

Attachment A [to adopting ordinance] Bayview Ridge Development Regulations

Plain text = existing code with no changes
~~Strikethrough~~ = existing code to be deleted
Underlined = new code to be added
 [Bracketed] = instructions to code reviser

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Chapter 14.16 Zoning

14.16.030 Districts, maps and boundaries

Skagit County is hereby divided into land use districts to carry out the policies and objectives of the Comprehensive Plan. This Chapter describes the limitations and regulations for the use of and construction on properties within each zone. The following table illustrates the relationship between Comprehensive Plan land use designations, allowed residential densities and zoning districts.

Table of Land Use Districts

Comprehensive Plan Land Use Designation	Zoning District	Residential Densities Dwelling Units/Acre
[No changes to intervening rows.]		
Aviation Related	Aviation Related (AVR)	Not Applicable
Aviation Related— Limited	Aviation Related—Limited (AVR-L)	Not Applicable
[No changes to intervening rows.]		
Urban Growth Area	Bayview Ridge Community Center (BR-CC)	Not Applicable
Rural Intermediate	Rural Intermediate (RI)	1/2.5 acres or 1/256th of a section*
Urban Growth Area	Bayview Ridge Residential (BR-R)	4 – 6 units per acre, unless limited by the Airport Environs Overlay
Bayview Ridge Urban Reserve	Bayview Ridge Urban Reserve (BR-URv)	1/10 acres or 1/64th of a section; or, 1/5 acres or 1/128th of a section with CaRD
[No changes to remaining rows.]		

(1) [No change.]

(2) [No change.]

14.16.155 Bayview Ridge Community Center (BR-CC)

[Section deleted.]

14.16.180 Bayview Ridge Light Industrial (BR-LI).

(1) Purpose. The purpose of the Bayview Ridge Light Industrial zone is to allow light manufacturing, limited commercial uses, offices associated with permitted uses identified below, wholesale, warehousing, distribution and storage, equipment storage and repair, uses requiring rail access, more direct access to SR 20 and/or access to high capacity utilities such as fiber optics, high voltage electric lines and gas lines, and other uses compatible with a light manufacturing district.

(2) Permitted Uses.

[\(a\) Abutting Peterson Road, the following uses are permitted:](#)

[\(i\) Retail food markets and convenience stores, including farmers markets, with a maximum building footprint of 15,000 square feet.](#)

(ii) Small retail businesses, including eating and drinking establishments, with a maximum building footprint of 5,000 square feet.

(iii) Vehicle fueling and charging stations, including vehicle repair garages and car washes.

~~(a)~~(b) Agricultural and food processing, storage and transportation.

~~(b)~~(c) Agricultural uses, on an interim basis until industrial development; provided, that residences shall not be allowed as an accessory use in conjunction with agriculture.

~~(c)~~(d) Bulk commodity storage and rail/truck trans-shipment terminals.

~~(d)~~(e) Cold storage facilities.

~~(e)~~(f) Commercial uses, including offices associated with permitted uses, but excluding principally retail uses such as the sales of goods or services. Incidental retail sales of consumer goods and services are permitted as accessory uses under Subsection (3) of this Section. ~~There shall be no large scale.~~ No large-scale retail centers such as department stores, malls, shopping centers, and other similar facilities commonly referred to as “big box” retail establishments.

~~(f)~~(g) Construction contractors, contractors’ services, utility services (equipment and supply yards for contractors and utility providers), and building services (cleaning, maintenance, security, landscaping, etc.).

~~(g) Eating and drinking establishments.~~

(h) Historic sites open to the public.

(i) ~~Kennels.~~

(i) ~~Day-use kennel.~~

(ii) ~~Boarding kennel.~~

(iii) ~~Limited kennel.~~

(j) Lumber yards.

(k) Manufacture, processing, treatment, storage, blending, fabrication, development, assembly or packaging of any product from natural or synthetic materials.

(l) Mini-storage.

(m) Parks, courtyards, plazas, and public spaces.

~~(m)~~(n) Printing, publishing, and broadcasting.

~~(n)~~(o) Rail terminals and intermodal truck/rail storage and shipping facilities.

~~(o)~~(p) Repair, sales, rental, and storage facilities for equipment, including heavy equipment, farm equipment, marine equipment, boats, airplanes, trucks, and recreational vehicles.

~~(p)~~(q) Research, development and testing facilities.

~~(q)~~(r) _____ Retail and wholesale nurseries/greenhouses.

~~(r)~~(s) Security services and armored car depots and services.

~~(s)~~(t) Telephone and Internet call centers and server farms; web hosting facilities and other communication centers.

~~(t)~~(u) Trails and primary and secondary trailheads.

~~(u)~~(v) _____ Vocational educational and training centers.

~~(v)~~(w) _____ Warehousing, distribution and storage facilities.

