

**SKAGIT COUNTY PLANNING COMMISSION  
RECORDED MOTION  
REGARDING ADOPTION OF THE  
BAYVIEW SUBAREA PLAN**

**Whereas**, key goals of the Growth Management Act (GMA) (RCW 36.70A.020(3)) are to encourage development in urban areas where adequate public facilities and public services exist, or can be provided in an efficient manner, and to reduce the inappropriate conversion of undeveloped land into sprawling, low-intensity development; and

**Whereas**, additional goals of the Growth Management Act (GMA) (RCW 36.70A.020(3)) provide for efficient transportation systems, the availability of affordable housing, a variety of residential densities and housing types, preservation of the existing housing stock, economic development, protection of private property rights, the retention of open space and development of recreational opportunities, protection of the environment and the state's high quality of life, involvement of citizens in the planning process, coordination between communities, and concurrency of public facilities and services; and

**Whereas**, RCW 36.70A.080(2) establishes that a comprehensive plan may include subarea plans, consistent with the comprehensive plan, as an optional element of the comprehensive plan; and

**Whereas**, the Skagit County Countywide Planning Policies support subarea planning as an approach to addressing homogenous natural features and communities within the County; and

**Whereas**, Chapter 14 of the *Skagit County Comprehensive Plan* (2000) provides for the development of Subarea Plans and establishes goals, objectives and policies to be followed in development of subarea plans; and

**Whereas**, the *Skagit County Comprehensive Plan* (2000) identifies Bayview Ridge as a 4,093 acre Urban Growth Area; and

**Whereas**, the Skagit County and its cities and towns have, through the Countywide Planning Policies, established allocations for urban growth; and

**Whereas**, the aforementioned Countywide Planning Policies allocate 3,420 residents and 750 acres of new commercial /industrial land to the Bayview Ridge UGA by the year 2015; and

**Whereas**, the Western Washington Growth Management Hearings Board ruled that that portion of the Bayview Ridge Urban Growth Area outside the ownership of the Port of Skagit County was invalid because there was not adequate documentation so support its designation as an urban growth area (*Abenroth, et al. v. Skagit County, Case No. 97-2-0060c*); and

**Whereas**, Exhibit A lists specific issues in the Abenroth case and a summary of Skagit County's responses;

**Whereas,** Skagit County, the Port of Skagit County and the City of Burlington jointly prepared a *Skagit Regional Airport Land Use Compatibility Study* to provide guidance to the County on policies governing land use near the airport and on development ordinances that might be needed to prevent encroachment; and

**Whereas,** the Skagit County Board of County Commissioners appointed a nine member Citizen Advisory Committee (CAC) to work with Skagit County, the Port of Skagit County and the City of Burlington to develop a draft *Bayview Ridge Subarea Plan* and draft *Development Regulations*; and

**Whereas,** a *Draft Bayview Ridge Subarea Plan and Development Regulations Environmental Impact Statement* was issued on April 3, 2003 and circulated for comment until May 20, 2003 and a *Final Bayview Ridge Subarea Plan and Development Regulations Environmental Impact Statement* was issued in March, 2004; and

**Whereas,** community meetings have been held to solicit input on the draft Subarea Plan; and

**Whereas,** the Skagit County Planning Commission held a public hearing on the Draft Subarea Plan and Development Regulations on April 27, 2004 and has held eight public meetings between June 22, 2004 and March 1, 2005 to deliberate and address specific issues related to the *Subarea Plan* and the *Development Regulations*, and on the latter date made the following findings;

***Findings:***

**A-1.** The Bayview Ridge Subarea encompasses 4,011 acres situated above the Skagit River floodplain; existing land uses include a mix of industrial/business development, Skagit Regional Airport (designated an essential public facility by the *Skagit County Comprehensive Plan*) and aviation-related uses, pastureland, wetlands, and a variety of residential uses.

**A-2.** The Bayview Ridge Subarea planning process was initiated by the Board of County Commissioners in order to implement community value statements, goals, objectives, and policies of the Skagit County Comprehensive Plan.

**A-3.** Skagit County, the Port of Skagit County, and the City of Burlington jointly prepared a *Skagit Regional Airport Land Use Compatibility Study* in 2000; this study provides guidance to the County on policies governing land use near the Skagit Regional airport and on development of ordinances that are needed to preserve and protect the Airport.

**A-4.** The findings of the *Skagit Regional Airport Land Use Compatibility Study* have been incorporated into the *Bayview Ridge Subarea Plan*.

**A-5.** A nine-member Citizen Advisory Committee (CAC) was established by the Board of County Commissioners to make recommendations on the draft Subarea Plan; the CAC held 13 meetings over a 16-month period beginning in December 2000, and ending in March 2002.

**A-6.** The Citizen Advisory Committee made recommendations regarding land use designations, development and design standards, transportation improvements, capital facility improvements, and densities.

**A-7.** Citizens and property owners within the Bayview Ridge Subarea have been involved in the proposed planning process through four community meetings, preparation and circulation of a Draft and Final EIS, information posted on the County website, and Planning Commission public hearings.

