

P41-0239
RECEIVED

JUL 27 2011

SKAGIT COUNTY
PDS

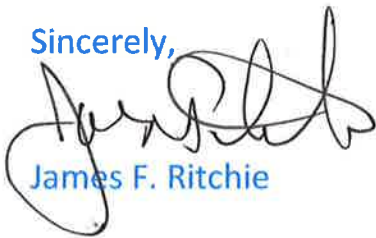
Mr. James F. Ritchie
5912 Broad View Ave NE
Tacoma, WA 98422

Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273

To whom it may concern;

Attached to this cover letter are the required Comprehensive Plan Policy/Zoning Map Amendment Application Checklist submissions. In addition please see the July 11, 2011 letter from Mr. John Blanchard detailing a petition submitted to Mr. Gary Christianson which addresses the requirements set forth in the Skagit County Code, Title 14 (Unified Development Code), Chapter 14.08. Further this letter addresses the requirements of the Section 13 Questionnaire as detailed in the above mentioned checklist.

Sincerely,

A handwritten signature in black ink, appearing to read "James F. Ritchie", written over a blue printed name.

James F. Ritchie



PLANNING & DEVELOPMENT SERVICES

1800 Continental Place • Mount Vernon, WA 98273
Inspections 360.336.9306 • Office 360.336.9410 • Fax 360.336.9416

Comprehensive Plan Policy / Zoning Map Amendment Application Checklist

Notice: Applications to change a municipal urban growth area boundary must be submitted to Planning and Development Services by the last business day of March. The application will be forwarded to the appropriate City/Town Planning Department, which must return it to Planning and Development Services, with an official recommendation, by the last business day of July.

Applications for rural commercial/industrial designations will be accepted with the understanding that the County may not be able to process or approve those applications until the Countywide Planning Policies are amended to remove the cap on rural commercial/industrial acreage allocations. The County is proposing this change through the 2005 Growth Management Comprehensive Plan Update.

All Applicants Must Submit the Following:

☒ ☒ **Fact Sheet**

The fact sheet must be fully completed, signed, dated and submitted prior to the last business day of July.

☒ ☒ **Fees \$5040** **SEPA \$**

Note: For review that requires more than 80 hours of staff time, the applicant will be billed at the hourly rate as shown on the fee schedule.

☐ ☐ **SEPA Checklist**

N/A per Kirk

Note: This application may be considered complete without payment of the SEPA fee. The SEPA fee and checklist, if required, are due within 20 days of approval for further consideration by the Board of County Commissioners.

☒ ☒ **Completed Questionnaire** (See pages 3 and 4) - letter/info submitted ok per Kirk/Gary

Applicants for Map Amendments Must Also Submit the Following:

☒ ☒ **Full Scale Assessor's Map** smaller size ok per Kirk

Please include a full scale (18" x 24") Assessor's section map. These can be purchased from the Assessor's Office. Please identify the subject parcel. Use black or red ink. Highlighters will not photocopy.

☒ ☒ **Land Use Map**

A map showing the subject property and property lines and the Comprehensive Plan/Zoning designations of all properties within 500 feet of the site.

☒ ☒ **Ownership Certificate**

A notarized ownership certificate is required.

☒ ☒ **Lot of Record Certification** (Not required for policy or area-wide map amendment requests) PL04-0495

Applicants for a Change to Commercial or Industrial Designations Must Also Submit the Following:

☐ ☐ **Commercial / Industrial Phasing Plan** (Optional - See SCC 14.16.900)

☐ ☐ **Site Plan**

A site plan drawn to scale of not less than 1" = 40' clearly showing dimensions of all property lines; location and dimensions of existing structures, proposed buildings and additions; access points; off street parking/ existing and proposed landscaping; location of sewer lines and connections, or septic tank and drain field including the distances from all structures (existing and proposed) from property lines and each other.

Black and white submittals on 8.5" x 11" paper preferred, 11" x 17" maximum. Color maps must be reproducible in black and white.

Date Received:

RECEIVED

JUL 27 2011

SKAGIT COUNTY
PDS

GMR

Accepted by

PL11-0239

Permit Number

Ag-NRL

Zoning/ Setbacks

Flood Plain/Floodway

Shoreline

Notes:

INSTRUCTIONS

Please complete Sections 1 through 4 of this application packet. Attach other required forms or information as necessary. For information on general requirements, application review process, and frequently asked questions turn to Sections 5 & 6 of this packet.

APPLICATION TYPE [Please check the appropriate box below]

- ☐ Policy Amendment [A change to one or more comprehensive plan policies]
- ☒ Map Amendment [A change to a comprehensive plan/zoning designation]
- ☐ Check this box if you are proposing to change your property to a commercial or industrial designation/zoning district. If the phasing option is chosen under SCC 14.16.900(3)(c)(iii)(a), a phasing plan must be submitted as part of this application.
- ☐ Rezone [A change from one zoning designation to another within the same Comprehensive Plan Designation – rezones are only available within a the UGA]

PERSONAL INFORMATION [Please Print]

Applicant/Contact James F. Ritchie

Mailing Address 5912 Broad View Ave NE

City Tacoma State WA Zip 98422 Email Address jimboflyguy@comcast.net

Phone 253 927 0418 Alt Phone 206 715 7448 Fax 253 927 0418

Are you the owner of the subject property? ☒ Yes ☐ No [if yes, complete Section 4, Ownership Certification]

If no, please indicate your interest in the subject property [e.g. neighbor, community resident, interested citizen, etc.]

Property Owner Same As Above

Mailing Address _____

City _____ State _____ Zip _____ Email Address _____

Phone _____ Alt Phone _____ Fax _____

PROPERTY INFORMATION [Site-specific proposals only]

Site Address [or General Property Description – Attach separate sheet if necessary]:

14983 Channel Drive La Conner, WA 98257

P-number(s) P69432 Assessor's Account # 4008-000-016-0006

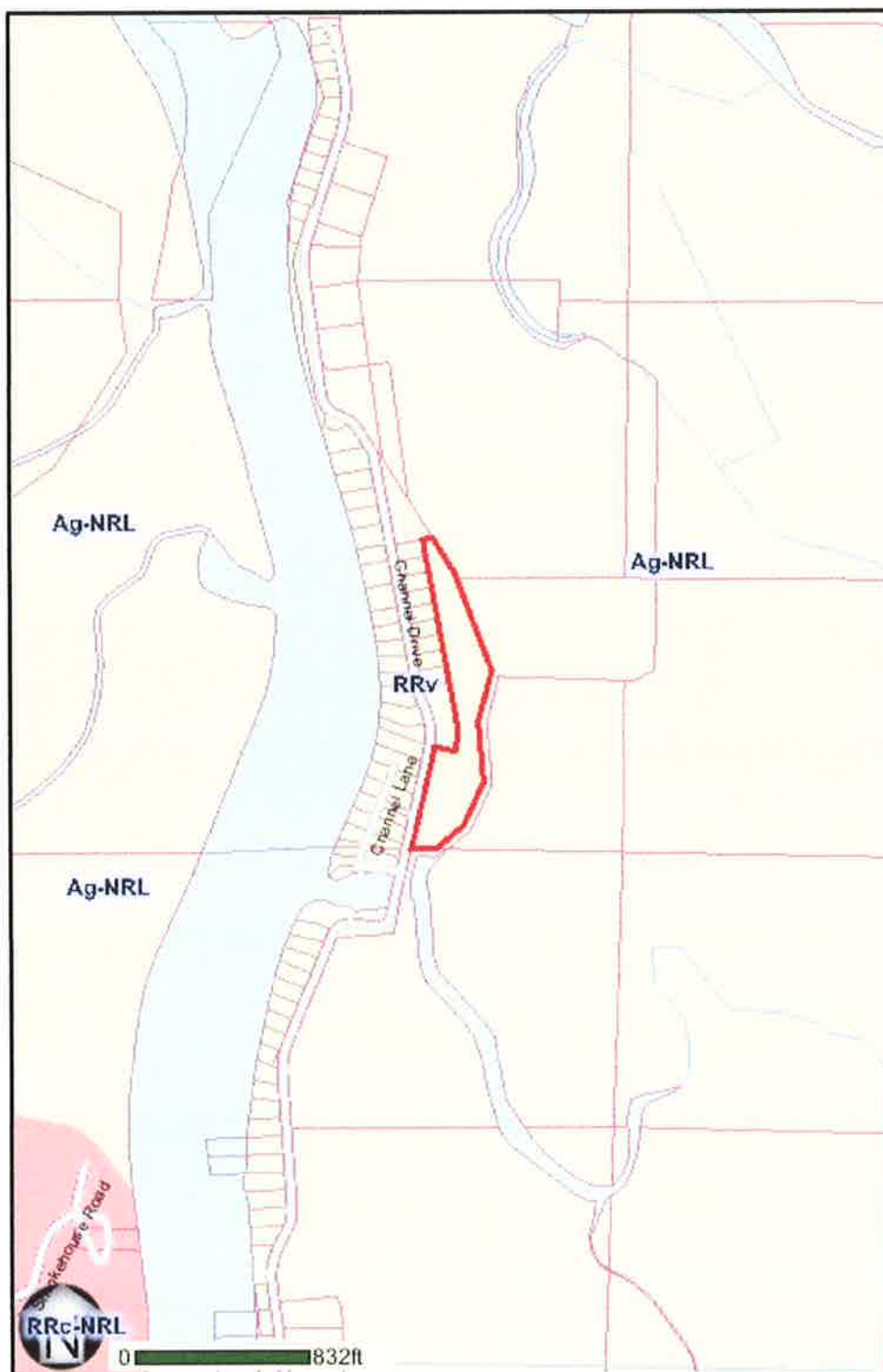
Section 13 Township 34 Range 02 Acreage/Lot Dimensions 5.5 acres

Existing Zoning Designation AG-NRL Requested Zoning Designation RRv [see Section 3]

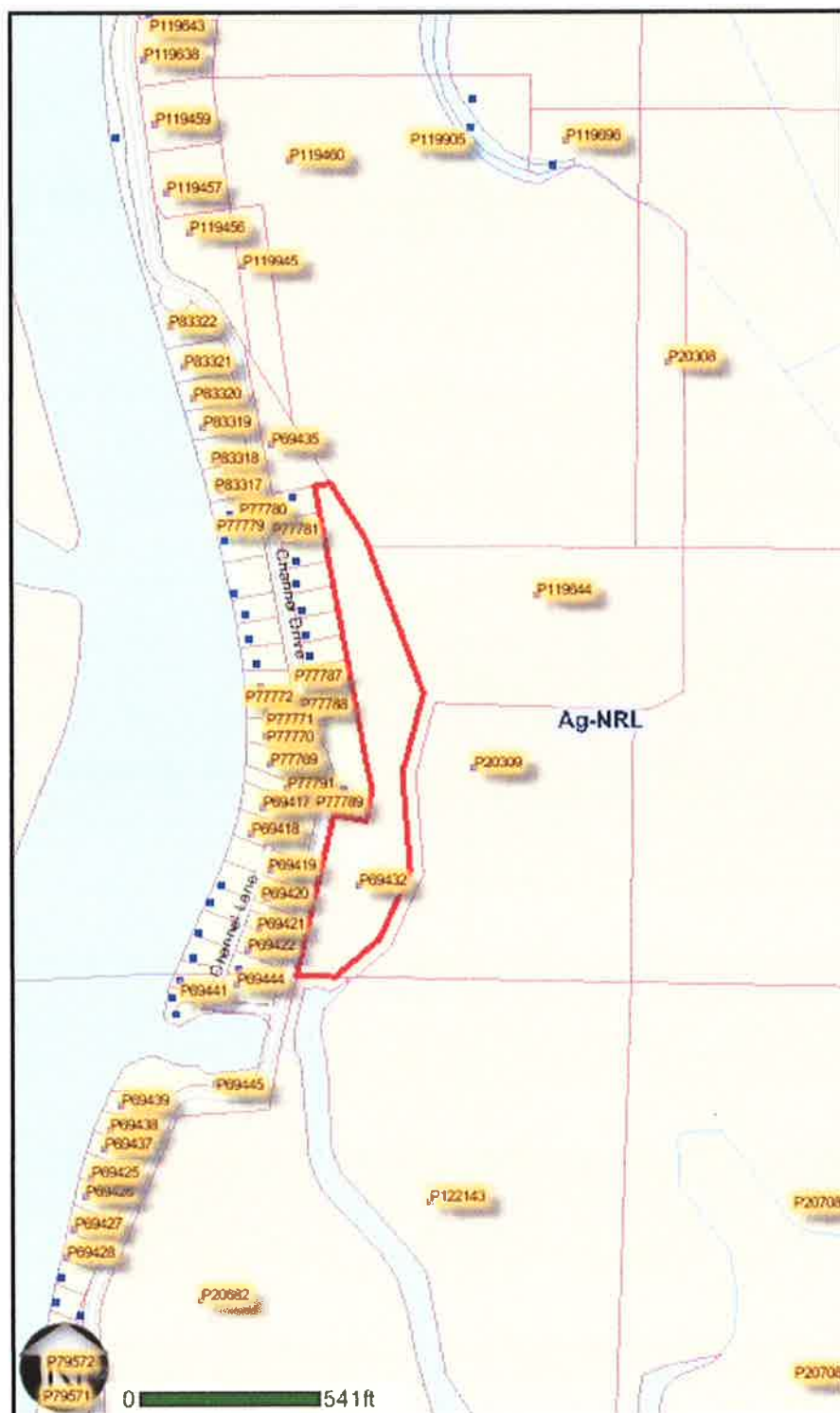
By signing this form, the applicant agrees to pay all application fees in accordance with the approved fee schedule posted in the Planning and Development Services. If the application is approved for further consideration by the Board of County Commissioners, the applicant may be required to submit a State Environmental Policy Act (SEPA) checklist and related fees. Applicants are encouraged to consult with Department staff in advance of application submittal to review all submittal requirements. Payment of fees does not guarantee final approval. The applicant acknowledges that a completed application must be submitted by the close of business on the last business day of July of each year. Incomplete or late applications will be returned to the applicant.

