

***BAYVIEW RIDGE SUBAREA PLAN:***  
*Planning Commission Comments on Policies and Text*  
**Department Report**

February 18, 2005

**Planning Commission changes from Sept. 28, 2004 through March 2005 are shown.**

## **1. Proposal**

Skagit County is proposing to adopt the draft *Bayview Ridge Subarea Plan* to guide future development within the 4,011-acre Bayview Ridge Subarea. The recommended Subarea Plan proposes that a 3,633-acre Bayview Ridge Urban Growth Area (UGA) be developed as a cohesive, self-sufficient, urban community while insuring continued compatibility with the Skagit Regional Airport.

New land use regulations are also proposed to implement the proposed *Subarea Plan*. A separate department report has been prepared to address the *Draft Bayview Ridge Subarea Plan Development Regulations*.

## **2. Location**

The Bayview Ridge Subarea is located approximately one mile west of the City of Burlington, and 1 1/2 miles northwest of the City of Mount Vernon. The Subarea is bounded by Ovenell Road and SR 20 on the south, Farm to Market Road on the west, Josh Wilson Road and the hillside on the north, and by Avon-Allen Road on the east.

## **3. Background**

### **3.1 Relationship to the Skagit County Comprehensive Plan**

**Subarea Planning.** Skagit County's Countywide Planning Policies support subarea planning as an approach to addressing homogeneous natural features and communities in the County. Chapter 14 of the *Skagit County Comprehensive Plan* specifically addresses preparation of "Community Development" or "Subarea" Plans. Chapter 14 states that Subarea Plans coordinate and provide consistency with the Comprehensive Plan at a scale and level of detail that cannot be attained under the broad guidelines of the Comprehensive Plan because of the diversity in the character of various parts of the County. The Comprehensive Plan serves as an "umbrella" document and provides a foundation from which Subarea Plans are developed. Subarea Plans, or Community Development Plans, then implement and enhance the Comprehensive Plan.

The Bayview Ridge Subarea Plan is the first plan to be using Chapter 14 of the *Skagit County Comprehensive Plan*.

### **3.2 GMA Compliance.**

The *Skagit County Comprehensive Plan* was adopted in June 1997, and Bayview Ridge was identified as an Urban Growth Area. Subsequently, the Western Washington Growth Management Hearings Board (WWGMHB) conducted lengthy appeal proceedings on many issues relating to the Comprehensive Plan, including the Bayview Ridge Urban Growth Area. The case is entitled *Abenroth, et al.*, Case No. 97-2-0060C. On January 23, 1998, the WWGMHB ruled that the Bayview Ridge Urban Growth Area was invalid because there was not adequate documentation to support its designation, with the exception of the land owned by the Port of Skagit County. The Port has an adopted Master Plan and Analysis that indicates its land is well planned for, will be efficiently served, and will provide for industrial uses compatible with the Skagit Regional Airport.

In response to the WWGMHB ruling, Skagit County adopted Ordinance No. 18264, codified as Skagit County Code 14.16.215, establishing industrial and commercial land use restrictions and requirements (development standards) for public facilities and services for the Bayview Ridge Urban Growth Area and surrounding environs. The ordinance also specifies that land use assessments be conducted to determine industrial, commercial, and residential acreage needs; that infrastructure, capital facility planning, and urban level of service standards be addressed; that airport operations and environs be evaluated with regard to potential incompatibilities with adjoining land uses; and that buffers be established between non-industrial and planned areas of industrial uses to minimize potential land use conflicts or incompatibilities. A copy of Skagit County Code 14.16.215 is contained in the *Draft Development Regulations*.

The proposed *Bayview Ridge Subarea Plan* is intended to document the need for a residential component to the Bayview Ridge Urban Growth Area and bring the UGA into compliance with the Growth Management Act and the WWGMHB decisions.

### **3.3 Citizen Participation**

In November 2000, the Skagit County Board of Commissioners, in accordance with Skagit County's Growth Management Act Public Participation Program (SCC 14.08.070), appointed a nine member Citizens Advisory Committee (CAC) to work with staff in creating the Bayview Ridge Subarea Plan. Additionally, representatives from the City of Burlington and the Port of Skagit County were invited to participate in the planning process. The CAC, including representatives from the City of Burlington and the Port of Skagit County, held 13 meetings over a 16-month period, beginning in December 2000, and ending in March 2002.

Several community meetings have also been held. Community information meetings were held at the Port of Skagit County in March and September of 2000 to discuss the Bayview Ridge Subarea planning process. In January 2001, the County held a community meeting to inform the public about the Bayview Ridge Subarea planning process as well as to present the results of the Skagit Regional Airport Land Use Compatibility Study and answer questions from the public. A community Open House was held at the Fredonia Grange on May 1, 2003.

*A Supplemental Draft Bayview Ridge Subarea Plan and Development Regulations Environmental Impact Statement (Draft SEIS)* was issued on April 3, 2003, and circulated until May 30, 2003, for

comment. The *Draft SEIS* addressed the impacts of the proposed Subarea Plan and Development Regulations, as well as three alternative Subarea Plan scenarios. A Planning Commission public meeting was held on May 20, 2003, to receive oral comments.

An initial Planning Commission Public Hearing on adoption of the *Draft Subarea Plan* and the *Development Regulations* was held on April 27, 2004. The Planning Commission then held eight public meetings to address specific issues related to the *Subarea Plan* and the *Development Regulations*.