~~(w)~~(x) _____ Wholesale businesses with incidental retail trade permitted as accessory uses under Subsection (3) of this Section.

~~(x)~~(y) _____ Maintenance, drainage.

~~(y)~~(z) Net metering system, solar.

~~(z)~~(aa) _____ Repair, replacement and maintenance of water lines with an inside diameter of 8 inches or less.

~~(aa)~~(bb) _____ Recycling drop box facility.

- (3) Accessory Uses. Accessory uses are intended to provide goods and services primarily to complement and support permitted, administrative, and special uses in the BR-LI zone.
- (a) Day care centers primarily serving employees and residents located in the Bayview Ridge Subarea.
 - (b) Electrical generating facilities producing less than 50 megawatts of electricity and electrical substations and gasworks serving permitted, accessory, administrative, or special uses.
 - (c) Incidental retail sales of products manufactured, processed, distributed, produced, or assembled on-site; provided, that the floor area allocated to retail sales of products distributed on-site shall not be greater than 10% of the gross floor area of the building occupied by the distribution facility and in no event shall said retail sale area be greater than 2,000 square feet of gross floor area.
 - (d) Outdoor storage of materials in quantities less than 50 cubic yards that may have a potential health hazard. Does not include storage of hazardous materials.
 - (e) Outdoor storage of processed and unprocessed natural materials, waste materials or other similar materials used in conjunction with a permitted, accessory or special uses provided the same in quantities that total less than 500 cubic yards.
 - (f) Owner operator/caretaker quarters.
 - (g) Recreational facilities primarily serving facilities and employees located in the Bayview Ridge Subarea.
- (4) Administrative Special Uses.
- (a) Expansion of existing major public uses up to 3,000 square feet.

- (b) Minor public uses.
 - (c) Minor utility developments.
 - (d) Outdoor storage of materials in quantities greater than 50 cubic yards that may have a potential health hazard. Does not include storage of hazardous materials.
 - (e) Personal wireless service towers, subject to SCC 14.16.720.
 - (f) Temporary asphalt/concrete batching.
 - (g) Temporary events.
 - (h) ~~Trails and primary and secondary trailheads.~~
- (5) Hearing Examiner Special Uses.
- (a) Major public uses and expansions of existing major public uses, 3,000 square feet and greater.
 - (b) Major utility developments.
 - (c) On-site hazardous waste treatment and storage facilities that are an accessory use to an otherwise permitted use on the site, provided such facilities comply with the State Hazardous Waste Siting Standards and County and State Environmental Policy Act requirements and the Clean Water Act. No treatment or storage of hazardous materials shall be permitted within 500 feet of the nearest residence.
 - (d) Recreational racetracks.
- (6) Dimensional Standards.
- (a) Setbacks.
 - (i) Front: 35 feet.
 - (ii) Side: shall be in conformance with the adopted building code of Skagit County if adjacent to other commercial/industrial zoning designations, and 50 feet if adjacent to other residential zoning designations.
 - (iii) Rear: shall be in conformance with the adopted building code of Skagit County if adjacent to other commercial/industrial zoning designations and 50 feet if adjacent to other residential zoning designations.
 - (iv) Accessory: same as principal buildings.
 - (v) Setbacks from NRL lands shall be provided per SCC 14.16.810(7).
 - (b) Maximum height: 50 feet, [except within the buffer area to a residential zone \(section \(7\) below\), or as limited by the](#) ~~or shall conform to the applicable Federal Aviation Administration regulations concerning height restrictions pursuant to the~~ Airport Environs Overlay, SCC 14.16.210, whichever is less.
 - (i) Height Exemptions. Flagpoles, ham radio antennas, church steeples, water towers, meteorological towers, and fire towers are exempt from the maximum height, but shall conform to the applicable Federal Aviation Administration

regulations. The height of personal wireless services towers is regulated in SCC 14.16.720.

- (7) Buffering of Between Industrial and Residential Zoned Land. ~~This Section applies to the portion of industrial properties located within 100 feet of residential zones. Properties abutting any residential zones shall provide the~~ The following measures are intended to minimize impacts from noise, vibration, dust, other industrial impacts, and to maintain privacy and aesthetic compatibility.

