

**ESTABLISHING THE 2012 DOCKET OF COMPREHENSIVE PLAN  
LAND USE/ZONING MAP AND POLICY AMENDMENTS**

SKAGIT COUNTY  
Resolution # R20130179  
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**WHEREAS** pursuant to SCC 14.08.020(2), Comprehensive Plan policy or map amendments may be initiated by the County or by other entities, organizations, or individuals through petitions filed with the County on or before the last business day of July of each year; and

**WHEREAS** the City of Anacortes submitted a proposal to expand its Urban Growth Area (UGA) requiring a Comprehensive Plan/Zoning map amendment proposal by this year's application deadline:

NC-1. City of Anacortes (PL12-0258) to expand its Urban Growth Area by about 10.45 acres; and

**WHEREAS** Planning and Development Services (the Department) recommended four County-initiated amendment proposals:

- C-1. Designate and zone 4 parcels (P74450, P103560, P103559, P74451), 1.5 acres in size, to Rural Business (RB).
- C-2. Re-designate and rezone P118792, an approximately .3 acre parcel owned by Del Mar Community Service on which are located two water tanks, from Rural Resource-NRL (RRc-NRL) to Rural Reserve (RRv).
- C-3. Amend Skagit County Comprehensive Plan to incorporate by reference the 2012 Skagit County Parks and Recreation Comprehensive Plan.
- C-4. Amend Skagit County Comprehensive Plan to integrate the outcome of the Bayview Ridge Planned Unit Development code and Master Site Plan process into the Bayview Ridge Subarea Plan.

**WHEREAS** on March 12, 2013, the Department forwarded to the Board of County Commissioners a preliminary report summarizing the proposals and the docketing process; and

**WHEREAS** the Department placed this report and subsequent materials, as they have become available, on a page of the Department's website dedicated to the 2012 Comprehensive Plan Amendments; and

**WHEREAS** on March 14, 2013, a legal notice was published in the Skagit Valley Herald announcing the April 9, 2013 Board of County Commissioner public docketing hearing and making available additional documents relating to the proposed amendments; and

**WHEREAS** on March 20, 2013, pursuant to the Framework Agreement developed for review of UGA modification proposals, the Department staff presented the NC-1 Anacortes UGA modification proposal to the Growth Management Act Steering Committee (GMASC) for an advisory recommendation; and

**WHEREAS** at the March 20 meeting, the attending members of GMASC, excluding county representatives who abstained from voting, voted to recommend docketing of the Anacortes proposal, NC-1; and

**WHEREAS** on March 25, 2013, the Department transmitted to the Board of County Commissioners its docketing recommendations on the 2012 comprehensive plan amendment proposals, as required by Skagit County Code 14.08.030; and

**WHEREAS** on April 9, 2013, the Board of County Commissioners held a public hearing on the 2012 amendment proposals and received written and spoken comments from applicants and other members of the public; and

**WHEREAS** during that hearing the Board of County Commissioners extended the written public comment period through the close of business on April 15, 2013; and

**WHEREAS** on July 9, 2013, the Board of County Commissioners met in a duly advertised public meeting to review, deliberate on, and establish the 2012 Comprehensive Plan Amendment docket; and

**WHEREAS** the Board of County Commissioners unanimously agreed to docket the proposal by the City of Anacortes (NC-1), based on the following findings:

- **Finding NC-1.1: Decision to Docket and Scope of Review.**

The County will proceed to review the proposal on the merits under the following parameters. The County's review of the UGA amendment and industrial rezone of the property, generally, will take into consideration project-specific aspects of the proposal, to the extent known, consistent with SCC 14.08.020(7)(a), SCC 14.08.020(7)(b), SCC 14.08.040(3). This may include, by way of example only, consideration of potential impacts to water, critical areas and traffic resulting from the project-specific aspects of the proposal in addition to industrial development, generally. Additionally, because the City's proposal is based in part on an assertion of need for additional industrial lands to meet GMA requirements, the City's proposal warrants further analysis of the City's industrial/commercial capacity and assumptions upon which the application is based to better evaluate the proposal against the criteria in SCC 14.08.020(5). The County may ask the City, as applicant, to provide additional known project-level information to facilitate the County's review of the proposed UGA amendment and rezone consistent with SCC 14.08.030(3)(e)(i). The City shall provide funds for this additional review and analysis.

- **Finding NC-1.2: Scope and Staff Resources.**

The proposed amendment is complex and broad in scope and has generated significant public interest and comment. It will involve significant time and staff resources to review and process. Especially in light of the County's budgetary limitations stemming from the recession, Department staffing and operational budget

are limited. However, the Board of County Commissioners finds that the proposal can reasonably be reviewed within staffing and operational budget allocated to the Department, especially in light of the County's ability to defray costs by requiring the City to provide funds for County review, including funds adequate for the County to obtain any necessary consultant assistance to accomplish this review. Accordingly, the Board of County Commissioners finds that docketing is appropriate pursuant to SCC 14.08.030(3)(a).