APPLICANT SIGNATURE:  DATE: July 26, 2011

Comprehensive Plan and Zoning Map



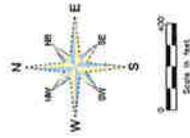
Land Use and Parcel ID Map



SKAGIT COUNTY

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

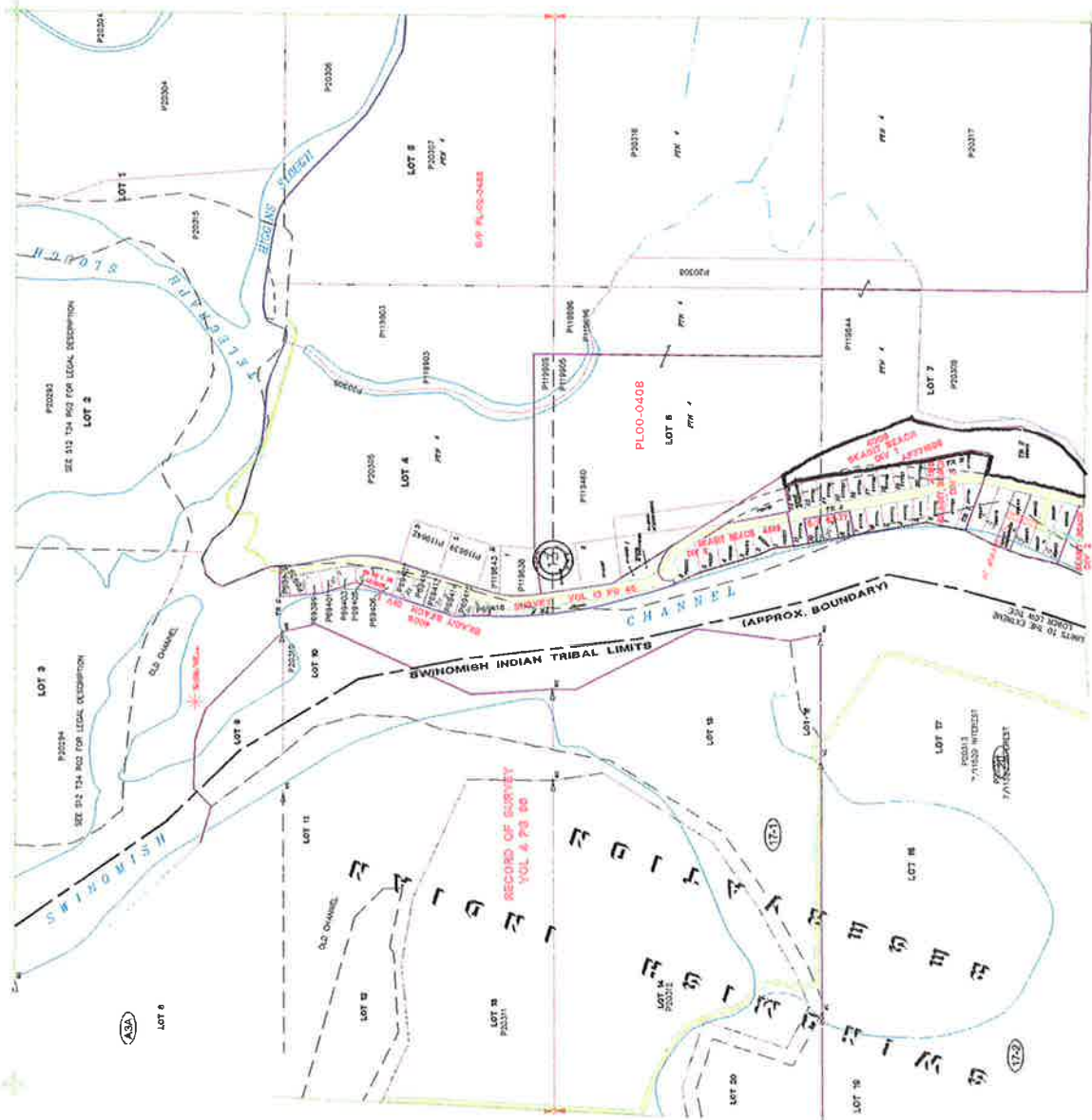
T 34 N R 02 E



These rights and interests were acquired by the State of Washington under the provisions of the Public Lands Act, Chapter 14, Title 79, Revised Code of Washington, and the State of Washington has the honor to certify that the same are now in the possession of the State of Washington, and are subject to the same laws and regulations as other public lands of the State of Washington.

DATE	INT.
DRAWN BY	W/2/00 LMS
REVISED	12/00 W
PLOTTED	12/00 W
DATE	12/00 W

Section 13
T 34 N R 02 E



Skagit County Assessor Parcel Details

Parcel Number	XrefID	Quarter	Section	Township	Range
P69432	4008-000-016-0006	01	13	34	02

Owner Information	Site Address(es) .	Location Map
RITCHIE JAMES FRANK	14983 CHANNEL DRIVE	Locate this Parcel on iMap
5912 BROADVIEW AVE NE	[Old Situs] 1505 CHANNEL DR	Assessor's Parcel Map: PDF DWF
TACOMA, WA 98422	La Conner, WA 98257	

2010 Values for 2011 Taxes		Sale Information	2011 Property Tax Summary	
Building Market Value	\$17,600.00	Deed Type QUIT CLAIM DEED	2011 Taxable Value	\$143,400.00
Land Market Value	+\$125,800.00	Sale Date 4/18/2005	General Taxes	\$1,701.23
Total Market Value	\$143,400.00	Sale Price \$.00	Special Assessments/Fees	+\$88.21
Assessed Value	\$143,400.00	View Sales History	Total Taxes	\$1,789.44
Taxable Value	\$143,400.00		View Tax Statement	

[View Value History](#)

Legal Description [Definitions](#)

SKAGIT BEACH NO 1, (DR19) TRACT E LESS PORTION TO PLAT OF SKAGIT BEACH #5. ALSO EXCEPT THAT PORTION OF TRACT E, "PLAT OF SKAGIT BEACH NO 1", LYING NORTHERLY OF THE NORTH LINE OF LOT 12, "PLAT OF SKAGIT BEACH DIV. NO. 5, A REPLAT OF TRACTS "A" AND "F" OF SKAGIT BEACH NO. 1, SKAGIT COUNTY, WASHINGTON, AND THE EXTENSION OF SAID NORTH LINE EASTERLY TO THE EASTERLY LINE OF SAID TRACT "E". (DR19) TRACT E LESS PORTION TO PLAT OF SKAGIT BEACH #5. ALSO EXCEPT THAT PORTION OF TRACT E, "PLAT OF SKAGIT BEACH NO 1", LYING NORTHERLY OF THE NORTH LINE OF LOT 12, "PLAT OF SKAGIT BEACH DIV. NO. 5, A REPLAT OF TRACTS "A" AND "F" OF SKAGIT BEACH NO. 1, SKAGIT COUNTY, WASHINGTON, AND THE EXTENSION OF SAID NORTH LINE EASTERLY TO THE EASTERLY LINE OF SAID TRACT "E".

Land Use	(110) HOUSEHOLD SFR OUTSIDE CITY	WAC 458-53-030
Neighborhood	(20LCRURAL) LACONNER RURAL RESIDENTIAL	
Utilities	WTR-P	Septic Information
Levy Code	1595	Foundation
City District	Skagit County	Construction
		Style
School District	SD311	Exterior Walls
Fire District	F13	Roof Style
Year Built	1992	Roof Covering
Acres	5.5	Floor
		Construction
Living Area		Plumbing
Bedrooms		Heat-AirCond
Appliances		Fireplace
Exemptions		



Section 4 Ownership Certification

I, James F. Ritchie, hereby certify that I am the major property owner or officer of the corporation owning property described in the attached application, and I have familiarized myself with the rules and regulations of Skagit County with respect to filing this application, and that the statements, answers and information submitted present the argument on behalf of this application and are in all respects true and correct to the best of my knowledge and belief.

Address 5912 Broad View Ave NE

City and State Tacoma, WA 98422

Phone 253 927 0418

Signature *James F. Ritchie*

for

(give corporation or company name)

ACKNOWLEDGMENT

State of Washington)

ss.)

County of Skagit)

On this day personally appeared before me *James F. Ritchie*
known to be the individual described in and who executed the within and foregoing instrument
and acknowledged to me that *he* signed the same as *his* free and
voluntary act and deed for the uses and purposes therein mentioned.