~~Within 100 feet of residential zones, the following conditions apply:~~

- (a) Loading Areas. Truck loading operations and maneuvering areas ~~shall~~ may not be located within ~~100~~ [100-500; recommended 250] feet of areas zoned for residential use.
- (b) Building Height. ~~Buildings shall not exceed 35 feet.~~ Building height may ~~step up to higher than~~ not exceed 35 feet for those portions of a building located ~~more than~~ within 100 feet from a residential zone.
- ~~(c) Horizontal Building Modulation. Buildings with exterior (facade) walls greater than 60 feet in length and located within 100 feet of residentially zoned properties shall be required to provide architectural modulation in accordance with the following standards:~~
- ~~(i) Minimum modulation depth equals 5 feet;~~
- ~~(ii) Minimum modulation length equals 15 feet;~~
- ~~(iii) Maximum modulation length equals 60 feet;~~
- ~~(iv) Minimum height of modulation equals 50 percent of height of facade;~~
- ~~(v) Any other method of architectural modulation which results in an equivalent or superior articulation of the building facade, which gives the building the appearance of not having flat facade surfaces for substantial portions of its length, based upon building plan elevations. Examples of acceptable architectural treatment include, but are not limited to, building facade modulation, orientation of doors and windows, varying use of building materials and colors, use of landscaping which breaks up flat expanses of building walls, or a combination of techniques providing the desired effect.~~
- ~~(d)~~ (c) Within [100-500; recommended 250] feet of a residential zone, all outdoor lighting must be full cut-off. All lighting fixture luminaires shall be full cut-off.
- ~~(e)~~ (d) Within [100-500; recommended 100] feet of a residential zone, mechanical ~~Mechanical~~ equipment located on the roof, facade, or external portion of a building shall be architecturally screened by incorporating the equipment in the building and/or site design so as not to be visible from adjacent residential zones or public streets.
- ~~(f)~~ (e) Equipment or vents ~~which~~ that generate noise or air emissions shall be located ~~away from~~ to minimize impacts on adjoining residentially zoned properties.

~~(g)(f) Screening. A sight-obscuring masonry or wood fence is required as part of the landscape buffer abutting the residential zone.~~ [Landscaping. Type V landscaping per SCC 14.16.830 is required between BR-LI and residential zones.](#)

- (8) Landscaping shall be provided as required by SCC 14.16.830.
- (9) Infrastructure Requirements. This zone is part of the Bayview Ridge Urban Growth Area (UGA). Development must comply with the UGA infrastructure requirements in SCC 14.16.215, Bayview Ridge Urban Growth Area, and with Chapter 14.28 SCC, Concurrency.
- (10) Additional requirements related to this zone are found in SCC 14.16.210, 14.16.215, 14.16.600 through 14.16.900, Chapter 14.28 SCC, and the rest of the Skagit County Code.

14.16.190 Bayview Ridge Heavy Industrial (BR-HI).

[No change.]

14.16.200 Aviation Related (AVR).

[No change.]

***New Section* 14.16.205 Aviation Related Limited (AVR-L).**

- (1) Purpose. Because almost all of this zone is constrained by wetlands and limited by the Countywide Planning Policies allocation of commercial-industrial acreage to the Bayview Ridge Subarea, the purpose of this zone is to allow a maximum of 20 acres of light industrial or commercial development, and otherwise allow only those uses essential for support of the Skagit Regional Airport.
- (2) Permitted Uses.
 - (a) Uses permitted in the BR-LI zone, not to exceed 20 acres total of permitted or special uses within the entire zone, identified at time of application.
 - (b) Aviation-related navigation aids.
 - (c) Maintenance, drainage.
 - (d) Repair, replacement and maintenance of water lines with an inside diameter of 8 inches or less.
 - (e) Trails and primary and secondary trailheads.
- (3) Administrative Special Uses.
 - (a) Uses allowed as administrative special uses in the BR-LI zone, not to exceed 20 acres total of permitted or special uses within the entire zone, identified at time of application.
 - (b) Minor utility developments.
 - (c) Temporary events.
 - (d) Outdoor storage of processed and unprocessed natural materials in quantities less than 500 cubic yards that do not have a potential health hazard.

- (4) Hearing Examiner Special Uses.
 - (a) Uses allowed as hearing examiner special uses in the BR-LI zone, not to exceed 20 acres total of permitted or special uses within the entire zone, identified at time of application.
 - (b) Major utility developments.
 - (c) Outdoor storage of materials in quantities greater than 50 cubic yards that may have a potential health hazard. Does not include storage of hazardous materials.
 - (d) Outdoor storage of processed and unprocessed natural materials in quantities greater than 500 cubic yards that do not have a potential health hazard.
- (5) Dimensional Standards. BR-LI dimensional standards apply to all uses in this zone.
- (6) Buffering Between Industrial and Residential Zoned Land. The measures in SCC 14.16.180(7) also apply to industrial or commercial uses in AVR-L.
- (7) Landscaping must be provided as required by SCC 14.16.830.
- (8) Special Provisions.
 - (a) All improvements shall conform to applicable Federal regulations concerning dimensional restriction on air operations including height restrictions and required setbacks from air operations areas.
- (9) Additional requirements related to this zone are found in SCC 14.16.210, 14.16.215, 14.16.600 through 14.16.900 and the rest of the Skagit County Code.