It is the goal of the *Subarea Plan* to maintain an active program for citizen participation to review proposed development projects; changes to plans, policies, codes, and regulations; and to provide an opportunity for discussion and problem solving, as appropriate.

### **3.4 Public Notice**

All public meetings and Open Houses were noticed by public service announcements, advertisements, radio spots and/or legal notices. Notice for all Planning Commission Public Hearings was provided pursuant to SCC 14.08

Information on the proposed *Draft Bayview Ridge Subarea Plan* and the *Draft Development Regulations* has also been posted on the Skagit County website.

## **4. Proposed Action**

### **4.1 Draft Bayview Ridge Subarea Plan**

**Vision Statement.** The following vision statement was prepared by the CAC to provide a framework for the goals, objectives, and policies in implementing development regulations that will guide and shape future development within the Bayview Ridge Subarea.

*"The unique combination of residential and industrial development supported by extensive public and private infrastructure investments surrounding a regional, general aviation airport presents an extraordinary opportunity with respect to future development in the Bayview Ridge Subarea.*

*The variety of existing residential development and opportunities for future residential development combined with the employment options that exist now and that are planned for at the industrial properties and the Port of Skagit County creates an opportunity for a thriving community for people of all ages and income levels who choose to live and work in Bayview Ridge.*

*The Bayview Ridge Subarea Plan is designed to provide for the planned and orderly growth of the Bayview Ridge Subarea. The Subarea Plan aims to:*

- *Establish a Bayview Ridge Urban Growth Area based on its suitability for development and the commitment of public and private services and resources invested in the area.*
- *Create a cohesive, thriving community with a diversity of residential, industrial, airport, and community/public uses.*

- *Take advantage of the unique opportunity to build upon the natural assets of this area, situated on a topographical bench above the floodplain with incredibly scenic views.*
- *Provide an opportunity for residents to live, work and recreate in the same community.*
- *Encourage a variety of housing opportunities.*
- *Create a safe, pedestrian-friendly internal transportation network.*
- *Preserve and protect aviation activity at the Skagit Regional Airport, an essential public facility, consistent with the Skagit Regional Airport Master Plan.*
- *Provide for industrial development in a planned and coordinated fashion;*
- *Develop an open space network that provides recreational opportunities, airport safety, and protects and maintains natural resources and critical areas.*
- *Create a Community Center to be a hub of local service provision and limited commercial activity serving Bayview Ridge residents and employees."*

**Major Concepts of the Subarea Plan.** The major concepts of the Subarea Plan reflect the above Vision Statement. The major concepts are:

- Accommodation of a share of the countywide urban growth, specifically 3,420 residents and 750 acres for new commercial and industrial development by the year 2015.
- Accommodation of this urban growth in a manner that protects the continued operation of Skagit Regional Airport.
- Accommodation of this urban growth in a manner that protects Skagit County's designated agricultural lands.
- Accommodation of this urban growth in a manner maximizing existing investments in public infrastructure.
- Creation of a cohesive community that includes residential, employment, and recreational opportunities as well as an active Skagit Regional Airport.
- Provision of an urban level of public services and utilities.
- Retention of significant open space.

## 5.0 Department Recommendation

The Skagit County Permit Planning and Permit Center recommends ADOPTION of the *Draft Bayview Ridge Subarea Plan* subject to the following REVISIONS:

### 5.1 Text Changes

#### 5.1.1 Chapter 2 - Land Use, Community Character, and Design

##### Goal 2A, Objective 2A-1 (relating to urban land use patterns)

**Policy 2A-1.5.** “Discourage uses that conflict with the continued operation of the Skagit Regional Airport, as identified in the *Skagit Regional Airport Master Plan*, through the Airport Environs Overlay (AEO) development standards.”

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

Comments: A new elementary school will be needed within the Subarea.

##### Goal 2A, Objective 2A-2 (relating to urban level of infrastructure)

**Policy 2A-2.2.** “Encourage the joint use of public facilities.”

Add, “*including a satellite Sheriff’s Office at the new Fire Station.*”

Comments: None.

##### Goal 2A, Add new Objective 2A-3 to read as follows:

“Develop a Drainage Plan for the Subarea that accommodates urban run-off and is consistent with the needs of adjacent Drainage Districts and designated agricultural land.”

Add new Policy 2A-3.1, to read as follows:

“Establish limits on new impervious surfaces created within the Subarea.”

Add new Policy 2A-3.2, to read as follows:

“**Require all new development to comply with the Bayview Watershed Stormwater Management Plan.**” REVISE TO REFLECT PC RECOMMENDATION

Add new Policy 2A-3.3, to read as follows:

“Encourage the use of permeable surfaces and other new technologies in building construction and property development, consistent with County drainage regulations.”

Add new Policy 2A-3.4, to read as follows:

“**Require cost-sharing arrangements which include Skagit County, Drainage Districts, and developer participation in the funding of required drainage improvements.**”

Add new Policy 2A-3.5, to read as follows:

“Provide adequate enforcement, maintenance, and inspection services for storm drainage facilities.”

Ehlers: Concerns also about maintenance.

Add new Policy 2A-3.6 to read as follows:

“Provide businesses and residents of the Subarea with information regarding water quality and potential impacts to water quality from new development.”

Comments: General concern with approving the Bayview plan contingent on future adequacy of the Watershed Drainage plan. Ota: Don’t assume this away. Krebs-McMullen:

We don't have the outcome of the watershed plan and we're approving something before it's done.

Jewett, Ehlers: Asked for drainage improvements for any number of residential units, not just five and greater.

Ota: Focus also on non-residential drainage.

