

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

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, the Growth Management Act (GMA) (RCW 36.70A.040) requires that the County adopt Development Regulations that are consistent with and implement the Comprehensive Plan; 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 there were concerns regarding incompatible land uses adjacent to Skagit Regional Airport and that Skagit County did not have appropriate standards in place to regulate urban growth within the Bayview Ridge Urban Growth Area (*Abenroth, et al. v. Skagit County, Case No. 97-2-0060c*); and

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 Development Regulations; 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 nine public meetings between June 22, 2004 and March 8, 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. Skagit County has undertaken a planning process to develop a *Bayview Ridge Subarea Plan*, consistent with the goals, objectives, and policies of the *Skagit County Comprehensive Plan*.

A-2. Existing Skagit County land use development regulations do not provide for urban commercial or residential development.

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

A-5. The Citizen Advisory Committee made recommendations regarding new and revised land use development regulations for urban aviation-related, industrial, commercial, and residential development, as well as revisions to the Airport Environs Overlay Zone.

A-6. The findings of the *Skagit Regional Airport Land Use Compatibility Study* have been incorporated into the *Bayview Ridge Development Regulations*.

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 *Development Regulations* are consistent with the goals, objectives and policies of the *Bayview Ridge Subarea Plan* and will implement this Plan.

A-10. The *Development Regulations* will protect the general public health, safety, and welfare and encourage orderly economic development.

A-11. The *Development Regulations* establish zoning districts for the Skagit Regional Airport and aviation-related uses, commercial use, heavy and light industrial use, and residential use (urban, urban reserve and rural reserve). Allowed densities are consistent with the density ranges and policies of the *Skagit County Comprehensive Plan*.

A-12. Land use designations in 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)*.

A-13. The Bayview Ridge Community Center and Light and Heavy Industrial zoning 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-14. The Bayview Ridge Residential District 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-15. The Development Regulations prohibit development of five or more residential units prior to adoption of the *Bayview Watershed Stormwater Management Plan* and Planned Residential Development (PRD) Regulations.

A-16. The Bayview Ridge Urban Reserve District will protect land on the outside fringe of the UGA from premature land division and development that would preclude efficient transition to urban development.

A-17. The *Development Regulations* will provide for the economic, social, and aesthetic advantages of orderly development through harmonious groupings of compatible and complementary land uses and the application of appropriate development standards.

A-18. The *Development Regulations* utilize innovative 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-19. The *Development Regulations* will protect private property rights.

A-20. Land use regulations promulgated through the Bayview Ridge Residential District will allow continued operation of the Skagit Regional Airport.

A-21. The *Development Regulations* provide for both a Notice to Purchasers (advising purchasers and users of the inherent Overflight Effects) and an Avigation Easement for all properties within the AEO zone.

A-22. 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-24. The *Development Regulations* are consistent with applicable laws of the State of Washington.

A-25. These Development Regulations are adopted with the understanding that adoption of the Bayview Watershed Stormwater Management Plan is required 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.

Recommendation

Based on the above findings, and on the record in this matter, the Planning Commission recommends that all references to the *Bayview Ridge Subarea Plan* be adopted subject to the revisions identified in Attachment A.

Motion for approval: Harry Ota
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
Total	7	0	2

Now, Therefore, on **March 8, 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 Development Regulations.

SKAGIT COUNTY PLANNING COMMISSION

SKAGIT COUNTY WASHINGTON

Dave Hughes, Chairman

Date

Jeroldine Hallberg, Secretary

Date