14.16.215 Bayview Ridge Urban Growth Area.

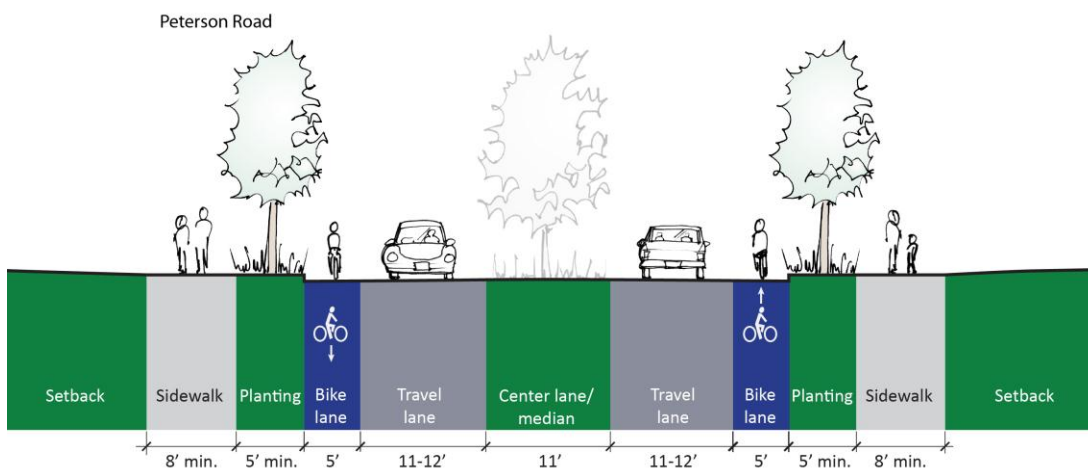
- (1) Purpose. This Section sets forth development standards within the Bayview Ridge Urban Growth Area for streets, water service, stormwater, and sanitary sewer service.
- (2) Applicability. The following requirements apply to development within the Bayview Ridge Urban Growth Area, as specified in each subsection.
- (3) General Regulations.
 - (a) Street Standards. The property owner shall construct streets consistent with the Urban Standards outlined in the Skagit County Road Standards.
 - (i) 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 or the conceptual trail map adopted as part of the Bayview Ridge Subarea Plan.](#)

(ii) [Street standards for BR-R. Additionally, a minimum 4-foot planting strip and 5-foot sidewalk is required on all road frontages.](#)

(iii) [Street standards for BR-LI. New streets in BR-LI must be designed consistent with the established pattern of development for the zone. Specifically, this includes a curb-less street design with swales or other approved drainage elements on one or both sides, and a paved or gravel trail on at least one side. These design elements must be constructed per the Skagit County Public Works Standards.](#)



(iv) [Special street standards for retail uses along Peterson Road. In BR-LI, some limited retail uses are allowed along Peterson Road. Where proposed, the following street design standards apply. Street frontage trees must be deciduous, with a size at maturity not to exceed the maximum building height for the AEO safety zone.](#)



(b) **Water Service.** The property owner shall submit a letter 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.

- (c) 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. Surface and stormwater management improvements shall be constructed consistent with the adopted Bay View Watershed Stormwater Management Plan Phase 1. In addition, as a condition of development approval on the ~~subject~~ subject property, and for all property in the UGA owned by the same owner, 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 stormwater 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 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, stormwater drainage facilities, or dedication of property for public facilities that are included in the subarea facilities plan shall be provided.
- (d) Sanitary Sewer Service. A property owner applying for a development permit that will require sewage disposal shall extend or connect to the public sewer system to serve the development, unless the exception in Subsection (3)(d)(i) of this Section applies. The public sewer system extension or connection shall be in accordance with the City of Burlington's design and construction standards. The owner must submit a letter of sewer availability from the City of Burlington prior to development application and must connect to the existing sewer line prior to final approval.
- (i) Exception. A property owner applying for a development permit that is not associated with a new land division for a single-family dwelling unit or residential accessory use on property that is greater than 200 feet from a City of Burlington sewer line is not required to hook up to the public sewer system; provided, the owner shall record an agreement, referred to as an "agreement to connect," with the Skagit County Auditor. Such agreement shall be a covenant which shall run with the land and shall be binding upon the owner and successors in interest of the property. The agreement shall provide that the structure served by the on-site sewage system shall be connected to the public sewer at such time as the public sewer is available. Public sewer service is considered available when the sewer line is within 200 feet of the residential structure, as measured along the usual or most economically feasible route of access. Such agreement shall require payment of all connection charges applicable at the time of actual connection to the public sewage system.
- (ii) Existing On-Site Systems. If an existing on-site system requires repair, modification, or replacement, the owner shall connect to the public sewer system unless the exception in Subsection (3)(d)(i) of this Section applies.