Ehlers: Look more closely at the 3 districts. Look at water velocity.

Aurand (Public Works): DOE manual addresses velocity issue.

**Goal 2C, Objective 2C-2** (relating to design standards)

**Policy 2C-2.3** "Require landscaping in all new commercial and industrial developments, including streetscapes." Add – "*Encourage use of native plants in such landscaping.*"

Comments: none.

**Add new Policy 2C – 2.11**, to read as follows:

*"Require industrial development adjacent to residential areas to provide a sight-obscuring buffer of a size and composition adequate to reduce visual and auditory impacts and provide vegetative relief."*

Comments: Mixed use with industrial uses may be harmful and undesirable.

## 5.1.2 Chapter 3 – Business and Industrial Development

### Goal 3A Create a high quality living and working environment in Bayview Ridge.

(Add new policy)

**Policy 3A-1.9** *Allow residential units to be mixed with commercial and/or light industrial when combined in a mixed PRD.*

Comments: *Mixed use with industrial uses may be harmful and undesirable.*

(Add new Policy)

**Policy 3A-1.10** *Monitor the availability of industrial land as part of the comprehensive planning process.*

### Goal 3A, Objective 3A-4 (relating to the transportation system)

**Policy 3A-4.4** ~~“Signalize SR 20 intersections at Higgins Airport Way and Pulver Road to facilitate vehicular movement.”~~

Revise to read, “*Work with the State Department of Transportation, the Port of Skagit County, and the City of Burlington to identify and facilitate improvements to the intersections of SR20 and Higgins Airport Way and of SR20 and Pulver Road.*”

## 5.1.3 Chapter 4 – Community Center

### Page 4-2

**Second paragraph**, revise to read as follows:

“To ensure development compatible with a community center concept, preparation of a *master site plan and binding site plan* will be required prior to commercial development of the area. The *master site plan and binding site plan* must present a land use concept that is consistent with the *Skagit Regional Airport Land Use Compatibility Study*, and policies in this Subarea Plan.”

### Goal 4A - Develop a Community Center area that serves as a community focal point and provides public and private services and amenities.

(Add new)

#### **Policy 4A-2.6**

*The area adjacent to the Community Center is an appropriate location for a mix of residential, commercial, and light industrial uses with unified design reviewed in a PRD process. Residential uses within a mixed use development must acknowledge the presence of industrial uses.*

Comments: *Concerns regarding mixed use with industrial uses have been discussed.*

#### 5.1.4 Chapter 5 Housing

Page 5-6, Goal 5A Create and maintain an urban residential community that continues to reflect a high quality of life.

**Revise Policy 5A-2.1 to read:**

*“Develop Planned Residential Development standards as part of the Land Division Ordinance that will:*

- a) Encourage imaginative design and the creation of permanent open space by permitting greater flexibility in zoning requirements than is generally permitted by other sections of the Land Division Ordinance;*
- b) Preserve or create environmental amenities superior to those generally found in conventional developments;*
- c) Create or preserve usable open space for the enjoyment of occupants. **Usable open space should be within walking distance of all residents, and should include both active and passive recreational amenities. Small neighborhood parks and/or tot lots will be owned and maintained by a Homeowners’ Association, unless otherwise approved by Skagit County.***
- d) Preserve to the greatest possible extent, the natural characteristics of the land, including topography, natural vegetation, waterways, views, etc.*
- e) Encourage a development of a variety of housing types **for a variety of lifestyles and prices, including affordable housing.***
- f) Allow a range of lot sizes, including larger lots on the slopes of the ridge.*
- g) Require buffers between incompatible land uses.*
- h) Provide vehicular and pedestrian/bicycle connections to destinations such as other neighborhoods, recreation facilities, stores, schools, and employment sites.*
- i) Provides for pedestrian and bicycle circulation.*
- j) Provide for maximum efficiency in the layout of streets, utility networks and other public improvements.*
- k) Provide a guide for developers and County officials in meeting the purpose and provisions of a Planned Residential Development section of the land Division Ordinance.”*

**(Add new policy)**

**5A-2.10** *A mix of uses shall be allowed in areas immediately north and south of the BR-CC zone as part of a planned development process. This mix of uses would not allow for an increase in density from the land that is proposed to be included in the planned development, unless part of an approved transfer of development rights process. The uses allowed in a mixed PRD are those uses allowed in the BR-LI, BR-CC and BR-RR zones.*

Comments: Discussion regarding mixed use with industrial uses may be harmful and undesirable.

Ota: Need stronger policies on affordable housing.

**Add new policy:**

**5A 2.11** *Affordable housing shall be encouraged in planned residential developments by allowing designs that reduce costs, for example - common-wall, zero lot-line, cottages, townhouses, accessory dwellings, multifamily, and clustering.*



### 5.1.5 Chapter 6 – Transportation

#### Transportation – Other Transportation Related Plans, Page 6-3

Add new last sentence to read as follows:

*“For transportation planning purposes, the Bayview Ridge Subarea and the abutting perimeter streets lie within the recently designated Skagit County “urban area” as adopted by the Federal Highway Administration.”*

#### Subarea Capacity and Levels of Service, Page 6-14

Add new second paragraph to read as follows:

*“The WSDOT State Highways System Plan has two improvement projects planned for SR 20.*

- *Resurfacing from the Spur to the “Y” – February, 2003*
- *SR 20 Fredonia to Interstate 5 Project*

