intensities and development project described in the application and development permit.
- (3) A certificate of capacity is not transferable to other property, but may be transferred to new owners of the same property.
- (4) A certificate of capacity shall remain valid so long as the accompanying development permit has not expired or been revoked.
- (5) A certificate of capacity is valid for any modification of the permits for which the certificate was issued so long as such modification does not require the applicant to obtain a new development permit.
- (6) Any capacity that is not used because the full extent of the development is not built shall be returned to the pool of available capacity. (Ord. 17938 Attch. F (part), 2000)

**14.28.090 Facility capacity fees.**

Concurrency facility and service providers may charge concurrency fees based upon an adopted fee schedule. (Ord. 17938 Attch. F (part), 2000)

**14.28.100 Development within municipal UGAs.**

- (1) Project concurrency review for development within the unincorporated portion of a city/town's urban growth area shall be the responsibility of that city or town pursuant to the concurrency regulations of that city or town. The County, in its annual concurrency review, shall assess concurrency within the unincorporated portions of all urban growth areas.
- (2) Consistent with SCC 14.02.040, Applicability, the County shall review and condition development permit applications to ensure that project impacts occurring outside of municipal UGAs are mitigated consistent with County road standards and transportation concurrency requirements of SCC 14.28.060. Skagit

County shall make a final concurrency determination as part of the permit decision pursuant to SCC 14.28.040(2)(f) through (i) and issue a Certificate of Capacity pursuant to SCC 14.28.080 if the requirements of this Chapter are met. (Ord. R20020180: Ord. 17938 Attch. F (part), 2000)

**14.28.105 – Development within the Bayview Ridge UGA.**

~~(1) Street Standards for Bayview Ridge UGA.~~

~~(a) As a condition of any development approval, including but not limited to, subdivision approvals, for any of the listed permitted, accessory or special uses, within the Bayview Ridge UGA, other than for interim agricultural uses, the property owner shall construct streets consistent with the Skagit County Road Standards. In addition, as a condition of development approval and for all property owned by the same owner in the UGA, the owner shall sign an agreement not to protest a future Local Improvement District (LID) or other pro rata sharing of costs to upgrade or install additional urban standard street improvements, street lights and/or sidewalks within 20 years, if such are determined necessary as part of urban level of service standards in the Subarea Plan process for the Bayview UGA. Credit for prior contributions and improvements that are included in the Subarea facilities plan shall be provided as set forth in Subsection (6) of this Section.~~

~~(b) The Administrative Official may grant an exception to the requirements for curb, gutter and sidewalk on property if it is determined that such exception is necessary to protect wetlands and their required buffers under the County's Critical Areas Ordinance and if, as an alternative to sidewalks along the street, the Port of Skagit County (Port) and/or landowner has constructed or will have constructed prior to occupancy, a pedestrian trail system consistent with and augmenting the trail system adopted by the Port in Resolution No. 99-09 on August 3, 1999, pursuant to Ordinance No. 18264, Attachment 1, Appendix 2.~~

~~(2) Water Service in the Bayview Ridge UGA. As a condition of any development approval for any of the listed permitted, accessory or special uses within the Bayview Ridge UGA, other than for interim agricultural uses, the property owner shall obtain a certificate of water availability for the proposed use from Skagit PUD No. 1 and connect to the PUD No. 1 water system. Fire flow requirements shall be as specified in the Skagit County Coordinated Water System Plan. In addition, as a condition of development approval, and for all property owned by the same owner in the UGA, the owner shall sign an agreement not to protest a future LID or other pro rata sharing of costs to upgrade the water system in the future or to install additional urban standard water lines or facilities within 20 years, if such are determined necessary as part of water level of service standards in the Subarea Plan process for the Bayview Ridge UGA or are required to meet the owner's water capacity demands based on PUD No. 1's development regulations (design criteria). Credit for prior contributions and improvements that are included in the Subarea facilities plan shall be provided as set forth in Subsection (6) of this Section.~~