(4) Subdivisions.

- (a) Landscaping. At a minimum, meet the requirements of SCC 14.16.830, except that all street frontage trees must be deciduous, with a size at maturity not to exceed the maximum building height for the AEO safety zone.
- (b) Connectivity Analysis. Roads and sidewalks must connect or stub out to surrounding streets, sidewalks, or paths or undeveloped property based on an analysis of logical connections.

14.16.340 Bayview Ridge Residential (BR-R).

- (1) Purpose. The purpose of this district is to ~~create and~~ maintain an urban residential community that continues to reflect a high quality of life ~~(Goal A Bayview Ridge Subarea Plan)~~ and to implement the Subarea Plan policies, ~~including a minimum density range of 4 to 6 units per acre, and community design goals such as encouraging front porches and minimizing the visual and functional impacts of large paved areas and rows of garage doors.~~
- (2) Permitted Uses.
 - (a) Agricultural uses, on an interim basis until residential development.
 - (b) Detached single-family dwelling unit, including manufactured homes meeting the requirements of Subsection (7) of this Section.
 - ~~(c) Up to four units of duplexes, townhouses, apartments, and condominiums. Condominiums are subject to the provisions of SCC 14.18.500, Binding site plans, and SCC 14.18.600, Condominiums. Duplexes, townhouses, apartments, and condominiums shall be located no closer than 300 feet to another duplex, townhouse, apartment, or condominium structure, measured along the right-of-way, unless approved as part of a planned unit development. Five or more units of duplexes, townhouses, apartments, or condominiums are allowed only under planned unit development (SCC 14.18.400).~~
 - ~~(d)~~(c) Historic sites open to the public.
 - ~~(e)~~(d) Home Based Business 1.
 - ~~(f)~~(e) Residential accessory uses.
 - (f) Maintenance, drainage.
 - (g) Multifamily dwellings, including apartments, condominiums, duplexes, and townhouses.
 - (h) Net metering system, solar.
 - (i) Repair, replacement and maintenance of water lines with an inside diameter of 8 inches or less.
 - (j) Recycling drop box facility, accessory to a permitted public, institutional, commercial or industrial use.

~~(j)~~(k) Trails.

(3) Administrative Special Uses.

(a) Family day care provider.

(b) Home Based Business 2.

(c) Minor utility developments.

(d) Parks, specialized recreation facilities.

~~(d)~~(e) Primary and secondary trailheads.

~~(e)~~(f) Temporary events.

~~(f)~~(g) Trails and primary and secondary trailheads.

(4) Hearing Examiner Special Uses.

(a) Bed and breakfast.

(b) Church.

~~(b)~~(c) Golf courses, including a clubhouse and restaurant if in conjunction with the golf course.

~~(e)~~(d) Home Based Business 3.

~~(d)~~ Kennels.

~~(i)~~ Day use kennel, if associated with other commercial uses as part of a planned unit development (PUD).

~~(ii)~~ Boarding kennel, if associated with other commercial uses as part of a planned unit development (PUD).

~~(iii)~~ Limited kennel, if associated with other commercial uses as part of a planned unit development (PUD).

(e) Major public uses.

(f) Minor public uses.

~~(e)~~(g) Parks, community.

~~(f)~~ Schools (public and private) and churches subject to consistency with the following criteria:

~~(i)~~ The proposed facility is not sited in Safety Zones 1 through 5;

~~(ii)~~ An acoustical evaluation concludes that the proposed facility will not be adversely impacted by noise;

~~(iii)~~ The proposed facility is appropriately sited with respect to the air traffic pattern at the Bayview Ridge Airport as determined by the Port of Skagit County;

~~(iv) At least 25% of the proposed site will be permanent open space, playfields, or other active recreation areas; and~~

~~(v) The location of the proposed facility shall be compatible with the goals and policies of the Bayview Ridge Subarea Plan.~~

(5) ~~Density and Dimensional Standards. Densities in BR-R must be at least 4 and no more than 6 units per acre, unless located in areas with density limits lower than this due to an Airport Environs Overlay safety zone.~~

~~(a) Purchase of Farmland Density Credits. For each unit over 4 per acre, farmland density credits must be purchased via the Skagit County Farmland Legacy Program.~~

(a) Density.

(i) Construction of a single-family dwelling on an existing lot of record is allowed with no minimum density.

(ii) Land divisions must achieve a net density (excluding rights-of-way, trails, and parks) of at least 4 and no more than 6 units per acre, except as constrained by the Airport Environs Overlay zone.