*Widening (adding one lane in each direction) from the intersection with SR 536 to Interstate 5 and intersection modifications at Interstate 5 to increase safety and reduce congestion. The project is funded for \$76.5 million and is scheduled to be advertised for bid in 2006.”*

#### Goal 6A, Objective 6A-3 (relating to co-ordination of transportation planning)

Add new Policy 6A-5.6 to read as follows:

*“Continue to co-ordinate with WDOT regarding improvements to SR 20”.*

Add new Policy 6A-5.7 to read as follows:

*“Continue to coordinate with SKAT to identify needed route changes and transit-related street improvements”.*

#### Goal 6A, Objective 6A-5 (relates to design of streets and trails)

Add new Policy 6A-5.6 to read as follows:

*“A network of bicycle and pedestrian paths should be provided between Bayview Ridge's employment and residential areas and community facilities such as parks and schools. Connections should also be planned or provided to regional bicycle and pedestrian paths such as the Port Trail, Padilla Bayshore Trail, Padilla Bay Interpretive Center and the City of Burlington.”*

Add new Policy 6A-5.7 to read as follows:

*“Require bicycle lanes on new collector ~~and arterial~~ streets within the Subarea.”*

Comments: Ehlers: Address Metropolitan Transportation Planning Organization

### 5.1.6 Chapter 7 – Capital Facilities

#### Fire Protection, page 7-15

Paragraph 6, change to read as follows:

*“Fire District No. 6 constructed a new fire station in [2004-2005] on a donated 60,000 square foot parcel on Peterson Road within the Bayview Ridge Subarea (Projects #FD6-101, 102, and 103 in the Capital Facilities Plan). It is anticipated that the new 8,000 square foot station will be manned under a residential fire fighter program supplemented by volunteers. The Fire*

*District has purchased one new fire engine. One engine, a salvage truck, and either a tender or second fire engine will eventually be housed at the new station.”*

### **Fire Protection, Page 7-16**

**Paragraph 6**, change to read as follows:

*“Fire District No. 6 – The district constructed a new station within the Subarea in {2004-2005}. The property was donated. Other capital expenditures include a new fire engine and various equipment.”*

Comments: Discussion of lack of volunteer firefighters. No change proposed.

### **Schools, System Description**

**Page 7-21, first paragraph** under “Schools,” change to read as follows:

*“The Burlington-Edison School District’s principal planning document is the Six-Year Capital Facilities Plan initially adopted in 1997 and most recently amended in 2002. Data from this Plan shows that enrollment within the district has increased 21 percent since the 1992-1993 school year. Enrollment for September 1998 was 3,500. September enrollment was 3,526, and October 2002 enrollment was 3,599.”*

Comments: Ota, Goldston: School district official quoted as saying he would love to have an additional school in the UGA. Suggestion made to invite a school representative to meeting. Staff comment that Commission can recommend policies for safe locations for schools based on airport compatibility information.

### **Drainage, System Description**

**Page 7-22, first paragraph** under Drainage, change last two sentences to read as follows:

*“The southeastern and southwestern portions of the Subarea lie within Drainage District 19; the remainder of the Subarea lies within the Skagit County Drainage Utility and Drainage District No. 14. Downstream, drainage from Bayview Ridge flows to drainage ditches constructed and maintained by Drainage Districts No. 8 (currently being annexed by Dike District No. 12), 14, and 19, the Skagit County Drainage Utility, and to sloughs which outlet to Padilla Bay.”*

**Goal 7A – Objective 7A-3** (relating to new development)

**Add new Policy 7A-3.2**, to read as follows:

*“Security measures such as good visual access, safe street design, visible addresses, over-all visibility, and lighting should be incorporated into site design. Organized block-watch programs should be encouraged within the residential area.”*

Comment: What is meant by “good access?” Add visual ---???

### **5.1.7 Chapter 8 – Utilities**

**Page 8-2, add new last paragraph** to read as follows:

*“Pipelines*

*Two petroleum pipelines traverse the Subarea. The Terasen pipeline runs through the southern and eastern portions of the Subarea, through both industrial and residential areas. The Olympic*

*Pipeline runs through the eastern portion of the Subarea in a north-south direction, through the Skagit Golf and Country Club and the lower density residential area north of Peterson Road.”*

Comments: Pipeline setbacks should be addressed countywide, if at all, rather than introduce requirements unique to Bayview. Discussed pipeline safety recommendations resulting from state legislation.

### **5.1.8 Chapter 9 – Parks, Recreation and Open Space**

#### **Page 9-2 “Skagit County Comprehensive Park and Recreation Plan”, first paragraph**

**Add new third sentence** to read as follows:

*“The Parks Plan states that there are no county-owned, regional park sites within the County that serve regional park needs. Further, within Bayview Ridge, the standards for Community Parks and Special Uses are not met. **It is noted, however, that Bayview State Park, the Padilla Bay Nature Trail, and the Padilla Bay National Estuarine Research Reserve are located just west of Bayview Ridge Subarea.**”*

Comments: Language needs to be modified to better reflect situation with a mix of regional park ownership, county definition of “regional.” Krebs-McMullen: Supportive of keeping language about standards not being met as parks build community, provide a place for younger children to play safely.