**A-8.** The Port of Skagit County and the City of Burlington have participated in the Bayview Ridge planning process.

**A-9.** The Subarea Plan articulates a specific vision for the Bayview Ridge community.

**A-10.** The Subarea Plan identifies features and characteristics to be retained, developed, preserved, enhanced, or corrected.

**A-11.** The Subarea Plan designates areas for the Skagit Regional Airport and aviation-related uses, commercial use, heavy and light industrial use, residential use (urban, urban reserve and rural reserve), capital facilities, and recreation; densities are consistent with the density ranges and policies of the *Skagit County Comprehensive Plan*.

**A-12.** The Subarea Plan contains Goals, Objectives and Policies for Land Use, Community Character and Design, Business and Industrial Development, Community Center, Housing, Transportation, Capital Facilities, Utilities, Parks, Recreation and Open Space, the Natural Environment, and Essential Public Facilities; these goals, objectives and policies support the Bayview Ridge Vision Statement and are consistent with the *Skagit County Comprehensive Plan*.

**A-13.** The Subarea plan identifies design features to be encouraged in capital facilities, residential, commercial and industrial construction, and landscaping.

**A-14.** The Subarea Plan utilizes tools such as clustering to achieve environmental protection, protect and conserve natural resource lands and critical areas, create open space, and provide affordable housing.

**A-15.** The Subarea Plan promotes local flexibility and creativity in the development of programs, strategies, and standards through adoption of the companion *Bayview Ridge Development Regulations*.

**A-16.** The Subarea Plan encompasses the Bayview Ridge Urban Growth Area as identified in the *Skagit County Comprehensive Plan*. The Subarea is also defined by topographic separation from the valley floor, and transportation corridors (Avon-Allen Road, Ovenell Road, SR-20, Farm to Market Road, and Josh Wilson Road).

**A-17.** The Bayview Ridge Community Center and Light and Heavy Industrial districts will provide areas for the development of businesses, commercial and industrial, which are compatible and largely devoid of nuisance factors, hazards or exceptional demands upon public facilities or services.

**A-18.** The residential density proposed in the Subarea Plan will provide for and set aside land for development that meets contemporary building and living standards for single/multi family dwellings and other related uses.

**A-19.** The residential density proposed in the Subarea Plan is consistent with continued operation of the Skagit Regional Airport.

**A-20.** The Subarea Plan and companion Development Regulations provide for both a Notice to Purchasers (advising purchasers and users of the inherent Overflight Effects) and an Avigation Easement.

**A-21.** Future development projects within the Bayview Ridge Subarea will be subject to incremental SEPA review and development regulations in place at the time of permit application; project-level design and detail will be addressed at that stage of the development process.

**A-22.** The companion *Bayview Ridge Development Regulations* have been developed to implement the goals, objectives and policies contained in the Subarea Plan.

**A-23.** The Subarea Plan requires that Planned Residential Development zoning regulations be in place prior to construction of any new residential project containing five or more dwelling units.

**A-24.** Together with Mount Vernon, Burlington, and Sedro Woolley, the Bayview Ridge Subarea, and the abutting perimeter major collector streets, have been designated an “urban” area for transportation planning purposes by the Federal Highway Administration, based on population density reported in the 2000 census; this designation requires an urban level of street improvements.

Regarding the proposed Bayview Ridge Urban Growth Area, the Planning Commission specifically finds:

**B-1.** The UGA is of sufficient size to accommodate the allocated year 2015 population of 3,420 and 750 acres of new commercial/industrial land.

**B-2.** The industrial UGA is sufficient in size to meet economic development needs for the projected population.

**B-3.** The Bayview Ridge UGA supports compact urban development patterns through infill and expansion which will minimize the fiscal and environmental impacts of growth while assuring opportunities for housing, jobs, and commerce.

**B-4.** Within the Bayview Ridge UGA, a range of urban governmental services such as sewer, water, storm drainage, transportation improvements, fire and law enforcement protection, and parks and recreation presently exist or can be economically and efficiently provided.

**B-5.** The Bayview Ridge UGA is a clearly defined, logical, area having a physical identity and social connection to an existing urban environment, and contains existing land use densities that are capable of accommodating additional urban growth as the need arises.

**B-6.** Natural features and land characteristics within the Bayview Ridge UGA are capable of supporting urban development without significant environmental degradation.

**B-7.** The Bayview Ridge UGA does not have a long-term, commercially significant value for agriculture, forestry, or mineral production and is able to accommodate additional development without having a detrimental impact on nearby natural resource lands.

**B-8.** A broadly based community interest indicates a preference for inclusion within the Bayview Ridge UGA.

**B-9.** The Bayview Ridge UGA includes lands useful for active and passive recreation, and for community parks, trails, and smaller neighborhood open space/recreation sites; critical areas and open space corridors for connection of critical areas; greenbelts as urban separators and regional open space connectors; and view sheds. These features are a critical part of urban neighborhoods.

**B-10.** Overall residential densities for land designated residential within the Bayview Ridge UGA is a minimum of 4 or more residential dwelling units per 1 acre; flexibility in individual lot sizes is permitted.