~~(3) Storm Drainage in the Bayview Ridge UGA. As a condition of any development approval for any of the listed permitted, accessory or special uses, other than for interim agricultural uses, the property owner shall construct surface and storm water management improvements as determined by the County to be consistent with the surface water management standards found in Chapter 14.32 SCC, Drainage Ordinance. Proposed residential subdivisions shall construct surface and storm water management improvements consistent with the adopted Bayview Watershed Stormwater Management Plan. In addition, as a condition of development approval, and for all property owned by the same owner in the UGA, the owner shall sign an agreement not to protest a future LID or other pro rata sharing of costs to upgrade the surface water management system or install additional urban standard storm water management improvements within 20 years, if such are determined necessary as part of surface or stormwater management standards in the Subarea Plan process for the Bayview Ridge UGA. Credit for prior contributions and improvements that are included in the Subarea facilities plan shall be provided as set forth in Subsection (6) of this Section.~~

- ~~(4) Sanitary Sewer Service in Bayview Ridge UGA. As a condition of development approval for any of the listed permitted, accessory or special uses, other than for interim agricultural use, if the property on which a proposed use is located is within 200 feet of an existing City of Burlington sewer line, the owner must obtain confirmation of sewer availability from the City of Burlington prior to development approval and must connect to the existing sewer line. If the proposed use is located beyond that 200 foot limit, the use may apply for a waiver to operate on an approved holding tank, pursuant to the requirements of SCC 12.05.130 and 12.05.260 and the Washington State Department of Health Standards and Guidance for Holding Tank Sewage Systems, in the interim, subject to the following:~~
- ~~(a) The owner's management plan submitted to the County Health Officer pursuant to SCC 12.05.130(3)(b) must contain a provision for proper disposal of holding tank contents at a certified facility;~~
  - ~~(b) Owners utilizing holding tanks shall record a covenant that if the property is sold, the tanks will be certified to be empty and non hazardous unless the new owner gives written agreement to accept responsibility for any tank contents;~~
  - ~~(c) The required holding tank sewage system for the proposed industrial use is sized for no more than 2 units volume of sewage flow, as defined by SCC 12.05.030 (900 gpd); per 20 acres of existing legal parcel area; provided, that any existing legal lot of record within the Bayview Ridge UGA smaller than 10 acres as of the date of the ordinance codified in this Section shall be entitled to construct a holding tank sewage system sized for no more than 1 unit volume of sewage flow (450 gpd), as long as all requirements of Chapter 12.05 SCC can otherwise be met;~~
  - ~~(d) Between 6 and 12 months after commencement of the operation and once approximately every 2 years thereafter until public sewer is connected the County shall evaluate either public water record use or all holding tank pumping records to evaluate the actual sewage volume and verify its consistency with the limits of Subsection (4)(c) of this Section. If the County relies on holding tank pumping records, the County shall require the property owner to certify that the records constitute all of the holding tank pumping services for the property. Allowed sewage volume shall be calculated as equal to water use unless the property owner requests separate metering of domestic water and irrigation water to ensure a more accurate accounting of water use that will end up in the sewage system.
    - ~~(i) The County shall make the results of this monitoring available for public review and inspection.~~
    - ~~(ii) The costs of this monitoring may be charged to the property owner or industrial user.~~
    - ~~(iii) If the results of any monitoring reflect a problem with the permitted quantity described in this Section, then the County shall:
      - ~~(A) Immediately commence enforcement actions pursuant to existing State and local regulations and expeditiously pursue enforcement actions in Superior Court;~~
      - ~~(B) Commence an increased frequency monitoring program to more closely monitor the user and the system for compliance consistent with Skagit County Code 12.05.170 and with Subsection (4)(c) of this Section;~~
      - ~~(C) Shall pursue any other remedies that are available at law to an entity as if it were providing public sewer service to the site; and~~
      - ~~(D) If deemed necessary to protect the public health and safety, the County may advance the schedule to install public sewer to the site.~~~~~~
  - ~~(e) As a condition of any development approval, and for all property owned by the same owner in the UGA, the property owner agrees for all property owned in said UGA not to protest an LID or other pro rata sharing in any costs to upgrade and extend public sewer to the property within 20 years. Credit for prior contributions and improvements that are included in the Subarea facilities plan shall be provided as set forth in Subsection (6) of this Section;~~