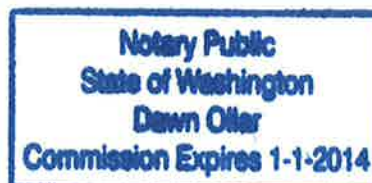
Dawn Olear
Notary Public in and for the State of Washington

Residing at

Marysville WA

Date:

7-27-11



Other property owners in this application must be listed below:

Name _____

Address _____

City/State _____

Zip _____

L A W O F F I C E S O F
J O H N T . B L A N C H A R D

Attorney – Advocate – Business Advisor

July 11, 2011

Mr. Gary R. Christensen, AICP
Director, Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273

Dear Mr. Christensen:

Petition for Map Amendment -- James Ritchie Lot

On behalf of James F. Ritchie, this is a petition for a Map Amendment to the Skagit County Comprehensive Plan, with respect to Mr. Ritchie's lot (the "Lot"), located at 14983 Channel Drive, LaConner (formerly designated as 1505 Channel Drive), and legally described on Exhibit A hereto.

As set forth herein, there are many reasons supporting this change, foremost among them that the Lot's current zoning designation – Ag-NRL – is the result of historical oversight, that the Lot has been designated and taxed as a residential lot for years, that the Lot is geographically a part of a platted residential neighborhood, and that the Lot is wholly unsuitable for agricultural use.

I. Background

The Lot – Acquisition and History

The Lot is a narrow, irregularly shaped parcel, approximately five acres in size (see sketch, Exhibit B). It is geographically and legally a part of the Skagit Beach Community ("SBC") plat, a residential neighborhood platted originally in 1964, located alongside of the Swinomish Channel, approximately five miles North of LaConner. The initial SBC platting process divided the SBC property into Tracts A – F. Subsequent replatting of SBC created small individual residential lots which mostly consisted of high value lots along the waterfront or across the street with a view of the water. What remained after the SBC tract carving was done, were two parcels of land that were residual pieces at the edge of the plat, located in the lowlands behind the dike and high value waterfront and water view lots.

At the time of platting and development, the Tracts/Lots of SBC were converted from "Ag-NRL" (Agricultural – Natural Resource Land, which restricts use to agricultural related uses) to "RRv" (Rural Reserve, which specifically allows residential development) as a part of

the SBC platting process. However, for reasons unknown the zoning designation of the two parcels purchased by Mr. Ritchie, comprising a small residual portion of the SBC plat, were omitted from the zoning redesignation process. Most likely this was due to administrative error or simple neglect, as at that time the Lot and its adjacent counterpart parcel were essentially low-lying and low value pieces left over after the waterfront and other high value lots were rezoned. In other words, the SBC founders either simply forgot, or didn't really care much about these small leftover parcels at the outskirts of their plat, representing a negligible portion of the overall plat value. Bottom line, their attention at the time, and that of the County, was focused on the high value SBC tracts and lots.

Mr. Ritchie has owned the Lot since 1989, when he and his wife purchased two parcels of land, consisting of approximately six acres on the "lowland" side of the Skagit Beach Community. These parcels are Parcel A (residual portions of Tracts A and E) and Parcel B (residual portions of Tracts A and F). Mr. Ritchie purchased the property with the intention of selling off Parcel B as a residential lot (which he subsequently did) and retaining the Lot (Parcel A) for future construction of a residence. At the time he purchased the property, both Parcels A and B were designated as Ag-NRL for zoning purposes. However, prior to purchasing the two lots, he inquired of his seller and of Skagit County authorities as to the potential of developing both lots as residential. He was told that despite the property's Ag-NRL designation, Skagit County policy at the time did permit development of Ag-NRL property as residential. Based on those assurances, Mr. Ritchie proceeded with his purchase of the parcels.

The Lot is bounded on three sides by the Skagit Beach Community, or aspects of it. To the West is Channel Drive which serves the waterfront and waterview residences of Skagit Beach Community, to the South is Channel Drive and more residences across the street, and to the North are more SBC residences. Ironically, there is a "cutout" in the middle of the West boundary of the Lot, which is a two acre parcel of commercial property (not owned by Mr. Ritchie), which serves as a boat and RV storage area. On the East is a small creek ditch and dirt road which separates the Lot from a large agricultural area on the other side. This indirect "adjacency" to Ag land is the only "connection" of this Lot to agriculture – which by the way is exactly the same "connection" shared by multiple residences in the Skagit Beach Community.

In 1997 Mr. Ritchie sold the adjacent lot, Parcel B, and with full compliance and cooperation of Skagit County, the purchaser of that adjacent lot built a residence on it. This adjacent lot was zoned Ag-NRL at the time, and continues to be so designated on the Skagit County Comprehensive Plan Map.

Prior to 2010, it was Skagit County's policy to allow small isolated parcels of Ag-NRL land be developed as residential, without the necessity of seeking a Map Amendment or zoning change. In 2010, Skagit County changed this policy and now requires a Map Amendment to convert the zoning designation of such parcels to RRV. This Petition is consistent with this new County policy.

In this Petition, Mr. Ritchie seeks a minor Map Amendment to reflect the same "RRv" land use designation for the Lot (Parcel A) as Skagit County granted for other lots in Skagit Beach Community. This new designation will simply allow the same use for this Lot as Skagit County allowed for other SBC lots, and for the immediately adjacent lot (Parcel B), once owned by Mr. Ritchie and now being used solely for residential purposes.

Skagit County Designation and Taxation of the Lot

Skagit County designates and taxes this Lot as residential "Household SFR Outside City." (See Exhibit C). The Lot is and has for years been taxed under Levy Code 1595, which applies to a Neighborhood Designation of "Platted Lots, Other Improvements." That is a totally separate and vastly different designation than would apply to agricultural property, as well as a much higher and more costly tax rate.

Skagit County Lot Certification

In 2004 Mr. Ritchie applied to Skagit County for a "Lot Certification" for the Lot. As part of that process, Mr. Ritchie proposed and the County approved a specific plan for development of the Lot as residential. (Please note that the Site Plan attached to the Lot Certification documents -- Exhibit D hereto -- clearly shows the location of a "Proposed Residence" on a portion of the Lot.) In addition, the County required a Critical Area Review for the Lot, and approved same, again for residential purposes. On July 2, 2004 Mr. Ritchie's Lot Certification application was granted by Skagit County, and the Lot was officially certified as a residential lot. (Exhibit D). The Lot is now certified by Skagit County as a "lot of record," Lot Certification #PL04-0495, and is developable under SCC 14.16.850(4) Development of Lots of Record. That ordinance specifically allows construction of one primary residence and one accessory building on the Lot. Skagit County has also approved the Lot for a septic system.

Unsuitability of the Lot for Agricultural Use

This Lot is totally unsuitable for agricultural use. It is too small and irregularly shaped to be commercially viable. It is essentially inaccessible for farm machinery, and is nearly surrounded by residences. It has a two acre commercial parcel jutting into its center. Its soil consists primarily of spoils dredged from the Swinomish Channel, which Mr. Ritchie is advised is unsuitable for agriculture. Because of its adjacency to what has been designated as a fish-bearing stream, approximately 40% of its area must be dedicated to setback.

II. Legal Criteria for Map Amendment

The following addresses each of the applicable provisions of Skagit County Code 14.08 governing Petitions to amend the Comprehensive Plan. This Petition is a Petition for a Map Amendment not associated with Urban Growth Area boundary modification. Map Amendments must comply with criteria established for both Policy Amendments, and Map Amendments.

(4) Submittal Requirements for Comprehensive Plan Policy and Map Amendments.

(a) Policy Amendment Criteria

(i) A detailed statement of what is proposed to be changed and why.

This Petition proposes that the Skagit County Comprehensive Plan Map be amended to reflect the zoning designation for the Lot as "RRv" rather than its current (and incorrect) designation as "Ag-NRL." This change should be made for several reasons:

- To correct a historical error in the designation of this Lot.
- To synchronize the Lot's zoning designation with its Skagit County tax and usage designation as residential.
- To reflect the Lot's geographical inclusion in the Skagit Beach Community neighborhood.
- In the interest of fairness and equity.