**B-11.** Land use designations with the Bayview Ridge UGA include *Bayview Ridge Light Industrial (BR-LI)*, *Bayview Ridge Heavy Industrial (BR-HI)*, *Aviation Related (AVR)*, *Residential (R)*, and *Urban Reserve (URV) and Rural Reserve (RRV)*.

**B-12.** Once the UGA is approved, Skagit County will include a specific Bayview Ridge Capital Facilities Plan (CFP) within its existing 6-Year Countywide CFP; this action will occur as part of the annual CFP update.

Regarding potential impacts of the proposed Bayview Ridge Urban Growth Area on downstream agricultural drainage facilities, the Planning Commission specifically finds:

**C-1.** Skagit County has established goals and policies limiting the intrusion of non-agricultural uses into designated agricultural lands. Stormwater drainage from the Bayview Ridge UGA must pass through designated agricultural lands to reach its ultimate outlet; if the drainage system is not properly designed, the drainage will impact both private agricultural lands and the Drainage District facilities. This impact to agricultural lands is a major concern.

**C-2.** The Subarea Plan and Development Regulations require that both the Bayview Watershed Stormwater Management Plan and the Planned Residential Development (PRD) zoning regulations be adopted prior to construction of any new residential project containing five or more dwelling units or any new residential land division creating five or more lots.

**C-3.** Adoption of the Subarea Plan will require that the Bayview Watershed Stormwater Management Plan be adopted prior to any further land divisions in the Bayview Ridge Community Center, or Bayview Ridge Industrial, Heavy Industrial or Aviation Related zoning districts except those approved Industrial and Heavy Industrial districts established by Skagit County Ordinances No. 17938 and No. 18264.

**C-4.** Completion of the *Bayview Watershed Stormwater Management Plan* will result in a Plan for accommodating urban stormwater drainage, identification of needed drainage improvements, a financing plan and cost-sharing arrangements, and provision for interlocal agreements between Skagit County and the receiving Drainage Districts. Adoption of this Plan will provide for agreement by receiving Drainage Districts.

**Recommendation**

Based on the above findings, and on the record in this matter, the Planning Commission recommends adoption of the revised February 18, 2005, Department Report, Exhibit B, with the following additional revisions:

**1. 5.1.1, Goal 2A, Objective 2A-1, Policy 2A-1.5**

Add, *“The construction of a school will require special siting criteria.”*

**2. 5.1.1, Goal 2A, new objective 2A-3, to read as follows:**

*“The Bayview Watershed Stormwater Management Plan shall be adopted prior to any further land divisions in the Bayview Ridge Community Center, or Bayview Ridge Industrial, Heavy Industrial or Aviation Related zoning districts except those approved Industrial and Heavy Industrial districts established by Skagit County Ordinances No. 17938 and No. 18264. After adoption of the Bayview Watershed Stormwater Management Plan, all new development shall comply with this Plan.”*

*Motion to approve Department Report as amended: William Stiles III*

*Seconded by: Jerry Jewett*

<u>Vote:</u>	<u>Support</u>	<u>Oppose</u>	<u>Absent</u>
Dave Hughes, Chair	X		
Harry Ota	X		
Jan Ellingson	X		
Carol Ehlers	X		
Jerry Jewett	X		
Bobbi Krebs-McMullen	X		
William Stiles III	X		
Bill Schmidt	X		
Herb Goldston	X		
<b>Total</b>	<b>9</b>	<b>0</b>	<b>0</b>

**Recommendation**

*Based on the findings above and record in this matter, the Planning Commission recommends adoption of the Bayview Ridge Subarea Plan with the findings as amended.*

*Motion to approve findings as amended: William Stiles III*

*Seconded by: Jan Ellingson*

<u>Vote:</u>	<u>Support</u>	<u>Oppose</u>	<u>Absent</u>
Dave Hughes, Chair	X		
Harry Ota		X	
Jan Ellingson	X		
Carol Ehlers	X		
Jerry Jewett	X		
Bobbi Krebs-McMullen	X		
William Stiles III	X		
Bill Schmidt	X		
Herb Goldston	X		
<b>Total</b>	<b>8</b>	<b>1</b>	<b>0</b>

Dissenting Vote

In casting a dissenting vote, Commissioner Ota stated that understands the need to proceed with residential development but he prefers to hold open the decision until October, when the stormwater plan is scheduled to be completed. He is concerned that the plan as written may not provide adequate provisions for stormwater management.

**Now, Therefore,** on March 1, 2005, the Skagit County Planning Commission voted, as recorded above, to forward to the Skagit County Board of County Commissioners the foregoing findings and recommendations regarding adoption of the Bayview Ridge Subarea Plan.

**SKAGIT COUNTY PLANNING COMMISSION**

**SKAGIT COUNTY WASHINGTON**

\_\_\_\_\_  
Dave Hughes, Chairman

\_\_\_\_\_  
Date

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Jeroldine Hallberg, Secretary

\_\_\_\_\_  
Date