#### **Page 9-3, Goal 9A, Objective 9A-1, revise to read as follows:**

*Provide parks, recreational open space, trails, and other recreation facilities that will meet the county’s interests **and needs of local residents** in a cost-effective manner.*

#### **Add new Policy 9A1.6, to read as follows:**

*“Require that usable open space be within walking distance of all residents. Small neighborhood parks and/or tot lots will be owned and maintained by a Homeowners’ Association, unless otherwise approved by Skagit County.”*

### **5.1.9 Chapter 10 –Natural Environment**

#### **Goal 10 - Objective 10A-2** (relating to wetlands)

**Add new Policy 10A-2.5**, to read as follows:

*“The County shall provide adequate enforcement and inspection services to protect wetlands during, and after, the development process, **to assure compliance with County wetland regulations.**”*

Comments: Discussion of the terms “enforcement and inspection.” Schmidt suggested compliance as the goal. Krebs-McMullen: “adequate compliance” not good enough.

#### **Objective 10A – 4** (relating to habitat corridors)

**Add new Policy 10A – 4.5**, to read as follows:

*“Coordinate with the Washington Department of Fish and Wildlife to identify and protect any wildlife migration corridors.”*

## 5.2 Land Use Map Changes

Following are requests for revisions to the Land Use Plan Map of the *Draft Bayview Ridge Subarea Plan* (January 2004 edition) as submitted by property owners. The Land Use Plan Map depicts the proposed zoning designations for all properties within the Subarea.

For each proposal, the property in question is identified, followed by department analysis and recommendation. These requests are from the sources below, unless otherwise indicated.

*Written Public Correspondence On: Draft Environmental Impact Statement Evaluating Alternative Approaches To Creating A Bayview Ridge Subarea Plan in accordance with the Skagit County Comprehensive Plan and the Growth Management Act – The Draft Bayview Ridge Subarea Plan and Draft Development Standards (June, 2003)*

*Written Public Correspondence On: Final Environmental Impact Statement for the Bayview Ridge Subarea Plan and Development Regulations in Accordance with the Skagit County Comprehensive Plan and the Growth Management Act – Draft Bayview Ridge Subarea Plan and Development Standards (March, 2004)*

*Skagit County Planning Commission Public Hearing – April 27, 2004*

### 5.2.1 Knutzen Property

**Request:** Letter dated May 19, 2003 (Adelstein, Shape and Sirka LLP)

**Parcel No:** P35394, P11501

**Location:** Along the eastern edge of the Subarea, north of Peterson Road

**Existing Use:** One single-family dwelling

**Size:** 22 acres

**Draft Subarea Plan Designation:** Urban Reserve (BR-URv)

**Requested Alternative Designation:** Bayview Ridge Residential (BR-R)

**Department Analysis:** The Knutzen property is situated on the moderate, northeastern slopes of the Subarea. The property is similar to adjacent properties in terms of access and available utilities. The Terasen Pipeline passes through the site.

The Knutzen property lies substantially outside of Aircraft Accident Safety Zone 6.

Potential critical areas include wetlands, priority habitats, and steep slopes.

- Existing wetland information based on the National Wetland Inventory (interpretations of aerial photography) does not show any wetlands in this immediate area. Wetland information must be field-verified at the time development is proposed.
- Washington Department of Fish and Wildlife maps do not show any Priority Habitats in this immediate area.

**Department Recommendation:** The department recommends APPROVAL of the requested change. Taken by itself, this change will increase the total number of potential dwelling units within the urban portion of Bayview Ridge from 1,513 to 1, 613. Combined with proposal 5.2.2 below, the net change is minimal (about 12 units)

### 5.2.2 Bouslag Property south of Commercial Center

**Request:** Initiated by the Skagit County Planning and Permit Center

**Parcel No:** Southern two-thirds of P20984

**Location:** South of Peterson Road, immediately south of the proposed Community Center zone

**Existing Use:** Undeveloped

**Size:** 25 acres

**Draft Subarea Plan Designation:** Bayview Ridge Residential - BR-R

**Requested Alternative Designation:** Bayview Ridge Light Industrial BR-LI

**Department Analysis:** The 25 acres in question will be bounded by light industrial development to the south and west, by community center development to the north, and by residential development to the east.

This property is flat and open. The proposed new north-south local access road will run along the west boundary of the property. The property is similar to adjacent properties in terms of access and available utilities.

This property lies within Aircraft Accident Safety Zone 6, but is one of the properties in closest physical proximity to the airport.

Potential critical areas include wetlands, priority habitats, and steep slopes.

- Existing wetland information based on the National Wetland Inventory (interpretations of aerial photography) show a wetland on the western portion of the property. It currently unknown whether this identification is accurate; wetland information must be field-verified at the time development is proposed.
- Washington Department of Fish and Wildlife maps do not show any Priority Habitats in this immediate area.

**Department Recommendation:** The department recommends APPROVAL of the change from BR-R to BR-LI.

Taken by itself, the change will decrease the total number of potential dwelling units within the urban portion of Bayview Ridge from 1,513 to 1,413. This change is balanced by the preceding change to the Knutzen property.

Proposed new policy 5A-2.10 would permit this property to have a mix of residential and non-residential uses if developed as a PRD. Policies related to this change are highlighted in the accompanying text changes.

### 5.2.3 Bouslog North Property

**Request:** Presented in person September 22, 2004

**Parcel No:** north portion of P35354

**Location:** Midway between Josh Wilson and Peterson Roads, bounded on west by Port property. Adjoins proposed Urban Reserve on north and proposed urban residential (BR-R) on east.

**Existing Use:** Vacant

**Size:** approximately 40 acres

**Draft Subarea Plan Designation:** Light Industrial

**Requested Alternative Designation:** Urban Reserve

**Department Analysis:** This balances the removal of the Knutzen property from Urban Reserve. This portion of the property is more difficult to develop as industrial property. It slopes slightly to the east-northeast, requiring sewers to be pumped and is at some distance from utilities required to serve industrial uses.