(ii) A statement of anticipated impacts to be caused by the change, including geographic area affected and issues presented.

There will be no adverse impacts if this Lot is redesignated as RRv. There is no "loss" to the agricultural community as the Lot has not been used for agricultural production and is unsuitable for agricultural use. The Lot is already located in the midst of an established residential community, thus its use as residential will be consistent with its neighborhood. Skagit County has already certified and approved the Lot as residential, and only one residence can be built on it, thus the infrastructure of the County will not be materially impacted.

(iii) A demonstration of why existing Comprehensive Plan policies should not continue to be in effect or why existing policies no longer apply.

Mr. Ritchie is not requesting that existing Comprehensive Plan policies be changed, or should not be applied. This is not about a change of policy, albeit it appears that Skagit County has in fact changed its policies from the time the County allowed the similarly designated adjacent Parcel B to be developed as residential. This is about a simple amendment in the Map designation for this Lot, to correct an error and prevent an injustice.

The designation of this Lot as agricultural is an historical anomaly, and an error that deserves correction. Continuation of its Ag-NRL designation would compound that error, legally compromise the County which has certified and taxed the Lot for residential use, and would not further the County's policy goal of preventing random and unwarranted conversion of productive agricultural lands. This "conversion" is neither random nor unwarranted. And,

continuing the current agricultural designation for the Lot would be a gross injustice to Mr. Ritchie.

(iv) A statement of how the amendment complies with the Comprehensive Plan's community vision statements, goals, objectives, and policy directives.

Correction of the Map Designation error for this Lot will not violate or be inconsistent with the vision, goals and objectives of the Skagit County Comprehensive Plan. Even viewed in its current zoning designation as Ag-NRL, the Comprehensive Plan does contemplate limited residential development in agricultural areas:

In cases where some residential use is allowed on natural resource lands, development will occur in a manner that minimizes both the amount of land converted to non-resource uses, and the associated impacts to long-term management of the natural resources. Skagit County Comprehensive Plan, Natural Resources Lands Element.

Granting this Petition for a small, isolated parcel clearly complies with this goal of minimizing impacts to long-term management of natural resources. Moreover, granting this Petition does not conflict with the Comprehensive Plan's stated goal of preserving agricultural land:

Lands within designated agricultural resource areas should remain in large parcels and ownership patterns conducive to commercial agricultural operations and production. Skagit County Comprehensive Plan, Natural Resources Lands Element.

The Comp Plan policy against conversion of agricultural lands is targeted at "large parcels" conducive to "commercial agricultural" production. Certainly this small irregular parcel nestled in a residential area does not fall within that target. This is further demonstrated by the Comp Plan definition of "Agricultural Resource Lands"

Agricultural Resource Lands are those lands with soils, climate, topography, parcel size, and location characteristics that have long-term commercial significance for farming. Skagit County Comprehensive Plan, Agricultural Resource Lands Element.

It is without question that the Lot involved with this Petition does not fall within the Comp Plan's vision and definitions for agricultural preservation, as it never has been used for farming and has no characteristics suitable for commercial farming.

Conversely, the Lot does fit well within the Comprehensive Plan's vision and goals for "Rural Reserve" properties, which is the specific designation for the remainder of the Skagit Beach Community of which this Lot is a part.

The rural element shall permit appropriate land uses that are compatible with the rural character of such lands and provide for a variety of rural densities and uses. Skagit County Comprehensive Plan, Rural Element.

The "Rural" designation and applicable policies clearly contemplates some residential development.

Home occupations that do not significantly change or impact neighborhood character shall be permitted. (CPP 5.2)

In this instance, there is no adverse impact on the neighborhood by granting this Petition. The Lot is already a part of the Skagit Beach Community, and allowing one residence on it – a parcel of approximately five acres – would result in far less density and County services demands than for the other lots in SBC which are much smaller. Moreover, creating a setback of approximately 40% of this Lot would also serve the Comprehensive Plan goals of preserving and protecting wildlife.

(v) A statement of how adopted functional plans and Capital Facilities Plans support the change.

Because the Lot is already a part of Skagit Beach Community, a Map Amendment for this Lot would not impact the existing Capital Facilities Plans. Water and electrical service are already in place for this community and for this Lot. Adding one residence to those services will not adversely impact the facilities. The Lot has been determined to "perk" for a septic system, and will not impact existing sewer facilities. Skagit County has approved a septic system for this Lot. Channel Drive – the road that provides access to the Lot, is not a thoroughfare and serves only Skagit Beach Community. Adding one residence to this access road will not adversely impact traffic on the road.

(vi) A statement of how the change affects implementing development regulations in SCC Title 14 and the necessary changes to bring the implementing development regulations into compliance with the plan.

This proposed minor Map Amendment will not affect development regulations. It will merely correct an erroneous designation for this Lot.

(vii) A summary of any public review of the recommended change.

Of course, this proposed Map Amendment will be subject to the standard public process for such modifications to the Skagit County Comprehensive Plan. Mr. Ritchie has discussed this Petition with several community groups and has not received any objection to it.

(b) Map Amendment Criteria

(i) A detailed statement describing how the map amendment complies with Comprehensive Plan land use designation criteria.

This Map Amendment would change the designation of the Lot from Ag-NRL to RRv. As shown above, this Lot does *not* meet Ag-NRL designation criteria, as it has not been used for agriculture, and is unsuitable for commercial agricultural use because of its small size, irregular shape, inclusion in the Skagit Beach Community, poor soils, and lack of access for farm equipment and operations. Conversely, it is perfectly suitable for the RRv designation, as that is the existing designation of the other lots in Skagit Beach Community, which are used for residential purposes.

(ii) Any proposed urban growth area boundary changes shall be supported by and dependent on population forecasts and allocated urban population distributions, existing urban densities and infill opportunities, phasing and availability of adequate services, proximity to designated natural resource lands and the presence of critical areas.

This criterion is not applicable as the Lot is not in an Urban Growth Area.

(iii) Any proposed rural areas and natural resource land map designation changes shall be supported by and dependent on population forecasts and allocated non-urban population distributions, existing rural area and natural resource land densities and infill opportunities.

This criterion is essentially not applicable as we are requesting a Map Amendment for a single lot, which would accommodate one single family residence. According to Skagit County statistics, each single family residence in Skagit County consists of 2.3 persons. Thus, adding one residence is a negligible factor.

(iv) Any proposed natural resource land map designation changes shall recognize that natural resource land designations were intended to be long-term designations and shall further be dependent on 1 or more of the following:

(A) A change in circumstances pertaining to the Comprehensive Plan or public policy.

- (B) A change in circumstances beyond the control of the landowner pertaining to the subject property.
- (C) An error in initial designation.
- (D) New information on natural resource land or critical area status.

This Map Amendment deals with item (c), as it is a correction of an error in the initial designation. Other tracts/lots in Skagit Beach Community, generally similarly situated, were initially designated as Ag-NRL and subsequently redesignated as RRv. This Map Amendment simply asks that the designation for this Lot be modified to be consistent with other Skagit Beach Community lots.

III. Summary and Arguments for Map Amendment

This Map Amendment is essentially a correction of an historical error and inappropriate initial designation for this Lot. As a part of the Skagit Beach Community, this Lot is and always has been a residential parcel, and not a part of commercial or even “hobby” agricultural endeavor. It is a small, irregularly shaped lot bounded on three sides by residences, with a commercial parcel taking a divot from its middle. It is separated from the adjacent agricultural property by a dirt road and a fish bearing stream. It is wholly unsuitable for any manner of realistic agricultural use, albeit if it were put to commercial agricultural use, Skagit County would then be confronted with neighbor protests in allowing incompatible agricultural use in the midst of an established residential neighborhood.