- **Finding NC-1.3: Additional Information.**

Because the County may ask the City to provide additional information to better evaluate the proposed UGA amendment and rezone, the County recognizes that the criteria in SCC 14.08.030(3)(e) and SCC 14.08.090(6)(a) could also support rejecting or deferring the docket proposal. However those criteria do not mandate that the County reject or defer the docket proposal. In fact, the County Code recognizes that the County can docket the proposal, even if the County ultimately requests more information from the applicant. SCC 14.08.030(3)(e)(i). Accordingly, the Board of County Commissioners chooses to exercise its discretion by docketing the proposal, even if more information is required, because the County has the authority to require the City to provide additional information during the County's review process.

- **Finding NC-1.4: Seven-Year Update.**

The City's proposal is premised on an asserted deficit of industrial and commercial lands that could be addressed through the County's mandated seven year update. Accordingly, the criteria in SCC 14.08.030(3)(c) and SCC 14.08.090(6)(a) and (d) could also support rejecting or deferring the proposal. However, the County's code does not mandate that the County defer all UGA amendment requests to the seven year update. The Board of County Commissioners therefore exercises its discretion to docket the proposal for further review and evaluation for consistency with the approval criteria, including SCC 14.08.020(5). This review will include further analysis of the City's industrial/commercial capacity and assumptions upon which the application is based.

- **Finding NC-1.5: Public Participation.**

The Board of County Commissioners recognizes that the public has many questions and concerns related to the Anacortes UGA modification proposal. The Board further recognizes that the public deserves ample opportunity to review and comment on all aspects of the proposal. By docketing this proposal, the public will be provided with several additional opportunities to comment in advance of a decision on the merits.

- **Finding NC-1.6: No Additional Amendments Required.**

This proposal, if approved, will not require additional amendments to the Comprehensive Plan or Development Regulations beyond a change in the UGA boundary and plan/zoning designation changes related to the affected parcels.

- **Finding NC-1.7: No legal or procedural flaws preventing implementation.**

At this time, the Board finds that there are no legal or procedural flaws that would prevent implementation of the proposal. The Department has adhered to the procedures in SCC 14.08 regarding UGA modification proposals, and is following the steps set forth in the Framework Agreement for inter-governmental review of UGA modifications. Anacortes has provided additional application materials, as requested, and the Board expects the City will continue to provide information as necessary throughout the public review process.

**WHEREAS** the Board of County Commissioners unanimously agreed to docket the four County-initiated amendment proposals (C-1, C-2, C-3 and C-4), with the following findings:

- **Finding C.1:** The proposals can be reasonably reviewed with Department resources;
- **Finding C.2:** The proposals would not require additional amendments to the Comprehensive Plan or Development Regulations;
- **Finding C.3:** The proposals do not raise policy, land use or scheduling issues more appropriately addressed through another process;
- **Finding C.4:** The proposals do not contain legal or other procedural flaws that would prevent their implementation; and
- **Finding C.5:** The proposed amendments conform to the submittal requirements cited.

**WHEREAS** regarding County-initiated amendment C-3 (incorporating the Parks and Recreation Comprehensive Plan into the Comprehensive Plan by reference), the Board makes the following additional findings:

- **Finding C-3.1:** The Board expects that by “incorporation by reference” that the Parks plan would not become a chapter in the Comprehensive Plan, but that the Parks plan would remain a separate document and that a reference to the Parks plan would be inserted into the Comprehensive Plan; and
- **Finding C-3.2:** The Board intends that the process following docketing should include a full review of the Parks plan document itself, and the public and Planning Commission should be invited to recommended changes to the Parks plan as they see fit; and

**WHEREAS** all amendment proposals placed on the docket will undergo further public, agency, and environmental review, consideration by the Planning Commission, and final consideration

by the Board of County Commissioners; however, placing a proposal on the docket does not guarantee or imply its ultimate approval.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of County Commissioners determines that the 2012 docket of Comprehensive Plan and Zoning Map Amendments consists of the following:

**Non-County initiated:**

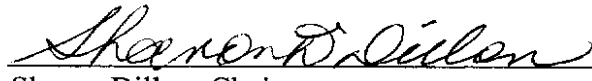
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**County-initiated:**

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WITNESS OUR HANDS AND THE OFFICIAL SEAL OF OUR OFFICE this 15 day of  
July, 2013.

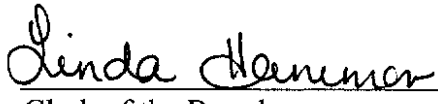
**BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

  
Sharon Dillon, Chair

  
Ron Wesen, Commissioner

  
Kenneth A. Dahlstedt, Commissioner

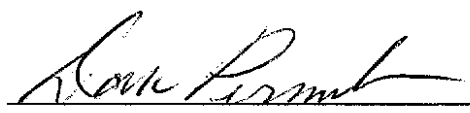
ATTEST:

  
Clerk of the Board

APPROVED AS TO FORM:

  
Jill Dvorkin, Civil Deputy  
Prosecuting Attorney's Office

APPROVED AS TO CONTENT:

  
Dale Pernula, AICP, Director  
Planning & Development Services