### 5.2.4 Jensen Property (A)

**Request:** Letter dated May 11, 2003

**Parcel No.:** P35373

**Location:** South of Josh Wilson Road, east of Jensen Lane

**Existing Use:** One single-family dwelling

**Size:** 5.24 acres

**Draft Subarea Plan Designation:** Rural Reserve (Property located outside the Bayview Ridge Subarea)

**Requested Alternative Designation:** Inclusion within the Bayview Ridge Subarea

**Department Analysis:** The intent of the Subarea Plan in the northeast portion of the Subarea was to establish the Subarea boundary along the toe of the hill. In the case of this Jensen parcel, the line was drawn along a property boundary, instead.

This Jensen parcel is similar to adjacent properties in terms of topography, access, and available utilities. This Jensen parcel lies outside the Airport Environs Overlay (AEO) zone and thus outside the Aircraft Accident Safety Zones.

Potential critical areas include wetlands, priority habitats, and steep slopes.

- Existing wetland information based on the National Wetland Inventory (interpretations of aerial photography) shows a wetland on this property. It is currently unknown whether this wetland identification is accurate; wetland information must be field-verified at the time development is proposed.
- Washington Department of Fish and Wildlife maps show a Priority Habitat in this general area.

**Department Recommendation:** The department recommends APPROVAL of the requested change (i.e., extend the Subarea Plan boundary to the toe of the hill), and a designation of Urban

Reserve (URV). The intent of the Subarea Plan is to use significant topographic change as a boundary. It should be noted that the proposed change will not change the allowed residential density at the present time; it will however, identify the property as a potential future addition to the urban growth area (UGA). Additions to the UGA will require an amendment to the Subarea Plan/County Comprehensive Plan. Any critical areas that are protected by local or other regulation will be field-verified at the time of development and will be protected per the regulations in place at the time of development, whether the property is located inside or outside the UGA.

### 5.2.5 Jensen Property (B)

**Request:** Letter dated May 5, 2004

**Parcel No.:** P35373, P35374, P35376, P107502, P35362

**Location:** South of Josh Wilson Road, east of Jensen Lane

**Existing Use:** Two single-family dwelling

**Size:** 65 acres

**Draft Subarea Plan Designation:** Urban Reserve and Rural Reserve (for property now located outside the Bayview Ridge Subarea)

**Requested Alternative Designation:** Bayview Ridge Urban Reserve (BR-URV)

**Department Analysis:** The Jensen property is similar to adjacent properties in terms of topography, access, and available utilities. Public sanitary sewer service is not yet available to the property, but the property does lie within the City of Burlington Western Service Area. Approximately one-half of the Jensen property lies within Safety Zone 6 and one-half lies outside the Airport Environs Overlay (AEO) zone and, thus, outside the Aircraft Accident Safety Zones.

Potential critical areas include wetlands, priority habitats, and steep slopes.

- Existing wetland information based on the National Wetland Inventory (interpretations of aerial photography) shows a wetland on this property. It is currently unknown whether this wetland identification is accurate; wetland information must be field-verified at the time development is proposed.
- Washington Department of Fish and Wildlife maps also show a Priority Habitat in this general area.

**Department Recommendation:** The department recommends DENIAL of the requested change. The general intent of the Subarea Plan is to expand urban residential development outward from that portion of the Subarea already so developed, and those areas where the most significant commitments to infrastructure have already been made – i.e., outward from the southeast corner of the Subarea.

The Bayview Ridge UGA is currently allocated a 2015 population of 3,420. The current boundaries of the Subarea are anticipated to accommodate a population of 3,833 (including a 25% market factor) by 2015. There is, thus, no justification for expanding the boundaries of the Subarea west of Farm to Market Road and north of Josh Wilson Road at this time.

### 5.2.6 Brink Property

**Request:** Letter dated May 23, 2003 (Jones and Smith)

**Parcel No.:** P118287, P34865

**Location:** North of Josh Wilson Road at Emily Lane, outside Bayview Ridge Subarea

**Existing Use:** One single-family dwelling and undeveloped

**Size:** 3.5 acres

**Draft Subarea Plan Designation:** Rural Reserve (Property located outside Bayview Ridge Subarea, but within Airport Accident Safety Zone 6).

**Requested Alternative Designation:** Rural Reserve without the Airport Accident Safety Zone designation and elimination of the requirement for an aviation easement.

**Department Recommendation:** The department recommends DENIAL of the requested change. The establishment of the Airport Accident Safety Zones was the result of the adopted *Skagit Regional Airport Land Use Compatibility Study*. Skagit County has declared that it is the policy of the County to protect the long-term viability of the Skagit Regional Airport, designated as an essential public facility in the Skagit County Comprehensive Plan (1997, 2000), and to promote land uses compatible with the airport within the airport's designated environs. It is the further intent of the County to provide to the residents of the county proper notification of the County's recognition and support of the Airport's long-term operation. The Skagit Regional Airport provides an important transportation service to the region and is a vital asset to facilitate economic growth in the County. The airport has been operated for general aviation and commercial purposes by local municipal governments since the 1950s, when it was acquired from the federal government.

The Port of Skagit County has owned and operated the airport since 1965 and asserts it has obtained aviation easements by prescription over property surrounding the Skagit Regional Airport.