Skagit County has certified this Lot as a residential lot and for years has collected taxes on this parcel as a residential lot. Skagit County has issued permits for utilities for the Lot, and has allowed an immediately adjacent lot, formerly owned by Mr. Ritchie, to be developed as a residential lot, notwithstanding its Ag-NRL zoning designation. Legally, Skagit County has no basis for refusing the same residential treatment for this Lot.


In requesting this Map Amendment, Mr. Ritchie does not ask for any manner of special treatment. He asks only the same treatment as Skagit County has afforded other lots in the Skagit Beach Community neighborhood – Map redesignation to RRv.

As a policy, Mr. Ritchie understands and applauds Skagit County’s efforts to preserve farmlands, particularly preventing the wholesale conversion of productive agricultural land to residential subdivisions or strip malls. However, all policies must be carefully applied to produce the intended result and prevent inequities. This is one of those instances wherein leaving this Lot as agricultural will do nothing to advance the desired agricultural preservation policy, and will do great harm to Mr. Ritchie, who has consistently “played by the rules” with respect to the acquisition and development of the Lot as a residential parcel.

The Lot has never been used for agriculture, and thus there will be no "loss" if it is allowed to be used for the purpose Skagit County has deemed appropriate – i.e. residential. If this designation error is not corrected, and the Lot remains designated Ag-NRL, then the Lot will be nonproductive and essentially useless. The Skagit County Comprehensive Code seeks to designate properties for an appropriate balance between County land use goals and potential usefulness of land. It utilizes many land use designations in this task. "Useless" is not and should not be one of those designations.

Please do the right thing for the County and for Mr. Ritchie. Amend the Comp Plan Map to appropriately designate this Lot with the rest of Skagit Beach Community as "RRv."

Very truly yours,



John T. Blanchard
John@TBAdvocate.com

Enclosures

- Exhibit A – Lot Legal Description
- Exhibit B – Sketch Showing Lot Location and Skagit Beach Community
- Exhibit C – Skagit County Residential Tax Statement for the Lot
- Exhibit D – Skagit County Lot Certification for the Lot

cc: Jim Ritchie

Exhibit A to Petition for Map Amendment

Legal Description of Lot

SKAGIT BEACH NO 1, (DR19) TRACT E LESS PORTION TO PLAT OF SKAGIT BEACH #5. ALSO EXCEPT THAT PORTION OF TRACT E, "PLAT OF SKAGIT BEACH NO 1", LYING NORTHERLY OF THE NORTH LINE OF LOT 12, "PLAT OF SKAGIT BEACH DIV. NO. 5, A REPLAT OF TRACTS "A" AND "F" OF SKAGIT BEACH NO. 1, SKAGIT COUNTY, WASHINGTON, AND THE EXTENSION OF SAID NORTH LINE EASTERLY TO THE EASTERLY LINE OF SAID TRACT "E".

SKETCH/LOCATION OF LOT



Search by:

Section

Parcel Number

Address

Xref ID

Road Name



Select Region

Select View

Large

VIEW LAYERS

- ☒ Railroads
- ☒ Roads
- ☒ State Roads
- ☒ Local Roads
- ☒ City Limits
- ☒ Parcels
- ☒ Rivers and Streams
- ☒ Sections
- ☒ Comprehensive Plan and Zoning Districts
- ☒ RRc-NRL - Rural Resource
- ☒ Ag-NRL - Agricultural
- ☒ SF-NRL - Secondary Forest
- ☒ IF-NRL - Industrial Forest
- ☒ RVR - Rural Village Residential
- ☒ RI - Rural Intermediate
- ☒ RRV - Rural Reserve
- ☒ H-URV - Hamilton Urban Reserve
- ☒ RB, RC, RVC, RFS, NRI, SRT, RMI, SSB, MPR - Commercial / Industrial
- ☒ OSRBI - Public Open Space Areas Of Regional / State Importance
- ☒ UGA - Urban Growth Areas
- ☒ A-UD - Anacortes UGA Urban Development District
- ☒ LC-UD - LaConner UGA Urban Development District
- ☒ MV-UD - Mount Vernon UGA Urban Development District
- ☒ AVR - Aviation Related
- ☒ BR-CC - Bayview Ridge Community Center
- ☒ BR-HI - Bayview Ridge Heavy Industrial
- ☒ BR-LI - Bayview Ridge Light Industrial
- ☒ BR-R - Bayview Ridge Residential
- ☒ BR-URV - Bayview Ridge Urban Reserve
- ☒ H-I - Hamilton Industrial
- ☒ H-R - Hamilton Residential
- ☒ URR - Urban Reserve Residential
- ☒ URC-I - Urban Reserve Commercial Industrial
- ☒ URP-OS - Urban Reserve Public Open Space
- ☒ C - Commercial (Swinomish UGA)
- ☒ R - Residential (Swinomish UGA)



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Skagit County
Treasurer's Office
Treasurer: Katie Jungquist

EXHIBIT C TO MAP AMENDMENT PETITION PROPERTY TAXED AS RESIDENTIAL

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May 30, 2007

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[By Xref ID](#)

[By Address](#)

[Assessor Search](#)

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2007 Real Estate Tax Statement

Account Number

Parcel ID: P69432

Xref ID: 4008-000-016-0006

Owner Information

RITCHIE JAMES FRANK

5912 BROADVIEW AVE NE

TACOMA, WA 98422

Site Address

14983 CHANNEL DR

LA CONNER, WA 98257

Property Description

SKAGIT BEACH NO 1, (DR19) TRACT E LESS PORTION TO PLAT OF SKAGIT BEACH #5. ALSO EXCEPT THAT PORTION OF TRACT E, "PLAT OF SKAGIT BEACH NO 1", LYING NORTHERLY OF THE NORTH LINE OF LOT 12, "PLAT OF SKAGIT BEACH DIV. NO. 5, A REPLAT OF TRACTS "A" AND "F" OF SKAGIT BEACH NO. 1, SKAGIT COUNTY, WASHINGTON, AND THE EXTENSION OF SAID NORTH LINE EASTERLY TO THE EASTERLY LINE OF SAID TRACT "E".

2007 First Half Taxes DUE by APRIL 30

\$881.91

2007 Second Half Taxes DUE by OCTOBER 31

\$881.91

2007 Tax Distribution

District	Rate	Tax
SKAGIT COUNTY	1.3206	\$211.57
COUNTY ROAD	1.6227	\$259.96
STATE LEVY	2.1725	\$348.03
SCHOOL DISTRICT 311	3.9239	\$628.61
PORT DISTRICT 2	0.0999	\$16.00
FIRE DISTRICT 13	0.6397	\$102.48
CEMETERY DISTRICT 1	0.0571	\$9.15
LACONNER LIBRARY DISTRICT	0.354	\$56.71
CONSERVATION FUTURES FUND	0.0469	\$7.51
MEDIC 1 SERVICES	0.25	\$40.05
Special Assessment		Tax
CLEAN WATER SHELLFISH PROTECTION DISTRICT		\$21.55
DRAINAGE DISTRICT 19		\$62.20
Current Tax Total		\$1,763.82

2007 Tax Summary

Levy Code:	1595
Levy Rate:	10.4873
Land Market Value:	\$139,800.00
Building Market Value:	\$20,400.00
Total Market Value:	\$160,200.00
Taxable Value:	\$160,200.00
General Tax:	\$1,680.07
Special Assessment:	\$83.75
Late Filing Penalty:	\$0.00
2007 Total Tax:	\$1,763.82
2007 Tax Paid:	\$881.91

Amount due may be revised without notice, contact Treasurer's Office for current tax status.