- ~~(f) As a condition of development approval, and for all property owned by the same owner in the UGA, the property owner shall agree to convey any necessary utility easements for future installation of public sewer; and~~
- ~~(g) No expansion of the industrial use or operation shall be permitted that would be inconsistent with the limitations imposed by Subsection (4)(c) of this Section.~~
- ~~(5) Other Public Facilities and Services in Bayview Ridge UGA. As a condition of any development approval for any of the listed permitted, accessory or special uses, other than for interim agricultural uses in the Bayview Ridge UGA, and for other property owned by the same owner in the UGA, the property owner shall sign an agreement not to protest a future LID or other pro rata sharing of costs to upgrade or install additional urban standard public facilities and services identified in the Subarea Plan process for the Bayview Ridge UGA within 20 years, including, but not limited to, fire/emergency and police/sheriff services and facilities. Credit for prior contributions and improvements that are included in the Subarea facilities plan shall be provided as set forth in Subsection (6) of this Section.~~
- ~~(6) Credit for Prior Contributions and Infrastructure Improvements. All of the agreements not to protest an LID or other pro rata cost sharing arrangement described in Subsections (1) through (5) of this Section shall include credit for any contributions or facility construction already made or completed by the individual property owners (or their predecessor in interest) for the particular urban public facility or service contemplated by the Subarea Plan or LID, including, but not limited to, construction of urban standard roads, storm water drainage facilities, or utilities or dedication of property for public facilities. (Ord. O20060007 Exh. D § 12 (part))~~

**14.28.110 Annual concurrency assessment.**

- (1) Annual Concurrency Assessment for Roads. The County Engineer shall produce an annual concurrency report for County roads, which will update the status of County roads with respect to concurrency.
  - (a) Individual Road Concurrency. By July 1st of each year, the Skagit County Public Works Department, under the direction of the County Engineer, shall evaluate the high traffic County road segments and high traffic County road intersections using a Highway Capacity Manual type method (as selected by the County Engineer) to determine whether these road segments and intersections comply with the level of service standards adopted in the Comprehensive Plan. This evaluation shall be based on existing traffic levels plus traffic impacts from development plus traffic impacts from development projects anticipated for completion within the next year based upon a growth projection, upon consideration of projects for which traffic impacts have been tentatively reserved and upon projects for which a final concurrency decision has been made. In addition, a projection of those County road segments service standards adopted in the Comprehensive Plan over the next 5 years shall be made to help in the planning for road system improvement projects. Any County road segment or County road intersection, which has fallen below the level of service standards adopted in the Comprehensive Plan, shall be considered concurrent if an improvement project will cause that road segment or intersection to meet or exceed the adopted level of service standards and has been designated on the 6-Year TIP as a funded project. The results of the annual update for individual road concurrency shall be included in the annual report.
- (2) Annual Concurrency Assessment for Non-Transportation Concurrency Facilities and Services.
  - (a) By January 31st of each year, the following concurrency facility and service providers shall report to the County the total available capacity of their facility or service in units that are directly comparable to the level of service standards established for these facilities and services.

Facility/Service	Provider	
	Unincorporated Urban Growth Area	Rural

Water	Water purveyors identified in Coordinated Water System Plan	
Sanitary Sewer	Municipal sewer service providers Skagit County Sewer District—1 for portions of Swinomish UGA City of Burlington—Bayview Ridge UGA	Big Lake Sewer District for Big Lake Rural Village only Whatcom County Water District No. 12 pursuant to existing sewer service contracts only
Stormwater	County Public Works	
Police	County Sheriff	
Fire	Fire Districts	
Fairgrounds	County Parks Department	
General Government	County Administrator	
Parks	County Parks Department	
Public Safety (jails)	County Sheriff	
Senior Centers	County Senior Services	
Solid Waste	County Public Works	

- (b) The annual information submitted by each provider shall take into account current capacity usage, capacity tentatively reserved for pending permit applications, capacity reserved for permitted projects that are not yet fully occupied based upon final concurrency decisions, capacity available as a result of expired, withdrawn or revoked final concurrency decisions and capacity that has been added by the implementation of improvements and strategies.
- (c) By July 1st of each year, the capacity of the facilities and services set forth above shall be evaluated by the Administrative Official to determine if the level of service standards for each of these facilities and services is being met. The level of service standards to be used in this annual review are as follows:

Facility/Service	LOS	
	Urban	Rural
Water	As established in Appendix A	
Sewer	As determined by each sewer provider	
Stormwater	As established in Public Works Standards per Chapter 14.36 SCC and the Bayview Watershed Stormwater Management Plan	
Police	1 officer per 1,000 population served or per 100 acres of developed commercial or industrial property, whichever is higher.	1 officer per 2,000 population served.

<p>Fire</p>	<p>1. For cities and their adjacent urban growth areas, an ISO grading of 5 or better, shall be maintained; otherwise-</p> <p>2. Within 5 minutes of being dispatched, the Fire Department shall arrive and be able to deliver up to 200 gallons per minute (gpm) fire flow in an offensive (interior) attack, with a minimum of 4 firefighters, for responses to structural fires, vehicle fires, other outside fires, motor vehicle accidents, activated fire alarm systems or other hazardous conditions. The Fire Department shall also be capable of delivering a minimum of basic life support including defibrillation, with a minimum of 1 first responder or emergency medical technician for medical responses.</p> <p>Within 10 minutes of being dispatched, the Fire Department shall be able to support the interior structural fire attack with teams which may include: a ventilation team, a search and rescue team, a team for a backup line, and standby firefighters, totaling between 8 and 12 firefighters on-scene. The Fire Department shall also be capable of providing heavy rescue capability, including heavy hydraulics, at motor vehicle accidents.</p> <p>Within 20 minutes of being dispatched, the Fire Department shall be capable of delivering 1,500 gpm fire flow in a sustained defensive attack mode for structural fire responses. For buildings larger than 10,000 sq. ft., delivering 2,000 gpm, and have an elevated master stream capability.</p> <p>The above requirements shall be met for 90% of all incidents.</p>	<p>A Washington Surveying and Rating Bureau (WSRB) with a public protection classification No. 8 or better and fire flow in accordance with the Coordinated Water Supply Plan (Section 4, Minimum Design Standards).</p> <p>Within an IF-NRL designation, a Washington Surveying and Rating Bureau (WSRB) with a public protection classification No. 8 or better and must be within 5 road miles from a recognized Community A fire station, or within 10 road miles to a recognized Community A fire station and within 5 road miles of a fire station housing an initial attack fire apparatus. Fire flow in accordance with the Coordinated Water Supply Plan (Section 4, Minimum Design Standards).</p>
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	<p>Mutual aid requested under the mutual aid contract may be used to provide relief to the initial operating crews, but shall not be used to provide initial attack capability, support functions, or sustained attack capability. This does not preclude automatic aid agreements under separate contract, which does provide these capabilities or functions from other agencies.</p> <p>Times are considered to be “response time,” which shall be measured by the sum of turnout time (the time from dispatch until the first arriving unit is en route to the incident), plus travel time. Dispatch time shall be allocated a maximum of 1 additional minute, which is measured from the time the 9-1-1 call is received until the Fire Department is dispatched.</p> <p>All operations shall be conducted in compliance with State and Federal regulations, including training requirements for firefighters, and maintenance requirements for equipment and apparatus.</p> <p>All commercial and industrial facilities shall be inspected for compliance with the International Fire Code at least annually. Water systems shall be installed in accordance with the Skagit County Coordinated Water System Supply Plan, with a fire flow meeting the requirements of the International Fire Code.</p>	
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(3) Results of Concurrency Assessment.