### 5.2.7 Herdt Property

**Request:** Letters dated May 29, 2003 and May 9, 2004

**Parcel No.:** P10955, P109552, P35323, P109554, P35321

**Location:** SE corner of Farm to Market and Josh Wilson Road

**Existing Use:** One single-family dwelling

**Size:** 20 acres (four, 5-acre parcels)

**Draft Subarea Plan Designation:** Rural Reserve (RRV)

**Requested Alternative Designation:** Bayview Ridge Light Industrial (BR-LI)

**Department Analysis:** The Herdt property is similar to adjacent properties along the south side of Josh Wilson Road in terms of topography, access, and available utilities. The property in question is flat and open and occupied by one single-family home. Public sanitary sewer service is not yet available. The City of Burlington's *Wastewater Facilities Plan* for the Western Service



Area does, however, show a future “developer” gravity sewer line along Josh Wilson Road. PUD water is available.

Adjacent properties to the east, along the south side of Josh Wilson Road, are also within the proposed “Rural Reserve” designation and are residentially developed at a density of approximately one unit per five acres. Properties north of Josh Wilson Road and properties west of Farm to market Road are rural in nature.

Adjacent properties to the south are owned by the Port of Skagit County and are designated BR-LI, Light Industrial.

The Herdt property lies predominately within Airport Accident Safety Zone 3L; the southeast corner lies within Safety Zone 2.

Potential critical areas include wetlands and priority habitats.

- Existing wetland information based on the National Wetland Inventory (interpretations of aerial photography) shows a small wetland at the southeast corner of the Herdt ownership. It is currently unknown whether this wetland identification is accurate; wetland information must be field-verified at the time development is proposed. Several wetlands are also located on the adjacent Port of Skagit County ownership to the south.
- Washington Department of Fish and Wildlife maps do not show any Priority Habitats in this immediate area.

**Department Recommendation:** The department recommends DENIAL of the requested change. The Herdt property, as well as properties to the north and west (along the west side of Farm to Market Road and both the north and south sides of Josh Wilson Road) are currently designated Rural Reserve by both the County Comprehensive Plan and County zoning regulations. Properties in this area are developed consistent with that land use classification. The Herdt property, fronting on Josh Wilson Road, is similar in character and nature to adjacent properties fronting this portion of Josh Wilson Road. Light Industrial development of this twenty acres would be inconsistent with the character and nature of adjacent development.

Property to the south, owned by the Port, is currently undeveloped. Although the Herdt property abuts the Port’s ownership and the Bayview Ridge Light Industrial zone, it may be separated from any industrial development by the wetlands on the adjacent Port property.

The proposed Bayview Ridge Urban Growth Area (UGA) boundary was not intended to follow Josh Wilson Road. The Draft Subarea Plan recognizes that the northern portion of the Subarea, with the exception of the development within the Port ownership, is generally more rural in nature.

Safety Zone 3L permits residential development at a density not exceeding one unit per five acres if outside the UGA, and development to BR-R densities or warehousing/light industrial development if within the UGA.

## **Richards Property**

**Request:** Letter dated April 21, 2004 (Craig E. Cammock)

**Parcel No.:** P34970, P34971, P34972, P34973

**Location:** NW corner of Farm to Market and Josh Wilson Road

**Existing Use:** One single-family dwelling

**Size:** 150 acres

**Draft Subarea Plan Designation:** Rural Reserve-RRV (property located outside of Subarea)

**Requested Alternative Designation:** Inclusion within the Bayview Ridge Subarea and designation for residential development.

**Department Analysis:** The Richards property is located outside the identified Subarea Plan boundary. Public water is available. Public sanitary sewer service is not available at this time; the ownership also appears to lie outside the City of Burlington Western Sewer Service Area.

Adjacent properties, along both sides of Josh Wilson Road, are also within the existing and proposed “Rural Reserve” designation and are developed consistent with that designation.

Access to the site is via Josh Wilson Road and Rector Road.

Potential critical areas include wetlands and priority habitats.

- Existing wetland information based on the National Wetland Inventory (interpretations of aerial photography) shows two small wetlands in the central portion of the ownership. It is currently unknown whether this wetland identification is accurate; wetland information must be field-verified at the time development is proposed.
- Washington Department of Fish and Wildlife maps do not show a Priority Habitat in this general area.

**Department Recommendation:** The department recommends DENIAL of the requested change. The Subarea Plan identifies an area for urban development that corresponds to a need to accommodate population growth based on adopted County goals and policies. The boundaries chosen for the Subarea reflect major industrial and commercial ownerships, existing land use, available services and utilities, topography, and the amount of vacant land. The general intent is to expand urban residential development outward from that portion of the Subarea already so developed – i.e., outward from the southeast corner of the Subarea.

The Bayview Ridge UGA is currently allocated a 2015 population of 3,420. The current boundaries of the Subarea are anticipated to accommodate a population of 3,833 (including a 25% market factor) by 2015. There is, thus, no justification for expanding the boundaries of the Subarea west of Farm to Market Road and north of Josh Wilson Road at this time.

## **Fohn Property**

**Request:** Letter dated May 30, 2003 (Skagit Surveyors and Engineers)

**Parcel No.:** P34891, P34910, P34905, P34911

**Location:** North side of Josh Wilson Road, beginning approximately 1,320 feet east of Farm to Market Road (map attached)

**Existing Use:** One single-family dwelling

**Size:** 148.4 acres

**Draft Subarea Plan Designation:** Rural Reserve, outside Bayview Ridge Subarea)

**Requested Alternative Designation:** Inclusion within Bayview Ridge UGA

**Department Analysis:** The Fohn property is located outside the identified Subarea Plan boundary. Public sanitary sewer service is not available at this time; the northern portion of the ownership appears to lie outside the City of Burlington Western Service Area.