First half tax paid after April 30th requires interest plus penalty on full amount.

Second half becomes delinquent after OCTOBER 31st.

TAX OF LESS THAN \$50.00 MUST BE PAID IN FULL.



Skagit County Assessors Office

Assessor: Mark Leander

Office Hours: 8:30 to 4:30
Monday through Friday
700 South 2nd Street, Room 204
Mount Vernon, WA 98273
Phone: (360) 336-9370
Fax: (360) 336-9308

Home Quick Guide Departments & Offices Feedback Site Search **GO** Record Searches June 29, 2007

Assessors Home

By Parcel ID

By Xref ID

By Site Address

Treasurers Home

Tax Statement Search

in Skagit

Improvements Land Segments Account History Sales History Tax Statement Permits Print Version

Parcel Number	XrefID	Quarter	Section	Township	Range
P69432	4008-000-016-0006	01	13	34	02

[Zoom to this Parcel on iMap](#)

[View Map of this Section](#)

Owner Information

253-927-0418
RITCHIE JAMES FRANK
5912 BROADVIEW AVE NE
Tacoma, Wa 98422

Site Addresses

14983 CHANNEL DRIVE
[Old Situs] 1505 CHANNEL DR
LaConner, WA 98257

2007 Value Breakdown

Building Market Value	\$20,400.00
Land Market Value	\$139,800.00
Total Market Value	\$160,200.00
Assessed Value	\$160,200.00
Taxable Value	\$160,200.00

[View Value History](#)

2007 Property Tax Summary

2007 Taxable Value	\$160,200.00
General Taxes	\$1,680.07
Special Assessments	\$83.75
Total Taxes	\$1,763.82

[View Tax Statement](#)

Legal Description

SKAGIT BEACH NO 1, (DR19) TRACT E LESS PORTION TO PLAT OF SKAGIT BEACH #5. ALSO EXCEPT THAT PORTION OF TRACT E, "PLAT OF SKAGIT BEACH NO 1", LYING NORTHERLY OF THE NORTH LINE OF LOT 12, "PLAT OF SKAGIT BEACH DIV. NO. 5, A REPLAT OF TRACTS "A" AND "F" OF SKAGIT BEACH NO. 1, SKAGIT COUNTY, WASHINGTON, AND THE EXTENSION OF SAID NORTH LINE EASTERLY TO THE EASTERLY LINE OF SAID TRACT "E".

Levy Code

1595

Neighborhood

PLATTED LOTS; OTHER IMPROVEMENTS

City District

Skagit County

School District

SD311

Fire District

F13

Utilities

WTR-P

Year Built

Acres

Living Area

Number Of Rooms

Bdrms

Construction Style

Foundation

Exterior Walls

Roof Covering

Roof Style

Interior Finish

Floor Covering

Floor Construction

Plumbing

Appliances

Heat-AirCond

Fireplace

Sale Deed Type

QUIT CLAIM DEED

Sale Date

4/18/2005

Sale Price

\$0.00

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EXHIBIT D TO MAP AMENDMENT PETITION LOT CERTIFICATION



ACCESS SKAGIT COUNTY

The official web site for Skagit County Government

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Record Searches May 30, 2007

[Planning Home](#)[Address Search](#)[Parcel Search](#)[Permit Search](#)[Owner Search](#)[Advanced Search](#)Parcel ID: P60403

Site Address: 14983 Channel Dr

City: La Conner

Applicant: Ritchie James F

14320 Channel Dr

La Conner WA

Phone:

Owner: Ritchie James F

14320 Channel Dr

La Conner WA

Phone:

Permit Number: PL04-0495

Permit Type: Land Use Approval

Permit Status: Micrfilm

Composition: Lot Certification

Description: Tract E. Skagit Beach # 1

Valuation: \$.00

Application Date: 7/1/2004 12:00:00 AM

Approval Date:

Issue Date:

Completion Date:

Square Feet: 0

Approvals

Description

Grace- Project Mgr.

Routing Assignment

Routing Assignment

Action

Approved

Ready for review

Does not apply

Date

7/2/2004

7/2/2004

7/2/2004

FAX

E-MAIL

E-MAIL YOUR COMMENTS

© 2004 Skagit County, WA

Return Name & Address



Mr. James F. Ritchie
5912 Broad View Ave NE
Tacoma, WA 98422



200702260195

Skagit County Auditor

2/26/2007 Page

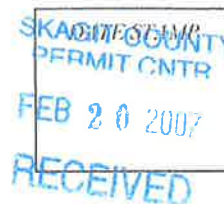
1 of

2 1:24PM

PLANNING & PERMIT CENTER

LOT of RECORD CERTIFICATION

200 WEST WASHINGTON STREET - MOUNT VERNON, WA 98273 - (360) 336-9410



Lot Certification File Number: PL04-0495

Applicant Name: James F. Ritchie

Grantee/Property Owner's Name: same

Having reviewed the information provided by the applicant, I hereby find that the parcel(s) bearing Assessor's Account Number(s):

4008-000-016-0006 P# 69432

Rural Reserve (10 acres)

See attached legal description and map for certified lot of record boundaries.

_____ *IS*, a lot of record pursuant to Skagit County Code 14.16 Zoning Ordinance and in compliance with RCW 58.17.210.

XXX *IS*, a substandard lot of record subject to SCC 14.16.850(4) Development of Lots of Record.

_____ *IS NOT*, a lot of record under the Skagit County Code 14.16 Zoning Ordinance and Subdivision codes and is not in compliance with RCW 58.17.210.

Grantor/Skagit County Planning & Permit Center

Date: 7/2/2004

Authorized Signature: _____

Title: Associate Planner



PLANNING & DEVELOPMENT SERVICES

1800 Continental Place Mount Vernon, WA 98273

Phone: (360) 336-9410 Fax: (360) 336-9416

Inspection Request Line (360) 336-9306

James Ritchie
5912 Broad View Ave. NE
Tacoma, Wa
98422

Invoice date: February 20, 2007

File number: M07-0022

M07-0022 Recording Fees
for Lot Cert

Date: 02-20-2007

Site address:

Fee Items:

Item#	Description	Account Code	Tot Fee	Paid	Prv. Pmts	Cur. Pmts
3700	Centennial Acct	690 2143700	2.00	.00	.00	.00
3701	State ArchivesA	690 2473700	2.00	.00	.00	.00
3702	State Housing T	690 2563700	3.80	.00	.00	.00
4120	State Recording	001 30201412	.70	.00	.00	.00
4121	Rec'd Legal Ins	001 30201412	6.00	.00	.00	.00
4127	Ending Homeless	396004127	5.88	.00	.00	.00
4128	State Homelessn	2363700	3.92	.00	.00	.00
4129	Commisioners O	310074139	1.00	.00	.00	.00
4136	Auditors O&M Fu	112 34800413	2.00	.00	.00	.00
4139	Records Fee Low	162 39100413	5.70	.00	.00	.00

Total payments: \$0.00

Balance due: \$33.00

Please include your file number and remit to:

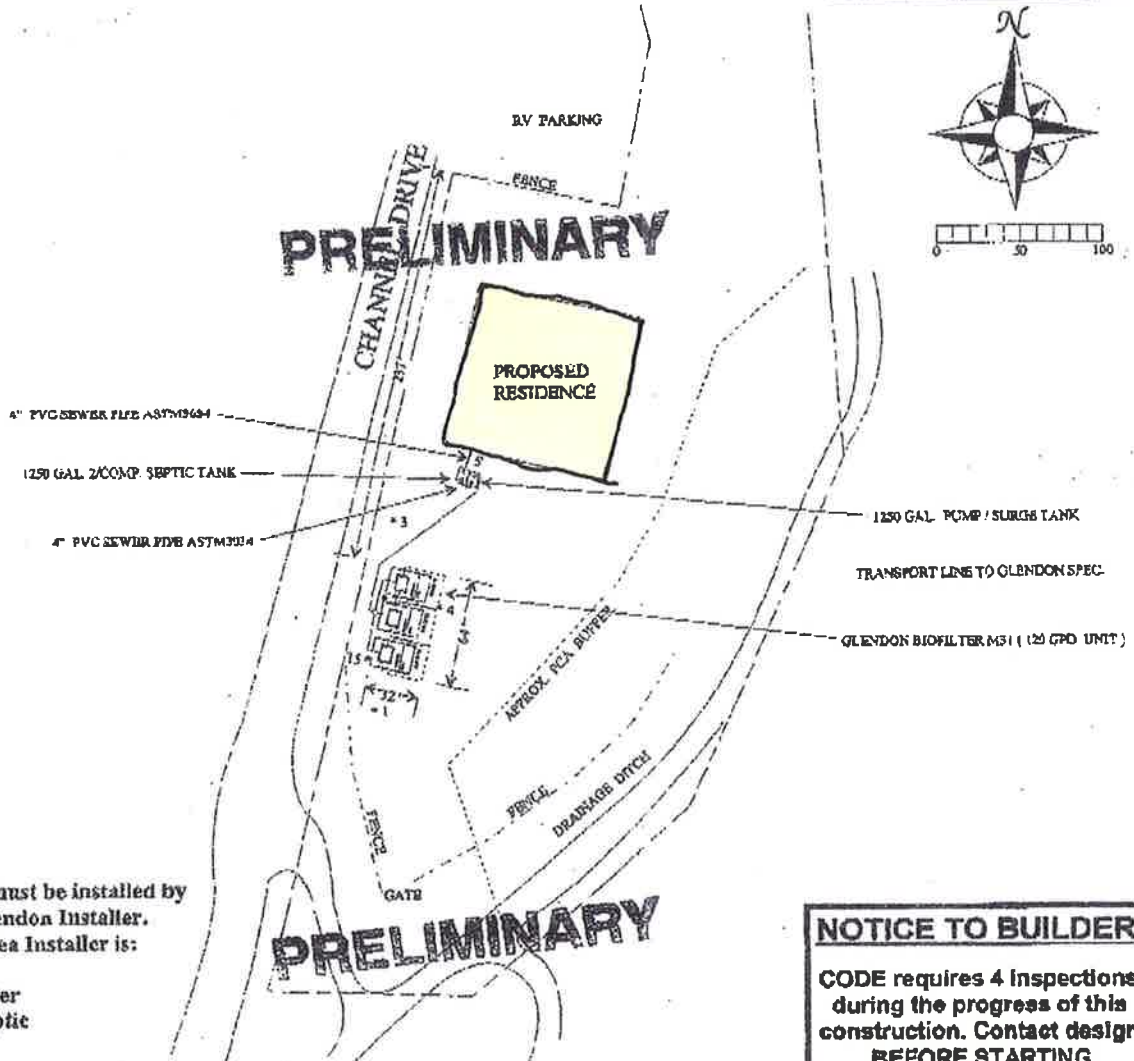
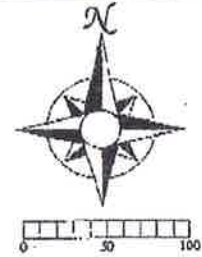
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA. 98273

attn: CG

pd

2/26/2007 Page 2 of 2 1:24PM

Note:
This site map was developed by
using existing resources and on
site measurements.
It is not a legal survey.



This system must be installed by
a licensed Glendon Installer.
Your local area Installer is:

Dean Bannister
Bannister Septic
360 428 4949

NOTICE TO BUILDER!

CODE requires 4 inspections
during the progress of this
construction. Contact designer
BEFORE STARTING
concerning
time and fees. Failure to do
this may invalidate your
permit.

**SITE, DESIGN AND CONSTRUCTION
REQUIREMENTS NOT SPECIFICALLY
MENTIONED HERE
SHALL CONFORM TO
APPLICABLE STATE AND COUNTY
STANDARDS**

**CALL BEFORE YOU DIG
"IT'S THE LAW"
RCW 19.122
STATEWIDE: 1.800.424.5555**

Anderson Contracting

22571 Mosier Road / PO Box 547
(360) 856-2946 Sedro-Woolley, WA 98284 ANDERC*062BF

PROJECT NAME

James Ritchie

SITE ADDRESS

14983 CHANNEL DRIVE, LeCombe, WA 98257

PARCEL #		P69432
ASSOR TAX #		4008-000-016-0006
SUB. DIV.		SKAGIT BEACH NO.1
SMT. PLY. / CARD #		
BLK #	WATER	PUD
LOT #	PTN TRACT E	
ACRES	5.6 AC. +/-	SCALE 1" = 100'
DATE	07/07	PAGE 06



PLANNING & DEVELOPMENT SERVICES

GARY R. CHRISTENSEN, AICP, DIRECTOR

BILL DOWE, DEPUTY DIRECTOR

PATTI CHAMBERS
Administrative Coordinator

TIM DeVRIES, CBO
Building Official

January 4, 2011

John T. Blanchard
340 North 133rd Street
Seattle, WA 98133-7402

RE: James Ritchie Lot

Dear Mr. Blanchard,

This correspondence responds to your October 8, 2010 letter regarding your client's (James Ritchie) approximately 5 acre parcel near LaConner, which you identify as Skagit County Assessor Parcel No. P69432.

In summary, you indicate that your client's property "cannot be used for Agriculture," that the Administrative Interpretation¹ (AI) has rendered the property "worthless," that the AI is "not applicable" to the subject property, and that your client has a "vested right."

I have read your letter and reasons as to why the AI should not apply to your client's property. I have provided a copy of your letter to the Skagit County Prosecuting Attorney's Office, Civil Division, and we have discussed your client's property, the contents of your above referenced letter, and the AI.

While I do not agree with many of the conclusions and positions taken in your letter, it is my view as the Administrative Official that the AI does apply to your client's property. Thus, your client is not precluded from obtaining a building permit for a single family residence on the subject property provided that your clients' comply with the AI's requirements. There is no loss of development rights, only long-standing, unappealed criteria and code requirements that must be satisfied as part of obtaining a building permit for a single family residence. This interpretation is limited to the unique and specific facts of your client's property, and does not apply to any other parcel or stand as a rule of general applicability.

In light of the representations in your letter, you may want to discuss with your client about petitioning Skagit County for a comprehensive plan map amendment. That process is described in Skagit County Code, Title 14 (Unified Development Code), Chapter 14.08.² Should the subject property be redesignated from Agriculture-Natural Resource Land (Ag-NRL) to that of the adjoining parcels (Rural Reserve (RRv))³

¹ See at: <http://www.skagitcounty.net/PlanningAndPermit/Documents/Siting%20of%20Non-Ag%20Buildings%20in%20Ag-NRL%20zone.pdf>

² See at: <http://www.codepublishing.com/wa/skagitcounty/html/SkagitCounty14/SkagitCounty1408.html>

³ See attached: comprehensive plan map with subject property highlighted in red; and, aerial view of the property.

John T. Blanchard
RE: James Ritchie Lot
January 4, 2011
Page 2

then the AI would not apply to your client's property. Without taking a specific position on any such potential application, there appears to be reasonable merits to such a petition.

Should you or your client desire to discuss this matter further, please advise.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gary R. Christensen", with a stylized flourish at the end.

Gary R. Christensen, AICP
Director and Administrative Official

Attachment