- (a) The Administrative Official shall present the annual concurrency assessment to the Board of County Commissioners prior to the start of the annual budget process along with recommendations on actions to take in response to the assessment.
- (b) The results of the annual concurrency assessment shall be used to update the Capital Facilities Plan and establish the annual budget.
- (c) In the event that the annual concurrency assessment determines that concurrency is not being met for 1 or more concurrency facilities and services, the County shall, as necessary, evaluate the need for modifications to adopted levels of service standards, reassess the land use element of the Comprehensive Plan or impose additional requirements or limitations on development until concurrency is obtained. (Ord. O20060007 § 12 (part); Ord. O20030033 (part))

**APPENDIX A**

**Minimum Fire Flow Design Standards For New and Expanding Water Systems<sup>(1)</sup>**

<b>Land Use Designations or Densities</b>	<b>Minimum Fire Flow (Gallons Per Minute)</b>	<b>Minimum Duration (Minutes)</b>	<b>Maximum Hydrant Spacing (Feet)</b>
<b>Urban Growth Areas<sup>(2)</sup></b>			
Industrial	1,500 <sup>(4)</sup>	60	(3)
Commercial	1,500 <sup>(4)</sup>	60	(3)
Multifamily Residential	1,500 <sup>(4)</sup>	60	500
Single-Family & Duplex Residential	1,000	60	500
<b>Non-Urban Growth Areas</b>			
Commercial/Industrial	1,500 <sup>(4)</sup>	60 <sup>(4)</sup>	(4)
1 Dwelling Unit Per Lot Less Than 2.5 Acres	500 <sup>(5)</sup>	30 <sup>(5)</sup>	900 <sup>(5)</sup>
1 Dwelling Unit Per Lot 2.5 Acres or Larger	NONE <sup>(5)</sup>	NONE <sup>(5)</sup>	NONE <sup>(5),(6)</sup>
Natural Resource Lands	NONE <sup>(5)</sup>	NONE <sup>(5)</sup>	(5),(6)

- (1) The design standards may be amended to reflect changes to Comprehensive Plan land use designations and/or their densities. Proposed amendments will be presented to the Skagit County CWSP WUCC for approval.
- (2) These criteria establish a minimum water system design standard. Each water system in an urban growth area must comply with the standards of the local government with jurisdiction. When there are different or conflicting standards, the most stringent standard shall apply. Prior to the issuance of a development permit, the approving authority shall establish fire flow, duration and hydrant spacing requirements.
- (3) As determined by the appropriate fire official.
- (4) Fire flow for individual buildings or groups of buildings is to be determined by the Skagit County Fire Marshal per International Fire Code Appendix IIIA and the Skagit County Fire Marshal policy on fire flow. The application of lesser or alternative standards shall be in accordance with Section 4.3.5 (Interpretation of Standards).
- (5) Fire flow will be required for a Conservation and Reserve Development (CaRD) land division as follows.

<b>CaRD Characteristics</b>	<b>Fire Flow Requirement</b>
5 or more lots	Option 1: Fire flow of 500 gpm for 30 minutes with hydrant spacing of 900 ft., or
	Option 2: Fire Marshal approved fire prevention water system that provides adequate pressure and flow to support NFPA 13D sprinkler systems is required for all residential dwellings. In addition, if the property is located in an Industrial Forest, Secondary Forest, or Rural Resource designated land the fire protection requirements as listed in SCC 14.16.850(6)(b)(iii)(B)—(E) also apply.

4 or fewer lots	None required, unless the property is located in an Industrial Forest, Secondary Forest, or Rural Resource designated land. If the property is located in such designated land the fire protection requirements as listed in SCC 14.16.850(6)(b)(iii)(B)—(E) apply. However, NFPA 13D sprinklers are only applicable to residential dwellings.
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As of the effective date of the CWSP, where in-fill development or extension of an existing water system occurs to serve an existing platted lot, the Skagit County Fire Marshal may limit the requirement for fire flow or fire suppression in accordance with Table 4-1 to the newly developed lot only. Group B public systems may choose to separate the fire flow from water flow. Separate tank and hydrant(s) location is subject to Skagit County Fire Marshal approval.

- (6) Hydrants shall be installed when water lines are installed or replaced and are capable of supplying a tanker truck with a minimum of 500 gallons per minute at a minimum residual pressure of 20 psi. Tanker truck filling hydrants are to be located at major roadway intersections and along roads at a spacing not to exceed 1 mile to assist in fire protection.  
(Ord. O20060007 Exh. D § 12 (part); Ord. O20030019 (part); Ord. 17938 Attch. F (part), 2000)