Adjacent properties, along both sides of Josh Wilson Road, are also within the existing and proposed “Rural Reserve” designation and are developed consistent with that designation.

Access to the site is via Josh Wilson Road and Rector Road.

Potential critical areas include wetlands and priority habitats.

- Existing wetland information based on the National Wetland Inventory (interpretations of aerial photography) shows portions of wetlands in the central and eastern edge of the ownership. It is currently unknown whether this wetland identification is accurate; wetland information must be field-verified at the time development is proposed.
- Washington Department of Fish and Wildlife maps do not show a Priority Habitat in this general area.

**Department Recommendation:** The department recommends DENIAL of the requested change. The Subarea Plan identifies an area for urban development that corresponds to a need to accommodate population growth based on adopted County goals and policies. The boundaries chosen for the Subarea reflect major industrial and commercial ownerships, existing land use, available services and utilities, topography, and the amount of vacant land. The general intent is to expand urban residential development outward from that portion of the Subarea already so developed – i.e., outward from the southeast corner.

The Bayview Ridge UGA is currently allocated a 2015 population of 3,420. The current boundaries of the Subarea are anticipated to accommodate a population of 3,833 (including a 25% market factor) by 2015. There is, thus, no justification for expanding the boundaries of the Subarea north of Josh Wilson Road at this time.

### 5.2.8 Expansion of Bayview Ridge Subarea and Alternate UGA Boundary (Bill Henry)

**Request:** Letter dated May 28, 2003 and April 27, 2004 oral testimony

**Location:** Expansion of the Bayview Subarea northwest to Padilla Bay, but restricting the UGA to areas of commercial/industrial development

**Existing Use:** Rural Residential, Rural Village, and Agriculture (within the expanded Subarea)

**Size:** Approximately double the existing 4,011 acre Subarea, but reduce UGA to just an industrial component

**Draft Subarea Plan Designation:** Areas outside the current Bayview Ridge Subarea are currently designated Rural Reserve, Rural Intermediate, and Rural Village Residential. The Draft Subarea Plan does not propose any change to these designations.

**Requested Alternative Designation:** The requested change would:

- Add two commercial/industrial sites to the UGA (i.e., properties along the south side of Josh Wilson Road, west of Higgins Airport Way, and property immediately west of the Country Club)
- Remove all residential development from the UGA, and
- Result in a new Subarea planning study for properties lying between Josh Wilson Road and Peterson Road, east of the industrial area.

**Department Recommendation:** The department recommends DENIAL of this request. The intent of the request is to maintain rural residential densities but within a larger Subarea, thus accommodating the projected 2015 Bayview Ridge population outside a UGA. This request is inconsistent with basic County planning policies regarding where new residential development is to be located.

The Countywide Planning Policies, as adopted in June 2000, are the foundation for the *Skagit County Comprehensive Plan*. A fundamental concept of these policies and the *Comprehensive Plan*, as expressed in Countywide Planning Policy 1.2, is that cities, towns, and urban growth areas (UGAs) are to accommodate 80 percent of the County's twenty year projected population growth. The intent is to direct growth to areas which are supported by historical and typical urban public facilities and services, such as storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, and public transit services. As stated on page 7-1 of the *Comprehensive Plan*:

*Urban Growth Areas are intended to manage the fiscal and environmental impacts of urban sprawl. Urban Growth Areas enable new development to locate close to vital capital facilities and urban services or "infill" in existing urbanizing areas. Urban Growth Areas enable resources associated with capital facilities and urban services to be operated cost effectively.*

*Designating UGAs recognizes both the historical and existing urbanizing development pattern in the county. By designating UGAs, GMA requirements and countywide planning policies are being met in that expansion of urban services will be provided to encourage infill where logical and economical, and discouraged where it is not economical.*

If Bayview Ridge residential areas remain outside the UGA, the 2015 urban population must be allocated to other cities, towns or UGAs. The urban population cannot be allocated to rural areas.

### 5.2.9 Knutzen Ag Properties, LP

**Request:** Initiated by the Skagit County Planning and Permit Center

**Parcel No:** Southwestern edge of P35420

**Location:** East of Avon Allen Road, north of Peterson Road

**Existing Use:** Agricultural buildings

**Size:** 4.14 acres, approximately 178 feet in depth, at widest point

**Draft Subarea Plan Designation:** Urban Reserve (BR-URv)

**Requested Alternative Designation:** Bayview Ridge Residential, BR-R

**Department Analysis:** The southwestern edge of the Knutzen property lying east of Avon Allen Road is currently zoned Rural Reserve (RRV); the remainder of this parcel is zoned Agriculture (Ag-NRL) and is actively used as such. The RRV area is occupied by agricultural buildings situated on slightly higher ground than the adjoining agricultural land.

Currently, the proposed Subarea Plan boundary in the vicinity of this parcel follows the line of the existing RRV designation, thus crossing over the east side of Avon Allen Road. East of Avon Allen Road, the character and nature of properties is agricultural. West of Avon Allen Road, the Planning Commission is recommending that adjoining Knutzen property be classified Bayview Ridge Residential, BR-R.

**Department Recommendation:** The Department recommends that the Subarea Plan boundary remain in its current location and the property be designated BR-R. The narrow depth of the property and its frontage on Avon Allen Road renders the property unsuitable for rural development.