(b) ~~Lot Area, and Width. The minimum lot size and minimum lot width shall be determined by the following table:~~

Land Use	Minimum Density	Maximum Density	Minimum Lot Area	Minimum Lot Width
Single-Family Dwellings (as allowed in Subsection (2)(a) of this Section)	4 units per acre, unless limited by Airport Environs Overlay safety zone.	6 units per acre, unless limited by Airport Environs Overlay safety zone.	6,000 square feet	50 feet
Duplex <u>Multifamily Dwellings</u>	4 units per acre, unless limited by Airport Environs Overlay safety zone.	6 units per acre, unless limited by Airport Environs Overlay safety zone.	8,400 square feet per each 2 units	60 feet
Townhouse, Condominium, or Apartment	4 units per acre, unless limited by Airport Environs Overlay safety zone.	6 units per acre, unless limited by Airport Environs Overlay safety zone.	8,400 square feet per each 2 units	60 feet

(c) ~~Setbacks.~~

~~(i) Primary Structures.~~

~~(A) Front.~~

Front Setback	House	Garage
Road class 09 (local neighborhood streets)	20	25
Roads other than class 09	35	40

~~(B) Side: 15 feet total, minimum of 5 feet on 1 side.~~

- (C) Rear: 20 feet.
- (D) Attached Garages. Garages must be set back from house front a minimum of 5 feet unless located to the side or rear of the structure, or alley-loaded.

(ii) Accessory Structures.

- (A) Front: 20 feet.
- (B) Side: 5 feet, 3-foot setback is permitted from the side and rear lot lines when the accessory building is a minimum of 75 feet from the front property line or when there is an alley along the rear property line providing that the structure is 1,000 square feet or less in size and 16 feet or less in height. A side yard setback of 20 feet is required for all accessory buildings when the side property line is adjacent to a street right-of-way.
- (C) Rear yard: 20 feet, 3-foot setback is permitted from the side and rear lot lines when the accessory building is a minimum of 75 feet from the front property line or when there is an alley along the rear property line providing that the structure is 1,000 square feet or less in size and 16 feet or less in height.
- (D) Setbacks from NRL lands shall be provided per SCC 14.16.810(7).

(d) Maximum lot coverage: 65%.

(e) Maximum height: 40 feet or shall conform to the applicable Federal Aviation Administration regulations concerning height restrictions pursuant to the Airport Environs Overlay, SCC 14.16.210, whichever is less. ~~Schools may exceed the 40-foot height restriction; provided, that the height is 55 feet or less, a statement from the Port of Skagit County in support of the increased height is submitted, and the proposed height conforms to the applicable Federal Aviation Administration regulations.~~

(i) Height Exemptions. Flagpoles, ham radio antennas, church steeples, water towers, meteorological towers, and fire towers are exempt from the maximum height, but shall conform to the applicable Federal Aviation Administration regulations. The height of personal wireless services towers is regulated in SCC 14.16.720.

~~(6) Residential and Open Space Provisions.~~

~~(a) Planned unit development (PUD) regulations are required for construction of 5 or more units within 1 legal lot of record or for residential land divisions when 5 or more building lots are proposed. See SCC 14.18.400 [Reserved]. Schools are exempt from any future PUD regulations.~~

~~(b) Within the airport environs, 10% to 15% permanent open space (mowed lawns or vegetation) is required for new land divisions to minimize the life and safety risks associated with aircraft operations. Where practical, open space areas should be~~

~~strategically located, contiguous and oriented to the centerline of the runway to provide the greatest benefit.~~

~~(7)~~(6) Manufactured Housing in BR-R Zone. Manufactured housing units in the BR-R zone, that are not located within a sales lot, shall meet the following requirements:

- (a) Be constructed after June 15, 1976, in accordance with State and Federal requirements for manufactured homes;
- (b) Have at least 2 fully enclosed parallel sections each of not less than 12 feet wide by 36 feet long;
- (c) Be originally constructed with, and currently possess, a composition or wood shake or shingle, coated metal, or similar roof of nominal 3:12 pitch;
- (d) Have exterior siding similar in appearance to siding materials commonly used on conventional site-built single-family residences;
- (e) Be set upon a permanent foundation, as specified by the manufacturer, and the space from the bottom of the home to the ground shall be enclosed by concrete or an approved concrete product which can be either load-bearing or decorative; and
- (f) Be thermally equivalent to the State Energy Code.

~~(8)~~(7) Infrastructure Requirements. This zone is part of the Bayview Ridge Urban Growth Area (UGA). Development must comply with the UGA infrastructure requirements in SCC 14.16.215, Bayview Ridge Urban Growth Area, and with Chapter 14.28 SCC, Concurrency.

~~(9)~~(8) Additional requirements related to this zone are found in SCC 14.16.210, 14.16.215, 14.16.600 through 14.16.900, Chapter 14.28 SCC, and the rest of Skagit County Code.

14.16.350 Bayview Ridge Urban Reserve (BR-URv).

[Section deleted.]

Chapter 14.18 Land Divisions

14.18.300 Conservation and Reserve Developments (CaRDs)—An alternative division of land.

[No change]

- (1) [No change.]
- (2) Applicability
 - (a) [No change.]
 - (b) [No change.]
 - (c) CaRDs are permitted in the following zones:
 - (i) [No change]
 - (ii) [No change]
 - (iii) [No change]

- (iv) [No change]
- (v) [No change]
- (vi) [No change]
- (vii) [No change]
- (viii) ~~Bayview Ridge Urban Reserve (on parcels 10 acres or 1/64 section, or greater, with 1 lot allowed for each additional 5 acres or 1/128 section);~~
- (ix) [No change]
- (x) [No change]

(d) CaRDs are not permitted within urban growth areas with the exception of ~~Bayview Ridge and~~ Hamilton as specified above.

14.18.310 General approval provisions—CaRD.

- (1) [No change.]
- (2) Allowable Density. [No change]

Zone	Maximum Residential Densities with a CaRD*	Open Space Options
Rural Intermediate	1/2.5 acres or 1 per 1/256 of a section	All, where appropriate
Rural Village Residential	1/1 acre or 1 per 1/640 of a section with public water and septic or 1/2.5 acres or 1/256 of a section with private water and septic	All, where appropriate
Rural Reserve	2/10 acres or 2 per 1/64 of a section	All, where appropriate
Agricultural—Natural Resource Lands	1/40 acres or 1 per 1/16 of a section	Os-PA, Os-NRL Os-RSV (per Subsection (6))
Industrial—Natural Resource Lands	1/80 acres or 1 per 1/8 of a section	Os-PA, Os-NRL Os-RSV (per Subsection (6))
Secondary Forest—Natural Resource Lands	1/20 acres or 1 per 1/32 of a section	Os-PA, Os-NRL Os-RSV (per Subsection (6))
Rural Resource—Natural Resource Lands	4/40 acres or 4 per 1/16 of a section	Os-PA, Os-NRL Os-RSV (per Subsection (6))
Bayview Ridge Urban Reserve	2/10 acres or 2 per 1/64 of a section	Os-PA, Os-UR, Os-RO, Os-RSV

Zone	Maximum Residential Densities with a CaRD*	Open Space Options
Hamilton Residential	4/40 acres or 4 per 1/16 of a section	Os-PA, Os-UR, Os-RO, Os-RSV
Hamilton Urban Reserve	4/40 acres or 4 per 1/16 of a section	Os-PA, Os-UR, Os-RO, Os-RSV
	*Exception: Maximum residential densities for lands in or within one-quarter mile of a designated Mineral Resource Overlay (MRO) shall be no greater than 1/10 acres; provided, that if the underlying land use designation density of land within one-quarter mile of MRO lands is greater than 1/10 acres, the development rights associated with that density may be transferred to and clustered on that portion of the property located outside of one-quarter mile for the MRO lands, consistent with the CaRD policies in the Comprehensive Plan.	

- (3) [No change]
- (4) [No change]
- (5) [No change]
- (6) [No change]
- (7) [No change]
- (8) [No change]
- (9) [No change]

14.18.330 Approval provisions—CaRDs with 5 or more lots (long CaRDs).

- (1) [No change]
- (2) Maximum Number of Dwelling Units per Cluster Pod. The number of dwelling units in each cluster pod shall not exceed that specified by the following table:

Zoning	Maximum No. of Units/Cluster Pod
Rural Resource; Rural Reserve; Rural Intermediate; Rural Village; Bayview Ridge Urban Reserve ; Hamilton Residential; and Hamilton Urban Reserve	14
Agricultural; Industrial Forest; and Secondary Forest	6

The size of septic fields, both community and individual, and/or community water systems may further limit the size of cluster pods within a development, if such limitation is necessary to meet septic and/or water system requirements.

- (3) [No change]

14.18.340 Bayview Ridge UGA subdivisions with 4 or fewer building lots.

- ~~(1) — Landscaping. As a minimum, meet the requirements of SCC 14.16.830 Type II and III landscaping, except that all street frontage trees shall be deciduous, with a size at maturity not to exceed the maximum building height for the AEO safety zone.~~
- ~~(2) — Connectivity Analysis. Roads and sidewalks shall connect or stub out to surrounding streets, sidewalks, or paths or undeveloped property based on an analysis of logical connections.~~
- ~~(3) — Additional Urban Road Standards. A minimum 4-foot planting strip and 5-foot sidewalk is required on all road frontages.~~

14.18.400 Planned unit development.

[Section deleted.]

14.16.830 Landscaping requirements

- (1) [No change.]
- (2) [No change.]
- (3) [No change.]
- (4) Types, Amounts, and Locations of Landscaping Required.
 - (a) Type I, Property Lines Other Than Street Frontage.
 - (i) Description. Type I landscaping is intended to provide screening of areas to reduce the visual impact of incompatible or less desirable characteristics. It is intended to be a very dense sight barrier. The planting strip shall be a minimum of 20 feet wide.
 - (ii) Applicability.
 - (A) A 20-foot-wide Type I buffer is required on all development within SRT, BR-LI, BR-HI, NRI, H-I and RMI zones where it abuts URR, RI, RRv, RVR, ~~BR-CC~~, BR-R, ~~BR-URv~~, H-R, H-URv and R zoned land. Entire property lines need not be landscaped if applicant can demonstrate the activity (building or use) is adequately screened and agrees to additional Type I landscaping with future applications. A request for a reduction shall be by administrative decision pursuant to Chapter 14.06 SCC. Requirements for the NRI zone are found within that zone.
 - (B) Type I landscapes may be applied as conditions to discretionary land use applications.
 - (b) Type II, Property Lines Other Than Street Frontage.
 - (i) Description. Type II landscaping is intended to provide a visual separation between uses and land use districts.
 - (ii) Applicability.

- (A) A 10-foot-wide Type II buffer is required on all development within URC-I, AVR, ~~AVR-L, BR-CC,~~ RFS, RVC, RC, SSB, and RB zones where it abuts URR, RI, RRv, RVR, BR-R, H-R, H-URv and R zoned land. Entire property lines need not be landscaped if applicant can demonstrate the activity (building or use) is adequately screened and agrees to additional Type II landscaping with future applications. A request for a reduction shall be by administrative decision pursuant to Chapter 14.06 SCC.
- (B) Type II landscapes may be applied as conditions to discretionary land use applications.
 - (iii) [No change.]
- (c) Type III, Street Frontage.
 - (i) [No change.]
 - (ii) [No change.]
 - (iii) Amount of Plantings.
 - (A) Standards for AVR, ~~AVR-L,~~ NRI, BR-LI, BR-HI, ~~BR-CC,~~ RFS, SRT, and RMI Zones.
 - (I) Trees. Evergreen and deciduous trees, with no more than 50% being deciduous, a minimum of 6 feet in height, and planted at intervals no greater than 30 feet on center, or maximum spacing of 1 tree for every 30 feet of road frontage may be planted in groupings so as not to visually block a business entrance. In the Airport Environs Overlay (AEO), tree height at maturity shall be no greater than the maximum building height for the specific site.
 - (II) Shrubs and Berms. Minimum of 3 1/2 feet in height, and lawn or ground cover planted so that the ground will be covered within 3 years or earth mounding (berms) an average of 3 1/2 feet in height planted with shrubs, or ground cover so that the ground will be covered within 3 years and produce a landscape at least 3 1/2 feet in height.
 - (B) Standards for URC-I, RVC, RC, SSB, and R Zones.
 - (I) A minimum of 2 groupings 50 square feet each shall be provided.
 - (II) A minimum of 1 tree in 1 group and 2 trees in the second group.
 - (III) Shrubs shall be adequate to cover the minimum square footage requirement.
- (d) Type IV, Parking Areas.
 - (i) Description. Type IV landscaping is intended to provide relief and shade in parking areas.

(ii) Amount of Plantings. Applications within: RFS, RMI, AVR, AVR-L, NRI, BR-LI, BR-HI, ~~BR-CC~~ and SRT zoning designations shall have a minimum of 16 square feet of landscaping for every parking stall.

(iii) [No change.]

(e) [No change.]

(f) Type V, Industrial Adjoining Residential in Bayview Ridge.

(i) Description. Type V landscaping is intended to provide a visual and noise buffer of industrial uses where they adjoin residential zones at Bayview Ridge.

(ii) Applicability. Type V landscaping is required along the entire property line for development within BR-LI or AVR-L where it abuts BR-R or RRv.

(iii) Requirements.

(A) Width. Plantings and screening must total [20-50; recommendation is 30] feet in width.

(B) Plantings.

(I) Existing vegetation within the required buffer width that functionally meets or exceeds these planting requirements must be retained.

(II) At least [2-3; recommendation is 3] alternating rows of evergreen trees, with a minimum of 2.5-inch caliper and planted at intervals of 20 feet or less on center.

(III) Shrubs must be planted no more than 5 feet apart using plants that are at least 3.5 feet in height at the time of planting. A combination of plants and landscape materials must be placed so that the ground surrounding the shrubs will be covered within 3 years.

(C) Screening.

(I) A masonry, block, or textured concrete wall, or fully obscuring wood fence is required and must be architecturally integrated with colors and textures of the surrounding development.

(II) Where existing vegetation exceeds 150% of the required landscaping width, no wall or fence is required.

(5) [No change.]

(6) [No change.]